

Success or Failure?

Ten years after

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(editor)

Česká společnost pro politické vědy
Slovenské združenie pre politické vedy

A 00 - 00393

Praha 1999



Tato publikace vyšla s podporou Nadace Friedrich Ebert Stiftung



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ISBN: 80-802176-2-1

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Preface

The Year 1989 was experienced as a year of miracles in Central and Eastern Europe. Optimism prevailed not only in this part of Europe, but also in the West. In that year nobody could imagine the problems and even tragedies which would accompany these changes in political regimes.

This volume is a collection of papers stemming from the Fifth Regional Conference of the Central European Political Science Associations held in January 1999 in Bratislava, Slovakia. The topic of the conference was inspired by the tenth anniversary of the "year of miracles" that opened up the changes in Central Europe. The conference - **Success or Failure? Ten years after** - reflected the need to initiate an open cross-national discussion on the real results of the very complicated and complex process of transformation.

Papers by various authors have examined the specific questions of the development in particular countries but, simultaneously, have asked more general questions that shape the space for comparative research. Unfortunately, it was not possible to publish here the discussion that accompanied the presentation of the papers in Bratislava. We hope that the contributions in this volume will inspire further research, joint projects and mainly closer collaboration among Central European Political Science Associations.

This conference and this volume give evidence on the level and quality of political science in Central Europe, too. "Ten years after" means also ten years after new and free political science was born in most of the Central European countries. However, it is the reader of this volume who should answer the question whether the development of political science was "success or failure".

The conference was organized by the Slovak Political Science Association and the Czech Political Science Association. Without a generous financial support of Friedrich Ebert Stiftung the conference and this volume would not have come to a fruition. All the participants from Political Science Associations from the Czech Republic, Slovakia, Hungary, Poland, Slovenia and Austria would like to express their gratitude to this Foundation.

Prague, May 1999

Vladimíra Dvořáková

Parliamentarism vs. Presidentialism: Old Debate, New Experiences of Postcommunist States¹⁾

Jerzy J. Wiatr

Introduction

Nine years since the beginning of political transition, the postcommunist states face the problem of consolidation (Przeworski 1995; Linz and Stepan 1996). While a return to the communist system (in any potentially possible form) has not taken place and seems to be unlikely, the success of consolidated democracy is far from reality in most of the postcommunist states. In some, we face an emergence of new forms of authoritarianism, often with strong nationalistic tendency. In some, the main problem is such a strong ethnic conflict, that it challenges the very existence of the state. Some are deeply divided by the conflict between religious fundamentalism and secularism. Finally, some of the postcommunist states face continuous instability of the constitutional order. Only a minority of the postcommunist states can be defined as well consolidated democracies. While powerful political leaders have a role in the success or failure of democratic consolidation, it would be naive to attribute the final outcome to the quality of individual leadership only. The structural factors are more fundamental, both external to the political system (such as the ethnic composition of the society or the state of its economy) and internal to it (such as the constitutional arrangements adopted at the beginning of democratic transformation). It is the second factor, which I shall focus on in this paper. The role of the external, nonpolitical, factors cannot be denied but the experience of democratic consolidation, both in the postcommunist states and in other new democracies, shows that they do not determine the final outcome in a fatalistic way. Some consolidated new democracies (notably India and Israel) have achieved democratic consolidation in spite of considerable ethnic, and in the case of India also economic, problems. Some of the consolidated postcommunist democracies have been able to successfully accommodate ethnic minori-

1) The first draft of this paper has been prepared for the conference on *Possibilities and model strategies of postcommunist democratization*, Beograd October 23-24, 1998.

ties and almost all of them have started in conditions of grave economic crisis. Because of this, it seems reasonable to focus on the impact of constitutional arrangements on the success or failure of democratic consolidation.

Criteria of Democratic Consolidation

If the state is not consolidated (due to tribal separatism, religious conflicts or other factors Democratic consolidation depends on state consolidation but is not identical with it), there by definition can be no democratic consolidation. However, a state may be well consolidated but still not a democracy. Saudi Arabia is one of the most stable and consolidated states in the present world, but it is not a democracy.

Criteria of democratic consolidation can be divided into two categories: procedural and substantial.

The procedural criteria of consolidated democracy are the following:

- regularly held, free and honest elections to the main organs of the state;
- the rule of law, including observance of the constitutional order by all institutions of the state;
- legal protection of human rights and political freedoms;
- nondiscrimination of ethnic and religious minorities in all aspects of public life.

If all these principles are observed, we may define a system as procedurally consolidated democracy. Partial failure to observe some of these criteria may cause us to qualify the degree of consolidation. This is particularly true in the case of some postcommunist states, which are procedurally well consolidated except that they have not been able to deal with their ethnic diversity in a non-discriminatory way; Latvia is the clearest example of such a problem.

Substantial criteria of democratic consolidation are more difficult to assess since they relate at large to the dominant political culture of the society and of its political elite.

The following criteria of substantial type seem most important:

- the existence of well functioning civil society, independent from the state and consisting of self-organizing groups created to promote collective interests and values of the citizens;
- nonexistence or marginality of forces which attempt to achieve their goals by violence, secession or other forms of undermining the democratic state;
- acceptance of the democratic procedures and institutions as the only legitimate channels of promoting their goals by the dominant majority of citizens and by the political elites.

All the substantial criteria are relative and the assessment of the degree of substantial democratic consolidation may vary over time. To some degree it is necessary to rely on sociological surveys to assess the degree of subjective sup-

port for democratic consolidation among the population and among political elites. Therefore, substantial criteria are more difficult to apply in comparative analysis, but they are necessary for the understanding of a complicated process of democratic consolidation.

Applying the above listed criteria I have come to the conclusion that among twenty seven postcommunist states in Europe and former USSR only six can be at present defined as consolidated democracies. They are the following: Czech Republic, Hungary, Estonia, Lithuania, Poland and Slovenia. I have considered Latvia, Macedonia, and Ukraine as border cases, but in all these three cases the intensity of unresolved ethnic problems precludes the inclusion in the category of consolidated democracies. All remaining postcommunist states fail to meet more than one criterion of democratic consolidation.

It is, therefore, interesting (not only for theoretical purposes) to address the issue of conditions suitable to the democratic consolidation. What do these six states have in common, what distinguishes them from the majority of postcommunist states in their relative success in achieving consolidated democracy?

Parts of the answer may be linked to other factors than the choice of a constitutional system. All six states are relatively small in territory and population. The largest of them (Poland) belongs to the category of medium size European states, while three (Estonia, Lithuania, and Slovenia) are very small states, at least by European standards. History may also be a factor. All the six states have experienced some periods of democratic rule in the XXth century. All the six had shorter history of the communist rule than the majority of the postsocialist republics. The oldest generation of citizens not only remembers the precommunist times but could even have had some active political role in politics prior to the establishment of the communist system. This is not the case of Russia and of the other republics of the former Soviet Union (except Latvia and Moldavia). Any comparative analysis must take into account all these systemic differences. But it would be unreasonable to ignore the basic institutional factor. All the six consolidated postcommunist democracies are parliamentary systems and none of them has adopted the presidentialist system for any period of time. While not all parliamentary regimes achieved democratic consolidation, none of the presidentialist systems in the postcommunist states has been able to do this. In statistical terms, it means a strong correlation between the choice of the constitutional order and the success or failure of democratic consolidation.

Debate on Parliamentarism and Presidentialism, 1988 – 1998

Ten years ago, American political scientist Fred W. Riggs presented his case against an automatic imitation of the American presidential system in new democracies. Riggs argued that the success of American presidentialism had

been achieved in spite of the choice of the presidentialist system, not because of it, and that in other new democratic states the chances of successful imitation were quite low. His argument was both theoretical and empirical. On the theoretical side, Riggs pointed to the greater ability of parliamentary government to build a consensus based on compromises. Empirically, he pointed to the fact that *"no country following a presidentialist model, except the USA, has been able to avoid at least one... disruptive experience"* and that *"almost all two-thirds of the Third World countries which adopted parliamentary constitutions, usually based on British or French models, have maintained their regimes and avoided the disruption typical of all American-type systems"* (Riggs 1988: 249). Nine years later, Riggs expanded his original analysis by including the experience of a greater number of states, including some of the postcommunist systems. He argued that *"presidentialism faces greater obstacles than parliamentarism in creating a sense of legitimacy for the state"* and that *"parliamentarist regimes can more easily increase the representativeness of governance for their citizens by accommodating to the growing demands generated by electoral and party systems rooted in proportional representation, and they can enhance the legitimacy of governance by reliance on parliament (including the cabinet) to express a nation's sovereignty"* (Riggs 1997: 274-275).

Riggs analysis provoked a widespread debate among political scientists, most of whom supported the conclusion that parliamentarism provided a safer constitutional framework for new democracies than the presidentialism (Linz 1990a, 1990b, 1994; Lijphart 1991, 1994, 1995; Stepan and Skach 1994). In some cases, the success of a presidential system was treated as due to the exceptional characteristics of a society; this was particularly the essence of Suleiman's qualified support for the French version of presidentialism (Suleiman 1994).

Not all political scientists, however, support the argument in favor of parliamentarism against presidentialism. Notably, Giovanni Sartori has argued that neither pure parliamentarism nor pure presidentialism provide a safe framework for democracy and opted for a choice between two mixed systems: either semipresidentialism or semiparliamentarism would, according to him, provide safer framework for workable and stable democracy than either pure presidentialism or pure parliamentarism (Sartori 1994). Thomas A. Baylis went even further. He has argued that in Eastern Europe *"parliamentarism in itself,"* and that *"presidents...have strengthened democratic legitimacy externally because of the prestige and respect most enjoy outside their countries' borders"* (Baylis 1996: 321). His argument, however, fails to address the central empirical issue: why all successful young democracies in the postcommunist states are parliamentary regimes, while so many presidentialist systems have turned into authoritarian regimes.

In the postcommunist states, only few political scientists addressed the issue of presidentialism and parliamentarism. Hungarian theorists argued that the exceptionally successful democratic consolidation in their country has been at least partly due to the original choice of the parliamentary system of government (Szoboszlai 1996; Vass 1995). Jana Reschová compared the parliamentary systems of Czech and Slovak republics and pointed to the reasons why the Czech parliamentarism has been so much more successful than its Slovak equivalent (Reschová 1997). In my own writings I have developed the argument that the gradual transition from a mixed system of government (itself a product of the 1989 "round table" compromise) to the parliamentary system of government had increased the consolidation and stability of Polish democracy (Wiatr 1993, 1996, 1997). There has been, however, remarkably little written on reasons why the choice of presidentialism in some of the postcommunist states had produced unstable systems or opened the door to new types of authoritarianism. It is one of the urgent tasks facing political scientists in the postcommunist states to find out why so many presidentialist systems in this part of the world have failed to provide a stable democratic framework. In the third part of this paper I intend to hypothesize on reasons of this failure.

Presidentialism and Institutional Crisis in the Postcommunist States

The empirical evidence favors strongly the choice of parliamentarism over presidentialism. In this respect, the recent experience of the European and Asiatic postcommunist states enriches our knowledge of the phenomena under discussion and adds new empirical evidence to the information on which Riggs and his followers have based their arguments in favor of parliamentary system of government.

However, we have to be aware of a possible methodological fallacy. Is the choice of presidentialism indeed responsible for the failure of democracy in most of the post-Soviet republics, as well as in some of the East European ones? Could it be for historical reasons that countries with stronger communist legacy have opted for presidentialism, which in some respects looked more alike the old communist system with the central role of the Leader (be it the General Secretary or the President)? Can it also be so that successful parliamentarism depended on the emergence of well functioning political parties, while presidential regimes could more easily rely on civilian and military bureaucracies substituting partly for the lack of strong political parties? Can it finally be so that ethnic diversity, itself a major obstacle to the early democratic consolidation, caused politicians of the dominant nationality to select presidentialism rather than parliamentarism to guarantee stronger position of the dominant ethnic group vis-a-vis the minorities? All such arguments have some

validity. We cannot be sure that the failure of presidentialism is primarily the cause of problems which the new postcommunist systems face, rather than one of the consequences of the structural weakness of those states.

Having this in mind, we can, however, list the reasons why the choice of presidentialism tends to magnify difficulties rather than to solve them.

First, in most of the states which have chosen the presidential system of government, former communist leaders became presidents. This was due to the fact that they had resources necessary for winning the presidential elections and often did not face any strong and well known candidate of the opposition. Only few of the postcommunist states which have chosen strong presidential system have chosen their presidents from among leaders of noncommunist (or even anticommunist) parties: Albania (Sali Berisha), Armenia (Lewon Ter-Petrossian), and Georgia (Zviad Gamsakhurdia). In other twelve presidentialist or mixed systems, former communists (sometimes even leaders of the former communist party) became presidents: Gaidar Aliiev in Azerbaijan, Alexander Lukashenko in Belarus, Franjo Tudjman in Croatia, Nursultan Nazarbajev in Kazakhstan, Askar Akaiev in Kirgistan, Boris Yeltsin in Russia, Ion Iliescu in Rumania, Emomali Rachmanov in Tajikistan, Saparmurad Nijazov in Turkmenistan, Leonid Kravchuk in Ukraine, Islam Karimov in Uzbekistan and Slobodan Milosević in Yugoslavia; in addition Eduard Shevarnadze, former leader of the communist party, succeeded Gamsakhurdia as the second president of Georgia. Among these only Franjo Tudjman of Croatia has had an experience of dissident activities (and repression resulting from them) during the communist system, but in his case the issue was not so much democracy as the advocacy of Croat nationalism. While it cannot be argued that all former communist leaders fail to become strong defenders of democracy (Algirdas Brazauskas of Lithuania, Kiro Gligorov of Macedonia, Aleksander Kwasniewski of Poland, and Milan Kučan of Slovenia are good examples of the opposite), it is only reasonable to assume that at least some of the former communist leaders turned presidents in the presidentialist systems will behave in the way reminiscent of the conduct of communist general secretaries under the former regime. And, in fact, quite a few of them have been doing just this.

Second, the choice of presidentialism allowed the president to secure an independent position vis-à-vis political parties. In several cases the president is not identified with any party but has built his power base in the state bureaucracy, state-controlled media, the armed forces and security apparatus, and also influential groups of new capitalists. Boris Yeltsin of Russia is the best known example of this phenomenon, but in no way the only one. This is practically impossible in the parliamentary government, where political parties, represented in parliament, have the upper hand. In this way, the parties are better placed to control the executive and to stop the president from assuming too much power, even if some may wish to do so. Lech Wałęsa's experience as president of Poland in the years 1990-1995 is a good example. He favored the presidential type

of government and made his best to increase the power of his office at the expense of the parliament and the cabinet. The elements of mixed system of parliamentary and presidential control over the executive branch of government, introduced by the provisional ("Small") constitution of 1992 helped president Wałęsa in this. However, having lacked a strong party basis, he was unsuccessful in all his attempts to remake the system and in 1995 lost his bid for reelection. Following Aleksander Kwaśniewski's election as a president of Poland, the new constitution of 1997 increased the power of the prime minister and took away all prerogatives of the president in the field of executive power. The president, however, retained a considerable role in the legislative process (due to the veto power) which President Kwaśniewski has been able to use effectively after the center-left coalition had lost the parliamentary election in September 1997 but remained strong enough to defend the president's veto in final parliamentary votes. The Polish experience indicates that a clear system of parliamentarism is better for the stability of the democratic order than a mixed system of the type Poland had prior to the adoption of the new constitution.

Third, strong presidency may be a wrong answer to the very real challenges of multiethnic structure of the society. Most of the presidentialist systems in the postcommunist states have been established in countries which have very strong ethnic minorities. This may be more than a coincidence. The very logic of parliamentarism implies that the minorities (unless they are too small and too much dispersed territorially) can influence the process of cabinet formation, participate in controlling the executive branch and in some cases even constitute the necessary balance without which no cabinet can be formed. Parliamentarism will, therefore, be advocated in such conditions by those who favor compromise between ethnic majority and minorities. However, nationalists of the dominant ethnic group will favor strong presidentialism, precisely for the reason that they seek domination over, rather than accommodation with, the ethnic minorities. If they have it their way, the choice of the system can greatly contribute to the selection of the policy of rejecting compromises, and consequently may be at least partly responsible for the intense ethnic conflict, sometimes even civil wars. This is particularly true when the constitution is ambiguous about the limits of power of the highest state organs. The 1993 crisis in Russia, as well as the way in which a new constitution was imposed by President Lukashenko in Belarus in 1996, illustrate this point quite strongly. However, it can be argued that an opposite tendency occurred also in a parliamentary system (Slovakia), where the powerful Prime Minister Vladimir Mečiar used his power to undermine the position of the president and to weaken the democratic mechanisms of the state. Statistically, however, it is much more common for strong presidents than for prime ministers to behave in such a way.

It is sometimes argued that presidentialism offers two advantages over parliamentarism:

- that it allows to reform the state in much more efficient way, and
- that it provides the basis for greater stability.

Neither of these arguments is empirically valid. Reforms in Hungary, Estonia, Poland or Slovenia have gone faster and are more effective than the non-reforms in Russia, Belarus or most of the other presidentialist states. Violent disruptions of the public order, even civil wars, have taken place exclusively in those postcommunist states which have opted for the presidentialist system: for instance in Croatia, Georgia, Tajikistan, Yugoslavia. The recent crisis of Russian presidency which followed the economic collapse of August 1998 showed that the political system whose advocates praised it for greater stability and reform-oriented efficiency was by itself one of the contributing factors of the social crisis. While the supporters of presidentialism may argue that this was not the fault of the presidents, they at least cannot prove that the choice of presidentialism has saved those countries from the calamities of ethnic violence and economic instability.

For all these reasons, I believe that it is better for the new democracies in the postcommunist states to learn both from the theory and from the political praxis that parliamentarism is by far a safer arrangement than the presidential or even a mixed system of government. While further research on this issue is necessary, I consider the existing body of information sufficient to draw such conclusion.

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Authoritarian Democracy?

Andrej Kurnik

Introduction

Democracy has become *mot d'ordre* of contemporary regimes. That is why thinking about democracy is a demanding task. Not just because of plurality of contents and definitions that are comprised in one word. In moralised societies, like our contemporary ones, the norm of democracy is the source of every kind of taboos and euphemisms that really blur the picture. One type or model of democracy that was established in particular time and place is elevated to the only possible democratic theory and practice. The consequence of such notion is that all other regimes, past and present, are denounced and sanctioned as being undemocratic. Democracy is becoming the ideological rationalisation and legitimisation of new/old world domination. Knowing the temporality of democracy (and temporality is the very definition of democracy) one has to be politically incorrect and has to try to find richness of political and democratic theory in the current events and contradictions.

Every democracy has its own Thermidor and its own Thermidorians. The democracy is a genuine movement of mass, of multitude. It is a living fire that destroys and create. Multitude is the central consideration of modern political theory and practice. Antonio Negri argues that modern political philosophy was born not out of administration, but out of fear. Fear of multitude that is a subjective force demands its objectivation in *vulgaris* and *poebel* (Negri 1997). So, every democracy as a movement of mass must have its own architects of order, its baron Haussman.

The aim of this paper is to detect the logic and mechanisms of thought which echoes in the present Slovene social and political practice. Although we are dealing with the case of Slovenia, one does not pretend to live a different experience from other western and eastern countries. The similarity of west and east experience shows the fact that beside emphasised antagonism between western and eastern block, there really have existed astonishing similarities between capitalist and socialist block, similarities, which were established in the system of thought which supported both regimes¹⁾. The main feature of this

system of thought is the notion of power as a foundation, as the pre-existing fact, i.e. nietzschean Egyptianism which submits the process of becoming into existence to the transcendent and sovereign power.

Socialism has collapsed and capitalism has won the war. But the problem remains. My presentation rests on that tradition of modern philosophy and political thought, which has criticised both socialist regimes in the East and capitalist regimes in the West. It is the tradition, young and fresh, which belongs to the post 1968 and that was materialised in two major political events – 1968 (student movement) and 1989 (democratic revolutions in the former socialist countries). This theoretical and practical innovation was temporarily defeated. But it has incredible potential to offer understanding of current situation and to deal with the huge problems, which are awaiting self-satisfied western and frustrated and impatient eastern societies.

Authoritarian Democracy

Negri's thesis of two flows, traditions or alternatives in modern thought (Negri 1982 and 1997) was used as the theoretical framework in analysis of the traits that can be defined as authoritarian in current democratic regimes. The starting point is the historical period of Humanism and Renaissance with the capitalist revolution, which presents the fundamental shift in man's relation to God and Nature. Humanism and Renaissance let loose *"practical ability and constructive force, which take in their hands natural conditions of living, abstract them and make them circulate and transform them in this manner into the second nature, into the new productive force"* (Negri 1982, 224). New productive force is inherently associated with the appropriation, which is connected with *"the idea of the market as the spontaneity of productive forces, as their unquestionable and direct socialization, as evaluation through this process. Philosophy of appropriation naturally derives from the philosophy of the market. Market achieves the venture of connection between individual appropriation and socialization of productive force"* (Negri 1982: 59). This Renaissance utopia have its philosophical expression in the neo-Platonism, that *"tried to convert itself in the philosophy of expression, in the thought of the surface and in the elimination of view-point of transcendence, hierarchy, emanation and degradation"* (Negri 1982: 60). Renaissance was familiar with homogeneous ontological level with the spontaneous development and organisation of forces on the horizon.

Capitalist revolution soon reached its peak in the appearance of the crisis, which is the very nature of the new (modern) world. This fact is of the key importance for the future evolution of the modern thought. Crisis appears in the wars and in the decline of economic cycle. But the fundamental essence of the

1) Lenin's maxim was to catch up and to pass by (that socialism catch up and pass by capitalism).

crisis is the collapse of the dreams of linear socialization of the effects of capitalist development, the crisis of non-conflicting and peaceful model of expansion (Negri 1982).

The crisis is the turning point in the history of modern thought. Two solutions can be identified:

- The first answer is presented in the "sublime stream" (Negri 1982 and 1997) of modernity, as Negri defines it. In this solution, linear development stands in the very centre of considerations. As such it can be guaranteed by mediation of external power. As the philosophy of the 17th century (Descartes and Hobbes) proposed, the solution to the crisis of revolutionary development, consists in the operation of re-double the world once again and in the establishing of the criteria of mediation. By this, political philosophy becomes the apology of absolutism. This is the birth of the law conception of the world, which suggests according to Deleuze that: a) forces have individual and private development; b) in order that adequate relations among them are created, they have to be socialized; c) so exists mediation of power (*potestas*); d) horizon is inseparable from the crisis, war and antagonism, to which the power is the solution, but an antagonistic solution (Deleuze 1982: 9).

Politics in this tradition is understood as over-determination. It searches for the source of order, norms, values and institutions on theological and transcendent level. It operates with the figure of sovereignty, which pre-supposes vertical organisation of the society into the state. Power is pre-given and as such it is an effective mechanism of suppression, submission or subsumption of every singularity. The modern (political) thought and practice are authoritarian suppression, submission or subsumption - cerebral identity as tyranny.

- There exists alternative point of view to the first stream, which was always suppressed or submitted. Negri calls it "cursed stream of modernity" (Negri 1982 and 1997). Antagonisms and conflicts are perceived as potentially positive and constructive. They have a constitutive status. Crisis is a starting point (basis) for the creativity of reconstruction. This is the Machiavellian virtue and Machiavelli is the father of modern politics and democracy. Modern politics and democracy become secularized, the only completely secularized man's activity. This means discontinuity with any kind of finality - plurality of ends (attention: parallel with the post-modern political theories that restore finality in a new manner - procedural republic.) In that way, democracy must be open to collective constitutive practice. Modern democracy and politics is embodied in Machiavellian virtue or Spinoza's democracy as absolute power¹⁾, which are the most marvellous instances of definition of modern politics and democracy.

1) Those instances are first, Machiavelli's Prince as a power of reconstruction of politics

With the connection of both alternatives one can define the problem of authoritarian democracy. Liberal democracy is not a compromise between liberty of individuals and democracy. The very essence of liberalism is not liberty (it is more or less ideological ballast) but a method, which can be defined as *hypostasis* (essence comes before existence). The effect of a concrete historical relation of forces is turned into the cause and is given the role of a-priori and absolute foundation. Hypostasis as a fundamental method of constitution in liberal thought, connotes translation or projection of concrete historical moment or achievement into supposition. This mechanism has different instances. Crisis of capitalist revolutionary development is translated into natural state (Hobbes), the experiences of concrete revolutions (notably American) and mechanisms that are produced in these revolutions are accepted as the very essence of the political society (Arendt, Rawls). In so called post-modernism with deontological plurality of ends, only defined procedures and defined set of legal norms may claim ontological status. Today's *Rechtsstaat* is the accomplishment of the early modern absolutism into abstract formalism. The politics and the law have lost any connection with the world of life. The dialectics is dead and integration is replaced by separation (problem of Ghettoisation, problem of the two-thirds society etc...). Law has become the *primum ontologicum*, the primary (quasi)-ontological force. The dead structure, which the law is, became the only possible, legitimate and legal source of being. The nature of this being can be the most adequately described by the Beck's metaphor of lions and cages¹⁾.

Let us sum up the argument. Democracy is defined as collective power, as the process of organizing power that is capable of constituent effects. The establishment of the new majority, which has constituent power with innovative and ontological effects, is the very essence of democracy. Every attempt to diseminate, suppress, subordinate or submit this process can be defined as authoritarian. Such attempt follows the logic of absolutism, which stands in the beginning of the modernity.

The Case of Slovenia

Constitutional Court

Again one deals with the reality that spreads far beyond the borders of Slovenia and Slovenian experiences. Law conception of the world as the authorita-

cal society on the ground of the crisis, which is shown in disunion that stands against Pope's and French state and second, Spinoza's art of composition and constitution of the world.

- 1) After the end of antagonism between East and West we are dealing with the paradoxical situation. Politics is going on in the old cages, but lion is released. Now they are simulating ZOO without the lion (Beck 1997, 188).

rian mechanism that was established to deal with the new, uncertain reality was already mentioned. Individual foundation and moment of contract with the modern subject constructed in the externality of citizenship, at very core of modern (liberal) thought, has, following previous argument, indisputable authoritarian character. Legal subject, well defined and *a-priori* given - Badiou (1997) defines it as a subject of fear, as subject-victim - the subject with *a-priori* rights carries out the dissemination of collective power, which is at the very essence of democracy. Although one does not want to be too abstract and too philosophical, one has to grasp this type of subjectivation to understand processes of (authoritarian by definition) dissemination of democracy as a process of organizing collective and constituent power. This dissemination takes place everywhere, on micro and macro levels. Democracy, as we understand it, is either the target of statistical considerations (dissemination of potential or real existing collective forces through statistical mechanisms of public opinion¹⁾, or the victim of the legal subject that can undermine any democratic decision.

With the last example I have approached more concrete example: the case of Slovene Constitutional Court, which demonstrates the privileged instance of authoritarian practices. The example I have mentioned concerns the last very disputable judgement of Slovene Constitutional Court, which gave a verdict that municipality of Koper is non-constitutional. The Court has arbitrated in this manner on the initiative of a group of citizens, despite the fact that majority of population in the concerned municipality is strongly in favour of united municipality of Koper (that will was materialized in the referendum where the vast majority of voters was in favour of united municipality of Koper).

The fresh example of authoritarian practice is also the judgement in which Constitutional Court has ordered to Parliament to positively pass the votes on the results of the referendum on electoral system. According to Court's interpretation majority electoral system option won the referendum. The problem is that according to the law, the winning proposal has to get the support of 50% of voters. On referendum there were three propositions (proportional system, majority and combination of both) and the proposition for majority system has achieved only 44% of votes.

By those two judgements Constitutional Court openly challenges democracy as a rule of the people. It challenges Constitution of the Republic of Slovenia, which states that Slovenia is a democratic republic and that *"in Slovenia, supreme power is vested in the people. Citizens exercise that power directly, and most notably, on elections, and consistently with the principle of the separation of*

legislative, executive and judicial power" (Article 3, Constitution of the Republic of Slovenia). Slovenia is a parliamentary republic and Parliament is the most important organ as the implementation of people's supreme power. But in practice Constitutional Court positions itself above the Parliament and referendum - that means above the democracy defined as the rule of the people.¹⁾

Reconciliation

The theme of reconciliation is one of the most important themes in Slovene political life. It has been in the centre of considerations of Slovene political actors from the beginning of the process of democratization. However, reconciliation has different meaning for different actors and forces in the Slovene political reality. For one, which can be identified with the right-wing political block, reconciliation means revenge and purge. On the ideological level it means also recognition of one (theirs) truth and expulsion of the other. Those attempts try aggressively to achieve the general recognition of the final truth about the world and human beings. The end of history can be achieved only with regret and punishment of those that lived and still live in the darkness, shortened of the grace of revelation.

Reconciliation is of course necessary for Slovenia. The conflict between two sides from the Second World War as the main reference and as the foundation of any political identity means impossibility for a new political articulation of new political generations. This conflict means an effective blockade of democracy as constituent power and as such represents an authoritarian element in Slovene democracy.

The reconciliation must take place as a starting point - it is a condition of possibility for democracy as a constituent power. But this reconciliation must not have the character of revenge and purge. It does only cement the truth of one block and hypostasize one truth and one type of relations of force (both momentary and temporal). It would have the same effect for democracy as we define it as the current status quo in the issue of reconciliation. It would not translate authoritarian effect of momentary conflict into democratic openness.

- 1) I do not want to be misunderstood here. According to the defined theoretical standpoint it might seem impossible to confront democratic institutions such as parliament and authoritarian institutions as for example Constitutional Court. Nevertheless politics and democracy are independent from political and democratic institutions. One has also difficulties to define it within the concept of political culture. Politics and democracy are in the first place tied to the desire, which is inherent to a modern man. But nonetheless this desire has still more space to express itself in the democratic institutions that bears the supreme power of the people (Parliament and referendum).

- 1) We must remember Foucault's warning that modern power operates through individualization and totalization. To establish the totality of power the operation of individualization must be carried out. Totality of modern power cannot bear organized forces that are constituted by the operation of fusion and not by subsumption (inclusion of particular into common). Subjectivation through statistics is a preparation for such subsumption.

Media

The sphere of media in our problematization of authoritarian democracy is not at all surprising. Media like to see themselves as a fourth estate or a fourth branch of government. In the neo-liberal strategy of avoidance that seeks to weaken the political subject¹⁾ (we already mentioned that separation took place instead of integration) abstract public opinion is the only political subject.²⁾ Media play the crucial role in this development.

Democracy is defined as a secularized activity that exists on immanent level. But media's development in the last two decades evolves in the direction of moralization, which establishes new transcendence and has obvious authoritative effects. The concept of media was for a long time affirmative in the sense of proposing the reality and in the fidelity to this proposition. That was the concept of media in the East and in the West. Media was a party. This concept was changed considerably into the negative concept of media that consists of moral judgement. Media have the role of moral arbiter, which judges in accordance with the eternal and transcendent criteria derived from the negatively defined democracy and rule of law. The production of new values and conceptions of the world is effectively prevented here.

Authoritarian elements are seen also in power-related effects of such conception and practice of media. The supposition is that society is constituted by the sin. This is not problematic until one segment steps out of this sinful society and pretends to be pure and clean. That is the process that established the Catholic Church as super-authoritarian institution. Journalists are becoming new priests. This can be seen in the very practice of media especially in their orientation toward journalism that deals with scandals (we must remember Clinton's scandal in the USA, where it was evident that politics and democracy are eaten by the media). In this context a controversial debate that took place in Slovenia about journalists and politics is significant. The question in this debate was, whether ex-politicians can become journalists or not. At the end of the debate it is evident that in the eyes of media and public opinion, ex-politicians cannot become journalists, while journalists can become politicians. Politics is something dirty and no one who enters is immune of its dirt, while journalism is clean and immaculate activity.

- 1) We must remember Thatcher's exclamation that there is no such thing as a society.
- 2) This subject is abstract in the manner that it is not defined by concrete persons but more as a condition and rules of deliberation and discussion (Negri and Hardt 1984).

Conclusion

After ten years of social and political changes in former socialist countries it is a time for recapitulation but also for the evaluation of this period and particularly for critical assessment of the new reality we are living in. The time in which political science had an important role in the process of democratic state building is over. Transition is over. To talk about transition is the same as to talk about deliverance that is renouncing in order to reach paradise, which is more and more distant. Not because of the failure, but because this paradise has never existed otherwise than as an illusion.

Democratic revolutions in 1989 have had their own architects of order, their own thermidorians. My goal was, narratively speaking, to detect and denounce them. To talk about authoritarian democracy is to talk about our attempts to detect and free the democratic desire for which we hope that it still exists. Denunciation of authoritarian elements in our societies signifies possible loosening of democratic desire that lies and chokes itself under the norms, procedures and mechanisms with authoritarian character of democratic regime.

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Slovakia between Eastern and Central European Ways of Transition

Soňa Szomolányi

Introduction

It is not easy for comparativists to unambiguously categorize Slovakia in one of the known ideal types of transition. Thus, Herbert Kitschelt in his analysis of Central and Eastern European countries notes that "*Slovakia is a hard case*" because as a part of the former Czechoslovakia it shared the same mode of the transition with the Czech republic defined as the implosion of 1989/90. But, behind that one can discover also features of "*a 'pre-emptive' mode of transition which is highlighted by the rapid disintegration of the anti-Communist civic movement and the assertion of the former communists in the nationalist successor parties*" (Kitschelt 1995: 453). The unconsolidated state of the Slovak affairs particularly following the 1994 elections was considered as "*puzzling if compared with the situation of the Czech Republic*" (Elster at all. 1998: 291).

As is indicated by the title of my paper, I argue that a part of the explanation as to why Slovakia is not an easy case when it comes to the identification of its transition path is related to the fact that Slovakia's transition processes have a trajectory oscillating between Central European and East European types of transition.

In comparison with the neighboring countries – the Czech republic, Hungary, and Poland – there have been too many turning points in the post-1989 development. All four sets of free elections – those of 1990, 1992, 1994 and 1998 – could be characterized as so-called "**critical elections**", representing turning points in the political development. The second free elections in the 1992 are referred to as "**terminating**" because they resulted in a pact of the winners of elections in the two republics to split the Czechoslovak federal state. The political consequence of the elections 1994 was the deviation from the Central European way of transition that was materialized also in the form of the exclusion of Slovakia from the first wave of the NATO enlargement. In the aftermath of the 1998 elections I argue that there is a relevant evidence for Slovakia's "turning back" to that way.

In the presented paper I use the "Central European and East European" ways as two ideal types of the regime change in the aftermath of the collapse of communism. What I refer to as the "**Central European**" way of transition is

a common term to characterize transition paths of the four countries known also as the Visegrad group – the Czech Republic, Hungary, Poland, and Slovakia. Until 1995 these were the countries evaluated in various expert analysis as the most advanced both in the economic and political transformations. This variant was generally described as the development that indicates the irreversible systemic change in the economy, political system, and political culture while heading towards the political democracy, rule of law, a functioning market economy, and emerging civil society.

Eastern model of the regime change has been deduced from the study of the post-Soviet, Slavonic, countries and was characterized by "*a disrespect for the principles of constitutionalism, a tendency to centralize executive power, and movement towards the establishment of a powerful oligarchic property-owning class*" (Duleba 1997: 224). To operationalize the Eastern type I would further add also a tendency to understand and practice democracy as a populist-type of **unchecked majority rule**, and delegative type of authority rooted in a personalistic view of authority. Slovakia had been approaching this model since the 1994 elections until the recent government alternation as a consequence of the 1998 elections.

To explain why Slovakia's transition has diverged from that of its Central European neighbors I point out as a relevant variable defined as a "stateness" problem and the modalities of dealing with it (Linz, Stepan 1996).

Stateness problem

Stateness problem in the former Czechoslovakia resulted both in the "failed negotiated transition" of the federal multinational state and the emergence of the two independent successor nation states – Czech and Slovak Republics. Though there was no dominant tendency to independence either at the elite or mass public levels a stateness problem was acute because of disagreement over the appropriate form of the state (Linz, Stepan 1996; Leff 1999: 206).

However the final resolution of the stateness problem of the former Czechoslovakia determined also a process of a state building in Slovakia. The establishment of an independent Slovakia on January 1, 1993 and the building of a national state complicated the process of democratization significantly. These two parallel processes of "nation-state building" and "democratization" have been contradictory and have made the regime change in Slovakia more troublesome. Despite approaching the stage of consolidation, processes typical for the stage of transition as well as institutionalization have also overlapped there. The impact of the dissolution of the former Czechoslovakia in the aftermath of the 1992 elections has meant that those two processes have stretched over a longer period in Slovakia and were more turbulent than in the neighboring countries.

As it has already been pointed out Slovakia is a puzzle to students of East Central European politics in the 1990s. Many patterns of social behavior and attitudes that characterize Slovakia also characterize neighboring Poland, Hungary, and the Czech Republic, yet the post-communist political trajectories of those countries have been quite different. Slovakia displays a predisposition to populist and paternalistic politics similar to its neighbors, and its civic political culture is, like theirs, weak (Lukas and Szomolányi 1996; Miháliková 1997.) For example, after systematic review of Czech and Slovak polling data from 1990 to 1996, we may conclude that large proportions of the two populations hold nearly identical sets of political opinions (Krivý 1995; Bútorová et al. 1993). Consistent differences do exist, but they generally involve a small margin of the populations. Such findings are repeated in other comparisons of the Czech Republic and Slovakia and in comparisons of all East Central European countries during the 1990s (Miháliková 1997; Central and Eastern Europe on the Way into the European Union 1996) The puzzle is, therefore, why post-communist political developments in Slovakia have been far more rancorous and, as observed by the European Commission and others, conspicuously less democratic.

One explanation lies in Slovakia's long immersion in divisive issues of "national question" and state formation. Slovakia is the only country among the four Central European countries without a sustained experience of statehood. Poland and Hungary had to large extent resolved the dual challenges of nationalism and state formation prior to the onset of state socialism. Likewise, the Czechs were able to secure their national identity, language and develop the associational culture under Austro-Hungarian rule, so that, after independence in 1918, they possessed one of the most robust civil and political societies in Central Europe. Slovaks, by contrast fell under direct administration from Budapest where, until the eve of World War I, the development of Slovak identity, language and culture was under the pressures of Hungarian policies of Magyarization. It is likely that some of the defensive and exclusionary aspects of Slovak nationalism reflect these early struggles for recognition and survival amidst significant Magyar competition (Altermatt 1996). With the creation of the Czechoslovak Republic in 1918, Slovak elites split over a political project to create a "Czechoslovak" nation out of the Czech and Slovak peoples. Concurrently, Slovaks also disagreed over the appropriate political arrangement between the Czech lands and Slovakia. These issues were never resolved and contributed to the legacy of deep divisions among Slovak elites. Slovak elite divisions broke into the open following the Velvet Revolution in late 1989. Elites associated with the Slovak revolutionary movement, Public Against Violence, surprised and disappointed their Czech counterparts in Civic Forum by almost unanimously calling for a revision, first in the name, and then, within a few months, in the form of the Czechoslovak state. During the fall and winter of 1990-1991, Slovak elites engaged in a competitive mobilization of Slovak voters over the best way how to restructure Czech and Slovak relations.

Prime Minister Vladimír Mečiar eventually came to dominate this mobilization, even though, or perhaps because, his initial position was a moderate one compared to some of his rivals. The latter included the radical nationalists and separatist V. Möríc, as well as the former religious dissident and leader of the Christian Democratic Movement, Ján Čarnogurský. Unlike these and other radical nationalists, Mečiar merely called for some form of power devolution from the federal government in Prague to the Slovak republic's government in Bratislava.

During negotiations with his Czech republican counterparts and with the federal government, he faced down separatist and chauvinist pressures from the radical nationalists, and he created the impression among Slovak voters that he championed their "reasonable" interests. However, Mečiar kept himself in the limelight by constantly shifting and increasing his negotiating demands, thus preventing any timely settlement of the devolution question. He was also masterful in provoking Czech outrage and exploiting Czech elite insensitivity for his own advantage (See also Innes 1997).

The political salience of Slovak national question and of Slovakia's place within the federal republic increased with the launch of a federal program of radical economic reforms on January 1, 1991. Declarations about the search for a Slovak national identity masked the vested interests of state managers of armaments-producing and other state-owned companies threatened by the federal government programs for armaments conversion and voucher privatization. Mečiar championed these industrial interests and in doing so he won their support (Duleba 1997). The movement for Slovak secession, which until then had been confined to a small circle of intellectuals, acquired the strong economic backing of state managers, and this contributed greatly to Czechoslovakia's dissolution. At the same time, the managerial elite became a powerful pillar of support for Mečiar's HZDS (Duleba 1997).

As unemployment mounted and production declined in Slovakia, elite factions competed with each other to portray the federal programs (designed largely by the Czech Federal Minister of Finance, Václav Klaus) as an inflexible "Czech invention, created in the Czech environment for Czech conditions, and most importantly, inappropriate for Slovakia" (Mikloš 1997: 60). By late winter-early spring 1991, the Slovak Confederation of Industry, nationalists within the Christian Democratic Movement (KDH), the ex-communist SDL, and a newly formed association led by Slovak economists-turned-politicians called NEZES, were all demanding less price deregulation, easier credits for industry, a currency revaluation that would favor importers over exporters, and the halting or slowing down of privatization.

Mečiar was by then easily the most popular and trusted Slovak politician, and he used his popularity to engineer a split with the leadership of Public Against Violence (VPN). This occurred when VPN leaders refused to tolerate Mečiar's destructive activity both within the movement and the cabinet and forced

Mečiar from the prime ministership in order to form a coalition government with KDH, whose leader, Ján Čarnogurský, became Prime Minister. As a leader of the opposition, Mečiar was free to intensify his populist strategy of outbidding his opponents. He artfully created and played on fears and resentments among less secure and less sophisticated segments of the electorate and he was aided in this by insensitivity among VPN and Czech political and media elites to a wide range of Slovak attitudes and interests (Krivý 1995; Bútorová et al. 1993; Innes 1997).

Mečiar also sought to build alliances with elites and social movements that VPN had been reluctant to exploit - especially the old communist nomenclature. After ousting Mečiar from the prime ministership, VPN leaders called increasingly for the adoption of rigorously anti-Communist policies, and in the spring 1992 election campaign, they ran on a platform that promised an intensified lustration of Slovak officials with ties to the communist-era secret police (Innes 1997; Appel 1997). Mečiar, by contrast, took a public stand against lustration and he was supported by most government officials and other nomenclature who had formerly been in the Communist Party's ranks.

By ousting Mečiar and by associating themselves increasingly with federal and Czech policies, VPN leaders became isolated politically (Innes 1997). In the 1992 general election, the rump of VPN did not even poll enough votes to clear the five percent threshold for entering parliament. The national issue also hurt KDH, which suffered from the breakaway of its nationalist and anti-radical reform wing and from the poor performance by its leaders during the campaign (Innes 1997: 429). Mečiar's HZDS emerged from the election as the strongest political force in parliament, and Mečiar once again became the head of government in Bratislava.

A pact between Mečiar and the new Czech Prime Minister, Václav Klaus led to the dissolution of Czechoslovakia and the establishment of an independent Slovak Republic on January 1, 1993. The pact was reached and implemented without a referendum and despite polling data showing that a majority of Czechs and Slovaks opposed the breakup of Czechoslovakia (Bútorová 1998: 129-30). By 1993, moreover, the bitter fights over national identity, secession, economic transformation, and Mečiar's intolerant and somewhat undemocratic leadership style, had greatly divided Slovakia's political elites. Following VPN's disastrous performance in the 1992 election, a self-styled "civic-democratic" opposition formed to counter the nationalist populism of Mečiar's HZDS. Comprised originally of ex-federalists, the opposition eventually included former secessionists and a sprinkling of opportunists who had lost power struggles with Mečiar.

Mečiar and his group of state "founders" never elaborated a specific program for building the new Slovak state. It is possible that he did not expect that Czechoslovakia would dissolve so readily. Still, the concept of an "ethnic Slovak nation-state" was quite discernible in the Mečiar government's actions follo-

wing the break with the Czechs. The preamble of the Slovak Constitution, for example, begins with the phrase, "We, the Slovak nation." Only later ethnic minorities are mentioned as "other citizens." Many at the time felt that this implied an exclusion of ethnic minorities from helping to form the new state. In particular, the preamble alienated the minority Hungarian community profoundly (Kusý 1997).

Formally, the principle of inclusive citizenship existed, but the national-populist leaders frequently employed an informal rhetoric of exclusion perhaps in an effort to maintain their base of political support. This was not the transparent exclusion that afflicted ethnic Russians in the Baltic countries. Rather, it rhetorically divided citizens into "good Slovaks" versus those who were against the division of Czechoslovakia. This tactic continued right down to the 1998 electoral campaign, during which HZDS officials frequently asserted that their opponents had no right to govern, "...if they have declared openly that they disagreed with the establishment of the Slovak republic" (CTV News, December 3, 1997). Mečiar and his allies thus deepened elite divisions by their attempts to claim legitimacy as the only true "founders" of the independent Slovak state. Such a fragmenting policy of identity did not contribute to national-political integration in the new country, which is one of the prerequisites for successful democratization.

It was not until the creation of the independent state that a dispute concerning civil and political rights emerged within Slovakia and became the focus of political discourse. It is generally argued that the creation of a nation state opens space for mass civil emancipation. However, in Slovakia the situation was complicated by the fact that the creation of an ethnic nation state in the context of considerable ethnic heterogeneity brought, quite logically, the "Hungarian question" to the focus of political discourse, thus fueling the ethnicization of politics and mobilization of nationalist feelings.

Slovakia is an ethnically heterogeneous society. The fact that a basic politico-cultural cleavage occurs along ethnic lines between the Slovaks and the Hungarians (see Krivý 1997) also confirms that such heterogeneity increases the complexity of the building and safeguarding of liberal democracy. Although this divide does not represent a fatal obstacle, it nevertheless enables non-democratic politicians who strive for political and economic power to mobilize the potential of ethnic differences and historical resentments to serve their purposes.

According to some analysts, Slovakia's transition path was getting closer to a model defined as transition from an early post-totalitarian regime to "a successor regime that is likely to be authoritarian or controlled by leaders who have emerged from the previous regime" (Linz and Stepan 1996: 60). Like the situation in Prague, the transition in Bratislava started off with a collapse. However, in Slovakia the old regime politicians preserved considerable control over deve-

lopments in the period prior to the 1990 founding elections through Prime Minister Milan Čič and other ministerial positions in the "Government of National Understanding" as well as through parliament chairman Rudolf Schuster.

At the level of the political elite, the assumption of power by the victorious HZDS represented an important strengthening of personnel continuity with the old regime. After the 1992 elections the top four constitutional functions were assumed by former Communist Party members, with two of them controlled by the former nomenclature. The fact that 99 of 150 parliamentary deputies were former members of the Communist Party reflected a high level of continuity when compared to Slovakia's neighbors (see Szomolányi 1994a).¹⁾

A certain level of elite continuity is generally considered to be a condition for democratic consolidation since it gives elites a sufficient feeling of security so that they do not have to perceive democratic competition in elections as a threat to their position. For this reason, the old nomenclature elite continuity in Poland and Hungary, put by research at 50 %, was not an obstacle to the democratic transition (Wasilewski 1998: 166). There is, however, a certain threshold, as in the case of Southeastern Europe and Russia (in the latter, 71% of the new elite are members of the old nomenclature), beyond which the relationship between the rate of elite continuity and democratic progress becomes inverse (Highley et al. 1996). After the 1992 elections in Slovakia, the elite continuity approached the aforementioned threshold, beyond which there is a high probability of reversibility of the political transformation. This is also the reason why the transition paths of Slovakia and Bulgaria are often referred to as being of the same type (Linz and Stepan 1996; Kitschelt 1995; Olson 1993). Such categorizing, however, is not quite justified since the 1990-1992 period of the regime change took place within the framework of the common Czechoslovak transition path and was controlled by the liberally-orientated VPN and the non-communist KDH, particularly under the Černogurský government. Parliamentary democracy and electoral system based on proportional representation, which are considered to be part of an appropriate institutional framework for democratic transition, were introduced at that time and have been preserved in the independent Slovakia. The inertia of institutions largely contributed to the fact that even undemocratic politicians were not able to pull Slovakia to the path of authoritarianism.

1) This includes Slovakia's "68ers," although it must be noted that only a few of them (for example, Milan Šimečka and Miroslav Kusý) openly opposed the Communist regime before 1989. By and large, that generation of former Communists — especially the economists — opposed the federal economic reforms and had not given up the idea of reform socialism. Before the 1992 elections they generally backed nationalist-populist parties and supported the illusion of the feasibility of a specifically national, painless solution to the complex tasks of transformation. In the case of Slovakia, the "reform Communists" were no less influenced by the Marxist ideology than was the younger generation with a more pragmatic orientation.

Slovakia's Deviation from the Central European Transition Path

The situation in Slovakia became exceedingly complicated after the 1994 elections, which brought to power the third government led by Mečiar. This time, Mečiar's HZDS was joined by the SNS and the Association of Workers of Slovakia (ZRS), and it was the first of Mečiar's three governments that managed to remain in office for the full term. The 1994 elections resulted in political regression and in Slovakia's departure from the promising Central European variant of transition that was followed by the three other countries. This deviation was identified in the structural characteristics of the system of political parties, elite configuration, and political culture (Szomolányi 1994c).

The aftermath of the 1994 elections brought not only a change in the government elite but also attempts by the incoming ruling coalition to alter the "rules of game" that were put in place by the post-Communist democratic regime. Apart from the changes that the incoming coalition pushed through the parliament during the historic all-night session of the National Council on 3-4 November 1994, other less successful attempts at changing the foundations of the constitutional framework were also registered. The HZDS wanted to replace the parliamentary system with a presidential one; however, the government's simple majority was insufficient, and it needed another seven to eight deputies to approve constitutional changes. Although only a simple parliamentary majority was needed to change the electoral law, the HZDS was prevented from carrying out its plans to switch from a proportional to a majority system because its junior coalition partners — as well as the opposition — saw such a step as unfavorable.

The impact of the HZDS style of politics resulted in Slovakia being left behind in the first round of the Euro-Atlantic integration processes. Exclusion from the group of increasingly Westward-looking Central European countries — a place where Slovakia belongs both historically and culturally — raised the risk that Slovakia would remain peripheral and isolated from the mainstream integration process. This can only be seen as a failure of Slovakia's national elite.¹⁾ While the elite failure also contributed to the split of Czechoslovakia (which was the result of a pact between the winners of the 1992 elections), socio-cultural differences between the two nations also played an important role in this development. By contrast, the contemporary failure of Slovakia to parti-

1) The term "national elite" is used here in its generally accepted meaning, according to which national elites are "defined as top position-holders in the largest or most resource-rich political, governmental, economic, military, professional, communications, and cultural organizations and movements in a society." (Highley-Burton, 1989, p.18)

cipate in the first wave of EU and NATO integration was clearly the result of the supremacy of the personal interests of those in power over the interests of the nation and state. Strategic decisions in this case were not made by the voters but by the ruling coalition.

The situation in Slovakia during the rule of the HZDS-ZRS-SNS coalition, combined with the absence of formally defined representation of opposition in running the parliament, clearly displayed "a tendency toward unchecked majority rule" (Malová 1998: 55). This kind of government, where one branch of power has no possibility of controlling other branches, can hardly be compared with a majority-based democracy of the Westminster type. The latter is based on the tradition of self-imposed constraints on the power of the ruling party and on strong constitutionalism. Although O'Donnell's notion of the "delegative type of democracy" may be applied to Slovakia (O'Donnell 1996), in the Central European context the notion of "illiberal democracy" better identifies the political style of Mečiar's third government (see Zakaria 1998) since it failed to meet the political criteria for EU or NATO membership, particularly regarding rule of law.

Immediately after the 1994 elections it was clear that the democratic transition had not yet been accomplished because the holders of political power strove not only to defend their immediate interests but also to introduce rules and procedures that would guarantee that the winners of the last elections would remain in power in the future (Szomolányi 1994: 29). At that point, the consolidation stage was already underway, during which all actors began to accept the constitutional framework of the new state as the basic reference point for political conduct. Nonetheless, institutionalization, or the struggle over how that framework is respected and implemented, was still progressing (O'Donnell, Schmitter 1986: 6). This continued to be true shortly before the 1998 elections.

Before the 1998 elections Slovakia was an unconsolidated, unstable democracy. It remained a democracy because fundamental — though fragile — democratic institutions persisted. However, the implementation of democratic procedures was often thwarted by the policies of those in power, and the continuing struggle over the rules of the game also reduced certainty and enhanced ambiguity. Thus, despite the ruling coalition's use of many authoritarian and undemocratic practices, the process of regime change led neither to democratic consolidation nor to the establishment of an authoritarian regime (Szomolányi 1997). After the thwarted referendum on NATO and direct presidential elections in May 1997, Slovakia from a constitutional perspective deviated even further from a consolidated democracy and from its Central European neighbors.

The 1998 Elections — "Catching Up" Central European Neighbours?

The replacement of the nationalist-populist governing elite responsible for the political regression in the previous period by the grand coalition of the democratically oriented parties due to the results of the free 1998 elections increased the likelihood of the consolidation of democracy in Slovakia. What exactly was the sequence of events that ultimately led to the peaceful replacement of the ruling elite in Slovakia in the aftermath the elections 1998? The following should be highlighted:

- shortcomings and controversial provisions in the constitution, as well as the lack of the necessary consensus between fragmented elites to elect a new head of state in the parliament;
- fear of a constitutional crisis and the concentration of power in the hands of the authoritarian Prime Minister Mečiar;
- the imposition by the center-right parties and the Hungarian coalition of their own political agendas (including a draft law on direct presidential elections, a petition calling for a referendum on direct presidential elections, and mobilization of the public at large);
- the announcement of the referendum on direct presidential elections to be held simultaneously with the referendum on Slovakia's accession to NATO that was called by the ruling coalition;
- the thwarting of the referendum as a result of a decision by the interior minister, a development that was met with a strong indignation by the public and the opposition elite;
- the SDK's establishment as a coalition of five democratic parties, representing a real threat to the dominant position of the HZDS;
- the amendment of the election law, as a result of which the SDK was forced to change its organizational status from a pre-election coalition to a single party;
- the HZDS's unsuccessful Supreme Court suit against the SDK's registration as a party, perceived by the public as a moral victory for the SDK.¹⁾

The obstruction of the referendum in May 1997 evidently played a pivotal role in triggering positive change (see Mesežnikov and Bútora 1997). The course of events that was triggered by the opposition's petition calling for a referendum on direct presidential elections brought an outcome that was not intended by any of the relevant actors. Nobody would have expected that rather than leading directly to the election of a president, the petition campaign would instead result in a thwarted referendum whose consequences were counterpro-

1) For more about political developments in Slovakia in the pre-election period see: Mesežnikov, 1998, pp. 19 - 98.

ductive for Mečiar and, conversely, favorable for the democratic players. Both the opposition elites and the mass public have advanced in the process of political learning. The opposition leaders eventually learned how to aggregate articulated interests for political change in the country.

The results of Slovakia's 1998 parliamentary elections demonstrate progress achieved in regard to the population's attitudes. The population's gradually increased support for democratic principles was observed as early as 1997, and this cultural shift was confirmed by the voting behavior of a majority of the citizens in the 1998 elections (see Bútorová 1998; Bútorová 1998). The population's increased level of political maturity was undoubtedly influenced by the experience of personal confrontation with the arrogant ruling elite, which refused to launch a dialogue with the civic and interest associations.

The population's trial-and-error method of political learning also resulted in gradually pushing Mečiar, the three-time prime minister, from the center of power. When Mečiar was first ousted from the post of prime minister in March 1991, the decision was made by a narrow political elite group — the Presidium of the Slovak Parliament — against the will of people (public opinion polls at that time showed that Mečiar was supported by close to 85 % of the population). When Mečiar was toppled for the second time in March 1994, that decision was made by a plenary session of the parliament without provoking significant protests from the population. In the third case, Mečiar was removed from office by a majority of voters in the 1998 elections. Subsequently, he made the decision to relinquish his legislative power.

Today it is still too early to fully evaluate the consequences of the elections. However, hypothetically, if the ongoing trends continue, the last elections could be referred to as consolidating. They created more favorable conditions for the stabilization of democracy and for the elimination of the democratic deficit that caused Slovakia's expulsion from the first group of candidates for accession to the European Union and NATO. Consequently Slovakia's turning back to the more successful path of democratic transition appears to be more feasible.

The "Two Turnover Test" of Democratic Consolidation

To evaluate the level of democratic consolidation in Slovakia, Huntington's two turnover test seems to be an appropriate tool. However, the test results can diverge depending on how the current stage of development of the regime in Slovakia is defined. If the creation of the independent Slovakia is taken as a starting point, two government alternations of democratically elected governments have already taken place. In this case, Slovakia has passed the "two turnover test." After Slovakia gained independence state, the first such alternation occurred after the fall 1994 elections, when Moravčík's caretaker govern-

ment handed power to Mečiar. The power was transferred in a peaceful manner without any delays as soon as the HZDS had formed a new cabinet with the SNS and ZRS.

After the 1998 elections, the Mečiar government delayed calling the constituent session of the new parliament until the last possible day — 29 October 1998 — and during that session it handed in its resignation as required by the constitution. The new cabinet of Prime Minister Mikuláš Dzurinda was appointed one day later. Despite fears that the HZDS would employ unconstitutional means to cling to power after its electoral defeat in 1998, the second peaceful turnover demonstrated that there were at least two major groups of leaders in Slovakia "sufficiently committed to democracy to surrender office and power after losing an election" (Huntington 1991: 267).

If nothing else, this second peaceful turnover clearly demonstrates that Slovakia has fulfilled the minimal criteria of electorally-defined democracy, which both domestic and international observers feared was under threat prior to the September 1998 elections. Thus, real space was created for strengthening the procedural consensus between the post-election government coalition and the new opposition, which is a necessary prerequisite for calling the 1998 elections truly consolidating, even after the passage of time.

However, it can also be assumed that the process of consolidation started only with the 1998 elections since the previous period was one of political regression. In general, this regression has been labeled as "Mečiarism" or a "illiberal democracy" that may be characterized by pervasive clientelism (particularly in the privatization process), delegative rule, and weak accountability, which have allowed a number of authoritarian practices to reassert themselves under the cover of formally existing democratic institutions. Because the opposition was disadvantaged by these arrangements and hence would not accept the changes, the government's rules and norms actually obstructed consolidation. They did so in both the institutional and even the constitutional meaning of the term because "an obscure delimitation of powers and relationships between the legislative and the executive branches ... and the absence of the formal and legal definition of the role of the opposition made it possible ... to install the 'tyranny of majority' in the parliament." This situation allowed those in power to bring to their defense arguments that they were acting in the framework of the constitution (see more Szomolányi 1997).

Therefore the stabilization of democracy presumes a partial repetition of a liberalization phase. In that case, the country is only now starting its transition from "Mečiarism," and at least one other set of elections is needed to test the stability of Slovakia's democratic institutions and values. This is how former US ambassador to the UN Jeanne Kirkpatrick has assessed the prospects for Slovakia's development: "Slovakia needs one or two more democratic elections in order

to make the West overcome its mistrust caused by Mečiar. I do not believe that the Slovakia's admission will come faster. NATO must make sure that Slovakia is fully committed to democracy. And that takes time" (Kirkpatrick 1998).

The model of the gradual convergence of fragmented elites to consensual elites, a prerequisite for consolidated democracy, calls also for at least one more repetition of the victory of non-extremist forces in elections. This is at least how a gradual convergence of disunited elites was accomplished in the past in other countries (for example, in Norway, Italy, and Austria). Even so, as the end of the century approaches, development has accelerated as political actors have learned not only from their domestic experiences, but also from the influence of external factors, represented by pressure from the EU and NATO. This accelerated learning, in the form of a kind of "democratic broiler," is not ruled out in the case of Slovakia. However, at least one more set of elections is in any case required to reaffirm the changes brought about in September 1998.

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Early and Mature Consolidation in East Central Europe: The Case of Europeanization in Hungary¹⁾

Attila Ágh

Conceptual Framework for Democratization and Europeanization

This paper suggests that there has been a common process of democratization and Europeanization in East Central Europe (Poland, the Czech Republic, Slovakia, Hungary and Slovenia - with Croatia as a potential member) and analyses it in the case of Hungary. This common process of internal and external developments necessitates also a common conceptual framework in which democratic transition parallels with association and democratic consolidation with accession to the EU. The ECE countries experience in the late nineties the same change between the periods of transition and consolidation what the South European (SE) countries - first of all, Spain - did more than a decade ago: from "transitology" to "consolidology". Given the fact that the process of democratic consolidation most probably takes more time in ECE than in SE, it is obvious that one has to distinguish in ECE two of its sub-stages or periods: the early and the mature consolidation. This distinction expresses at the same time the specifics of the ECE developments in both internal and external aspects, since the periods of early and mature consolidation correspond to those of pre-accession and accession in the Europeanization process.

Obviously, the early consolidation at the end of the nineties overlaps with democratic transition to a great extent and democratic institution-building continues to some extent, first of all in the meso- and micro-politics, that is e.g. in the fields of interest organizations and local self-governments. Still the change from the mere multiparty politics to multi-actor politics becomes more and more visible with the inclusion of an increasing number of social actors. The mature consolidation, however, with the „revival of civil society“ and „invention of democratic tradition“ comes only later, after some more years when the multi-actor democracy penetrates the society as a whole and creates civic culture.

1) This paper has been a part of a longer study on the pre-accession and accession periods and it has benefited from the discussions with the colleagues in the ECE countries.

re - as it has been described in the "considology" literature based on the SE developments. With regard to the domestic side of Europeanization, I suggest that its three stages also correspond to these criteria, namely, as I develop below in detail, democratic transition has been connected to the governmental stage in Europeanization during the association period. The parliamentary stage means a change corresponding to the requirements of pre-accession and early consolidation, finally, the societal stage to accession and mature consolidation.

The EU treatment of the ECE countries is radically different during these three stages. In the association period, the ECE countries have been treated with "benign neglect" as friendly outsiders without a significant volume of assistance. In the pre-accession period, some overlaps has to be noted with the former period, the ECE countries have received somewhat favourable treatment as future insiders. In the accession process proper, they would be entitled to have some assistance, being eligible for some transfers from the structural and regional funds as actual insiders. Consequently, on one side, the worst is over for the ECE countries without a substantial external assistance, but on the other, the accession process may begin later and may be longer than they expected in the early nineties.

There is a new situation after the Vienna EU summit in December 1998. The so called Copenhagen criteria for accession from the June 1993 EU summit indicate both the preconditions for the candidates (accession capacity) and the need for the readiness of the EU to absorb new countries (absorption capacity). For many years, it looked like that only the accession capacity is missing, but by the late nineties it has become clear that there has been a decreasing absorption capacity of the EU. Its reasons are well-known, the necessity of the institutional and budgetary reform, and the consequences of participatory democracy with the growing involvement of the European Parliament and the organized interest in the decision-making process for the enlargement. As a result, there is a danger that despite the increasing accession capacity of the ECE countries, there will be a victimization of them in order to compensate for the decreasing absorption capacity of the EU. Hopefully, however, this will be only a transitory period and will be coming to an end by overcoming the present EU internal crisis.

The usual studies on the Eastern enlargement of the EU have described two general tendencies, (1) the extension of the European core step by step through the earlier enlargements, which eventually reaches East Central Europe (ECE) as well; and (2) a "return to Europe" process initiated by the collapse of the bipolar world order in the Central and East European countries (CEECs). The conventional wisdom has emphasized that even the most advanced new candidates for EU membership are late-comers, politically and economically. No doubt that both these two aspects need a deep analysis, one has to add, however, that these ECE candidates are also small states with respect to

both size and population (with the possible exception of Poland). But, most of all, they are small in terms of their economic capacity. The GDP of Hungary and that of the Czech Republic are only about one percent of the EU's total GDP, that of Slovenia and Estonia are each much less than one percent, and even Poland's GDP is only three percent. Thus, these five countries taken together generate only 6 to 7 percent of the EU's GDP. Throughout the nineties they have pursued typical behaviour of small states. Small states usually try to join alliances to strengthen their security and welfare. The latter inclination is a neglected dimension of the research on the ECE extension which deserves special attention.

The other neglected dimension of the ECE extension is the complex character of the accession process. In the ECE countries, and to some extent in the EU itself, an economic approach dominates which simplifies the realities of the accession process. Even supplementing this by examining changes in the polity in legal terms neglects the complexity of accession, since the necessary transformation in politics and policy - political culture, behaviour and decision-making patterns - is still overlooked. Legal harmonization is also a restrictive practice, the EU has demanded more and more of not only these formal legal changes but also an increasing capacity to apply and implement the *acquis*. The latter presupposes a **political harmonization** with the EU as an integrated, complex process. This demand is even more important for the late-comer ECE small states, since the weak small states have to follow the EU rules more closely and effectively than earlier EU entrants.

Small states' research was very active in the seventies and eighties, most tellingly in the field of their foreign and security policy (see Alapuro 1985). The research interest in small states seems to have returned in the nineties. This time, however, it focuses on their accession process to the EU, including the transformation of their public policy. There is a large body of research dealing with the tasks of "adjusting to Europe" in public policy terms (see e.g. Mény et al. 1996; Hanf and Soetendorp 1998). This current small states' research urges us to identify the common features of small states' accession in the terms of their public policy transformation. The former small states' research indicated that there was some correlation between the foreign and home policies of small states. They looked for a special active role for themselves through international organizations and neutral orientations, at the same time, they were much more consensus-seeking in their internal democratic structures than the bigger states. This particular pattern of behaviour has run through the entire history of small states within the EU as well. In this group of small states, however, there are still big differences in their EU policy adjustment depending upon when they joined the EU, since there has been a threefold process of "integration of public policy" in the EU involving (1) the extension of public policy, (2) the transfer of the competencies and (3) the building of new EU institutions (Wessels and Rometsch 1996: 77). Kenneth Hanf and Ben Soetendorp have

noted that "Irrespective of size, it could be argued that the impact of EU membership will depend on the point in time, with regard to the stage or degree of integration, at which a country becomes a member." (Hanf and Soetendorp /eds./ 1998: 5).¹⁾

The case of eight small member states and, in addition, two small "loyal" non-member states (Norway and Switzerland) demonstrates that Europeanization has had a major impact on policy processes, policy actors and institutions of these countries at both national and sub-national levels. EU requirements and procedures have become internalized and they have resulted in a reorientation of the logic of national policy-making. This impact has always been bigger upon the small states than the large ones, and bigger upon the late-comers than the early comers. The original EU members participated in the design and developments of the rules of the game. The latecomers, however, joined an ongoing game and have had only the task of adjusting to it. Both effects cumulate in the case of the East Central European (ECE) states which are both small and late-comers, so the only role left for them is adaptive and not innovative. In addition, they are trying to join the EU after the Treaty on the European Union (TEU) - and the Treaty of Amsterdam - have extended the EU policy-making to new policy areas. Hence, the latest and weakest members, actually, will have to cope with an extended policy universe from the very moment of their entry.

The small member states had no conscious accession strategies as systematic, centrally directed adjustments to the demands of Europeanization, they produced only a series of incremental reactions. Yet, the modifications introduced by the TEU "have required the smaller member-states to adopt a more strategic approach to EU membership" (Hanf and Soetendorp /eds./ 1998: 192). Some analysts, however, point out that the latest entrants developed some kind of a coordinated national accession strategy, since some major organizational adjustments were carefully planned and directed in these three countries by both governmental and parliamentary actors for the transformation of the whole polity (see e.g. Luif 1995). In my view, these well elaborated accession strategies can be a point of departure for the ECE states concerned in preparing their own pre-accession and accession strategies, including the transformation of the public policy. Given the complex character of Europeanization as political harmonization, these strategies are more important for the weak ECE states than they were for the former stronger candidates.

1) It is also interesting to note that Nikolaj Petersen draws the attention to the "lack of theory of national integration policy" concerning mainly the small states. He also observes the "integration dilemma", that is, "the difficult trade-off between influence-seeking and autonomy protection in international integration" which may be particularly salient to small states (Petersen 1998: 87-88).

The Europeanization of Hungary

Hungary has been aware of the fact from the very beginning of its newly regained independence that "the small states in particular can reap advantages from membership of the EU. Here they can exert more influence and achieve more of what they seek than if they were forced to compete on their own in the 'international political market' with the larger powers", since "the smaller member states, which do not have the ability to control the policy-making process in the EU, still have a long way to go in developing a capacity to approach the overall development of European integration in terms of the role of the smaller states in general and the appropriate strategy for their own countries in particular" (Hanf and Soetendorp 1998: 193-94). In this spirit, Hungary has developed a strategy of political harmonization with the EU at both polity and policy levels. After the collapse of the state socialist regime, a legitimacy vacuum emerged. Since then, references to Europeanization or Westernization have been the most important legitimization devices for Hungarian governments. As *Agenda Hungary* states, "Since 1989 there has been a large degree of consensus among Hungarian political forces in support of Hungary's objective of EU membership" (1997: 11). "Joining Europe" has also become a concrete programme at policy level. Hungary was the first country in the Eastern part of Europe in the eighties not only to redirect its trade to the West (see Mayhew 1998: 9, 17) but also to import Western institutions and policies (Ágh, Szarvas and Vass 1995). Hungary was also the first country to establish official contacts with the EU (see *Agenda Hungary*, 1997: 11). This early institution and policy transfer culminated in the Hungarian policy planning, market legislation and democratic constitution of the late eighties, and at that time these moves had a large measure of public support.¹⁾

In theory one can discuss the issue of why Hungary wants to join the EU and what the alternatives are. But even CEFTA has been seen by its members as a vehicle for EU integration and not as a substitute for it. The share of the CEFTA trade has been well below ten percent in the foreign trade of its members. E.g. the CEFTA trade (including Slovenia) for Hungary in 1995 was 7.8 percent in export and 7.0 percent in import, and it can grow only by the EU accession of its members. Thus, in reality there are no alternatives. Hungary since the late eighties has - *de facto*, gradually and still partly - joined the EU in

1) The Hungarian legislation in the late eighties by the transitory regime pioneered in creating the acts necessary for a functioning market economy. In 1988 the basic acts were passed, e.g. the act on the free private enterprise, on foreign private investment and profit repatriation, on the taxing of private incomes. In 1989 some fundamental laws concerning democratic order were also passed, including the act on free assembly and association which made the *de facto* multiparty system *de iure* accepted.

the fields of all the three pillars. The only open questions are when and how to join the EU *de iure* and completely. This *de facto* and partial integration of Hungary has appeared in the following fields:

- 1) Institutional and policy transfer as a general background has laid the foundations of the Hungarian constitutional state. Hungary has copied first of all the German polity (prime-ministerial government, Constitutional Court and independent National Bank, etc.).
- 2) Actual trade integration in the EU has reached a high level. In 1997, 71 percent of Hungarian exports and 63 percent of Hungarian imports came from EU trade; only 5 percent of exports and 11 percent of imports was with Russia.
- 3) Hungary has become the favourite investment site for multinationals, including the largest EU firms. By 1996 the size of Foreign Direct Investment was more than ten billion Ecu; since then it has been growing by about two billion Ecu a year. These large international firms have integrated Hungary into the EU to a great extent. In Hungary, the per capita investment in 1997 was 2184 US dollars, by far the largest among the candidates (Slovenia 1200, Estonia 866, the Czech Republic 730 and Poland 685 US dollars respectively).
- 4) Concerning the second pillar, Hungary has been very active in the OSCE, and has also taken great steps in its security integration. Since Spring 1999, it has become a NATO member. This Euro-Atlantic integration has strengthened its European integration and vice versa (Agenda 2000 1997: 105-106).
- 5) As to the third pillar, **Agenda Hungary** concludes that "Hungary is well on the track to meet the justice and home affairs *acquis* (present and future) within the next few years, assuming progress continues at the current rate and effective training and institutional development programmes are implemented in the key JHA institutions." (1997: 66).

Given the good marks in the pre-accession process by both the **Agenda Hungary** and the first **Progress Report** (November 1998), Hungary has tried to accelerate its preparation for accession by accomplishing its process of political harmonization. At the same time, the basic dilemma for the EU in the ECE extension is between the team and performance approaches. Hungary is certainly concerned that its good performance be taken into consideration and its accession not be delayed too much by a team approach. As the first steps of the accession negotiations indicate, Hungary has the strategy of asking for a minimal number of derogations in order to reach membership as soon as possible.

The Europeanization of polity in Hungary has been basically accomplished. Some important adjustments, however, still have to be made, first of all in the parliament, and, then, in some social subsystems (i.e. in meso-politics) to improve the efficiency of the policy-making and policy implementation process. As to the basic features, according to **Agenda Hungary**, "Hungary presents the characteristics of a democracy with stable institutions which guarantee the rule of law, human rights and respect for, and the protection of, minorities" (1997: 21). In

the process of democratic transformation of their polities, all associated countries had to organize a proper institutional system for Europeanization, in order to elaborate policy planning and coordination in a EU context. The Europe Agreements have prescribed a system of institutions for the countries concerned to manage the association process. In Hungary in 1992, during the First Parliament (1990-94) these "contact institutions" (Association Council, Association Committee and Joint Parliamentary Committee) were established at both governmental and parliamentary levels. By 1996 this institutional structure was significantly extended, and a whole new set of governmental institutions came to being:

- 1) In February 1996 the **European Integration Cabinet** was established within the government, headed by the prime minister and with the participation of five ministers (foreign affairs, interior, justice, economy and finance), as the major decision-making body;
- 2) In May 1996 an **Integration State Secretariat** emerged within the Ministry of Foreign Affairs to administer and coordinate the Europeanization process as the central administrative body in integration matters, its head as state secretary is meant to serve also as the head of the Hungarian delegation for negotiation about accession;
- 3) an **Interministerial Committee for European Integration** embracing all ministries, collecting their Heads of **European Integration Departments**, under the leadership of the minister of foreign affairs and served by the **Integration State Secretariat**, it is the widest coordinating body at the governmental level;
- 4) at the Prime Minister's Office a **Strategic Task Force on Integration** was organized as an advisory body to the European Integration Cabinet with eighteen working groups covering all integration issues from the legal harmonization to culture and communication;
- 5) in all ministries **European Integration Departments** were set up during 1996 and this ministerial structure was very productive in answering the "Brussels questionnaire", i.e. the questionnaire of the European Commission sent to all applicants.¹⁾

This set of governmental institutions as top organizations successfully prepared the Hungarian Country Report in 1996. It was able to articulate and to summarize the various interests realistically and made a rather optimal use of the available expert groups, policy institutes and "epistemic communities". The influence of this set of governmental institutions stands in marked contrast to the policy-making capacity of the Hungarian Parliament. As a small specialized organ, a Parliamentary Committee on European Integration was established in 1992. It is the Hungarian side of the **Joint Parliamentary Committee** (JPC) as-

- 1) In July 1998 a new government was formed but this institutional structure has remained, there were only personal changes.

sociated with the European Parliament, which regularly has had two sessions a year. The Parliamentary Committee on European Integration has been organized as a normal standing committee and it has performed rather well, but it has remained among the least influential ones in the Hungarian Parliament. So far, it has been unable to mobilize the Hungarian Parliament for Europeanization (see Györi 1996 and Agh 1997).

Consequently, the greatest problem in the policy-making process has been the weakness of the Hungarian parliament in discussing the EU "policy universe". In the extent EU member states organized interests as pressure groups have a great role in policy-making and they establish strong contacts with both the national parliament and the European Parliament (see Kohler-Koch 1997 and Norton 1998). In Hungary, however, this cooperation in policy-making is largely missing. Euro-affairs have not yet become important enough for many MPs to deal with them intensively and to develop an expertise in these fields. The number of experts within the Hungarian Parliament specializing in European affairs is still very small and the European subcommittees designed for all standing committees have not yet been established or have not yet worked properly. Here we see the results of all negative factors: (1) the missing interest, expertise and language capacity of the MPs, (2) the small number of expert teams and administrative staff for the Euro-issues in the Hungarian Parliament, and (3) the lack of concentration of parliamentary parties on the Euro-issues because of the many other difficulties of democratic transition and economic crisis management that have absorbed the parliament's attention.

Thus, so far the Euro-issues have been managed almost exclusively by the government. As it happens, all governmental propositions regarding the EU have gone through the parliament with ease, because of the general support for the EU accession as well as the missing interest and expertise of the MPs. In reality, though, this has become the biggest bottleneck in policy-making for the accession process, since in the case of the latest entrants, following the Danish model, the national parliaments played an important role in the whole process. The parliaments were the forum for public discussion of the EU policy universe, and the institution that nurtured the widest interest aggregation process, necessary to form a national interest (Luif 1995: 343-46). As the historical experience shows, the accession of the latest entrants proceeded in three stages. The accession process began, as usual, with the governmental stage when the governments initiated the Europeanization process, negotiated with the EU and built up their institutional structure to administer Euro-matters. The process of involving other policy actors continued, however, in the second stage when parliaments took over the direction and control of the EU accession. For this control function, the parliaments created their own proper policy-making organs to deal with the accession process, above all some kind of "Grand Committee" which played a coordinating role between the EU and the national governments. Finally, in the societal stage the latest entrants, with their well

articulated society and many policy actors, managed to channel their elaborated national interests into the negotiation process, after having created them through both the above mentioned institutions of macro-politics and its own institutions of meso-politics. This third stage culminated in the referendum about the EU membership of the countries concerned. Of course, these stages overlapped, but the direction of changes was clear, namely with the increasing role of national parliaments in macro-politics and with the intensive activity of the organized interests and the population at large in the latest stage (see Hegeland and Matson 1996; and Raunio and Wiberg 1997).

This three-stage model would be "ideal" for Hungary and for the other candidates, as well because all the three stages have their own, particular policy-making mechanisms, policy actors and/or policy styles. In the ECE states, however, a big time lag can be noticed in its implementation. Hence, there have also been some serious distortions because of the faulty policy-making mechanisms and missing policy actors. Nowadays, the ECE states are still in the governmental stage within which they created the proper state institutions. But these countries have delayed the transition to the parliamentary and society-centred stages, and this delay has distorted the whole EU related policy-making process. They have suffered from a prolonged governmental dominance in the EU integration process, and so far the participation of both parliament and population in this process has remained very weak and marginal. Therefore, the policy-making process concerning the EU has still been overconcentrated in the hands of the central government and the channelling of particular interests from below to the central decision-making bodies is still inadequate and under-representative.

This governmental dominance in all ECE member-candidates is due to the following reasons:

- during democratic transition there was a power concentration in the executive in order to maintain stability and to direct the economic crisis management;
- these countries still have only a small team of Euro-experts who are concentrated in the governmental structures, so they are missing from the parliaments and at meso-level of interest organizations;
- the social actors do not get enough information and some of these "not-yet-articulated interests" among the population have yet to develop adequate information regarding either their interests or the effects of accession;
- the populations have suffered from a "Eurofatigue", i.e. people are rather tired of the vicissitudes and false promises in the process, and the activation of particular interest groups and the population at large is still in its infancy.

Consequently, Hungary has not yet entered the parliamentary stage which, in my view, should already have occurred in the current pre-accession period. Euro-affairs have been, however, among those very few policy areas where the

consensus among the parliamentary parties has been very high (Grabbe and Hughes 1998: 72). The Second Parliament (1994-98) came to an end in late March 1998 and after the May elections the Third Parliament (1998-2002) has had to face a major institutional reform, at least in the following five respects:

- 1) Some kind of a powerful **Grand Committee** has to be established as a central decision-making body, following the Austrian or Finnish models, to give a mandate to the Hungarian delegation for negotiations, to monitor its activity during the negotiation process, and to communicate with the whole body of the Hungarian Parliament on the Euro-issues.
- 2) The **European Integration Committee** as a basic coordinating body has to be strengthened from both political and policy sides, that is, it has to group influential politicians from all parliamentary parties, and the parties have to build up their own expert and administrative base as well as formulate their own profile in both politics and policy concerning the EU.
- 3) The **Euro-subcommittees**, as specific policy-making bodies of the major standing groups have to be created, not only formally-legally but substantially as actual working bodies in order to formulate expert opinions in the given fields, to articulate the views of interest organizations and to channel them into the Hungarian Parliament for public deliberations.
- 4) The interest organizations, economic and professional chambers as social actors have already developed some Euro-contacts, but this is not enough for their proper workings, and their relationships to the parliamentary committees need some further institutionalization (see Agh, Szarvas and Vass 1995).
- 5) The Hungarian Parliament has to develop its own independent expert base in Euro-affairs as an "epistemic community" with a proper communication system for the MPs. First it must do so in the fields of political and legal harmonization, in order to have intensive contacts of its own with Brussels (through a House Hungary in Brussels with permanent parliamentary representatives). Then it must generate an increasing number of MPs with EU expertise and experience so that decisions regarding accession can be moved out of an exclusively executive venue.

These arguments underline the need for the mobilization of social actors, inside and outside the country. Their closer involvement is necessary, indeed, both in the national policy-making process and in the EU integration. The organized interests of both employers and employees in Hungary are still rather fragmented, and not able to aggregate the interests of citizens and to forward them into the macro-political decision-making centres. As **Agenda Hungary** observed in 1997, the organized interests were not integrated into the corresponding EU bodies either. Although the major trade union federations joined ETUC, their counterparts in the major business interest organizations (BIAs) affiliated with some EU business organizations but they did not become members of the UNICE (1997: 60). Since then, however, the Hungarian BIAs have

formed an umbrella organization, the Hungarian Employers' Council for International Cooperation, and the HECIC was accepted as a member of the UNICE in December 1998. Similarly, there is an ongoing process of the emergence of the regional actors. "*Hungary is the first country*" - **Agenda Hungary** notes (1997: 61) - "*among Central and East European countries which adopted a legal framework closely in line with EC structural policy.*" Following a 1996 legislation, the National Council for Regional Development was formed and County Development Councils were elected. Though "*Hungary's administrative capacity to manage integrated regional development programmes seems satisfactory.*" (Agenda Hungary 1997: 62), the regional level and its actors have to be strengthened. In general, the meso-politics in Hungary has lagged behind macro-politics, hence the greatest effort is needed here for reform at both political and policy level during the accession process.¹⁾

Declining EU "Absorption Capacity"

The Association Treaties or Europe Agreements, signed by Hungary and Poland in December 1991, were milestones in the relationships of the ten CEECs with the EU. Yet, these negotiations were rather conflictual, since "*the EU was not prepared to accept even a vague declaration about future accession*" (Mayhew 1998: 22). Moreover, no significant assistance was given to the new associated members. Unlike the earlier cases of the Mediterranean countries, there was no financial protocol attached to the Treaties to compensate for the deficit from the asymmetrical trade arrangement. This agreement excluded the most competitive industries of associated countries, as "sensitive fields" for the EU, from the trade liberalization. Altogether, these treaties produced frustration and disillusionment in Hungary and Poland, since "*it was already clear to the Czechs, Hungarians and Poles that they were now in a different world; one where they could no longer assume that the Community was acting in their favour and where they would have to vigorously defend their rights*" (Mayhew 1998: 23).²⁾

- 1) Some authors as Beate Kohler-Koch suggest that a new type of governance has emerged in the organized interests. If Hungary is lagging behind, the country will be unable for a proper interest representation in the EU, since - she quotes A. Moravcsik - "*EC policies are the continuation of domestic policies by other means*" (Kohler-Koch, 1997: 57). The **Decade-book of Hungary** (1988-1998) offers rich data about the ten years economic, social and political developments in Hungary, including the changes in the GDP and the standard of living (1998: 636, 651).
- 2) Peter Van Hamm has described the trade negotiations for the association treaty as "highly unbalanced" and quoted the Polish chief delegate by saying that "*There is no government in the world which would submit such a one-sided agreement to its parliament for ratification.*" (Van Hamm 1995: 198). The former head of the Hungarian Task Force on Integration, Professor András Inotai has described (Inotai 1998) this unbalanced trade in detail. Later on, he has calculated that the ten associated CE-

The Copenhagen criteria of 1993 indicated that not only the preparedness of candidates (accession capacity) matters for enlargement but also the absorption or extension capacity of the EU was an essential precondition for this process. Alan Mayhew, a close observer of this process from the early to the late nineties, provides a deep insight into the "unpreparedness" of the EU to accept new, ECE members (Mayhew 1998: 13). I argue, however, in this paper that the weak or missing "extension capacity" of the EU may prove to be a bigger problem than the insufficient "accession capacity" of some advanced ECE candidates. What is more, during the pre-accession process the divergence between the increasing accession capacity of the five candidates and the decreasing extension capacity of the EU has become bigger and bigger. This was clearly demonstrated by the Vienna EU summit in December 1998.

The insufficient extension capacity of the EU, or the lack of political will, has been adequately described by many Western analysts. First, it involves the original reluctance of the EU authorities in the early nineties to establish a clear link in the Europe Agreements between association and accession, the future membership of the ECE states. Second, the lack of a proper "epistemic community" in the West in general, or in the EU in particular to deal with the ECE issues has also been noticed by some Western observers (see e.g. Seidelmaier and Wallace 1996: 370-71). It is true that some political and policy obstacles to Eastern enlargement were removed by the Copenhagen Summit in June 1993 with a set of criteria for the entry. Still most of reservations of the EU members regarding extension have been stubbornly retained (see Falkner 1996: 239-43). Third, other Western analysts are rather critical of the EU's willingness and "capacity to absorb" the new ECE members because of the dominance of short-termism over a long-term strategy on the EU side (Hyde-Price 1996: 197-205; Bideleux 1996: 232-38). Finally, as Robert Bideleux writes, the time horizon for accession is unclear: "At the very least, in our view, the European Union owes it to Eastern Europe to be more open and honest about what it considers to be possible or impossible within a given time frame" (Bideleux 1998: 638).

Two reasons have been identified explaining the weak absorption capacity of the EU. First, the system of the EU institutions has reached its limits, and without major reform no further enlargement is considered to be feasible (see most recently Giering 1998). Institutional reform is a permanent problem for the EU, and has been a topic for several Intergovernmental Conferences (IGC, the latest one in Torino, 1996) which have so far produced meagre results. Second, serious problems have come from the democratic deficit and the newly emerging participatory democracy. The transition of the EU from an elite to a participatory democracy in the nineties has mostly been mostly responsible for

ECs cumulated 64 billion Ecu deficit between 1992 and 1997 in their trade with the EU what was 83 percent of the EU surplus from the international trade in that period (Népszava, Budapest daily, 7 November 1998).

the increasing influence of short-termism. Probably, it is the more intensive participation of organized interests in the decision-making process on enlargement, or at least their pressure upon it, that creates the greatest obstacle to further enlargement. To put it simply, the EU national governments are more for the Eastern enlargement than their organized interests are. I call this phenomenon the **Europeanization paradox** in the EU. The - governmental, party and business - elites are much more interested in European integration than the masses with their particular short-term interests. Consequently, the more the masses of the well articulated Western societies are involved through their interest organizations in the decision-making process concerning the ECE extension, the more this enlargement process slows down or even comes to a temporary halt. The "participatory revolution" in the EU is, of course, a positive development in itself. But with the dominance of "short-termism", it also has some negative consequences for the EU decision-making process in general and for the accession of the ECE states in particular. A similar Europeanization paradox can also be observed in the ECE states, although the organized interests so far have acted less vehemently than those in the West, and even their activity has been less intensive than it would have been expected.

Altogether, because of the permanent postponement of accession, the experiences of the ECE countries, including Hungary, in the negotiations have not been too positive. In the nineties the EU has always been busy with its "domestic" affairs, and ECE extension has been treated with "benign neglect". There has been a learning process on the EU side from the Copenhagen summit through Essen to the Luxembourg summit, but as Alan Mayhew concludes in 1998, "Still today, however, faced by numerous internal crises, there are signs that the Union has no clear policy on enlargement" (Mayhew 1998: 38). Robert Bideleux puts this lack of a clear scenario or vision into a larger historical perspective: "Yet, in matters involving sacrifice or risk, Western attitudes towards these 'faraway countries about which we know little' have not changed all that much since 1938 or 1945. Formally the Yalta agreement no longer applies, but in practice it will take a long time fully to undo it" (Bideleux, 1998: 640).

Among the five ECE candidates, Hungary has been to date the front-runner in the pre-accession process. This has been summarized by the European Commission in the following way: "Hungary is making satisfactory progress with regard to all three main criteria, suggesting that it should be in a position to adopt the main parts of the acquis in the medium term; particular progress should be made in the area of environment, customs' control and energy" (Agenda 2000 1997: 45).

The Hungarian economic transformations excel first of all in the micro-economy, i.e. at the enterprise level. With a high level of FDI and a robust presence of multinationals, an increasing sector of Hungarian enterprises have become competitive internationally. The growing export capacity and the successful privatization have also produced rather good macro-economic data: since 1996

Hungary has had a dynamic, sustainable economic growth and a serious decrease in its international debt. This healthy economic situation has been accompanied by the consolidation of democracy, including the reforms of public sector and public administration. The reorganization of the public administration has been going on hand in hand with the legal harmonization or approximation to the EU legal system. In general, the transformations of both polity and policy in Hungary have taken the form of Europeanization, rather closely following the needs of application *acquis communautaire*. In a word, the political harmonization with the EU has proceeded rather well.

Last but not least, there was a turning point in the Hungarian public opinion around 1997, with a big increase in interest and information about the EU. Hungarian public opinion may be characterized now by a cautious optimism and intensive activism concerning the EU accession process. These achievements have also been acknowledged by the public opinions of the EU member states, since according to the Eurobarometer data, Hungary has usually been the "most favoured country". This has been proven, e.g., by the latest Austrian data as well. Hungary is the only country with a clear support for its EU candidacy among the Austrian population (53 percent for and 32 against), followed by Slovenia (41 and 43 percents) and the Czech Republic (38 and 45 percents respectively) (Nowotny, 1998: 80).

Consequently, the prospects for Hungary securing a full membership are rather good. There is, of course, also a shadowy side to the preparations for the accession in Hungary, indicated in the above quoted statement of the European Commission. Beyond those fields, the negative side of preparations may be summarized in the following:

Hungary's institutional deficit appears in the missing legislation for the involvement of social actors and the parliament in the Europeanization process. There are still many non-articulated interests with their unpredictable behaviour in the accession process which would increase the political fights between winners and losers, and this non-involvement distorts the policy-making process. It is particularly true for Hungary that numerous interests are better represented in Brussels than in the national capitals (Mény et al. 1996: 5), first of all in the field of environment protection. The particular Hungarian paradox is that although the country is economically and politically rather well prepared for the accession, it cannot yet present and represent its national interests properly at the negotiations, since on the Hungarian side a too small elite team negotiates, not having enough assistance from a large group of representatives who could channel the particular interests of social strata into a national interest. Social costs of the accession can be taken into account and regional disparities can be diminished only by the active involvement of a wide range of policy actors in the institutionalized policy-making process.

The cultural deficit, however, is bigger than the institutional one. The biggest bottleneck in the accession process is the missing expertise in many strata

of public administration and the language barrier. Thus, the major issues for concern can be discussed in the learning process of "Euro-languages" and in the implementation of the *acquis*. At the same time Hungary has to develop a strategy to protect its national culture and language within the EU if it is to preserve its own particular national character. This is a common task for states with a small language and culture. To date, it has been successfully accomplished by all small member-states; hence Hungary can be optimistic facing this task.

The removal of both institutional and cultural deficits are the most important policy priorities for Hungary in the next years. But there are some other questions that need to be addressed. After the Vienna summit (December 1998) the ECE extension may slow down, although there is still some hope that a breakthrough can be reached during the German presidency. So far the clear time horizon for accession has been missing, and too long pre-accession process can provoke Euroscepticism in the Hungarian population. It is also clear that the EU member-states are divided on the issue of new members, though concerning the preparedness of Hungary there has always been a quasi consensus. Hungary, of course, prefers an individual treatment for the accession based on its performance, but welcomes also a team approach so long as it is not a pre-text for the postponement of full membership.

Conclusion

The Slovak changes after the latest elections in the Fall of 1998 have proven that there has been a convergence in ECE not only in economic and social, but also in political developments. It is in a striking contrast with the divergence between the ECE and the Balkan countries in all the three dimensions, let alone the post-Soviet, East European countries. The difficulties of democratic transition and association have also created some second-ranking divergencies in the ECE countries and have done a substantial damage to the ECE cooperation. This seems to be over and the economic success of the CEFTA organization promises similar success in political cooperation among the ECE countries in the next future. This political cooperation will only slightly increase the bargaining power of the ECE countries towards the EU but it will certainly facilitate the internal processes of the structural adjustment to the EU by supporting each other and exchanging experiences. The political scientists of the ECE region have to be prepared for this new period of ECE cooperation in the pre-accession and accession process to the EU.

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Success or Failure – How Far Is Eastern Europe in the Process of Capitalist Restoration?

Dieter Pesendorfer

Some Remarks on the Czech Case

Since in 1989 the process of capitalist restoration started the Central and Eastern European Countries (CEEC) try to get "normal" as quick as possible. "Normality" in that sense should mean the transition from crises to consolidation and more concrete: The restoration of capitalism and 'back to Europe'. With the end of the Breshnev doctrine the countries in Central Eastern Europe became independent from Moscow. For the people in these countries this was an enormous success because of the counterrevolutionary role the former Soviet Union played in that region especially during the revolutionary situations in the fifties and sixties. Between Eastern European countries a process of further differentiation set in and the Central Eastern European countries (CEEC) stayed not only the frontrunners but increased their position. As a result of this process the most advanced countries no longer wanted to be called "post communist". They started to see themselves similar to western countries and in a qualitatively fundamental difference to the rest of the former "bloc system" and especially to the "Balkan". Therefore they hope in a quick accession to the European Union (EU) which should make the transformation process irreversible.

Success or failure, progress or backlash are highly controversial and disputed. Nowadays the Czech case is a good example of how quick a "successful new emerging market" can drop into a deep crisis. Since the resignation of the former prime minister Václav Klaus in December 1997 the former "crown jewel" of the transformation process lost in ranking. International organizations like the World Bank, which applauded one year earlier the Czechs for their most successful mass privatization programme, were now talking about a "market failure" (Transition Vol. 8, No. 6, December 1997, p 4f).

This paper discusses several general aims of the process of capitalist restoration in the Czech Republic.

Continuity and Change

Although the former soviet block was not fully integrated into the "modern capitalist world system" (Wallerstein), capitalism had a major impact on the development of the Stalinist countries. Since the early seventies their dependence on the world system was growing enormously. There have always been pro-restorative tendencies in Stalinist societies. It was a main feature of the Stalinist system that whenever crises arose parts of the bureaucracy tried to introduce capitalist methods of exploitation and even the capitalist mode of production. The management as a "bastard of history" (I. Deutscher) had fundamental interests in becoming an owner or a "new class" (i.e. L. Trotsky, M. Džilas). Therefore their experiences with market mechanisms were confronted with disputes about fundamental consequences for the Stalinist system in general. These tendencies speeded up a process of differentiation in Eastern Europe. At least in the late eighties even in the most "reactionary" countries like in the former Czechoslovakia or GDR consequences were to recognise.

Therefore the qualitative change of 1989 came not surprisingly as many authors and analysts claim now. In reality the process of capitalist restoration had started long time ago. It was connected to the specific role of the bureaucracy and nomenclatura and it was a consequence of the concrete structures of the whole society. This breakdown of Stalinism was foreseen. Nevertheless a lot of people believed that the so called "real existing socialism" would keep on existing for the next decade. That was a kind of blindness explainable by general factors during the Cold War period. Sometimes it was not difficult to identify specific interests behind such expectations. Also a lot of people believed more or less in official statistics and publications or analysed changes only in the state structure but not in society.

Since 1989 this restoration process is not just a radical socio-political change which embraces the whole material life (as the terminus revolution suggests) but also a process in which the "old" is "still living on and won't die". This is the inner sense of what Gramsci called the essence of crises and what is meant by "political capitalism" (Staniszis) or other terms like "Mafia capitalism" or "clientele capitalism". From the very beginning of the process of capitalist restoration it was clear that it consists of different transitions and transformations each with a different duration. It will need a long period of time, maybe generations till mass psychology and political culture will change. Democratic, pluralistic institutions and norms could arise in an extremely short time. But institution building does not implicate that these institutions also function. As long as social relationships are not changed institutions won't work as designed. A major aim of the transformation process was seen in a fast track privatization of the enterprises. Therefore the spheres of politics and economy should

be divided as quick as possible. The special situation of Eastern Europe is that all these transformations had to be started at the same time and were interdependent and it is quite unsure if success in all processes is possible (see: Offe 1994; Kornai 1996: 30). Maybe it would be useful to ask why there are no greater clashes and why these countries in transition stay despite deep crises relatively stable instead of asking when they get consolidated.

Elite vs. Civil Society

At the end of the revolutionary situation ten years ago power turned from the masses politicized under this circumstances to a new elite formed not only out of the mass movement but also out of the old nomenclatura. The structures for working class councils, strike committees or other forms of councils, of participation and of power of the new social movements spontaneously created by the masses – although on a very low level of consciousness – were pushed back. Dual power ended and "bourgeois" democracies arose which left only a very small sphere for various forms of direct democracy. The fact that power went over from the masses and also from the former "dissidents" to a new political and economical elite gave reason for frustration and disillusion – Prague students were talking about a "stolen revolution" – a phrase also taken up by V. Havel. Serious doubts arose if it had been a "revolution" anyway. Not only from a historical point of view it is useful to talk about counterrevolutions.

In 1989/1990 we had discussions if the "Western" concept of democracy has to be widened to cover the radical forms of democracy which arose throughout the peaceful social movements in the East. But the umbrella organizations and the 'anti-political' anti-party-organisations did not last for a long time. The new political elite, massively supported and educated by the West, left no space for them. The elite professionalized relatively quickly and the mass became their subject showing now little interest in societal engagement. If parties are discredited it seems popular to vote for independent candidates. But conditions for non-party candidates to local or national elections were changed after such candidates had been very successful – especially on the regional level. Now as a consequence it is very hard for someone to candidate in elections without support of a party or the apparatus.

Liberals like Ralf Dahrendorf neglected that opposition and alternative concepts of democracy could ever be realized. Herein they only recognized illusions and in no way possibilities. Therefore all dissident aims had to fail and disillusion was necessary. However, in regard to the democratic aims of 1989 the revolutionary movement was not successful. The results of democratization are the establishment of a new elite and the destruction of almost all other forms of direct representation. Building up western democracies got a new overall accepted aim. But parties stayed weak, they did not win many people as

members and also their electorate is not constant. They are "lean" parties in a strong state. Therefore their function of representation is more or less fictitious. Under such conditions the elites are easy to corrupt.

In general all intermediaries are relatively weak:

- The church is relatively unimportant because of the Czechs' atheism.
- The Trade Unions lost a lot of their former members not only because their leadership supported the old totalitarian regime until its end. Today they are fragmented but still a large social organization. The majority of workers in the private sector are not organized.
- On a national level employers' associations are not interested in co-operation with trade unions at all.
- Media, sometimes seen as the fourth power in a democracy, is 'free' and 'independent'. That means that media has the possibility to control the elite. Therefore journalists have to learn that quality journalism is more than just government-friendly reporting. In the last years there were some scandals in the Czech Republic. Politicians were accused to intervene into the freedom of the press by firing uncomfortable editors.
- Regional and local self-administration was blocked under the former governments. Therefore administrative practice and the distribution of resources remained largely centralized.

The conflict between anti-party or civil society organizations and the more or less established parties is still going on. In the Czech Republic it is discussed as a confrontation of two completely different, not compatible concepts of society: The first one is a concept according to the classical Central European tradition of the authoritarian reformer Joseph II. and represented by the former premier V. Klaus who strictly opposes bottom-up reforms in favour of elitist top-down reforms. The second concept aims at a politically engaged civil society. Havel is a proponent of that vision as it is well known. But there exist also other concepts and not all of them are obliged to democratic values.

Under these conditions interpreting and rewriting history is a main task for the elite. The 30th Anniversary of the Prague Spring showed this very clearly.

Until now the process of capitalist restoration successfully prevented the development of anti-capitalistic mass movements. Movements comparable to the working class movement at the beginning of this century, a broad struggling and militant movement which fights to overthrow capitalism and built a new "socialist" society did not arise. There are of course spontaneous forms of protest and resistance against various consequences of this process comparable to the self-defence of the working masses against the market which Karl Polanyi described for the early phase of capitalism. But capitalism is still without alternative. Anti-system-parties do not exist, that means that herein ideological distances between left and right wing parties are relatively low. Former communist parties which really have never been revolutionary parties at all turn

ned to social democratic parties with more or less nationalistic, but pro-restoration programs (clientelism). Anyway it is not surprising that they went in this direction...

But if Eastern European countries are faced with deep economic crises and macroeconomic imbalances and social tensions it is questionable if support for the restoration process will stay strong enough. Democracy could get in danger and authoritarian or totalitarian styles could win the support of relevant groups.

Dreaming the Story of Success

Soon after the Czech Republic got rid of the Slovakian "burden" it became known as a "wonderland", which solved all problems successfully and without creating major "transition costs". For the Czechs the "vale of tears" (Dahrendorf) seemed not to exist. Prime minister Václav Klaus was applauded for the most successful and most radical transformation process in history – as he himself proudly claimed. The country was even named as an example for a successful shock therapy. In 1995 Klaus' party, the Civic Democratic Party (ODS), and even V. Havel declared that all main aims of the transformation process were successfully achieved. The Czech Republic was seen as a part of one of the new prospering (world) regions in the world economy in the 1990s. In 1997 the FBI counted the country in his World Fact Book to the most stable "post communist" economies with one of the best macroeconomic indicators. International rating agents upgraded the country. EU monitoring showed the country as a stable democracy and as a functioning market economy and as one of the absolute frontrunners for enlargement. It was the first Eastern European country which became member of the OECD (of course not without being monitored quite intensively). The Czech Republic was an example for a functioning democracy and for a successful transformation to capitalist modern institutions although some remarks were made on its policy concerning nationalities (especially the Romany minority) or on direct or indirect influence on the privatized economy etc. It was the only country in which right wing parties seemed to stay in power and unemployment seemed not to rise during the whole transformation process, if it were possible to build a prospering third sector which is able to offer new jobs within a short time. It was also expected that the Czech Republic would stay a stable democracy with a relatively stable party system. Even critical voices tended to exclude the Czech Republic from the general postulated tendencies for peripherisation.

But with the sudden fall of the ODS in 1997 the former "crown jewel" of the transformation process (Wall Street Journal) lost its glory. 1997 became known as the "Year of Crisis" (CERGE-EI). International political and economical advisers warned not to follow the methods of mass privatization the

Czech government initialized which they themselves called successfully before. Klaus was criticized for producing illusions and publishing wrong data. But even at this point a lot of analysts were sure that the political system in the Czech Republic would stay stable and the institutions durable. At the end of 1997 the party system broke up and showed its weaknesses. Problems and questions not foreseen in the constitution arose (i.e. for a few weeks the Czech Republic had two prime ministers!). President Havel intervened successfully in favour of a transitional caretaker government under the leadership of Josef Tošovský. Like his idol, Thomáš Garrigue Masaryk, (in 1920-21 and again 1926) he tried to prevent a social democratic government by installing a government of technocrats and by ignoring the will of political parties. Like in the past that solution in the "fictive" common interest did just work for a short period of time. However, the political right won time to be reorganized. The ODS split and prominent members founded a new right wing party, the Freedom Union (US). Only because of the weakness of its rivals and because of irresolute manoeuvres of the US-leaders Klaus' party survived and had the possibility to restructure. But as a result personal rivalries grew further and now the Czech political establishment is more polarized than ever before.

First Left Government

As expected the social democrats (ČSSD) won the early elections in June 1998. Coalition building was very difficult. The Christian Democrats (KDU-ČSL) had already moved to the left and were seen as the major candidate to co-operate with the ČSSD. But they did not win enough votes to go into coalition with the ČSSD. The US decided not to build a coalition with the ČSSD. But it was also impossible for the US to give up their criticism on the ODS-leadership. The result was a social democratic minority government lead by M. Zeman with support of their main rival ODS.

Although political differences between ODS and ČSSD are relatively low and there was a strong wing inside the ČSSD which argued in favour of a great coalition this was no real possibility after the elections in 1996. Radical polemics of the two leaders Klaus and Zeman during the election campaign prevented such a coalition. Nevertheless from that time on Klaus' government was dependent on toleration by social democrats. 1996-97 Klaus could stay in power only because of support by the ČSSD and the trade union leaders (especially during the demonstrations in November 1997). After the early election in 1998 M. Zeman was not able to create a government without the so called "opposition agreement". Under this deal both parties agreed not to initiate a vote of no confidence in a government formed by the other. This agreement was discussed very controversially. It was questioned if this deal still symbolizes the will of the voters. However, Klaus saw himself in "opposition" to the new

government which he criticized for being incompetent, socialist, etc. Nonetheless support of his party is essential for the government existence. As a consequence the electoral system, the balance and separation of powers and many other things may be changed in near future. The smaller right wing parties were forced to create a coalition to survive. First conflicts arose in mid January when the new budget passed the third and last reading in parliament. The ODS refused to vote for the socialist budget. Christian Democrats and former Communists voted in favour of the budget and the Freedom Union threatened to leave the coalition. That was for the first time the Communists broke through their isolation and exercised their influence on politics. So the future of the Czech political landscape is quite unsure because it will depend on how politicians will overcome personal rivalries and establish new forms of co-operation.

Today the Czech Republic is in a deep crisis and lost many points in ranking. Even EU membership became questionable. The weakness of the government is permanently discussed. Because of his illness the president is to weak to strengthen his role further. He is no longer a guarantee for political stability like he was in the past. Klaus who survived the crises of his government and the split of his party is thanks to the 'opposition agreement' and to the weakness of his opponents back in a strong position. For the former premier the crisis was produced by the policy of the central bank and its governor Josef Tošovský and in his eyes the social democratic government is unable to solve the country's problems. Therefore the ODS refuses to co-operate actively with the ČSSD until now. As a charismatic leader he is despite the failure of his governments still able to win elections in the future because he fulfils the masses yearning for a strong leader.

Newly Restored Capitalism?

Economic development worsened in the last years dramatically. During the last three years several banks broke down. Banks, with bad and overdue debts standing at nearly a third of total loans, are reluctant to lend. Enterprises restructuring is insufficient. Much of the industry remains in deep trouble, burdened by debts, inefficient production and managers unable or unwilling to restructure. Investment fund manager sold companies at absurdly cheap prices to dummy companies, which brought the profits into overseas bank accounts. Debts and bad assets are socialized. There is a lot of corruption and bribery is considered a legitimate business. It does not seem that the social democrats "Clean Hands" campaign could succeed. The country is also faced with problems holding foreign direct investments (FDI) inside. The current account deficit widened sharply, inflation persisted at levels higher than in countries of

the main trading partners. The investment ratio rose mainly on account of infrastructural and environmental investment, while the savings ratio declined. Enterprise profitability and external competitiveness worsened (IMF 1998).

If communism is the simple form only hard to make, as Bert Brecht once formulated, it is the question how hard it is to make capitalism. Maybe the critical point in the process of transformation is still ahead and the Rubicon is not yet crossed? It is not sure if a genuine process of accumulation has already been successfully initialised, if the capital is already strong enough.

A main task of the restoration process is changing the "soft budget constraint" into the "hard budget constraint" (János Kornai; Brus/Laski 1989, 106). The "law of value" (Marx) must become the decisive fact for every enterprise. Which means that bankrupt enterprises must be closed and banks have to lend money to those enterprises which promise highest profit rates. But transformation of the banking sector and the restructuring of the enterprises ("corporate governance") is still a main task in the Czech Republic. So the process Joseph A. Schumpeter once named "creative destruction" still can't work like it should. In this year the official unemployment rate is expected to rise over the 10 percent mark.¹⁾ Currently unemployment is at about 7.5 percent (up from 2.9 percent at the end of 1995). And the government is too weak to initiate major reforms. Therefore support for radical political solutions could rise. The support for radical parties in the past has always been greatest in areas of the country with high unemployment.

The Czech case shows that it is not sure if leading forces in one stage of the transition process stay "progressive" during the whole period of transformation. If they reach a certain level or position they can also blockade modernization. Politicians can get dependent on interest groups which are not interested in establishing a functioning market or in endangering their position by certain measures. It was a fundamental aim of the Klaus governments to radically separate politics from the economy. Therefore the Czech reformers religiously pursued rapid privatization and they liberalized the economy. Today it is discussed if the whole privatization process has to start again: But this time foreigners are the only ones who have enough capital to buy big enterprises, companies and banks. The hope of the reformers is that this would bring capitalism into the country.

Success or Failure – Some Tendencies

The Czech Republic is still in a much better situation than most of the other transformation economies. Today it is criticized that the country lost a lot of possibilities and chances especially when developments are compared to Po-

1) Sometimes high unemployment is an indicator for success. Some authors also argued that mass unemployment is a precondition for restoring capitalism.

land or to Hungary. Therefore failure often means failure in regard to illusions or hopes that the Czechs could establish wealth in a short period of time or it simply means the failure of one or another party or of right wing parties or of politicians etc. In general, failure is not discussed as a failure of the whole process. However most of the factors which 'failed' showed the same characteristics already before when they were seen as 'successful'. So what is the right criteria for monitoring successes and failures? Do objective criteria for monitoring exist, which also allow to foresee such 'sudden' changes?

In the Czech case there have also been concrete warnings. But in many monitoring studies problematic developments, warnings and difficulties were ignored. Of course there are general problems like the quality of poll results or incorrect information about economical indicators (even the IMF worried about this fact) or statistical difficulties in transformation economies. But it is also true that a lot of analysers, creditors, debtors, countries, governments etc. have a fundamental interest in demonstrating progress – in the west as well as in the east.

The answer to the question of the right criteria also depends on concrete aims and on the concrete circumstances under which transformation processes are taking place. All criteria are highly political. The whole society is set into new social relations. The restoration process is a process of exclusion and inclusion. So monitoring will always be dependent on its compatibility with an adopted model (Hausner et al. 1998, Summary 3). In the Czech case it seems that many models were based on wishful thinking and much too optimistic. But what about the modernization promise?

The integration into the modern world system and especially integration into the European Union is one of the most accepted aims. But that world system itself is in a crises and in a transition process. Nevertheless integration seems to be the only way of promising modernization. The IMF for example published a working paper entitled "How far is Eastern Europe from Brussels?" (Fischer, Sahay, Végh 1998). In this paper the Maastricht criteria are set as a measure for closeness or distance to the EU. On the one hand this is an objective criteria all European countries have to fulfil if they want to be or stay a part of this politically defined Europe. On the other hand integration cannot just mean the adjustment to the rules of others, it cannot "be just another accession" (Eatwell et al. 1997; Hausner et al. 1998). But not because the enlargement of the EU would otherwise get impossible but because these rules work only as long as others are excluded.

So the success or failure of nearly transformed economies depends on changes in the whole capitalist world system and especially in its centres, in the western OECD-world (Senghaas). From this point of view we also have to ask "How far are Western, Eastern and Southern countries away from sustainability?" Today the most advanced countries are not getting closer to sustainability. But what changes are necessary to make them sustainable? The aim is defined

only vaguely and it is also quite unsure what sustainable democracy should mean and how it should look like. As we know from the ecological discourse there is no objective criteria to measure closeness or distance to a sustainable region/society/world. You need a political or – if you prefer – a moral decision based on values. There are a lot of such decisions which are necessary also in transformation economies. The people will have to decide what society, economy and kind of participation they want. Each of these decisions will create a certain path of dependence. But the question is if different paths are still possible!

In the century of globalization there is a lot of talk about the demise of nation state and about dangers for democracy. Nowadays the transformation economies try to give the best conditions to foreign investors and foreign capital. They started a "race to the bottom". There is a little difference between a government led by "conservative" parties or by "transformed communist" parties: And of course there is no danger of a "backlash" to the old Stalinist regime. Eastern Europe was opened as radically and uniquely as no other region ever before. No government could afford turning back to a centrally planned economy. Even if the candidates for the eastward enlargement of the EU are not really integrated into the EU they must go on with further steps of liberalization. They are obliged to do so since they signed European Agreements.

Conflicts in the past, like the Czech "apple war" or that ones concerning sensible steel or agricultural sectors or the radical shortage of the PHARE aid for Poland in 1998, showed an extremely weak situation of the CEECs. The regional integration (CEFTA) is still not institutionalized. Even the Visegrád countries are just starting to develop regular meetings and are not very co-ordinated. On the other side the EU can be satisfied by the results of the European Agreements. From an economical standpoint enlargement is not very profitable for the EU. The EU does not need further integration to exploit the region. In the whole region FDI are still rather low (especially compared to other world regions) and western aid is insufficient. The EU has no concept how enlargement should be successful. The foreign trade balances of the CEECs worsened during the last years while the EU, especially Germany and Austria, profited from the fall of the iron curtain. The transformation process seems not to fulfil the promise of modernisation. Catching up or overtaking – aims already not functioning under the Stalinist regime – seem not to work.

Conclusion

Since the beginning of the transformation process in 1989 in the Czech Republic fundamental changes were initiated. There has been much progress in the process of capitalist restoration although major reforms are still not finished. Restoring capitalism is still underway. In the meantime the law of value

got the decisive regulator of a major part of the economy. But slow restructuring of enterprises, a weak banking sector, scandal-tainted capital markets and some problems in creating a labour market still undermine a genuine process of capital accumulation. That does not mean that accumulation is impossible. In contrary, that means that all these factors of informal relations and old or new networks are crucial for the accumulation process – otherwise it would not function anyway.

Under the general conditions and according to the described tendencies I expect that frustration, tensions, struggles and conflicts between classes and different participants will grow in the near future. The potential to limit them will be lower than in the last period although the possibilities have worsened. Intermediaries stayed weak until now. Trade unions lost on influence (see the last law on strikes in the CR). And the West seems unable to develop a strategy that allows the East to 'modernize'. But nevertheless the West integrated the East into its institutions and organizations.

On this ground it is easily possible that the Czech Republic really turns back to that kind of "democracy" it had in the first Republic,¹⁾ although the international as well as the inner situation are completely different. That means that democracy could get a facade, a sort of "banana republic" as Havel said, which excludes major parts of the society from politics. For the near future the country will stay in an "unstable stability". But democracy should be more than just the existence of some minimal criteria and consolidation should be more than just the stabilization of the existing elite and reaching "normality". It would be useful to discuss radical forms of democracy and to remember the potentials of 1989 but also those of 1968.

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1) Up to now the Czech tradition was often glorified. It was mentioned that the Czechoslovak Republic was the only country in Central Eastern Europe that stayed a democracy until 'Munich' while all other states became authoritarian or totalitarian. But other sides of this tradition are a weak parliament, opportunist changes of the constitution, a weak opposition, the preference of strong efficient governments which did not regard democratic rules, no solutions for the problems of nationalities, caretaker governments set in by the president and violence against the organized working class and its organizations.

The Impact of Constitutional Rules on Institutionalization of Democracy in Slovakia

Darina Malová and Marek Rybář

Introduction

Among the factors that have impeded successful institutionalization of democracy in Slovakia, constitutional rules established by the Slovak Constitution of 1992 have played a prominent role. Institutionalization, or similarly consolidation, of democracy has not been completed, as Slovakia's hurriedly drafted and vaguely formulated constitution has not successfully performed the goals expected from the institution of such an importance. Obviously, this is not to claim that the institutions as independent actors somehow miraculously marginalized political actors and predetermined the course of events. It is always agency (political actors) who takes and carries out individual and concrete decisions. However, political institutions matter in the sense that they provide agency with formative incentives that shape both strategies to be pursued and goals to be achieved. In other words, what politicians do and how they do it is both channeled through, and encouraged by, the existing institutional framework. Hastily drafted and adopted Slovakia's Constitution, and especially vaguely formulated provisions specifying the division of powers, encouraged and made likely those objectives and actions that have not been conducive to consolidation of democratic polity.

We divided our paper into three main parts. In the first section we clarify our understanding of the constitution as an institution and specify the relationship between institutional set up and consolidation of democracy. Next, we analyze the situation of Slovakia's parliamentarism in the period between 1994 and 1998 as well as describe the way strong and disciplined parliamentary majority brought about "majoritarian" understanding of democracy. The third part discusses possible ways in which omnipotent parliamentary majority can be checked and show that the Slovak constitution either did not establish institutions capable of limiting the Parliament or did not endow them with sufficient and unequivocal powers to do so.

Democratic Consolidation and the Role of the Constitution

Together with Huntington, we understand institution as a "stable, valued, and recurring pattern of behavior," or at least such kind of recurring behavioral pattern that aspires to become stable and valued (Huntington 1968: 12). We call "institutionalization" the actual process of acquisition of stability and value. Thus, the notion of consolidation of democracy approximates to institutionalization of institutions encouraging democratic rules and procedures. Clearly, not every kind of institutionalization equals democratic consolidation, since we can imagine institutionalization of a non-democratic regime. Thus, institution of a democratic constitution is to create a clearly balanced division of powers between bodies specified therein. Moreover, it is also to provide fundamental principles upon which autonomy of political, economic, citizens' and other domains can be based.

From a "constitutional" point of view, a major change occurred in the late 1980s/early 1990s in Eastern Europe - constitutions again started to matter. After decades of communism, when constitutions were largely formal and empty texts, constitutions of countries in transition became legal expressions of newly acquired sovereignty and documents establishing the rules of the political game. The same is true for the Slovak Constitution of 1992. The constitution establishes the guiding principles regulating the rules and procedures through which actual policy outcomes are reached. Many constitutional experts argue in favor of a clear separation of "constitutional politics" and "everyday politics". The former includes discussion about, fights over, and adoption of, the text of constitution whose provisions constitute a stable ground for everyday political clashes. For adoption of constitutional provisions specific procedures (e.g. constitutional assemblies) and extraordinary majorities (e.g. two thirds) are usually required. These are to safeguard an overall political consensus regarding the rules of the game. The position of constitution in political struggles is a clear indicator of the degree of "vertical dimension" of democratic consolidation. "In a case consolidation is strong (...) a spill-over is unlikely to occur from disagreements about rules to disagreement about those second-order rules that are supposed to govern the conditions of our disagreement on the rules." (Elster, Offe, and Preuss 1998: 30) The "horizontal dimension" of consolidation (Elster et al 1998) encompasses indication of the degree to which economic, political, cultural and other sectors (domains, arenas) enjoy autonomy from each other. The higher the degree of autonomy, the more consolidated given polity is.

Constitution as an Institution

In order to call a social arrangement "institution", two conditions have to be fulfilled. First, institutions play a socializing role by prescribing desirable behavior. In other words, they restrict modes of actions (negative part) and reward preferable activities (positive part). Second, institutions do not only perform the role of "congruent socialization" (Offe 1996: 200) but should also function correctly, i.e. should be able to solve problems they were created to cope with. In short, institutions impose obligations upon actors as well as produce policy outcomes. Applied to the Slovak Constitution, the constitutional provisions (concerning division of powers) should clearly and unequivocally specify the ways political actors are expected to behave and to deal with each other. In such a way the behavior according to those rules is repeated and thus acquires stability. Moreover, any action not in line with prescribed and repeated patterns is considered deviant and not met with approval. At the same time, behavior according to repeated and stable rules fits better the need to generate desired policy outcomes (second characteristic of institution).

We argue that many articles of the Slovak constitution are not clearly specified. Hence, the constitution, instead of being capable of solving political crises, becomes itself the source of political conflicts. Poorly crafted constitution cannot become the ground for a consolidation of democracy (of which institutionalization is a prerequisite). The reason is threefold: First, disputable (and disputed) provisions are the source of conflicts among actors whose roles are not clearly specified. Hence "stability by repetition" is but a distant goal. Second, the capacity of distorted rules to generate desirable outcomes is largely limited. And third, the vague rules are themselves becoming the formative factor of actors' behavior. Thus, not only actors do not comply with (unclear rules) as they were probably envisaged by the constitution drafters but the rules themselves become the objects of political struggles.

Distorted Parliamentarism

Many provisions of the Slovak Constitution of 1992, including stipulation of the separation of power are not clear and set up potential for different interpretation and conflicts over rules. Also provisions on human rights are not supreme, as they can be further stipulated by the ordinary legislation, requiring only majority voting (Bealey 1995). According to constitutional prerogatives, Parliament, called the National Council of the Slovak Republic, is the strongest actor in the political arena. The National Council enjoys many powers over establishing, replacing and suspending executive and judicial bodies and their in-

cumbents. Therefore, development of political process depends on the composition of Parliament, party discipline and cohesion, and ruling elite's understanding of democracy.

Slovakia's development of the parliamentary system has proved the difficulties to maintain the separation of powers within fused executive and legislative branches of government. We argue that the inner dilemma of parliamentary democracy consists of a twofold task. On the one hand, it is necessary to form a majority to back up the cabinet, and on the other hand, it is essential to preserve constitutional checks on the executive. In Slovakia this problem has been 'resolved' in favor of the majority rule. The recent political practices have undermined the potential for resistance from offices and agencies that might otherwise exert limiting pressure on the coalition in the legislature. Parliamentary system in general has the fewest checks on executive power, and therefore if disciplined majority parties emerged it is likely to promote a winner-takes-all approach. Usually, single-party majorities are not conducive to the survival of (parliamentary) democracies, because the party can devise political rules that accommodate its interests and promote legislation that guarantees its own electoral victory, thereby undermining free and fair political competition. However, in Slovakia the ruling coalition before the elections of 1998 performed in the most cases as the single-party cabinet. Only diverging privatization interest caused some minor crises that were soon settled.

After 1994 elections the coalition of three parties (the Movement for a Democratic Slovakia - HZDS, Workers' Association of Slovakia - ZRS, Slovak National Party - SNS) managed to impose strong party discipline over their deputies. This had influenced the performance of parliamentary democracy and functioning of separation of powers. The point when this process began was November 3, 1994 by the first opening session of Parliament and continued by the immediate second session. During this night session the newly formed parliamentary majority of 83 seats out of 150, managed to change the institutional set up of Slovakia's parliamentary democracy by changing statute laws and not following previous informal customs, securing some parliamentary posts for opposition. In one night, the parliamentary majority constituted the absolute majority rule, with very few checks on executive and constitutional constraints on the cabinet. In one night, the majority succeeded in the full marginalization of the opposition. Contrary to traditional parliamentary practice, the majority voted against opposition candidates for the vice-chairmanship of Parliament, and in the addition opposition MPs were denied the chairmanship of any parliamentary committees. Opposition lost their seats in the supervisory bodies overseeing the public mass media and intelligence service. Opposition representatives were removed from Supreme Auditing Office and National Property Fund (FNM). Attorney General was also replaced. The majority also amended the Large Privatization Act and transfer decision-making competency from the cabinet to the National Property Fund (FNM) controlled by

HZDS¹⁾. Moreover, the parliamentary statistics of 1994-1998 period proved that the opposition could not even effectively participate in proposing agenda of parliamentary sessions; the opposition suggestions represent 13 per cent of all proposals to agenda²⁾.

Country's political discourse had dramatically changed in favor of a majoritarian interpretation of democracy. Political leaders of the ruling parties defended their distorting actions by apologetic rhetoric based on the principle of majority rule, asserting that: "It's after the elections you (the opposition) should get used to it (arbitrary and unlimited rule of majority)"³⁾, or "democracy is the terror of the majority"⁴⁾, or "the winner takes all"⁵⁾. The ruling elite explicitly clarified what democracy is and is not.

Limiting Parliamentary Omnipotence

The need for clearly and carefully drafted constitution increases in countries where there is an unsettled elite, lacking underlying procedural and cultural consensus. Especially rules on the separation of powers and system of check and balances are critical to consolidation of democracy (Holmes 1993; Zielenka 1994). There are at least four possible ways a Parliament with a strong and disciplined majority can be checked. These include: an upper chamber constituted on a different principle than the lower chamber; referendum in which citizens can decide about relevant and important political issues; the Constitutional Court effectively preserving country's constitution; and President who can stand as a barrier with more than a formal power to veto legislation adopted in Parliament.

Even though there were some signs in 1992 that the Slovak deputies from the Federal Assembly (that voted for the dissolution of Czechoslovakia as effective from January 1, 1993) would be placed in an upper chamber of the Slovak Parliament, but finally the National Council has remained a unicameral body.

Referendum offers a possible tool that may serve as an additional check on the fused executive-legislative power. However, this element of direct democra-

- 1) It should be emphasized that the presumable authors of this "night scenario", HZDS leaders Vladimír Mečiar and Ivan Gašparovič, who was elected as the Chairman of Parliament did not vote for these bills, maybe they were aware that many of them contradicts to the Constitution.
- 2) Chairman of Parliament is responsible for the setting agenda, however, individual MPs have a right to propose new points to agenda. These proposals have to be passed by the majority of Parliament.
- 3) Vladimír Mečiar, HZDS Chairman, at the first session of the Parliament.
- 4) Daily Sme cited Eva Zelenayová, HZDS MP. Sme, June 7, 1995.
- 5) Daily Pravda cited Vítazoslav Mórič, MP of the Slovak National Party. Pravda, February 7, 1997.

cy has been often misused and, therefore discredited by autocratic regimes in the 20th century. In the new democracies it may assist to both processes: to development and to break-down of fragile regimes. While opposition may mobilize population by organizing petitions and prevent the expansion of rising autocratic forces, also the autocratic government can confirm itself and prolong its power (see Butler and Ranney 1994: 181-183). The Slovak Constitution rather carefully divided rights over organizing referendum between the executive and legislative branches of power. Article 95 states that referendum "shall be announced by the President of the Slovak Republic upon a petition submitted by no less than 350 000 citizens, or upon a resolution of the National Council of the Slovak Republic." However, the main problem of the referendum as specified in the Slovak Constitution is the fact that its effects are confusing. The Constitution remains unclear as far as the consequences of the referendum's results are concerned. The Constitutional Court, clearly under strong pressures from both opposition and coalition forces, ruled that the result of the referendum does not automatically become a legislative norm. At the same time, it is binding for the parliamentarians, who are to adopt legislation in accordance with the "will of the people". However, there is no way deputies can be legally forced to comply with the results of the referendum, as the Slovak constitution states that they are not bound by any directives. Hence, referendum in Slovakia does not perform the role of a check upon the legislature. Moreover, the confused constitutional provisions regulating referendum's impacts may be indirectly held responsible for the circumstances leading to thwarted referendum on direct presidential election and NATO membership in 1997.

The Constitutional Court in the Slovak Republic was established in March 1993. Ten Justices were appointed to seven-year term by the President, from 20 candidates nominated by the Parliament. The Court may examine the constitutionality of any law, statute, or regulation passed by the Parliament, Cabinet of Ministers, or local government without the existence of an actual lawsuit. However, the Court does not have power of *a priori* constitutional review, which could stop unconstitutional laws before they can be applied¹⁾.

The enforcement of the Court's decision is to a certain extent "soft". When the Court finds any contradictions in laws, these rules, parts or clauses thereof shall become ineffective. The authorities that passed these rules are to bring them to conformity with the Constitution not later than six months following the finding of the Constitutional Court. After this period these rules become ineffective. This broad provision was efficiently used by the former cabinet with respect to privatization and it also contributed to legal complications in the

- 1) For example, the constitutional amendment of the Act on privatization passed in November 1994 allowed to privatize a huge part of the national property to new owners before the Court ruled on the unconstitutionality of this amendment. Since then the government continued to apply this law for next six months, as it is stipulated by the Constitution.

"Gaulieder case". Gaulieder, a HZDS deputy decided to leave the parliamentary crew of his party. However, before the elections of 1994 he (and many of his colleagues from HZDS) signed a letter (without a date) in which he resigned from his parliamentary seat. This was to discipline future HZDS deputies and not to allow them to leave the party. After Gaulieder quit the HZDS faction, the letter appeared in the Parliament as if it had been sent by the deputy himself. The parliamentary majority simply "accepted" his "resignation," even though Gaulieder several times proclaimed the he had not given up his mandate. The Constitutional Court later ruled that Gaulieder's constitutional rights were infringed, however, the Constitution did not provide the Court with the power to cancel the Parliament's decision. The Court only appealed to the legislature to reconsider its decision. The case pointed to previously unknown weakness of the Constitution - it does not contain mechanism by which a basic individual constitutional right can be enforced.

The powers of the Constitutional Court, its decisions, and its role in the political life had also been contested by the government since the Court was the last institutional barrier that could be used by the opposition. The Mečiar-led HZDS and leaders of the Slovak National Party often criticized the Court as the institution that is not impartial and backs the opposition. For example, in 1995 the Cabinet withdrew some financial support to the Court Chairman, trying to punish him for the Court's independence. Moreover, a HZDS Member of Parliament proposed to amend the Court's decision-making procedure, which would replace majority voting by qualified majority, requiring seven votes.

Presidential competencies have probably been the most controversial issue of the Constitution. President is weak compare to Parliament and can be made politically accountable to Parliament. His right to dissolve the Parliament is unproductive, because it does not constitute a real threat to parliamentarians. Legislature can be dissolved by the President only in one case, if it fails three times within six months after elections to form a cabinet. In the period of six months after the general elections the president does not have a chance to play a role in possible parliamentary crises. President is defined as a part of the executive branch of power, within which he may enjoy a relatively strong influence, as he may preside over cabinet meetings and require reports from ministers. To increase incongruity of presidential powers, provisions defining rights to appoint and recall Prime Minister, members of cabinet and other administrative bodies are not clear.¹⁾ Moreover, presidential veto power is submitted to Prime

1) Mečiar-led Cabinet used these constitutional ambiguities and shifted some powers of President to the Cabinet. In April 1995, Parliament passed an amendment to the law on the Slovak Intelligence Service (SIS), according to which the President lost the right to name and recall the Head of the SIS. In July 1995, Parliament approved a Cabinet bill transferring from the President to the Cabinet the power to name the Chief of the General's Staff of the Slovak Army. Formerly, the Chief of the Gene-

Minister, because President has to return laws on the Prime Minister's request. This set up a possibility of institutional competition and conflicts within the branches of the power. Finally, the design of this component of power is even more complicated by confusing provisions regulating presidential elections.

To get President elected, parliamentarians have to muster three-fifths majority, i.e. to find a candidate who receives at least 90 of all 150 votes. If any of candidates does not receive such a majority in the first round, the two candidates who received the most votes are scheduled for the second round. However, the number of required votes is not decreased in the second round, and the third one is not foreseen at all. According to the Constitution candidates who have not gathered enough votes are simply eliminated from the race, and subsequent rounds of the presidential elections should start with entirely new candidates. The procedure sets up a danger that President is not elected and thus, institutional structure established by the Constitution is incomplete. The danger of vacant President's position had indeed fulfilled and Slovakia has not had a President since March 1998. In addition, in case no president is in office, the Constitution did not transfer all President's powers to Prime Minister and some of them are not allocated to any institution, including the powers of dissolving Parliament, promulgating laws, and appointing the Prime Minister, cabinet ministers, and other principal officers. The opposition feared that this situation could grow into a constitutional crisis, because the Constitution did not provide rules for Cabinet's resignation after the general elections scheduled for September 1998. The constitution stipulates that Prime Minister must submit his resignation to President. It was unclear how a Prime Minister can be removed from office if there is no head of state to whom a resignation can be submitted. This was solved only in July 1998, after long political controversies. Mečiar-led political forces made concessions, and the Parliament passed an amendment to the Constitution transferring all above mentioned powers, including the competence to accept the resignation of the incumbent Cabinet to Chairman of Parliament in the case of vacant President's seat.

Presidential veto power, a possible check on the legislature, is also ineffective. Though the President may ask the National Council to reconsider a law that it has adopted, the National Council may override his veto by a simple majority. This provision is too far from democratic parliamentary traditions, which usually required higher majority to overrule vetoed laws. Since the opposition could not block destructive legislation in Parliament, President Kováč was forced to use his veto power, and this tool, usually rarely used in stable democracies, became a part and parcel of legislative process in Slovakia. However, it had almost no impact on the quality of legislative norms. The frustrated opposition

ral's Staff was nominated by the Defense Minister and approved (or rejected) by the President.

and President could appeal to the Constitutional Court as the last available institution that could stop destructive consequences of the unlimited majority rule.

The Constitution does not stipulate formal rules over a selection of Prime Minister and formation of a cabinet, it states that the President shall, on the advice of the Prime Minister, appoint and recall cabinet members. However, another article of the Constitution states that a motion for the dismissal of a member of the Government may also be presented by the Prime Minister. These two articles led to a conflict between the President and Prime Minister in 1993, when Mečiar began dismissing ministers who resisted him. President Kováč petitioned the Constitutional Court to decide this issue. The Court ruled that only the President has the power to appoint or dismiss ministers, while the Prime Minister may propose dismissals and appointments to the President.

This decision, which introduced an element of semi-presidentialism into Slovakia's parliamentary system, has started serious controversies between President Kováč and Prime Minister Mečiar. It was even increased in March 1994, when President's report on the state of the Slovak Republic pushed hesitant MPs to dismiss the Prime Minister. Political conflicts between these two leaders grew and cumulated in September 1995, when President's son was abducted.

Another constitutional provision states that President may be dismissed by Parliament by a 3/5 qualified majority if he acts contrary to the sovereignty or territorial integrity of the country or its constitutional and democratic system. We know of no democratic parliamentary system with a similar provision. Moreover, it sets up possibility for emerging of the so-called negative coalitions, which are able to reach a consensus if they want to dismiss President, but are not able to elect a new one¹⁾. The HZDS-led Cabinet and parliamentary coalition had tried to discredit the President and launched a negative campaign in mass media controlled by the government. However, the government did not have support of the required three-fifths majority in the Parliament to dismiss Kováč. As we have suggested in the first part of the paper, a party to the conflict over powers not well settled in the constitution is prone to use almost whatever means available to shift the balance in its favor. In the case of conflict over presidential powers, the parliamentary majority (short of a majority necessary to amend the constitution) first circumscribed president's powers by changing ordinary (statutory) laws specifying competencies of the Head of State. Later, the same parliamentary majority expressed extra-constitutional "vote of no confidence" to the president, a procedure not specified in the Constitution and thus without any legal implications. Eventually, attacks against the President

1) In parliamentary democracies such situations usually can occur only with respect to dismissal of Prime Minister. Thus, to avoid de-stabilization of the political system, the German constitution stipulates so-called constructive veto-of-confidence.

and his family (abduction of his son) displayed clear signs of Slovak Intelligence Service's involvement. The organization was at that time controlled exclusively by the deputies representing the aforementioned parliamentary majority.

Conclusion

We believe that controversial, inconsistent, and unclear constitutional provisions have worked as the engine generating formative incentives for actors' goals and strategies. The disciplined parliamentary majority was not effectively checked and limited, with a partial exception of the Constitutional Court, by any other bodies. Unclear provisions concerning referendum were misused to thwart the plebiscite in 1997. Presidential veto was unproductive, while some other articles regarding presidential powers became the generator of further conflicts between the president and parliamentary majority controlled by the cabinet. Even though the role of the Constitutional Court has been largely positive, some of its rulings caused further confusion. We suppose that without a substantial amendment of the Slovak Constitution, institutionalization of democracy will remain an unreachable dream. In mid-January 1999, the National Council (in which a new coalition controls 93 out of 150 seats) adopted the constitutional amendment changing the mode of presidential elections. Instead of an election in the parliament, it will be the Slovak citizens who will decide in a direct election. Moreover, some changes occurred affecting the presidential powers. Among other things, the parliament increased the number of instances in which the president may dissolve the legislature. Other new provisions were included introducing the ministerial countersignature of president's decisions. Though we believe that these and other changes point to the right direction, presidential powers, as we have tried to show, have been but one, albeit prominent, of the controversial constitutional provisions impeding successful consolidation of democracy. A balanced parliamentary system needs clearly specified provisions regulating the powers of the Constitutional Court and the role of referendum. Simply put, Slovakia still needs to look for a Supreme Norm providing for the stable grounds of the political game.

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A Decade of Conflict Within Slovak Polity: Party Politics Perspective

Peter Učen

Although never taking a form of bipartism, for the most of the decade from the 1989 regime change Slovak political scene manifested tendency towards a resolute conflict of **two** major alternatives. The two major alternatives probably indicate a presence of **one** main conflict line that patently outclasses any other existing division that could induce, mould and motivate political conflicts in the country.

This text inquires into the problem of the main alternatives that were born within Slovak politics reflecting the fact that they have been a contingent outcome of the previous political development since the regime change in 1989. It wants to contribute to the knowledge about these alternatives by characterizing them by what, according to the author, constitutes a true essence of their quality as alternatives (i.e. opposition). Rather than ideologies, party manifestos, and represented interests, the article opts for an **approach stressing concept of political conduct and regime of democratic rule**. Rather than about political parties, the text is about party politics.

However, this text is not meant to be an exhaustive account of development of party politics in Slovakia. Instead, it focuses on the logic of mobilization of paramount political conflicts and factors conditioning this process. This mobilization has led to the emergence of two main political alternatives: the national populist bloc of parties and the civic-democratic one. Since both above-mentioned blocs are disparate as far as their Left-Right axis composition is concerned, I will attempt to characterize another division line that is at work in Slovakian politics.

Initial Conflict and Its Settings. Nation State: Pretext or Reason?

Mode of Departure from Communism and its Legacies

The initial situation of inception of the pluralist party system in Slovakia was undoubtedly marked by the way the old regime disappeared.¹⁾ Munck

1) I subscribe here to the path-dependency approach which defines the mode of transition from the old regime "in terms of identity of the actors who drive the transition pro-

and Skalnik Leff (1997) distinguish the Czechoslovak case as "reform through rupture".¹⁾

Reform through rupture could be characterized as the kind of regime change brought up by the combined effect of a popular upsurge with the inability of the regime structures to contain it. The popular upsurge legitimized ad hoc created bodies composed of previous dissidents and other regime opponents and the first wave of opportunists to the extent that they were able to become the partners of official regime structures in negotiations. Hardly avoidable surrender of old rulers was, thus, made "velvet" via relatively little hostile negotiated shift of power to the new elite that largely abandoned the idea of vengeance.

Reform through rupture is considered to be a convenient way of departure from the old regime because it secures a quite smooth transfer of power and it is safe from dramatic expressions of hostilities and violence. However, it is also suspected of having a problematic legacies: "Ironically, reforms through rupture make the transition to democracy relatively easy but also hamper democratic consolidation by reducing the incentive for counter-elites to develop co-operative relationships and consensus on key institutional rules during the critical period of transition" (Munck and Skalnik Leff 1997: 358). In the Czechoslovak case, for example, "the mode of transition first encouraged the deferral of fundamental constitutional issues; the post-transitional logic of electoral competition then made it virtually impossible to resolve them in a consensual matter" (Munck and Skalnik Leff 1997: 355). It resulted, among other things, in the split of a federal state.

Another probable expression of this legacy for Czech and Slovak politics was that not only the original agents of regime change - the Civic Forum and the Public Against Violence - split but "their successor parties [also] merged into the broader currents of two increasingly hardened, ethnically segmented political subsystems... As the constitutional question of Czech-Slovak relations emerged on the political agenda, no state-wide force generated consensus on basic rules of Czech and Slovak elite interaction within a more decentralized state" (Munck and Skalnik Leff 1997: 355). A creation of two republic (ethnic) centred party systems within which Czech and Slovak elites focused their political appeals on their own voters and practically relinquished (or at least limited to a minimal

cess and the strategies they employ... these modalities shape the post-transitional regime and politics by affecting the pattern of elite competition, institutional rules crafted during the period of transition, and disposition of key actors to accept or reject the new rules of the game. Through these causal mechanisms the mode of transition helps to explain whether and how democracies emerge and consolidate" (Munck and Skalnik Leff 1997: 343).

- 1) Their typology of transitions from authoritarian regimes is based on two dimensions - identity of the agent of change (incumbent versus counter-elite), and agent's of change strategies (confrontation versus accommodation). According to these dimensions the Czechoslovak reform through rupture is characterized by both incumbent and counter-elite as agents of the change as well as by a strategy that was a combination of confrontation and accommodation.

level) political activities aimed at a federation-wide audience severely damaged the position of pro-transformation forces in Slovakia.¹⁾ The legacy of the "impaired unity of pro-transformation forces" found its own expression in the Slovakian political scene when it started to tremor as a result of battles accompanying a process of mobilization of "genuine" post-Communist conflict lines (see next section). The Slovakian pro-transformation coalition found itself in a disadvantageous position when it had to face an attack of populist and nationalist adversaries.

Munck and Skalnik Leff (1997: 356) mark the split of Czechoslovakia as a sort of a fiasco: "Even if the break-up was a peaceful, 'velvet divorce', it still represented Czechoslovakia's ultimate failure to institutionalize the rules of elite contestation and to consolidate its new democracy" (my italics). In many respects the ensuing developments of the Slovakian politics show the signs of repetition of the same story and the same kind of failure.

Mobilisation of Post-Communist Conflicts in Slovakia²⁾

Elementary processes marking the evolution of the Slovakian party system were a relatively rapid enfeeblement and decomposition of an originally pro-transformation alliance, steady ascent of nationalist and populist alternative, and finally a firm drift of the latter towards the centre of political power. These processes were mainly grounded on power conflicts over policy choices made by the new ruling class that occupied new (or reformed) institutions. Perpetuation and intensification of these conflicts forced and motivated competing actors to seek and stabilize political support via the mobilization of available identities and frustrations as well as legacies of the past and some freshly formed interests.

While disentangling the relationship and roles of new contextual factors (the imperatives of liberalization) and more enduring determinants originating in previous regimes (legacies of the past) in the process of the creation of a new societal order in post-communist countries, Crawford and Lijphart (1995) offer a fruitful solution that I will try to make use of in my analysis of the Slova-

- 1) Whenever I use the term "pro-transformation" in this text I mean "favouring transformation toward liberal democracy and market economy".
- 2) My main source of information for this section - details as well as generalisations - on political development in Slovakia in the years 1989-1994 was a series of articles "Päť rokov po" [Five Years After] written by Peter Zajac. This mixture of political memoirs and analysis was published in more than one hundred parts over two volumes of the Slovak weekly *Domino Efekt* in years 1994-1996. I have found it extremely difficult, inconvenient and confusing to refer meticulously to this source due to its fragmentation. Thus, I have refrained from exact references to individual parts of a lengthy series of articles (unless a longer quotation is the case) and acknowledge the source in this way.

kian party system.¹⁾ They conclude that "the constraints and incentives that shape current choices arise from the immediate context in which actors find themselves. It is this context that will determine both which past legacies become politically central and whether there will be a successful transition to democracy and markets in Eastern Europe" (Crawford and Lijphart 1995: 194). Furthermore, "the immediate context provides the conditions under which past legacies will or will not play a role in shaping the direction of regime change in post-Communist societies. And liberalisation is only 'imperative' when key conditions are met: when liberal norms set parameters on political debate and participation, when international pressure supports liberalisers in the political process, and when new institutions provide for competition both in the economy and in the political arena" (Crawford and Lijphart, 1995:196). To sum up, they propose the new institutions, hegemonic norms, and international pressure as the factors that establish an useful framework for the analysis of post-Communist societies.²⁾ This text adopts first two elements of the framework for the sake of its argument.

- 1) The authors inquire into the explanatory power of two competing approaches: The "liberalisation approach" "emphasizes the immediate contextual circumstances that constrain choice and determine the path of transition" (imperatives of liberalisation). The "legacies of the past" approach "emphasizes the unique historical inheritance of Leninism in the post-Communist world" that tends to make emergence of a liberal democracy slow, difficult, if not impossible (Crawford and Lijphart 1995: 173). Both approaches assume a different meaning of institutions: The liberalization approach maintains that "institutions can structure preferences and constrain choices in ways that create new political and economic cultures. Those institutions affects the distribution of resources, which, in turn, determines the relative power of both political and economic actors". The legacies of the past' approach conceives post-Communist institutions in a much more fatalistic manner, in the sense that they "are simply 'arenas' within which actors, driven by more fundamental historical, cultural, or ideological factors, seize power or compete for it." (Crawford and Lijphart 1995: 177).
- 2) I would like to stress the importance of hegemonic norms in research on Slovakia especially in the case of this text which rests on the analysis of conflicts. Examination of hegemonic norms says a lot about the pattern of (the lack of) consensus in society. As Crawford and Lijphart accentuate (while paraphrasing Comisso) "an understanding of the role of norms is essential to our understanding of the direction of change in post-Communist society. Dominant norms shape institutional identities; they exclude some social elements from access to power, and they include others that set important limits on political discourse" (Crawford and Lijphart 1995: 195). With a reference (Czecho) Slovakia - a heterogeneous environment where elite conflict is sociologically/ethnically substantiated - it is necessary to say that according to the hegemonic norms (neoliberalism in this case) it is possible to rationalize the nature of incentives and means of counter-mobilization based on a critique and direct opposition to the dominant norms. In case of Slovakia it was statist nationalist populism tainted at times by strong leftist economic tendencies.

In the rest of this section I will deal with the exposition and explanation of issues of **dissolution of a strict anti-Communist identity of some pro-transformation actors**. Furthermore, I will proceed to the **rationalization of a success of the anti-transformation national-populist alliance**. I will do this on the background of actual conflicts that took place within Slovakian politics in a roughly chronological order.

Vachudová and Snyder (1997) when analysing two differing trajectories between the post-Communist countries of East Central Europe claim that the most important factor accounting for this difference is an adoption of ethnic nationalism in order to forge a new identity for and to legitimize the power of the ex-Communists. According to them, in some countries including Slovakia, weak opposition actually failed to take power and *"moderate democrats... were shunted aside by former Communists, who were able to use ethnic nationalism to forge a new political identity and thereby convince electorates that they were legitimate participants in the new democratic polity"* (Vachudová and Snyder 1997: 3). Having asserted this generalization and pointing out its consequences (slow and ad hoc reforms, legitimization of ethnic nationalism in national politics, lack of reformist left alternative due to the fact that the ex-Communist were not forced to adapt to liberal-democratic political realities) they add the statement concerning decomposition of a camp of Slovakia's "primeval democrats": *"The Slovak Public Against Violence was the counterpart of the Czech Civic Forum. But unlike Civic Forum, Public Against Violence did not discriminate among possible members, and its few legitimate dissidents were eventually swamped by opportunists"* (Vachudová and Snyder 1997: 6). This statement, according to my view, begs for a more subtle elaboration. I will illustrate that both the "failure to take over power" and the successful attack of the nationalist-populist bloc owe their "success" to principal choices made by competing actors in an initial stage of colonizing power.

The **lack of determined and effective party politicians** was a distinguishing feature of a situation in the aftermath of regime change. Both Civic Forum (OF) and the Public Against Violence (VPN) - principal actors of regime change in Czechoslovakia - were *ad hoc* created bodies of the opponents of the old regime. As mentioned before, they were expressions of a public mood of distrust in this regime and were legitimized by a popular pressure. In their program, they characterized themselves as "sovereign representatives of the Czech and Slovak civic movement", rather than party-like political actors. As their objectives they highlighted the creation of an elementary democratic situation, preparation of a program for the democratic transformation of society, and free elections (Zajac 1994-1996). Their reluctance to participate to a greater extent in practical politics (in line with a dominant conception of "non-political politics") was remarkable. However, exigencies of their self-proclaimed status of supervisors of the transformation process soon forced them to abandon this attitude and move on to institutions.

One of the results of negotiations in early 1990 was a period of power-sharing preceding the summer 1990 elections. The Communists agreed to withdraw a negotiated *quota* of their deputies from parliaments and to replace them *via* a process of co-optation regulated by the constitutional law by candidates proposed by the opposition. Opposition personal nominations were the result of round-table consultations of all non-communist parties. This was the first occasion when the OF and the VPN members had to join institutionalized politics personally. Having obtained representation in parliaments they could continue to transform executive bodies according to their design as well. In this matter the Slovak VPN suffered its first failure. While the Czech OF managed to penetrate and control executive bodies quite effectively, the VPN failed to do so. The process of creation of a Slovakian cabinet was dominated by Communist will. *"The Slovakian cabinet was approved by the VPN but it was not a cabinet of the VPN"* (Zajac, 1994-1996). Moreover, another shortcoming of the VPN's attitude to power in institutions was its random manners of recruitment for executive posts. Intellectuals of which the VPN was mainly composed were reluctant to accept parliamentary posts, but they largely absolutely refused executive ones on the basis of their incompetence. The necessity of nominating some people resulted in rather disorganized recruitment which gave space to former Communists and other opportunists to succeed exactly because of their (sometimes illusory) skills and experience.

The fact of failure to seize power had repercussions in spring 1990 when the VPN had to face popular discontent concerning the process of personal purges in local government and state industries. This process was meant to be aimed at removing old cadres connected with and compromised by the Communist regime from their posts. The public started very soon to perceive these purges as unjust and failing to bring about desirable change. Although the problem of missing legal regulations for the process was a part of cabinet responsibilities, the VPN was commonly blamed for it (Zajac 1994-6). This was one of the reasons that the VPN in April 1990 suffered an alarming decrease of preferences in polls (only 9 %).

Another moment provoking the VPN's anxiety was the fact that in February 1990, after a couple of months of preparations, the Christian Democratic Movement was formally established. Under a "denominational staple" of this movement rather disparate opinion streams cohabited, some of which repelled the VPN that conceived them as potentially anti-transformation oriented. The KDH included a wing of advocates for the slowing down of proposed economic reforms and impeding privatization. More importantly, an initial stance of the KDH concerning the future of the Czech - Slovak relationship was alien to the VPN's one. The party in its early period was considered to be a successor of the Slovak inter-war autonomist and separatist political tradition. Indeed, it soon came out with the idea of a "Slovak star on the European flag". In general, it gave the impression that its preference was that of a gradual regulated

and concerted loosening of the federation with objective of a division in the space of a decade or more. One of the illusions of this era was the common conviction of an impressive electoral potential of the KDH. It originated in a faulty equating of the number of believers in the country - about 70 % - with the future electoral performance of the Christian Democrats.

The above-mentioned facts constituted a framework in which the VPN decided to take a course of action designed to recover its harmed popular preferences (Zajac, 1994-1996). The resulting tactics was to offer places on the movement's slate of candidates for elections to popular personalities holding parliamentary and executive posts with the approval of the VPN but not being its members. (They were, almost without exceptions, former members of the Communist party, the most famous example brings the speaker of the federal parliament Alexander Dubček). This tactics indeed helped the VPN to win legislative elections but it also caused a **dilution of the movement's original anti-Communist character** and laid the foundations of future conflicts that fatally influenced Slovakian politics. Inclusion of popular personalities dramatically changed the balance of opinions within the VPN and demolished its original unity.

The period of rule of the VPN-headed pro-transformation coalition after the 1990 elections generated the first grave conflict within the Slovakian pro-transformation forces and caused a split of the VPN. The already diminished unity of the movement broke and two tendencies appeared within it. The first one was that of **"vision-bearers"** - moderate liberal democrats - mainly functionaries commanding the party from its headquarters. The second was represented by **"power pragmatics"** - people who after elections moved to institutions and carried out their activities there. Roughly put, the core of this group were the VPN's cabinet ministers led by prime minister Mečiar. The former group consisted of anti-Communist intelligentsia that established the VPN in November 1989 and sometimes hastily got indocrinated with political liberalism afterwards. The members of the latter were recruited mainly from the late-comers who promoted their status within the VPN during a problematic recruitment of competent people for executive jobs and also through the VPN's party list in elections. Former membership in the Communist party could be a surprisingly good working criterion for distinguishing these two groups. The bones of contention within the conflict between these two groups were seemingly practical political matters but disagreements on these matters also reflected a more substantial differences in opinions on the conduct of politics.

The vision-bearers adhered to the conception of transformation to liberal democracy and market policy and moreover were willing to agree on this with their Czech partners. In the area of a format for the common state with the Czechs they preferred a federal arrangement. They were inclined towards moderate consensual politics, a strictly constitutional and legalist approach, and respect for concluded political agreements. The power pragmatics very soon

arrived at the platform of critiques and contestations of a conception of reform formulated at the federal level as well as of the process of amending the form of the state. Further, they showed rather strong bent towards an aggressive and non-consensual political style, the use of extra-legal pressure (blackmail, manipulation with files of the secret police), and the employment of misinformation and incitement of an atmosphere of crisis and emergency in order to tamper with and exploit public opinion. The differences between these two groups may be best illustrated by their attitudes to and behaviour concerning the process of implementing economic reform and reforming the federal state - the fields where their conflict actually took place.

The essence of the post-1990 elections situation was the continuous effort of power pragmatics within the VPN to obtain control of the party, government, and Slovakian politics in general. In December 1990 the Czechoslovak politicians agreed on a gradual transfer of certain (mainly economic) competencies and powers from the federal centre to the republics. This was meant to be an initial step towards reform of the federation. The Slovakian power pragmatics insisted on the acceleration of this process in order to obtain more of a real power in the economic domain. On this issue they mobilized the Slovakian population which, in late 1990 and early 1991, was caught in a state of deep dissatisfaction with a social impact of economic reform in Slovakia. The power pragmatics fed this resentment in order to gain support for their claims for speeding up the transfer. This campaign brought about some important consequences. First, it enabled power pragmatics to present themselves as the true defenders of Slovakian interests (unlike moderate liberals who did not want to break the agreement concerning the transfer) as it purported that the transfer of competencies would give Slovakian politicians (i.e. cabinet) more resources to fight social problems. This kind of thriving on social discontent prepared a fertile soil for later arguments relating the burden of economic reform with the Czech overlooking the Slovakian interest in order to promote their own (Czech-tailored reform) and further to the inadequate form of Czech - Slovak relations - in other words economically grounded nationalism. Second, it meant the beginning of a process in which power pragmatics embraced opinions asking to slow down economic reform. (This attitude had sometimes nothing to do with real economic opinions of its proponents; they adopted it for the sake of political expediency.) The above-mentioned argument illustrates the **logic of the forming of stances of rising Slovakian opposition; it shows the combining of leftist populism with nationalism in its incipient stage.** The most convenient way to obtain popular support in this case was to define an opposition program as a direct challenge to dominant norms: the leftist economic conception as opposed to the prevailing neoliberal discourse and nationalist appeals as opposed to dominant federalist conception.

These efforts provoked a nervous reaction by moderate liberals in the VPN who did not show any willingness to support any kind of impeding economic re-

form, reinterpreting freshly concluded agreements with Czechs and the federal centre, and strongly resented emerging elements of nationalism. When the power pragmatics realized that cohabitation with liberals was detrimental to their interests, and that taking over the party via the party congress was not a viable alternative neither, the split of the VPN took place. Mečiar's platform called 'For Democratic Slovakia' was formed within party organization and it separated itself almost immediately as the Movement for Democratic Slovakia.¹⁾

Although on the surface a crucial conflict leading to split took the form of a dispute over the mechanism of holding party cabinet ministers accountable to party bosses, in reality it was a separation of two hardly compatible views of politics. The VPN vision-bearers perceived their political mandate more as an adherence to certain political conceptions (liberal and market oriented transformation) rather than an execution of power as such. The power pragmatics, however, represented a new emerging "elite in search of a state to rule". They were not willing to risk their power positions by adherence to any principles that would impede them, for example, in fostering and furthering their power by a populist reflection of the public mood. From this point of view, the split of the VPN plays the role of a sort of "original sin" of Slovakian politics. It also represents a specimen situation that mirrors the fundamental cultural conflict estranging two basic segments of Slovakian society. Many ensuing events and processes in a certain sense just repeated and reflected contradictions and incompatibilities expressed by the split of the VPN.

After the split of the VPN a newly founded party of power pragmatics - the HZDS - left for the opposition as its leader Vladimír Mečiar was voted out of the premiership by the parliament. While the truncated pro-transformation coalition headed by the KDH had been carrying out economic transformation and engaged itself in protracted negotiations over the reform of the federation, the HZDS in opposition managed to build a solid basis of popular support. It rested on the personal popularity of Mečiar that itself was a result of his careful courting of the popular mood. In the period preceding the 1992 elections the

1) It is necessary to add that split was not merely the result of top-level party politicians' conflict. Already in late 1990, the so called Trnava initiative group was formed out of the rank and file VPN members who intended to back a transfer of power within the party from liberals to pragmatics. This initiative launched appeals that were characterized by rather authoritarian, strongly anti-Communist, and nationally oriented rhetoric. This political conception was a direct predecessor of the later HZDS' populism. People engaged in this initiative later assisted the foundation and consolidation of the HZDS in regions and until now they have represented a powerful, although publicly not very exposed, pressure group in Slovakian politics and economy. Already upon its inception concrete economic interests conditioned the initiative. Vladimír Mečiar was not automatically accepted as a leader by this group; they resented his declared federalism. His quite steady shift in the direction of economic nationalism in early 1991 has to be at least partly attributed to his realisation of the necessity of gaining the support of this group.

HZDS also managed to forge a tacit alliance with the nationalists in the SNS and reformed ex-Communists in the SDE - a legal successor of the Communist Party of Slovakia, thus founding a co-ordinated complex of anti-transformation forces in Slovakia. In the latter case, apart from shared resistance to economic reform, another issue linking the SDE with the rest of the anti-transformation coalition was a common negative attitude to the legal regulation of the process of lustrations.¹⁾ Their co-ordination manifested itself mainly in the parliament in a joint effort at sabotaging some transformative legislation acts.

In this period the main conflict issue dividing Slovakian society was obviously the attitude to economic transformation which even overwhelmed the issue of the reform of the constitutional relationship of Czechs and Slovaks. The HZDS' populism advanced further and its motivations were overtly power-seeking. Its political tactics rested on fierce critiques of activities of the ruling coalition and thrived on popular dissatisfaction with a social impact of transformation. It purposefully provided only vaguely formulated alternatives and worded all its appeals in the populist manner of imprecise promises of undoubtedly better solutions. Precondition for them was to be, of course, more power for Slovakian politicians and the ending of the rule of the VPN and the KDH that were declared to be mere conveyors of Czech and federal conceptions neglecting true Slovak exigencies.

In the area of reform of the federation Mečiar had been carefully avoiding the topic of separation since popular support for it was only marginal.²⁾ The HZDS adopted a blurred conception of "sovereign nation in a common state" (this was basically a confederation) failing to provide procedures and techniques leading to this state. Similarly, in the economic domain, it fervently criticized the federal conception of the reform as failing to meet the interests of Slovakia without providing a clear distinguishable alternative.³⁾ In this respect the party increasingly enjoyed support of managers of state-owned industries who either tried to avoid privatization or wanted to privatize assets for themselves, or at least to limit the possibilities for inference by federal decision-making bodies. On the basis of the above-mentioned facts the party managed to obtain very large popular support. This fact nicely illustrates how well the HZDS understood the structure of opportunities and did not hesitate to mobilize all available resources to legitimize popularly its claim of power.

The essence of the HZDS' success was that it managed to present itself as a party sincerely engaged in solving real problems of the Slovakian population.

- 1) The term "lustrations" means a screening of the files of the Communist secret police files as a precondition for a temporary exclusion of its former agents and collaborators from participation in an explicitly listed set of positions within the new regime.
- 2) The 1992 HZDS' electoral manifesto lists five possible solutions to the problem.
- 3) The HZDS did not have its own conception of economic development and privatization. One of the few firm principles guiding its activities was that none of them was to bring out economic actors independent from state and government.

The parties of the ruling coalition, on the contrary, not only failed to convince people that their political power had been used for this purpose; they did not even try to do it adequately. Although the disagreements between Slovakian pro-transformation forces and their Czech and federal counterparts progressively grew over time, the Slovakian ruling coalition felt obliged to carry out concluded deals and policies in hope that the public would appreciate this attitude. In fact, this did not happen. Moreover, the Slovakian governing parties failed to conclude a viable compromise with Czech about the reform of a common state¹⁾ and accepted the idea that coming elections were to decide on a future progress of the issue. The public misappreciation of its own governments' efforts and attractive populist critique by opposition won the day and enabled the HZDS to achieve power in the 1992 elections.

Populism in Power: Filling Democracy With Illiberal Contents and Rise of New Democrats

The 1992 parliamentary elections delivered a victory to the HZDS that fell short of an absolute majority in Slovakian parliament by only two seats. This was a triumph for a political force that relied on national and economic populism as the best means of achieving electoral success in a country where the large mobilized segment of people indifferent to the values of liberal politics and overwhelmed by considerations of every day life turned out numerically decisive.²⁾ Further, the elections swept away the parties of civic Right³⁾ that represented an attitude blatantly overlooking the above-mentioned reality.⁴⁾

The HZDS created a minority government that ruled with the tacit support of the SNS and selective support of the SDE. The rule of the HZDS before the split was inundated by problems related to reforming the union of Czechs and Slovaks. The fact that both societies were increasingly incompatible from the

point of view of their interests, preferences, preoccupations, and dominant political discourse found further affirmation during this period. Negotiations took off again after the elections in the form of consultations of representatives of the victorious political parties in elections in both republics - the HZDS in Slovakia and the Civic Democratic Party (ODS) in Czech lands.¹⁾ The HZDS encountered an uncompromisingly negative attitude from the ODS and its leader Václav Klaus concerning a proposed confederation project. Thus, in order not to damage its image of the true defender of Slovakian interest, the HZDS had to accept the idea of a constitutional split of the common state and together with the ODS impose this choice on the federal parliament.

The underlying logic of these events is strikingly similar to that of the relationship of Slovakia with the European Union. In both cases the HZDS, after a protracted period of trying to fool and deceive its partner, arrived at the conclusion that it was necessary (and better) to be isolated. In 1992 it made the choice to isolate itself from constraining Czech influence. In 1996 and 1997 there were many suspicions of a decision by Slovakian governing coalition in favour of a separation from the dangers represented by the European Union. **It illustrates the inherent necessity of isolation(ism) in the politics of Mečiarism; it is inevitable that it isolates itself in order to sustain and further its political project.** The HZDS' preference for confederation, according to this view, was perfectly logical as an attempt at compromising the tempting advantage of sharing common resources in a common state with Czechs and perceived need to limit their potential for political interference.

The vanishing of preoccupations concerning the division of the Czechoslovak federation, and the exigencies of ruling, in 1993 also meant a beginning of the decomposition of the HZDS. Although the party enjoyed the position of "reliable minority government" and had all the formal conditions for safe and uninterrupted rule, serious opinion clashes within it emerged very soon. These tensions destroyed the primeval unity stemming from a joint "will for power" and caused the destruction of the safe minority of deputies backing the HZDS' rule. A substantial part of HZDS deputies left the party in two waves in March 1993 and in 1994.

Apart from personal animosities, which were produced by Mečiar's attempt to remove the 'old guard' from power and replace it by a new garniture of people who would owe their position exclusively to him, **the main source of intra-party dissent was differing opinions on the methods of political rule.** Shortly before and after the split the HZDS, by virtue of necessity, started to re-inter-

- 1) The KDH's idea of re-founding a federation via the treaty of republics did not meet with Czech understanding mainly because of the precarious legal procedures that were necessary for its realization. When finally a compromise was reached, the text of the treaty was not approved by the Board of Chairmen of the Slovakian parliament. (Actually, the result of voting was a draw, which according to the rules of procedure of the board equalled a refusal of the proposal.)
- 2) One of the best characteristics of the HZDS in 1991-92 is that of "an alliance of dissatisfied people and unsatisfied politicians" (Zajac 1994-6).
- 3) The civic Right groups, although totalling almost ten per cent of votes, did not create a coalition and disjointedly failed to surpass the electoral threshold.
- 4) The KDH also suffered a split in early 1992. After the party abandoned its original confederation project and adopted the idea of treaty of republics, its nationalist part, already alienated by party mainstream opinion that refused its claims of confederation and softening of economic reform, left the party and established the Slovak Christian Democratic Movement (later renamed the Christian Social Union).

- 1) It is very interesting to note how the level of the actors in negotiations was decreasing over time. When the federal parliament failed to find a solution (because of an ethnic veto incorporated in its structure) the representatives of the republics embarked on the task. When they failed to effectuate the idea of a treaty of republics, the idea that the victorious parties were in charge of furthering the process was accepted.

pret this unintended result of its own failures as a natural and desirable result of the politics of concern for Slovakian interest. The political history of Slovakia and namely the activities of the HZDS were often re-interpreted as if their goals and motivations had always been determined by a desire for an independent state. The culmination of this tendency were arguments trying to base the HZDS' legitimacy to rule on a paramount contribution to efforts that brought about Slovakian independence. By the same token, official propaganda adopted an attitude dividing political personalities, political forces, and even citizens into two groups - those who desired independence and those who did not - implying certain differences in their rights (at least from a moral point of view) to participate in Slovakian politics or to voice their opinion. The moral ranking of citizens and political opinions according to their attitude to independence originated in the alleged superior moral status of issues concerning the state sovereignty. Although this tendency never found expression in legislative norms, it seriously embittered the general political atmosphere and primarily government - opposition relationships. After the intensive employment of the above-mentioned type of arguments by the HZDS and the SNS the regime's rather rude and non-consensual character increased.

This gave an opportunity to dissatisfied elements within the HZDS (people who perceived their personal positions as declining and who fell into disfavour with Mečiar) to raise critiques concerning Mečiar's political methods and adversarial political style. Accusations of using lies as a political tool and of attempts to build a personal political machine for the prime minister were launched by people who previously helped him to construct his populist regime with intentions to use it as a ladder to power for themselves. The contest ended up in a separation of dissidents in March 1993 and the consequent formation of the Alliance of Slovakian Democrats by them.

While the first wave of deserters from the HZDS was probably driven mainly by personal animosities, the second one operated according to more profound arguments criticising Mečiar's style of politics. They stressed the necessity of more consensual politics as an imperative of the times and gradually showed growing acceptance of the possibility of the enlargement of ruling coalition.¹⁾ This was absolutely unacceptable for Mečiar; he always conceded participation in power to somebody else only under strong pressure. In the meantime, after the HZDS lost its secure minority, it had to approach the SNS to render their tacit coalition an official one. The SNS conditioned it by signing a formal coalition agreement. However, the SNS itself remained divided on

1) The concern for an international position for Slovakia and the possibly destructive ramifications of negative perceptions of the HZDS regime abroad also played a role in the critical activities of the HZDS dissidents. Not accidentally, the leaders of both splinter groups were former foreign ministers in Mečiar's cabinet.

the attitude towards the crumbling HZDS' government. The party was in that period ruled by more liberal and moderately nationalist faction the opinions of which were quite similar to the HZDS dissidents'.

In autumn 1993, Slovakian politics showed clear signs of a crisis. The ruling party was suffering from serious internal tensions accelerated by Mečiar's stubborn resistance to compromise and his efforts to isolate and politically eliminate opponents within the party. In October 1993, information was leaked from a closed session of regional party functionaries where Mečiar outlined the program of "rolling over everything", i.e. a plan for an offensive on political institutions, media, and the economic sphere in order to consolidate the regime (or to re-gain power in case of early elections). In this atmosphere the tensions within the SNS became aggravated and the opposition started to publicly consider the possibility of early elections. The situation culminated in March 1994 when parliament, by votes of opposition, dissidents from the HZDS, and moderates from the SNS (that in the meantime had effectively split as well), decided to vote the prime minister out of power for the second time. The new cabinet was backed by a broad coalition of the KDH, the SDE, and splinter groups from the HZDS and the SNS. The latter eventually merged into the Democratic Union (DÚ).¹⁾

To sum up the 1992-93 period of a rule by the populists in Slovakia, it is necessary to say that its most remarkable feature was the **decomposition of the populist camp that took place approximately along the same conflict lines as the split in the VPN, in other words a conflict over conduct of politics**. Personal hostilities (probably standing at the heart of conflict) had been feeding the articulations of objections and critiques by those people who felt their political careers endangered. Mečiar's merciless and uncompromising efforts to eliminate opponents pressed them to distance themselves publicly from his methods which were this time being used against those who had helped them to come forth. Through this mechanism, **Mečiar's authoritarianism produced determined opponents to the extent that it eventually pushed them out of the populist camp and forced them to anchor themselves in the area of consensual liberal democratic politics**.

This tendency was reinforced by an intensification of authoritarian traits of Mečiar's rule after the experience of losing deputies in spring 1993. In summer he started to seek support for legislative changes that would prohibit a repetition of this situation in the future. It was meant to be a provision obliging deputies to give up their parliamentary seats in case of their resignation to party membership, and granting political parties the right to nominate substitutes. Although this effort did not meet with success, it was the first clear expression

1) The party declared itself to be a liberal one. Indeed, it is a sort of a modern version of typical central European liberalism: it shows a preference for liberalism in economics with a certain flavour of technocracy. Further, it is non-confessional, moderate-nationalist, pro-European, and libertarian in questions of life-style.

of the authoritarian potential of *Mečiarism*. Whilst until then Mečiar's regime could have been characterized as rude and rough, in summer 1993 the first thoughts of changing the rules of the game for the sake of political expediency of the rulers emerged. This tendency reinforced itself after another shaking experience from the second repeal of power in March 1994. In this period, after a painful experience with power, *Mečiarism* probably arrived at the platform of considering the rule of law, constitution, and mechanisms that allow governments to be held accountable, as possible obstacles to effective ruling according to its view of rule. Mečiar definitely realized that observing standard rules of liberal democracy in politics would enable the opposition to oust him from power under certain conditions. At this stage, in order to achieve unlimited rule it was necessary to adjust the rules so that they provided for restrictions on his power to the least possible extent. As initial steps he decided to colonize state institutions, media, and engage in a privatization process by loyal personnel. He also opted for the adaptation of the political environment that would allow him to eliminate mechanisms of a horizontal and vertical accountability and ignore, challenge, and/or invalidate decisions and actions of actors with a constitutionally based capacity to interfere. The most typical example of this was the Constitutional Court. This design for the dismantling of elements of liberal democracy in the country's politics has undergone further development since then, but it is exactly here where the so called 'democratic deficit' originates that later burdened so severely the relationship of Slovakia with the European Union. Actually, the first direct expression of the European Union's objections to Slovakia's quality of democracy appeared in November 1994 as a reaction to Mečiar's success in implementing these initial steps.

From this perspective it is possible to interpret the March 1994 change of government as a constitutional elite coup that tried to eliminate Mečiar and *Mečiarism* as factors threatening and precluding consensus on certain points. Part of the Slovakian elite — I would call it the elite with liberal democratic leanings — that hesitantly ousted Mečiar by doing this expressed its preference for a normal democratic parliamentary regime with actors interacting in a predictable pattern and the elite would "live out of politics" in a way the elites in western liberal regimes do. By that act they also refused purposeful politics of permanent crisis and the ceaseless struggle over the rules of the game in search of unlimited power that has been personified by Vladimír Mečiar. Although in pursuit of this aim the Slovakian liberal democratic elite managed to suppress its mutual ideological differences and animosities, it failed, once in power, to secure the survival of its project in the future.

The rule of a broad anti-mečiarist coalition and of the cabinet of Jozef Moravčík (March - November 1994) was burdened by the troublesome coexistence of the KDH and the SĎL. It caused certain governmental inefficiency, privatization stalemate, and contributed to the decision to call early elections in autumn 1994. These elections once again delivered victory to the hands of

Vladimír Mečiar, although the overall situation was more that of a stalemate. It took the HZDS two months to conclude a minimal winning coalition with the SNS and the newly emerged Slovak Workers Association (ZRS).¹⁾

As further argument will try to prove, I consider the decision of the ZRS to join the coalition to be the ultimate proof of a predominance of conflict over the conception of political conduct in Slovakian politics. This argument is founded on the fact that this decision could hardly be done on the basis of something else (apart from the material interests of participants, of course) other than proximity in terms of opinions on problems such as how politics should be performed, what constitutes normality in politics, what legitimate procedures of political problem-solving are, what acceptable constraints for eligibility in participation in collective decision making are, how the relationship between majority and minority in democracy should be and so on (see the following section). It is also supported by the fact that even before the ZRS agreed to join coalition, it voted in accord with the SNS and the HZDS in November 1994 during the first session of a new parliament for all decisions rendering Slovakian parliamentary democracy a mere majority rule.²⁾

The act of forming the governing coalition concluded a crystallization of two opposing blocs of political parties - national-populist and civic-democratic one. This crystallization started by the split of the VPN and later was endorsed by the 1993 process of Mečiar's "making democrats" out of the HZDS' consensus-seeking dissidents and the SNS' moderate liberal nationalists.

The national-populist bloc commenced its tenure in power by an intensive co-ordinated action of occupying all important posts which the constitution allowed by its members. It was achieved by a strict application of majority rule to the process of nominations of parliamentary functionaries (namely, in the parliamentary standing committees). The same was applied to all positions where, according to the constitution or other laws, the parliament was in charge of nominations (public corporations like TV and radio, the National Property Fund, the office of the State Prosecutor, the Supreme Court, and the Supreme Office of Control). The process of entrenching in power also included purges in governmental institutions, public service, and other institutions subjected to

- 1) The ZRS was the result of opinion clash within the SĎL concerning party's attitude to the working class and its interests. It separated and profiled itself as an extreme left party campaigning on the issue of defending the interests of losers of the 1989 regime change. Paradoxically enough, very soon the party turned out to be under the firm control of a clique of active privatizers who used its success in harvesting social dissatisfaction of certain strata of population as an avenue to the resources of the state.
- 2) Several interviews with the ZRS (ex)leaders suggest that a decision to join coalition was done and hastily instinctively rather than as the result of careful deliberation. I consider the fact that party leaders instinctively opted for a stance on the problem of political conduct a confirmation of my thesis about preponderance of this conflict in Slovak politics.

respective governmental departments (mainly education and health-care). Similar changes took place on a local level where they were performed in a highly organized way by so called "coalition fives" - extra-legal committees composed of representatives of the parties of the ruling coalition. These measures, apart from aggravating the already adversarial pattern of political interactions in Slovakia, shifted the actual state of Slovakian democracy to the format I will try to characterize and rationalize in the next section.

Antagonistic Bloc Conflict: Its Explanations and Its Consequences for Democracy in Slovakia

Explanations

The opinions of Slovakian political scientists on current Slovak politics is possible to summarize as follows. The situation is viewed as driven by a serious and intensifying conflict over the conception of democratic rule and conduct of politics. This conflict is performed by a divided antagonistic elite and backed by a mobilized cultural conflict within society (Szomolányi 1997; Gould and Szomolányi 1997). The political actors are divided into two mutually exclusive blocs of parties. The conflict line between these two blocs does not coincide with a traditional Left-Right spatial imagery of political conflict. Each bloc includes its own Left-Right dimension, that means, each of them is composed of leftist, centrist, and rightist parties. Internal Left-Right ideological differences within blocs are clearly overpowered by opposition between blocs.

In order to grasp the complexity of the situation Slovakian journalists and political scientists adopted terms that interpret it as a conflict of blocs of so-called "standard" and "non-standard" parties. Significantly, but also by virtue of necessity, the defining features of (non)standardness are formulated in terms of compatibility with and membership in international party organizations. Standard parties are characterized by a *"compatibility with existing international party structures, that is, by their distinguishability... from the point of view of traditional pattern of ideological and political orientation (conservatism, liberalism, social democracy)"*. In the case of non-standard ones, they not only can not obtain membership in European party organizations, but their activity is typical by *"an increased rate of adherence to national and social populism, authoritarianism, radicalism (even extremism), preference for an adversarial style of politics, employment of leader-principle..."* (Mesežnikov 1994: 104). Balko (1995: 30) defines as standard *"parties that tend to derive their programs from classical political doctrines, be it social democratic, liberal, or conservative one"*. Non-standard parties stand for the opposite. Further analysis of his argument shows an inclina-

tion to consider standard parties as *"stressing individual responsibility, citizenship, tolerance"* as opposed to the non-standard ones to which a *"habitus paternalism and collectivism"* is to be attributed (Balko 1995:31).

Accordingly, an overall pattern of Slovakian politics is seen as clearly deviant from the point of view of the extraordinary strength of non-standard parties. *"Mutual distancing of 'standardists' and 'non-standardists' has become the principal socio-political conflict"* in Slovakia (Ivantsýn 1995: 91). It went through two phases: in the 1990-1992 anti-transformation (non-standard) parties separated themselves from pro-transformation (standard) ones; in the period 1993-1994 the opposite process took place (Ivantsýn 1995; Balko 1995).

The whole concept bears the signs of a somewhat derogatory connotation of "non-standardness". It gives the impression that "standardness" provides some natural legitimacy to rule; that standard parties are *real* parties while non-standard ones represent some horrific deviation. This attitude, understandably, has found fertile soil in political competition-related propaganda as well. As Malová (1997: 9) remarks "[t]he so called standard parties have interpreted their international membership as evidence of their legitimacy as parties and their European orientation. The 'non-standard' parties have stressed their independence as a sign of their commitment to Slovak interests over the interest of Europe..."

There is nothing wrong with this way of conceptualization of the problem, but I find it a little bit confused and confusing at the same time. In order to detail this concept it is necessary to say, that non-standard parties are as legitimate as standard ones. As ideological types, they certainly are non-standard from the point of view of incidence in ruling coalitions of western liberal democracies, but not deviant as such. Both the SNS (nationalist extreme right party) and the ZRS (extreme left) certainly have their counterparts in liberal democracies.¹⁾ According to my view, the difference between these two groups of parties is related more to the extent to which their notion of politics is similar to a democratic-liberal one. So, the "standard" parties orientation to western party families and their international organizations is (apart from being a convenient legitimizing tool) a natural result of the fact that they share together a liberal notion of modern democracy, namely as far as the form political power should be performed in is concerned. The "non-standard" parties do not share these

1) They may easily become members of international organizations of these party families. However, it is necessary to admit that so-called non-standard parties established their connections with their European 'non-standard siblings' only after a relatively long period of time (of 'pretending to be standard') when they had been trying to join one of the three main party internationals. The HZDS itself courted all three of them - first the social democrats and later conservatives and liberals. It failed not only because mutual 'value incompatibility' was too visible. At certain point the HZDS deliberately decided not to profile itself ideologically and preserve its 'broad centre' character which perfectly served its populism.

notions: many of modern democratic values and practices are considered by them to be an obstacle to fulfilling their ideological and material aims, be it due to the ideological reasons (the ZRS' class egoism, the SNS' ethnic nationalism and preference for restricted citizenship), or the material ones (the power-seeking of the HZDS), or a combination of both. **In short, the problem of a distinction between "standardness" and "non-standardness", as it is dealt with in the previous texts, is all about the fact that the politics of certain parties is "sufficiently tainted" by political liberalism, while that of others is simply not.**

An alternative to "standard versus non-standard" metaphor could be, according to my opinion, provided by adopting a dimensional approach of analysis of conflict within Slovakian politics. A more precise explanation of the emergence of a pattern of antagonistic bloc conflict within Slovakian politics could be arrived at via describing a development of positioning of individual actors and alliances on these dimensions. This is to be done within the context of available legacies of past and new conflicting issues brought about by the post-1989 developments.

Which Democracy? or Whose Democracy?: Inclusion and Citizenship Matter

Szomolányi (1997:22) characterizes Slovakia as an unstable democracy with a divided political culture and absence of consensual elite. The mobilized cultural conflict at work could be roughly described as that of urban and rural world-views. She points out that Slovakia does not particularly differ from its post-Communist neighbours in an outstanding weakness of civic culture or other democratic 'prerequisites', but rather by a mobilization pattern, that is, by a central role of populist-nationalist parties in politics.¹⁾ Clearly, the most challenging problem concerning contemporary Slovakian politics is to explain the accomplishment of national-populist forces (in other terminology, extremist or non-standard parties) not only to mobilize successfully large segments of the population but also to conquer repeatedly power and to shift the character of a previously liberal (although under-developed) regime towards something like facade democracy. I refrain here from answering this question. Instead, my intention is to ground explanations of mobilization of conflicts in Slovakian politics on more solid fundamentals by proposing to adopt the dimensional approach developed by Kitschelt.

1) Some historical explanation facilitating this deviant pattern is proposed: peripheral modernization in Austrian-Hungarian Empire and the devastating effect of social changes brought about by socialist industrialization on values of a formerly rural population (Szomolányi 1997:28). What should be added, according to me, is a deficit of state-building and resulting persistent conflict within Slovakian political elite which in the past took different forms (centralists versus autonomists during the inter-war period; centralists versus federalists, and later federalists versus separatists after the World War 2).

In his 1995 article Kitschelt suggests "three possible dimensions of post-Communist cleavage formation", that means, three possible conflict lines along which political actors will tend to position themselves and alliances and oppositions may be forged. These three conflicts take place over **principles of economic allocation of resources, participation in collective decision making, and finally over a conception of citizenship**. The essence of the argument is condensed in table 1.

Table 1: Possible dimensions of principal political conflicts in post-Communist countries.

Conflict over:	Actors and usual labels
economic allocation of resources	⇒ advocates of political principles <i>"left, populism"</i>
	versus ⇒ advocates of spontaneous market principles <i>"right, liberalism"</i>
democratic participation in collective decision making process	⇒ <i>"modern libertarians"</i> who stress an autonomy of individual
	versus ⇒ <i>"traditional authoritarians"</i> emphasising communitarian ties and the individual's obligation to comply with collective norms and established authorities
citizenship rights (especially where the ethnic division is present!)	⇒ champions of <i>"universalist view"</i> who tie citizenship rights to general cultural qualifications and cognitive competence
	versus ⇒ defenders of <i>"parochial view"</i> who see the citizenship rights as contingent upon adherence to ethnic, religious or national collectivity

Source: Kitschelt (1995:55)

All of the above-mentioned conflict lines are clearly present in Slovakian politics. As far as the **conflict over principles of economic allocation** is concerned, it dominated the political scene in its initial stage when it stood at the heart of the process of separation of anti-transformation forces from original pro-transformation alliance. Reflecting public mood in 1991-92, both the HZDS and the SNS deliberately adopted leftist populist stances expressed by

their claims of softening economic transformation and respecting Slovak exigencies in this process. When they later abandoned economic leftism (but not political principles of distribution) a new champion of this sort of political principles of redistribution - the ZRS - appeared in 1994.

However, the essence of the HZDS politics is **authoritarianism**. This party in the course of its struggles for domination of Slovakia arrived at this platform best suiting its populist power-seeking substance. Kitschelt (1995:61) describes post-Communist authoritarianism as a position maintaining that *"collective norms may restrict the individual's freedom of life style and that collective order and security have priority over individual civil liberties and rights to political participation"* (my bold italics). This characteristic, although with different flavours and partiality, applies not only to the HZDS but to the whole former ruling coalition in Slovakia. Authoritarianism was a common denominator of politics of all three parties.¹⁾ In the case of the HZDS authoritarian character crystallized after the 1993-94 'purification' when liberal and social-democratic elements left the party. This is also valid for the SNS that definitively acquired its extreme right nationalist character only after moderate liberal faction was expelled from the party in 1994. As far as the ZRS is concerned, this party is not directly authoritarian. It has some authoritarian leanings conditioned also by context; it simply perceives that their distance from civic-democratic camp is bigger than from the SNS and the HZDS. Its class egoism and the rage of the victims of democratic transformation probably contribute to the party's feeling of hostility towards and alienation from the former opposition parties which to a great extent represent symbols of the world of winners. The party suffers from ceaseless internal tensions concerning attitudes to Mečiarist authoritarianism and these tensions will probably lead to the decay of the party in the future. However, in terms of practical politics, it participates in common policies of coalition as a quite reliable (although the least of the three) provider of voting support.

1) Indeed, there was a number of declarations of senior politicians of the HZDS and the SNS maintaining that "order is more important than liberties". When in October 1997 the chairman of the European Parliament cancelled his visit to Bratislava in protest against the fact that the Slovakian parliament ignored an adjudication of the Constitutional Court declaring the stripping of the mandate of an HZDS dissident deputy unconstitutional, the senior SNS politician voiced a following statement: *"If this is the reason [for a protest] then I have to express my feeling sorry for the level of democracy in the European Union"* (SME 18.10.1997). The most recent example is the vice-chairman of the HZDS Augustín Húska who said in interview for the AFP agency following: *"Yes, we have some problems, but it is up to us to decide on our priorities. And we have decided: no kidding about democracy; we have a strong and dynamic economy and that is our priority"* (SME, 12.3.1998). As far as the ZRS is concerned, probably the most famous authoritarian declaration is its party leader claim that an independent judiciary was the biggest mistake of the post-1989 development.

The most eloquent example of this is, of course, the Democratic Union which is a direct result of splintering and "purification" of a proto-authoritarian camp. The party is a nationalist one but any kind of rapprochement with the SNS and the HZDS on this issue is hardly conceivable - its notion of citizenship is simply not exclusive and parochial enough to enable this rapprochement. To illustrate other "inconsistencies" within non-authoritarian camp suffice to say that the KDH due to its denominational character also shows some features of non-libertarian attitudes on issues of life style. Many of its supporters' attitudes towards economy are in favour of political principles of allocation rather than market ones. In latter respect the same is valid for the SDE which combines a libertarian universalist lean on questions of life style and democratic participation with quite strong viewings towards economic populism by electorate. Finally, the voters of Hungarian coalition are not particularly immune to populist appeals especially in social and economic domain. However, their firm refutation of authoritarian exclusionary attitudes concerning democratic participation and mainly of nationalist parochial views on citizenship, as directly jeopardizing their vital interest, enables party elite to keep their electorate firmly in the anti-authoritarian camp.

The power ascendancy of the authoritarian camp and the accompanying intensification of political conflicts caused that the authoritarian forces started to adjust the rules of the regime to a design securing them the maximal safety from political opponents' interference. The regime acquired more authoritarian features. In the initial stages of the progress towards the illiberal regime, the HZDS-led coalition had fiercely refused the opposition's accusations of being anti-democratic; they claimed they were truly democratic. Both sides tried to persuade the public that they were in possession of the true democracy, as if only one form of democracy existed. Over time, however, the argument changed and it moved towards a "plurality of democracies". The proponents of Slovakian authoritarianism started to present their "redefinition" of liberal democracy as just another version, as acceptable as any other, of democracy. The result was that opposing camps gradually came out with two different conceptions of the regime of democratic rule. The conception of a civic-democratic camp is, naturally, a modern liberal democracy based on the rule of law. What the nationalist-populist bloc was trying to defend as its democratic project is much more interesting.

An indispensable element of this concept was a firm domination over civil society and economy. Government in Slovakia still has a remarkable leverage over privatizers due to the method of direct sales of property with payments in installments that was used for privatization. The contracts between the National Property Fund and the new owners seemed to constitute reliable guarantees of the new economic actors' support for Mečiar's regime. In case of a civil society and interest mediation the regime was trying to create its own organizations in these spheres. They were meant to be acquiescent and easy to manipu-

late via the dependence of their functionaries on the regime establishment. The government either tried to sponsor the foundation of new societal organisations by loyal people, or to take over existing ones by bribing their members with promises of material advantages and privileged access to state resources in exchange for co-operation. In both spheres, an autonomy was undesirable.

The 1998 amendment of electoral laws for general as well as local elections meant a sort of a culmination of a process of a transformation of the form of Slovakian democracy. Newly introduced provisions may be considered going beyond "filling democracy with illiberal contents" and representing a direct attack on polyarchy (i.e. a true procedural roots of democracy). From this perspective the electoral victory of civic-democratic bloc in the 1998 elections undoubtedly means ending of a very dangerous process. However, it may also mean many different and so far unclear things.

This paper about development of basic electoral alternatives within Slovakian politics ends with a passage concerning the possible impact of elections on (stability of) Slovakian politics. The basic assumption is that the conflict of political blocs as described above will survive but it will also inevitably change its form mainly due to the change in incumbency and opposition roles that elections brought about. The incumbency change poses several problems as to how Slovakian party politics could look like in the near future:

It may look somehow exaggerated, but as far as the tasks and challenges the new coalition will have to face is concerned, the most serious problem, at least according to the logic guiding the text of this article, will be **how to trustably remain a true alternative to the conception of politics represented by the HZDS**. The danger of missing an imperative "not to become HZDS" is represented by the fact that current ruling coalition is in a situation very much similar to that of HZDS after the 1994 elections. Both coalitions subscribed to an ample change of status quo and reversal of many processes and tendencies started up during a previous rule by political adversary (including considerable changes in legislation, reform of institutions, and personal purges). Although the SDK-led coalition has many good justifications referring to a necessity to repair and cure country after a period of incompetent, irresponsible and predatory rule by the HZDS, the problem of doing "the same as the HZDS did" with a different means will certainly remain a "reliable" source of pains and inconveniences. Put shortly, the SDK-led coalition will face the tasks that western political parties hardly ever had to face, and the coalition will have to act in a very different way from the previous ruling coalition if it wants to preserve the liberal democratic "flavour" of its political concepts and deeds.

Although it would be irresponsible to advocate any predictions concerning an immediate future of Slovakian party politics, to delineate possible scenarios should not do any harm, especially if one bears in mind that a viability of respective scenarios depends in this case on deliberate choices of actors rather

than on any *vis major*. Since the negative scenarios always attracted more attention it suffices to say that Slovakian party politics may in future face at least three dangerous situations.

The third possible way of being pessimistic in this respect is the idea that under either any of two aforementioned scenarios or even under condition of a satisfactorily performing ruling coalition the situation is aggravated by an activity of one or two **extremist parties**. The HZDS or SNS or both could embrace an attitude of irresponsible and non-cooperative, even purposefully destructive opposition - the situation that in its extreme form could mean that this sort of opposition would consider itself uncommitted to rules of the game and valid legislation. A justification at hand could be, naturally, defence of national interest and the right to resist anti-national performance of the ruling. This would mean a catastrophically low level of consensus within society and imminent possibility of a breakdown of societal order. While the moderate form of this scenario is quite likely, its extreme form is certainly possible to prevent to happen via intelligible level of inclusion of opposition and strictly legalistic approach in dealing with its possible excesses.

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Political Elites from Conflict to Conflict: the Case of Slovenia

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Introduction

Political elites could be analysed in a number of different ways and multiple approaches for research of this phenomenon have been developed. For the purpose of this paper we will apply the concept developed along discussion on consociative democracies and corporatism that took place during the seventies and the eighties. In this framework behaviour of Slovenian political elites should be analysed along the concept of coalescent versus competitive or even inimical behaviour of elites. Democratic changes in Slovenia were introduced, among many other things, also with an intention to abolish conflict politics. What it turned out to result in was not only institutionalization of conflict on the level of party system, but also a conflict on a greater scale: between socialist and catholic block. **In the framework of Yugoslavia the main conflict had emerged between Slovenia and the federal level. After achieving independence conflict between two blocks emerged in a full extent.**

Article elaborates the main features of the Slovenian political culture, which are important for elite behaviour: lack of statehood tradition, lack of liberal perceptions of the political, and for that reason important role of Catholic church in the politics, very important role of corporatism and provincialism.

The most influential typology of political systems in political science was introduced by G. A. Almond (1956) in an article entitled Comparative Political Systems. Almond made a distinction between the Anglo-American political system, the pre-industrial, totalitarian and the continental-European system along the criteria of political culture and structure of roles. In accordance with his criteria the Anglo-American system is presented as the most stable with homogeneous political culture and with differentiated, organized and stable structure of roles.

According to Almond systems with homogenous political culture produce stable democracies, while those with heterogeneous one cause unstable democracies. Despite of this he found Scandinavian and Benelux type of system as something "in between", being at the same time stable in spite of having heterogeneous political culture. This perception of democracy has persisted for a long period of time and is today still valid.

During the second half of the 1960s we witnessed a "revolution in comparative politics" (Verba 1967: 111), caused by two studies on political culture, which have provoked the mainstream thinking. In a historical analysis written in German, Lehmbruch (1967) examined political cultures of Switzerland and Austria. He described the creation and functioning of two political cultures embodying the principle of *amicabilis compositio* (amicable agreement), and developed a concept of *Proporzdemokratie* and/or "Konkordanzdemokratie". His concept of political culture was too non-American (although not anti-American), and remote from the hegemonic perception that it was relegated to the fringes of the debate.

Lijphart (1968, 1975, 1977) paid his attention on "in between" systems and developed for them special concept of consociative democracy (Table 3). He found out that elite behaviour or political culture of elites is the only variable, which explains stable democracy in systems with heterogeneous political culture.

Table 1: Lijphart's Typology of Democratic Regimes

		POLITICAL CULTURE	
		Homogenous	Fragmented
ELITE BEHAVIOR	Coalescent	Depoliticized Democracy	Consociational Democracy (Accommodation Model)
	Competitive	Centripetal Democracy (Pluralistic Model)	Centrifugal Democracy

Source: Lijphart 1975: 209

According to Lijphart depoliticized democracy may be the case in Scandinavian countries, consociational democracy is represented by Austria, the Netherlands, Belgium and Switzerland, and the centripetal democracy may be seen in the United Kingdom. All of these models are stable democracies. The most unstable is centrifugal democracy seen in post-war Italy, Third and Fourth French Republic, and in Weimar Germany.

Consociative democracy needs plural society (Furnivall 1939) or so called segmental cleavages (Eckstein 1966), segmented pluralism (Lorwin 1971), pillarised social structure (Lijphart 1968), segmented political cultures, social blocks, social camps or *lageren*. "A political system is one of segmented pluralism when its cleavages have produced competing networks of schools, communications media, interest groups, leisure time associations, and political parties

along segmented lines, of both religious and anti-religious nature." (Lorwin 1971:142) In Dutch society those segments are called *zuil* or pillars. Each of the nation's ideological groups is a pillar, "standing vertical and separate on its own base of religious or secular ideology" (Lorwin 1971:142).

Coalescent behaviour of an elite is a prerequisite for stable democracy in plural societies. For Lijphart, as well as for so called "consociative school", the most important indicator of that phenomena is a grand coalition¹⁾, which should include all important blocks or pillars of the society also on the political level.

Slovenia should be analyzed along the concept of consociative democracy and a hypothesis that political system of Slovenia fits in some elements the concept despite that behavior of elites particularly from catholic block is still far from coalescent.

Pillar structure in Slovenia

Slovene society is in many ways similar to Austrian (Stiefbold 1974; Lehmbruch 1967; Powell 1970), where the same two camps exist: socialist and catholic. On the political level they are organized into two parties: socialist and peoples party. Slovenia is a plural society where two main blocks cohabit and two main types of political culture are more or less organized in two pillars (Table 2). In everyday discussions a socialist pillar is named in many different ways: "continuity" (as continuity of a socialist system), "old" (as representing old values and politicians of a previous regime), "socialist" and "communist" (with an intention to criminalize previous regime, which is a malevolent qualification from the catholic block), and "liberal" (for the reason that liberals were at the end of the 19th century and in the first half of the 20th century the most powerful political force in opposition to Catholics that were at that time in majority). For Catholic block following expressions are in use: "spring" (as self-nomination in association with Czech spring in 1968), "new" (comparing with socialist "old"), "Catholic" (from the socialist point of view), "clerical" (as malevolent qualification from the socialist block). Perception of these two blocks is deeply rooted in Slovenia's political consciousness. **The first one is located more on the periphery in rural areas, the latter in towns.**

1) Lijphart developed in his *Democracy in Plural Societies* (1977:25-41) as main features of the consociationalism four elements: grand coalition as the key one and mutual veto, proportionality and autonomy of segments as supportive ones. Most of analysis of the phenomena have taken in consideration only the first, key one, for the reason it in fact includes all other three.

Table 2: Political Pillars in Slovenia - naming

SOCIALIST PILLAR	CATHOLIC PILLAR
CONTINUITY OLD	SPRING NEW
SOCIALIST COMMUNIST LIBERAL	CATHOLIC CLERICAL

The catholic block is the most and the best organized as in all over the European pillarised societies, while the other political culture sees its values incorporated in the laic public state and therefore has not organised so strong own block structures.

Catholic pillar

Catholic pillar has grown deep roots over past few centuries, which originated in the process of christianization in the 8th century and were reinforced at the beginning of the 17th century by the catholicization of the country as the political movement of Counter-Reformation.

After the Reformation had been totally demolished, the Catholic Church from 1650 to 1700 organised witch-hunts¹⁾ in order to strengthen the process of catholicization on the Slovene territory. During that time a lot of people were burned at the stake or executed in various other ways. When Europe had created a pattern of tolerance as a basis, which later served as the concept and pattern for pluralism created in the beginning of the 20th century, Catholic corporatism was created in Slovenia. It was based on the premise that Slovenes and all other inhabitants are Catholics or they simply should not exist. This is how a basis of Catholic pillar and Catholic political culture was built, being strictly intolerant towards different ways of thinking and with emphasized solidarity among the followers.

The Slovene nation has never formed its own aristocracy (the few of them were exercised in the Counter-Reformation), its citizenry (bourgeoisie) has always been weak and slack. The strata, which would represent the general will, the interest of the state, has been lacking. The small nation has been a subject of the state only as a taxpayer and as a soldier. The state has always been very

1) From 1650 to 1700 282 people were executed and historians remarked that the number is probably twice as high, while in the period from 1425 to 1650 only 71 were executed. (Zgodovina Slovencev 1979: 311).

far from the Slovene people, and even further from their hearts. The place of a community and of common things has therefore come under the realm of the Catholic Church. For a long period, from the beginning of the 17th to the end of the 19th century, Catholic Church was the only public institution for Slovenes and therefore defended with all possible means. **The Slovene nation has been designated as a nation of peasants, and Catholics, for a long time.**

After the encyclic *Rerum Novarum* of Leo XIII in 1891 a powerful peasant movement emerged, called "Krekovstvo" after its leader, Janez E. Krek.¹⁾ Its main goal was to protect the Slovene language and Slovene people, who were mostly poor peasants. The movement organized peasants in co-operatives that instructed people how to do farming and helped them when natural disasters struck. They promoted the corporatist ideas of Christian community, unity and nationalism. "Krekovstvo" was anti-liberal and anti-capitalist oriented movement.

In the 1930s, after the encyclic *Quadragesimo Anno* of Pius XI, Christian intellectuals promoted the idea of the corporate state, where the main role was played by the corporations. The corporations were considered to be an organic **boundary** between the individual and the state and between the lower and the higher levels of the community.

During the first years of Yugoslavia, the political sphere in Slovenia was dominated by the catholic Peoples Party. The socialist movement was under suppression and its most radical part, the Communist Party, had been prohibited since 1921. Liberals were pro-Belgrade oriented and therefore weak and without any real influence.

After the war catholic block was in a terrible situation because of collaboration with Nazis and Fascists. During the war Catholic Church organized special military units, domobrans, for holy war against communism, i.e. against partisans of antifascist movement. **Despite that handicap Catholic Church and catholic block kept their boundaries with religious practice, autonomous press and some kind of leisure time organisations.** The problem of cohabitation was also solved, because in Yugoslavia, the Catholic Church was not *primus inter pares* but equal among equals together with the Orthodox Church and Islamism.

With an independence of Slovenia the catholic block gained a privileged position. All other large religions became obsolete: Socialism (as laic one), Orthodoxy and Islam. In fact all those religions were perceived as national enemies which had gnawed like a cancer for fifty years through the national body. The Catholic Church immediately strove for a position of moral, cultural and political hegemony in Slovenia.

At the end of eighties the catholic pillar organized its own Christian Democratic Party, after first party elections in 1990 but new interest organizations. It established new daily, Slovenec (1991-1996), then Jutranjik (only in June 1998), weekly Demokracija, high schools in bigger cities, TV station called TV 3, radio station named Ognjišče (Hearth), a few kindergartens, and is trying to establish confessional education in public schools now. At the same time catholic pillar organized additional interest organizations such as Boy Scouts, Association of Catholic Intellectuals, Association of Catholic Students, bank (Krek's Bank) and in the process of privatization created protectorate over various important enterprises and public institutions. Catholic camp controls almost entire field of agriculture, which means mainly peasants.

Catholicism, however, plays nowadays an increasingly important role. The party arena has been cleaved because of Catholicism. On one side we have Christian Democrats as a Catholic rural organization and on the other the Peoples Party as a non-Catholic rural organization; on one side is the United List of Social Democrats as a strong urban and non-Catholic party and on the other the Social Democratic Party, also urban with Catholic orientations; on one hand we have the strongly non-Catholic oriented Slovene National Party, and on the other weakly Catholic-oriented nationalist Slovene Right. Liberal Democracy of Slovenia is also non-Catholic oriented, but due to pragmatism in the practical decision making process in the parliament they sometimes act in favour of the Catholic faction, and sometimes in favour of the socialist faction. For all parliamentary catholic parties (Social Democratic Party, Peoples Party and Christian Democrats of Slovenia) it is of the highest importance to gain exclusive support of the official Catholic Church. **In the case that they decide to co-operate with each other the only authority that can keep them together is catholic church.** It should be noted that the Church is expected to be the largest owner of Slovene forests (about 40%) according to the law on denationalisation.

With a new archbishop in 1997 issues originating from confessional cleavage, like the right to abortion, church property, confessional education in public schools, role of the clergy in political questions (for example during the elections) became much more heatedly discussed and have deepened the gap between two main camps in Slovenia.

Socialist pillar

A cradle of the second pillar on the Slovene territory was the Reformation - the first great modern liberation movement. It established the basis for freedom of thought through the free choice of religious service for citizens and nobility. The Reformation created Slovene literature: the first book, grammar, literature, translations and standardisation of language. It introduced the Slovene language to churches and created some popular schools. The period of

1) For a more detailed analysis of this phenomenon see Žižek (1987:9-60) and Revija 2000, no.41-42, 1989.

the Reformation was a time of cultural, national, political and economic revival of the Slovene nation. It was in this period that a lot of peasant rebellions emerged and herein after served as a beacon for every rebellion against exploitation, suppression and occupation of the country.

One didn't have to wait long for a severe reaction of the Catholic Church: it not only expelled reformers but also banished all non-Catholic communities and movements. It burned all reformation books. All who were not prepared to accept the Catholic religion had to leave. The end-result was that a lot of intellectuals and a huge part of the nobility were forced into exile.

The Slovene reformation saw its awakening again 300 years later in a new form, first as national liberation movement in the form of liberal camp and few years later at the end of the 19th century when the labour movement produced its own intellectuals and the Social-Democratic Party. The Catholic Church got a serious competitor. Therefore the entrance of the labour movement in the political arena was marked with the conflict with the Church. **The state and capitalists were not the only and the biggest enemies - the church was the biggest landowner, and ideological and social power.** Due to the fact that the Slovene citizenry was weak, socialist movement was the real force behind the state-building. At the beginning of the 1920s the most important figure in the catholic block argued: *"The only real serious competitor of our party is Communist Party. In the future the only fight will be between Christian democracy and communism"* (Korošec, after Prunk 1982: 119-120).

It has been shown above that consciousness of non-heroic, non-stateist political culture was deeply rooted in Slovene society. Political myths show us in many ways similar picture. Whenever political activists, writers or radicals have tried to mobilize people against authority and the suppression of freedom and liberty, they realized that Slovenes were a nation of servants.¹⁾ This problem emerged most radically in 1941 when Nazis and Fascist armed forces occupied the country and tried to assimilate Slovenes. At the beginning it seemed that it is a great illusion to expect that Slovenia could create an autonomous anti-fascist movement against the occupational forces from Germany, Italy and Hungary. In spite of that an anti-fascist front (named the Liberation front) was established in April 1941, which initiated the program: *"With liberative action and activation of the Slovene masses, the Liberation front changes the Slovene national character. The Slovene masses, which are fighting for their national and human rights, create a new image of active Slovenehood"* (Mikelen 1987). All democratic and **nationalist** political forces knew that Slovenia needed an adequate political culture if it wanted to build a nation-state. It came as no surprise

1) This term was used by the greatest Slovene writer Ivan Cankar in his novel *Hlapi* (Servants) as a metaphor for Slovenes.

that the Catholic Church didn't want to co-operate in this project. To build a modern nation-state also meant discarding the absolute political and societal power of the Church.¹⁾

The Socialist movement, which took the initiative in the liberation movement was after the Reformation the first social and political power to be reckoned with, which created a strong ideology and practice vis-a-vis the Catholic Church in Slovenia. Therefore the war against fascism was simultaneously also a war for tolerance²⁾, for a new pattern of cohabitation between catholicism and socialism. The pattern of the conflict from the period of the Reformation was being repeated. Socialist and national-oriented front organised a partisan army, while the Catholic Church organised its own army that collaborated with the occupiers, the so-called home guards, who even swore allegiance to the Führer in 1944. During WW II a new state was built. After fascism and nazism had been defeated, the Catholic Church lost its supporters and was removed from the pedestal in Slovene political history because of its fascist and anti-socialist orientations. So the result of the conflict in the framework of federal Yugoslavia in a New World order was not a liberal state, but a socialist state separated from the churches. On the level of hegemony the catholicism was replaced by socialism.³⁾

During the socialist period the nation-state consciousness rouse and gained strength. **Before having their own government on the Slovene territory, state spirit and state consciousness by Slovenes had existed in a fragmented mode, not as a wholeness, but as a spirit of a nation-state.** That spirit emerged in 1848 and developed very slowly through the creation of parties, autonomous cultural life, the creation of the two-month state in 1918 and of a state of south Slavs called the Kingdom of Serbs, Croats and Slovenes (after 1929 renamed in Yugoslavia). The most powerful awareness of the nation-state was written in the constitution of 1963 and then in the constitution of 1974.

After World War II socialist pillar took over the state and majority of societal structure with an idea and practice of self-government, leaving very limited space for catholic pillar. An idea of the actual interest of the working class and

- 1) The Catholic church has tried to show that the real enemy is communism, partisanism and the Liberation Front, but anti-communism has been in fact only an ideological form of fear of its social and political power.
- 2) In the politics of western countries tolerance was introduced not before great religion war when the only solution for peace was disarmament of religious communities and their depolitization and at the same time recognition of superiority of civil authority by all religious communities.
- 3) One of the best known Slovene writers, Miloš Mikelen (1987:156) has said that exclusiveness has been one of the most prominent features of modern Slovene political life. In the first stage it had its center in Catholicism in the second stage in revolutionary exclusiveness which has lived upon the will for total change of previous conditions. In his opinion, exclusiveness is very often a feature of small nations, which try to create unity without toleration of differences and in that way protect their identity.

not of its politicization through the party, was the base for creation of a model of "pluralism of self-management interests" (Kardelj 1977). That pluralism presupposed that parties would generate an unstable situation, national and religious conflicts that would lead to a war.¹⁾ A system of socio-political organizations was established with the League of Communists in the leading role instead of a party system.²⁾ The all-encompassing organization, the Socialist Alliance, included all socio-political organizations, professional and interest organizations. The constitution of 1974³⁾ introduced self-managerial communities for all vital interests of society: education, culture, social care, medical care, forestry, farming, transport, sport, energy, retirement, child care. Each of them could participate in sessions of the parliament as a fourth chamber on matters within their competence. In this way all vital interests were organized and included in the political system. On the other hand, a delegate system was developed as a system of representation of actual, authentic interests of living and working people. For that reason assemblies were not formed on the basis of general elections, but on the basis of "self-management elections" (Kardelj 1977:109). In the parliament of a republic three chambers were established: the Socio-political chamber, composed of delegates from (commissars of) socio-political organizations, the Chamber of Communes, with representatives from all communes, and the Chamber of Associated Labour, with representatives of all branches of the economy and social services. Self-managerial agreements and social **contracts** between enterprises, organized working people and communities were supposed to replace the anarchy of market forces and state interventionism. The idea was to create a self-managing society based on the perception of village community and common property (social ownership), which would absorb civil society and the state. Yugoslavia was in fact also a federation of communes. Communes were recognized as the basis of the state

and they also delegated direct representatives to republic (Chamber of Communes) and federal (Federal Chamber) assemblies. In all those forms of political and social activities a participative culture of all working people should have been developed.

The socialist pillar was not so well organized in comparison with the catholic one and has been morally demolished since 1990. After a few years when church has shown its old pattern of political behaviour and appetite for dominance in public life, the socialist segment gained more courage. It organized all social democratic and labour oriented parties in the United List of Social Democrats (1993) with strong, but informal connections with the biggest trade union, the Federation of Free trade Unions.¹⁾ Fairly moderate and liberally oriented part is politically organized in the Liberal Democracy of Slovenia (LDS). Socialist pillar does not possess its own daily or even TV and radio station, and does not have its own associations like the catholic one. Recently, however, it has capitalized on its association with the concept of a confessionally neutral state, education and politics. Due to the unification of political organizations of the catholic camp, the opposite side was forced to unite on some crucial occasions. In such cases Slovene National Party and Desus (pensioner's party) join the socialist camp.

Description of the pillars is shown in Table 3. We can see that the catholic pillar has considerably more organizations. The other, socialist pillar is in fact only reaction to the strong catholic block organization, a form well known in the (catholic) European countries. Socialist pillar has developed its identity through state as a non-confessional institution. For that reason it hasn't developed its own strong infrastructure.

- 1) All critics of self-management socialism in Yugoslavia have systematically forgotten that part of the Yugoslav story: the potential for civil war, which emerged during WW II and on the same basis after 1990. Bosnia was and still is the reality of multi-party non-socialist Yugoslavia. But on other hand the solution in Bosnia today is not the reestablishing of socialist and non-party Yugoslavia. It has been shown (Lukšič 1991) that consociative arrangements in socialist Yugoslavia were developed by the political elite strengthened stability and the democratization process in former Yugoslavia.
- 2) The renaming of the CP to the LC (League of Communists) in 1952 had its roots in Marx's League of Communists, but on the other hand it was deeply rooted in anti-party orientation, especially of Slovenian political culture. Namely, Kardelj as the main ideologist of that and other reforms of Yugoslav politics was a Slovene.
- 3) It should be stressed that the constitution was prepared in the context of world discussion of neocorporatism and corporatism as a solution of convergence between socialism and capitalism. The Constitution of 1974 was the Yugoslav answer to the question of the time to establish a third way between (Soviet) socialism and capitalism, state regulation and market regulation of the society.

- 1) This trade union includes about 2/3 of all organized workers in Slovenia.

Table 3: Pillar Structure in Slovenia

SOCIALIST PILLAR	CATHOLIC PILLAR
POLITICAL PARTIES	POLITICAL PARTIES
ULSD	SCD
SNP	SDP
DESUS	SPP
LDS	GP
DP	
interest organization	interest organization
FREE TRADE UNIONS	CHURCH KINDERGARTENS SECONDARY SCHOOLS FACULTY
PUBLIC SCHOOLS	
All laic associations and establishments, private or public	BANKS INTEREST ORG. LEISURE ORG. TV3 RADIO OGNJIŠČE DAILY SLOVENEK (1991-96) JUTRANJIK (June 1998) PRESS (WEEKLY, MONTHLY)

Arrangements in favour of coalescent behaviour

The idea of consociative democracy postulates "government by elite cartel designed to turn a democracy with a fragmented political culture into stable democracy." (Lijphart 1969: 207) Fragmented political culture is mentioned here as pillarized or segmented society in which segments are built along cleavages. In Slovenia the most important cleavage, as shown above, is confession. Central-periphery and emerging class cleavages are almost overlapping with those by confession. Subjects of consociational arrangement are not only parties, but also interest organizations like Trade Unions.

After first steps of democratization, parties were perceived as conflict producers and trouble-makers. Therefore some arrangements were introduced to stabilise political situation and to promote coalescent behaviour at least on the

secondary level, i.e. among public institutions which should not be managed through parties, such as state council, public RTV and field of social partnership.

The national RTV Council, for example, is composed of only 5 representatives of the National Assembly (Parliament), three of them represent employees and other 17 interest organizations. The idea has been always similar: interest organizations as representatives of civil society are an adequate base for managing the public sphere and the political parties are not.¹⁾

From the beginning of the 1990s the trade unions, the government and employers were striving to find a solution for conducting a social pact. In five years an enormous system of collective agreements was built and a tripartite organ, the Economic Social Council, was established as an organ for discussing social, labour and economic policies. In 1995 the first social pact was adopted. In the emerging system of social partnership only state recognized trade unions and employers' organizations can participate.

After elections in 1990 a single block minimal winning coalition (55% of votes) composed of DEMOS, a group of catholic block parties Liberal Party, Social democratic Party of Slovenia, Greens of Slovenia, Slovene Christ Democrats, Slovene Peoples Party and Slovene Democratic Union, from April 1990 to April 1992 was established. Before new elections in December 1992 a six-months-grand-coalition (80% of votes) with Liberal Democrats of Slovenia (re-formed Socialist Youth with Drnovšek as former president of presidency of Yugoslavia), socialists (SPS), reformed communists (ULSD) from the socialist block, and Social democrats (SDPS), greens (GS) and democrats (SDU) from the catholic block, was created. After the elections in December 1992 from 1993 to 1996 a new grand coalition was formed by LDS, United list of Social Democrats and Christian Democrats²⁾. Because of pro-socialist results SDPS was also invited into coalition as radical right party³⁾ with 3% of votes to create some kind balance between two main camps. Greens and democrats split into two parties, out of which only socialist part survived in the political arena. The

- 1) I have argued elsewhere that political parties have been introduced and kept in the Slovene political system because the Slovene political elite knows that the hegemonic perception of democracy in the world is party democracy. Slovenia had to reform its politics and polity into the form of partyism and liberal democracy, but both are a bit remote from its political culture.
- 2) These three parties have 59 out of 90 seats in the parliament, LDS 30, CDS 15 and ULSD 14.
- 3) Social democrats were expelled from Socialist International in 1997, where they had had an observer status since 1992. About its radical right status in Slovene politics professor Rudi Rizman developed a deep argumentation in his article on Radical Right in Slovenia and presented a portrait of its leader as "demagogic populist" (Rizman 1998: 259).

same thing happened to nationalists. In 1994 greens, part of democrats and socialists joined LDS. Milan Kučan, former president of the League of Communists of Slovenia, was elected in the elections of president of the Republic.

The first step of political socialization of political elites in a new pattern (in a new environment) ended in two years when president of SDPS was removed from the office as Minister of Defence. This short period was important for the reason that shown to partisans of both sides that also for the most distant parties as ULSD and SDPS agreement is - at least for a short period - possible.

After the elections in December 1996 none of the sides got majority. Members of the parliament were divided into two equal parts, 45:45, until one MP defected from the catholic to the socialist camp for the election of a Prime Minister. Despite that fact the establishment of a new left government plunged at the beginning of 1997. After that a new grand coalition government was created with LDS and Peoples party and pensioners (DESUS) as a tiny party of only few votes. Grand coalition represents 63% of votes and has 52 deputies out of 90. In the coalition two main blocks are represented through the biggest parties of each block and both of them are known as moderates in their block. "Building bridges" in Slovenian politics was the main electoral slogan of Peoples' Party. In the elections for the president of the Republic, the candidate of socialist block, was elected again by 55% of votes in the first round.

The mode of cohabitation of two great political blocks is still not very clear and shaky. A new culture of coexistence with differences should be created. An important public debate developed in the mid-eighties about the reconciliation (*sprava*) of socialism and catholicism is a step forward in this respect. The representatives of the catholic pillar are trying to drag the enemy till its public death. That was their policy on almost all fields from 1990 to 1992 when they had a majority in the parliament. Also at the end of 1997, when they had chances to form a minimal majority, they proposed the resolution and the law on lustration. The politicians of the socialist camp are on the other hand trying to find a solution for cohabitation. For that reason parliamentary parties were involved in a creation of a resolution on national reconciliation at the beginning of 1998. Resolution was rejected because of insufficient majority in the parliament: the catholic block tried to criminalize the socialist past and to produce a solid base for reaffirmation of Slovenian fascist movement during the Second World War. President of the State Chamber organized an important discussion on the topic among top politicians and intellectuals of the two blocks in September 1998. It came out as no surprise that declaration did not have any support from either side.

Table 4: Coalition Building in Slovenia 1990-1999

	CATHOLIC PILLAR	SOCIALIST PILLAR
	55% ¹⁾	45%
1990-1992	DEMOS (LP, SDPS, GS, SCD, SPP, SDU)	ULSD, LDS, SPS
	55%	45%
1992-1993	SPP, SCD, LP	SDPS, ULSD, LDS SDU, SPS GS
	23%	67%
1993-1997	SPP	SDPS (until 1994), SCD, LDS, ULSD DP, GS, SNP ²⁾
	50%	50%
1997-	SCD, SFP	SPP, LDS, DESUS ULSD, SNP

Poznamky: 1) The percentage shows the pillar success on the parliamentary elections.

2) The party got 12 mandates out of 88 with *majority of right votes*. But the party had supported the candidate of socialist block for the Prime Minister and after that split in two parts. Greens were elected by the voters from the right, though all MPs were left oriented. Also Democrats were elected with right and center votes, but most of them afterwards decided to participate in the socialist block.

Conclusion

We can conclude that behaviour of political elites in Slovenia is step-by-step becoming more coalescent. This conclusion is supported by the fact that elites have till now always succeeded in finding compromise in favour of stability and national interest, which means also interests of both camps. The unresolved status of the Catholic Church is one of the biggest obstacles for stable situation among blocks. Negotiations between government and the Church were deadlocked for several years because the present situation is in favour of political elites that could on that basis of uncertainty mobilize their rank and file.

It should be stressed that elites of two parties, SDP and SCD, in the catholic block and elite of SNP from socialist block are conflict oriented, which means that they produce conflicts with others in their block and particularly with those elites, ranks and files from the parties of the other block.

Through activities of those extremist parties a powerful pattern of Slovene political culture, namely, to fight the enemy till the very end, is still alive. That pattern was developed, as it has been shown above in the brief overview on Slovene history, under patronage of the great master, i.e. the Catholic Church, and kept alive by the Communist party in the years after WW II. Whenever there has been a sharp fight in conditions such as war, revolution, socialist or democratic elections and building of a coalition, that pattern emerged as a very decisive element of political situation. In the context of pluralist corporatism, that pattern was and should be replaced with inclusion of all relevant pillars and cultures in the government.

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The 1998 Elections and the Development of the Party System in Slovakia

Grigorij Mesežnikov

The social and political developments in Slovakia after 1994 were primarily characterized by a struggle for the preservation of a democratic regime, particularly in relation to the maintenance of its institutional framework. This fact makes any evaluation of developments within the system of political parties in Slovakia complicated, particularly when placed in the context of how party systems have developed not only in the West but also in Central European countries. To characterize the situation in European political party systems in the 1990s, some authors have used terms such as "crisis" or "decline". They observed a notable decline in the role of the political party as a form of political organization and means of communication within the existing political system. They attributed this to a shift from materialistic to post-materialistic preferences on the voters' scale of values, to the strengthening of other forms of political participation (for example, the rise in the number of various social movements, public initiatives and civic actions) and the proliferation of alternative forms of communication (satellite and cable television, Internet and mobile communication). All these trends brought an element of volatility and instability into the party systems of several European countries, leading experts to consider the diminishing role of the political party as an effective component of the democratic system that ensures the reflection of civic preferences in voter ballots, parliamentary seats, political strategies, the approval of legislation, and so on.

Slow Consolidation of the Party System in Slovakia

To a considerably larger extent than outlined above, the post-totalitarian consolidation of the party system in Slovakia has been influenced by the overall nature of the transition process (Szomolányi 1997: 7-25; Bútorá, Mesežnikov, and Bútorová 1998:11-24). The role of political parties – warriors for the maintenance of democracy by means of free political competition – was especially critical. The broad democratization movement in 1990-1992 led to the establishment of the standard foundations of a democratic regime in Czechoslovakia. These included a balanced division of powers as well as parliamentary democracy featuring elected representatives and a proportional representation

system for electing them. However, subsequent developments in Slovakia, which was unique in the Central European region, took off in a decidedly regressive direction, one that weakened and partially deformed the foundations of democracy (Mesežnikov 1996: 11-25; 1997a: 15-37; 1998a: 19-98; Malová 1998: 26-42). The consolidation of the party system was not accomplished. The 1995-1998 period was predominantly influenced by efforts on the part of the then ruling coalition – consisting of the Movement for a Democratic Slovakia (HZDS), the Association of Workers of Slovakia (ZRS), and the Slovak National Party (SNS) – to maintain and to build on the power bases of these parties, even at the cost of violating and altering the rules that constitute the essence of democracy. As the strongest party in the government, the HZDS in particular played an important role.

The key factors that influenced the process of party system formation between 1996–1998 included:

- significant shifts in the political preferences of the electorate connected with changes in Slovakia's socio-demographic structure and with changes of a socio-cultural nature that were influenced by the processes of modernization of Slovak society and by globalization. These shifts were also influenced by the policies of the HZDS–ZRS–SNS coalition government.
- the pre-election coalition strategies of the opposition parties, which substantially decreased the level of fragmentation of democratic political forces. These strategies were led by an effort to preserve the institutional framework of a democratic regime and resulted in the neglecting of the ideological differences between parties joining inter-party alliances.
- the preparation and enactment of a modified election formula.

Attempts to Amend Electoral Rules

From the first half of 1996, public opinion polls indicated the possibility of a change of government and the potential defeat of the ruling coalition. In June 1996, support for the HZDS fell below 30 % of decided voters and never returned to that level, oscillating between 21-28 %. At the same time, aggregate support for the opposition stabilized well above 50 %, approaching a level that provides for a constitutional majority in the parliament. The ruling coalition therefore concentrated its effort on creating legislative obstacles to the potential victory of the opposition and the subsequent change in the ruling power. Amending the election law in a way that would considerably influence the process of party system formation was among the most severe of these endeavors. Rather than being the result of an effort to devise an optimum election model for Slovakia on the basis of broad and qualified discussion and subsequent consensus, the amendment was an obvious enforcement of the self-centered approach shared by the ruling establishment. Although the winners of the

September 1998 elections have indicated their intention to change the election law prior to the next parliamentary elections, the consequences of the 1998 amendments may linger long after the law ceases to exist.

The original concept for amending the election law, as indicated by HZDS leaders in 1995-1996, aimed at substituting the existing proportional election system with a majority one (based on a one-round vote) or introducing a mixed system, whereby some members of the parliament would be elected through the proportional system and some in one-mandate constituencies. These ideas were rooted in analyses concluding that in areas where the democratic opposition was fragmented (consisting of nine small and medium-sized parties of various ideological orientation), the HZDS – as the dominant party – would win in most of the newly-created one-mandate constituencies, either on its own or in coalition with the SNS and ZRS.

The reform of the administrative and territorial set-up of Slovakia, which came into effect in 1996, indirectly signaled the intention to change the election system by introducing the majority or combined model. Through this, HZDS appeared to be preparing for classic "gerrymandering," the purposeful demarcation of boundaries for individual constituencies to the benefit of the ruling party on the basis of long-term patterns of voting behavior among the population.

The lack of political will within the ruling coalition prevented the implementation of this radical change in the election formula sought by the HZDS. The two smaller coalition partners, the SNS and ZRS, decisively refused any replacement of the proportional representation with a majority or combined system since they perceived such a change as a real threat to their further existence. At the same time, none of the opposition parties agreed to such a radical change in the election system. All opposition parties considered the intention to replace the existing proportional representation model with the majority one as a HZDS attempt to change the rules of the game in order to pave the way for its victory in the 1998 parliamentary elections.

Pre-Electoral Coalition Strategies of Opposition Parties

The shift in the HZDS's initial concept regarding the election law amendments was largely driven by the change in the pre-electoral coalition strategy pursued by the opposition camp. In the middle of the election term, in the autumn of 1996, three opposition parties – the medium-sized Christian Democratic Movement (KDH) and Democratic Union (DU), and the smaller Democratic Party (DS) – formed the "Blue Coalition," which was gradually transformed into a standard election coalition. The basic constructive element of the newly formed coalition or grouping of political parties was the proximity

of the political programs of these parties. The Blue Coalition profiled itself as a center-right democratic opposition block prepared to cooperate with other democratic parties, including leftist parties and those of the Hungarian Coalition.

The creation of the Blue Coalition was the first step towards the gradual formation of a new configuration within the Slovak party system. The nature of this coalition grouping essentially pre-determined the further process of overcoming the dissipation of the democratic opposition. From the middle of 1996, the search for a suitable organizational form of cooperation among the three strongest non-leftist democratic formations was narrowed down to two options: a twin coalition combining the KDH and DS, or a three-member coalition of the KDH, DU, and DS. In the first option, the union would have been based on the ideological and personal proximity of two formations firmly rooted on the right side of the political spectrum, whereas in the second case, the ideological platform of the coalition would also encompass the center of the political spectrum. The latter grouping could have paved the way for creating an entity that, in terms of size, would be competitive with the dominant HZDS. Both scenarios were designed to eliminate the potentially "wasted" votes cast for the DS, which had support oscillating at around the 5 % threshold for an individual party to make it into parliament. The DS leaders preferred closer ties with the KDH and favored the twin-coalition option with the subsequent accession of the DU to ensure that the more conservative twin-block of the KDH and DS constituted the core of a KDH-DS-DU coalition. Initially, the DU had reservations about the idea of a coalition with the KDH and DS and entered into intensive talks with the Social Democratic Party of Slovakia (SDSS) and the Slovak Green Party (SZS). These two smaller parties were, at that time, united in a leftist coalition known as the Common Choice, which was dominated by the Party of the Democratic Left (SDE). In the end, the DU decided to join the Blue Coalition. Critical for the arrangement of internal relationships within the Blue Coalition was the position of the strongest party, the KDH, which supported the creation of a coalition featuring the KDH, DU and DS.

A significant change in the configuration of Slovakia's party system occurred in 1997 in connection with the elections of the Slovak president. The opposition parties' approach to this issue became a catalyst for adopting further policy initiatives. With President Michal Kováč's term ending in March 1998, a group of opposition parties considered it necessary to initiate an amendment to the constitution designed to prevent a political crisis that could emerge should the parliament be unable to elect a new head of state. After the Slovak parliament rejected a constitutional initiative on direct presidential elections proposed by opposition deputies, all opposition parties except for the SDE and SZS participated in organizing a petition calling for a state-wide referendum on the issue. After President Kováč called the referendum, most of the main opposition parties – the KDH, DU, DS, SDSS, SZS, Hungarian Christian Democratic Movement (MKDH), Hungarian Civic Party (MOS), and Coexistence –

created a broad, inter-party initiative known as the Joint Initiative for Referendum, which was aimed at mobilizing the population and organizing a pre-referendum campaign. This joint action by the opposition strengthened its cooperation. When the Interior Ministry thwarted the referendum in May 1997, the KDH, DU, DS, SDSS and SZS leadership agreed to strengthen further the links they had established by creating a coalition in anticipation of the 1998 elections. In July 1997, a coalition was formed including the KDH, DU, DS, SDSS, and SZS. The group was named the Slovak Democratic Coalition (SDK).

The common pre-electoral coalition strategy of these parties was based on an effort to reach two fundamental goals:

- 1) to eliminate the risk of wasting votes cast in support of the three smaller parties (the DS, SDSS, and SZS) in case they should fail to surpass the 5 % threshold;
- 2) to induce the possibility of a "majority effect," according to which the new coalition would become the biggest group in the party system and thus lead the HZDS to lose its dominant position.

The first surveys of voting preferences carried out after the signing of the KDH-DU-DS-SDSS-SZS coalition agreement confirmed that the strategy was correct. Preferences for the new coalition exceeded 30 % of decided voters, meaning that the individual parties within the SDK had maintained their respective electorates. Immediately after it was constituted, the SDK had surpassed the HZDS and become the strongest candidate for the upcoming elections.

The formation of a coalition with good prospects for victory in the elections forced the HZDS leadership to change its approach to amending the election law. With the SDK on the scene, the transition to a combined or majority-based electoral system would no longer guarantee a landslide election victory for the HZDS. Moreover, the obstructed referendum had invigorated cooperation among all opposition parties. Even the SĎE, which had been critical of the efforts by the SDK and the Hungarian Coalition to change the constitution through a referendum, was induced to increase cooperation with the other opposition parties after the referendum fiasco. Under certain circumstances, had the mixed electoral system been introduced it could have led to the creation of broad opposition coalitions in single-mandate constituencies. In any case, from the very inception of the SDK, HZDS leaders ceased to push for the introduction of a combined or majority election system and instead preferred amending the election law to complicate the SDK's position. Since the aggregate preferences for the five-member SDK stood well above 25 % – or five times the 5 % threshold needed for an independent party to be represented in the parliament – the HZDS no longer considered it expedient to increase the threshold for the entry of coalitions to the parliament. Instead, the HZDS focused on drafting an amendment designed to stymie interaction among parties, thus eliminating the results that the KDH-DU-DS-SDSS-SZS had achieved by forming its common

election coalition that was aimed at "capturing" the votes cast for the three smaller parties and inducing a majority effect. The HZDS came forward with modifications of the election law that prescribed separate 5% thresholds for each party in a coalition. With such a change in effect, it made no sense to compete in elections as a part of a coalition. In fact, this particular amendment to the election law represented an unofficial prohibition on electoral coalitions composed of large and small parties and forced small parties to merge with large ones. The anti-coalition spirit of the amendment was obvious (see Dostál 1998; Bárányi 1998; Kresák 1998).

The discriminatory nature of the amendment complicated the situation of several smaller political parties and directly threatened the electoral participation of the two strongest coalitions: the SDK and the Hungarian Coalition. This provision, however, affected not only opposition parties; it also contributed to the extinction of small pro-government parties such as the New Agrarian Party, the Party of Entrepreneurs and Small Traders, the Christian-Social Union and the Slovak Green Alternative. While the first two merged with the HZDS, the latter two united with the SNS.

The endangered opposition groupings reacted to the amendment by changing their pre-electoral coalition strategies. Both coalitions (the SDK and Hungarian Coalition) were forced to strengthen the integrative dimension of their strategies. In doing so, they used different approaches that reflected the specific nature of each group, particularly their ideological profiles and international links, as well as the level of mutual cooperation and the acceptability of the coalition as a whole for the voters of the individual parties.

The parties of the original Hungarian Coalition opted for a merger into one political entity: the Party of the Hungarian Coalition (SMK). The factors that ultimately influenced the decision by the MKDH, Coexistence and MOS leaders to merge into one party included: several years of experience of cooperation within the framework of standard election coalitions (the MKDH and Coexistence in 1990-1994; the MKDH, Coexistence and MOS in 1994-1998); the proximity of the individual parties' programs (the MKDH was a conservative party and member of the European Democratic Union, while the other two were both members of Liberal International, with Coexistence defining itself as a conservative-liberal entity and the MOS avowing liberalism); a high level of voter support for the unified party; as well as the high probability that the merger of the three Hungarian parties would reinforce the phenomenon of "ethnic-based voting" in Slovakia. Also important was that the talks among the Hungarian parties regarding their future organizational arrangement had begun prior to the enactment of the election law amendments. Discussion followed along two basic lines: the creation of a separate 1998 election-based party or the merger of the three formations into one. The MOS favored the idea of setting up a special party for the elections while preserving the identities of the individual parties encompassed in such a grouping. Coexistence, on the other

hand, consistently supported a merger of the three parties into one. In the end, it was the MKDH that accelerated the process of integration within the Hungarian Coalition after the election law amendments had been introduced by re-registering its name as the "Party of the Hungarian Coalition" and offering Coexistence and MOS representatives membership in the newly-created party. The merger took place at the level of the parties' leadership as well as of the regional and local structures and of individual members. The specific doctrines pursued by the original parties united in the SMK were reflected in the internal set-up of the new party, in which two ideological platforms were created: a Christian-conservative-people's wing that included members of the former MKDH and Co-existence and a civic-liberal faction with former MOS members. The formula under which representatives of the two platforms were represented on the boards and on the SMK candidate lists were the result of a political agreement among the three ex-parties, taking into account the ratio between preferences for the MKDH-Coexistence versus the MOS.

The parties of the SDK chose a different way in readjusting their original pre-electoral coalition strategy. They decided to create an entirely new "election" party, featuring a joint candidate list for which the KDH, DU, DS, SDSS and SZS nominated their representatives according to a pre-established proportion between voting preferences. This was calculated under d'Hondt's method on the basis of average voting preferences from June 1996 through June 1997. The creation of the SDK election party was not accompanied by a merger of the original parties, nor did it mean their extinction. The five parties maintained their independence; however, none of them competed in the elections. This rather unusual or even unique way of dealing with the new legislative status quo was necessary because the coalition was comprised of five parties of different political strength and ideological orientation. Individual parties within the SDK were represented in a wide range of political party organizations, including the European Democratic Union; the European Union of Christian Democrats; the European People's Party; Liberal International; the European Liberal, Democratic and Reform Party; Socialist International; the European Socialists' Party; and the European Federation of Green Parties. Their eventual merger would for them very likely mean not only the loss of identity, but also the loss of membership in their respective European and international party structures. Given the different sizes of the participating parties, their merger would jeopardize the existence of the two small parties of a left wing and environmental orientation (the SDSS and SZS, respectively). The participating "parent" parties addressed the issue of ideological plurality within the formation of the SDK by establishing internal partisan platforms corresponding to the respective ideological profiles of the original parties (Christian-democratic, liberal, conservative-liberal, social-democratic, and green).

Two Types of Political Entities

The ruling parties' decision to amend the election law just months before the voting was to take place, as well as the results of the elections themselves, only confirmed what a number of authors had previously stated: that the party system in Slovakia was characterized by a cleavage dividing two basic groups of political formations. This split also confirmed the thesis that in the post-communist era, political formations are oriented towards values rather than interests (Ziemer 1993: 7).

The first group is made up of parties that are oriented towards the model of liberal democracy, or a "political system characterized not only by free and democratic elections, but also by rule of law, division of powers, protection of the fundamental freedoms of expression, association, religion, and the right to own property" (Zakaria 1998: 6). These parties, with a clear ideological profile and unquestionable pro-European and pro-Atlantic orientation, attempt to solve social conflicts by means of negotiation within the framework of agreed-upon rules. According to the typology by Kitschelt (Kitschelt 1995: 449), who categorizes parties based on their orientation, these parties can be included in the category of "programmatic" parties. The programmatic parties try to attract voters through their program priorities. This mostly includes parties that are members of the existing international party association or aspire for membership therein - this fact, *inter alia*, led a number of Slovak analysts to describe such parties as "standard" - (Mesežnikov 1997b: 27-46). The membership of these parties in international party organizations has largely influenced their identity and the overall process of party system formation in the period of transition towards democracy (Pridham 1996: 187). Between 1994 and 1998, all "standard" political formations in Slovakia were in opposition.

The second group comprises political parties that were represented in the government (the HZDS, SNS, and ZRS) during the election term of 1994-1998. These parties favored authoritarianism marked by populism, nationalism, and isolationism. Their policies during these four years led Slovakia towards a regime of illiberal democracy, a regime within which the democratically-elected élites ignored the constitutional framework of their actions, or one of "democracy without constitutional liberalism" (Zakaria 1998: 26). These parties tended to manage social conflicts by enforcing their own interests, even at the cost of breaking the agreed-upon rules, and they tended to make use of economic and political cronyism. Based on the aforementioned typology of Kitschelt, the HZDS, SNS, and ZRS could be put in the category of "clientelistic" and "charismatic." According to Soňa Szomolányi, such parties "can be denominated as anti-system parties . . . the HZDS, SNS, and ZRS deserve this denomination because they undermine the stability of institutions of the democratic parliamentary

system that enabled them to acquire power in free elections and to govern." (Szomolányi 1998: 42) Unlike the pre-election opposition parties, these three parties, given their incompatibility on the international scene, were labeled as "non-standard." Their international relations have been limited solely to bilateral contacts with certain parties; the SNS has maintained links with extreme right and radically-nationalistic parties in Europe (the National Front in France, the Serbian Radical Party, the Austrian Freedom Party, and the Slovenian National Party), while the HZDS had contacts with the Polish Peoples' Party, Our Home is Russia, the Moravian National Party and the Communist Party of China, and the ZRS cooperated with radical leftist and Trotskyist parties. The HZDS, the strongest of Slovak political formations oriented towards the regime of illiberal democracy, was always of an unclear ideological profile, showing no visible signs of evolution towards any of the established ideological models.

Within the first group, formed by the parties oriented towards a liberal democratic regime, the following substantial changes occurred in 1997 and 1998:

- their radius of operation expanded, resulting in the victory of a constitutional majority in the 1998 elections;
- the level of their fragmentation decreased when three smaller parties united to create one medium-sized entity (the SMK) and one large hybrid (quasi-coalition, quasi-party) formation (the SDK) was formed;
- a medium-sized coalition grouping built on the basis of ideological proximity (the left-wing Common Choice coalition) ceased to exist;
- further diversification of this group of parties occurred by the creation of a new medium-sized political entity, the Party of Civic Understanding (SOP).

The 1998 parliamentary elections confirmed a fundamental change in the distribution of powers between the two basic groups. The considerable shift in the electorate's political preferences, accompanied by a relative decline in support for the parties oriented towards the regime of illiberal democracy, narrowed the space for these parties, and the elections brought the defeat of the HZDS and its potential coalition partners. The leftist-populist ZRS, an ally of the HZDS in the 1994-1998 ruling coalition, ceased to be relevant in Slovakia's party system when it failed to make it into the parliament and did not even manage to reach the 3 % limit necessary for a party to be eligible for a state subsidy designed to compensate parties for costs incurred in connection with the elections.

Another political entity of similar orientation, the Communist Party of Slovakia, also missed its chance to become a relevant political power and, like the ZRS, failed to reach even the 3 % limit for compensation. While the influence of the parties oriented towards the regime of illiberal democracy diminished on the whole, the SNS improved its standing quite remarkably and reached better election results in 1998 than in 1994. Although the 1998 elections turned the SNS from a small into a medium-sized party, it remained a "single issue" party

(Dalton 1996: 9). The SNS was primarily focused on the issue of ethnic Hungarians in Slovakia and on Slovak-Hungarian interstate relations, and the party enjoyed the support of voters with strong nationalistic feelings.

The 1998 Elections: Changes in the Configuration of Political Forces

The 1998 elections in Slovakia gave rise to the new ruling coalition of the SDK, SDL, SMK, and SOP, which includes all the parties of democratic and pro-European orientation. This government has features of the so-called "grand coalition" known from the model of "consociational" democracy (Lijphart 1977; 1984). The government of democratic parties that was in place in Slovakia from March to December 1994 showed certain characteristics of such a "grand coalition" (KDH, SDL, DU). However, that government, led by the Prime Minister Jozef Moravčík, did not emerge from parliamentary elections; its legitimacy was due to the changed distribution of power in the parliament within that election term as a result of splits within the HZDS and SNS. Moreover, although the Moravčík cabinet required the support of the Hungarian parties for a parliamentary majority, it did not include their representatives in the government.

When compared to the Moravčík's government, the current cabinet of the SDK, SDL, SMK, and SOP had an adequate institutional form. Additionally, unlike the previous HZDS-ZRS-SNS coalition government, the Dzurinda's cabinet was not a "minimum-winning coalition," one that barely reaches a parliamentary majority. Moreover, it represented a broad spectrum of Slovak society, including the largest ethnic minority. In fact, it was the SMK's inclusion in the government that reinforced the typological elements of this cabinet as a "grand coalition" government; the SMK's participation was not only symbolic and was not limited to ethnic minority issues. The adequate representation of the politically highly-mobilized Hungarian minority in the executive (with the positions of deputy prime minister, two ministers, and several state secretaries) as well as the legislative branches of power (deputy parliament chairman and several chairmanships of parliamentary committees) created favorable prerequisites for making a positive breakthrough in the relationship between Slovaks and ethnic Hungarians after several years of confrontational policies pursued by the HZDS-ZRS-SNS government towards the Hungarian minority.

The need for joint action against authoritarian power led the parties of democratic orientation to devise a form of mutual cooperation that would alleviate the two cleavages in the party system, namely the ideological divide (right versus left) and the ethnic divide (Slovaks versus Hungarians). Before the elections, representatives of the SDK, SDL, SMK, and SOP admitted the possibility of forming a broad coalition government. The fairly high probability of such

developments was indicated by a significant degree of compatibility among the principles presented by the SDK, SDE, SMK, and SOP in their respective election programs, particularly concerning their common views on democracy, rule of law and foreign policy (Mesežnikov 1998b; *Presentation of Results...* 1998). Although there were some differences in the social and economic priorities of the parties, these differences did not constitute an insurmountable obstacle to their post-election cooperation at the governmental level.

Although the continuing process of the consolidation of the party system would normally presuppose clear ideological and program demarcation between political formations, the creation of a wide coalition government has contributed to weakening of the "left-right" ideological divide. This regressive trend was also reflected in the formation of the SDK, which united both right-wing and left-wing political groupings. Although in terms of party-system development, this trend can be viewed as regressive from the perspective of the overall development of society, under the circumstances faced by Slovakia after four years of rule by Mečiar, such cooperation may have a positive effect. This is particularly true if this cooperation helps to reinforce institutional guarantees for further democratic development. Cooperation among political parties of various ideological orientations in the form of political wedlock between the democratic right and left is likely to persist as long as there is a need for guarantees against the return of authoritarianism.

The alleviation of cleavages along the ethnic lines of the party system through cooperation between the Slovak democratic parties and the SMK will certainly have a positive effect. In terms of political programs, the SMK and the Slovak non-leftist parties can be expected to draw closer during the 1998–2002 parliamentary term.

Perspectives for Slovak Party System Development

The stability of the SDK–SDE–SMK–SOP "grand coalition" that was formed after the 1998 elections will, among other things, depend on the coherence of its strongest component. The organizational set-up of the SDK as "an election party" whose main goal was to deal with the anti-coalition election law amendment, entailed some risks that could lead to internal tension within the SDK, threaten its coherence, and change its existing configuration within the new government coalition. The post-election events confirmed the prognoses voiced in early 1998 arguing that such unnatural integration of political entities, formed under the pressure of the modified election formula, could result in the internal rivalry between and within the individual factions of the united election formation (Kubín and Veliš 1998: 103). The coexistence of different ideological strains within a single political entity as well as the absence of institutionalized linkages between the individual ideological platforms of the SDK and their

"parent" parties have been seen as problematic. The agreement on pre-election cooperation that was concluded between the SDK on one hand and the KDH, DU, DS, SDSS, and SZS on the other represented an *ad hoc* solution to a specific problem (participation in the elections), and it is difficult to imagine an united approach to the solution of many other problems that may arise during the election term.

The discriminatory, anti-coalition amendment to the election law not only reinforced regressive elements in the continuing process of party system consolidation, but has also complicated the question of party personnel resources. Under the pressure of the amendment, a number of officials from the KDH, DU, DS, SDSS, and SZS had to leave their parties and join the SDK. This interrupted the continuity over several years of human resources development in all five parties. The long-term absence of leading officials in the organizational structures of the KDH, DU, DS, SDSS, and SZS may induce stagnation in these parties, the effect of which will be multiplied by the fact that the parties in question did not acquire the status of parliamentary parties after the elections.

The hybrid (quasi-coalition, quasi-partisan) nature of the SDK practically precludes it from having a clear ideological profile. The eventual merger of all the founding parties – or at least of the two or three strongest parties – into one formation that would subsequently adopt the ideological profile of one of them is a highly unlikely scenario. The concept of building a "people's party" (a modern conservative party with broad electorate support), which some leading KDH representatives unsuccessfully tried to accomplish in 1996–1997, would be obviously even more difficult to implement in light of the ideological diversity within the SDK.

The SDK's return to its original organizational arrangement – a standard parliamentary coalition with a common parliamentary caucus – appeared to be the best way of remedying the negative impacts of the election law amendments. This arrangement would not impair the SDK's position as the core of the ruling coalition and would also provide each of the participating parties with adequate conditions for their activities. However, this option turned out to be non-viable because a significant number of leading SDK personalities prefer the SDK's continuation as a party, and a political dispute over the SDK's future began shortly after the elections. Despite the differing ideas of individual SDK representatives, all of them declared that they would preserve the common SDK parliamentary caucus, thereby enabling the Dzurinda's cabinet to remain in power.

The newly-formed SOP will also have to address the questions of refining its ideological profile and strengthening its organizational structures during the parliamentary term of 1998–2002. The SOP electorate was not stable, as demonstrated by the disparity between the party's actual election results and its high support in public opinion polls that were conducted in the months after the SOP's establishment in April 1998. Still, the party was able to address a

segment of undecided voters, many of whom were former HZDS supporters, while others had been voters of other parties. At its inception, the SOP enjoyed considerable support from some opinion-forming media, particularly from the private TV Markiza. However, this support fell short of compensation for the SOP leaders' lack of experience in communicating with the electorate. The insufficiently developed internal party structure was another of the SOP's handicaps. The SOP's further profiling, which could include a swing to the left or a decision to remain in the center, may be influenced by external factors, including the internal situation within the SDK as well as the nature of the SOP's relationship with its partners in the ruling coalition (particularly with the SĎĽ). Should the SDK's status as an election party be "preserved" for a longer period of time, the SOP could take over the DU's position as a centrist party. If, however, the SDK changes into a standard coalition of parliamentary parties with the DU rooted in the center of the political spectrum, the SOP may lean towards the left with the intention of acquiring a social-democratic profile through closer ties with the SDSS or gradual rapprochement with the SĎĽ (both the SDSS and SĎĽ are members of Socialist International).

The further profiling of the HZDS as the strongest opposition entity is another important factor that may influence the configuration of the party system in Slovakia for years to come. The loss of the reins of power as a consequence of an election defeat will obviously encourage the party's disintegration. The fact that the HZDS has ceased to be the driving force of the crony system will inevitably result in a situation where various interest groups for which the HZDS was creating a comfortable political environment (including employers' associations, entrepreneurs who gained from privatization, and industrial lobbies) will turn their backs on the HZDS. In the period of 1995-1998, the HZDS acted as a "power party" and was able to maintain its own integrity as well as that of its parliamentary caucus. However, this was only possible due to strict party discipline and intra-party relations based on personal loyalty towards HZDS Chairman Mečiar. Those who refused to be loyal were exposed to strong pressure and punishment, sometimes in conflict with the law (for example, the expulsion of deputy František Gauldier from the parliament).

Mečiar's post-election absence from the parliament may diminish his influence on the policy-making capacity of his party and lower his authority within the party structures, thereby weakening the HZDS's strict hierarchical links. The party's current image as a political formation that depends on the elderly electorate will complicate HZDS attempts to broaden its electoral base unless the party and its leadership are prepared to undergo fundamental changes.

Judging from the results of the 1998 election, the HZDS will continue to be confronted with the task of maintaining its electorate. The SNS, which managed to attract a portion of younger voters and former HZDS supporters, has strengthened its position and became a serious competitor to the HZDS. Mečiar's decision to resign from the parliament after the elections but retain his

party leadership indicates that the HZDS will try to combine its presence in the parliament with extra-parliamentary activities aimed at mobilizing its supporters, probably in an attempt to destabilize the government. These tactics will probably enjoy unconditional support within the radical-nationalistic wing of the HZDS parliamentary caucus. However, they may not be accepted by HZDS parliamentary deputies who, for various reasons, are interested in establishing normal relations with the government (for example, deputies connected with various organized interest groups). This may bring some tension to the HZDS and trigger its disintegration, and the party's limited ability to reform itself will only increase the likelihood of such a development.

The configuration of political forces after the 1998 parliamentary elections was characterized by an overall predominance of democratically-oriented parties represented in the ruling coalition, but also by the existence of an opposition camp with anti-system elements. The nature of the post-election opposition parties (the SNS and HZDS), and in particular their exercise of authoritarian policies from 1994-1998, have lessened their ability to form a coalition with the parties oriented towards a liberal democratic regime. Given the absence of a standard opposition, the rotation of ruling-coalition formations composed entirely of parties oriented towards a liberal democratic regime becomes impossible. The creation of conditions for the formation of a party configuration where the opposition has a pro-systemic character will depend on the gradual fragmentation and marginalization of the anti-system opposition parties and on the further consolidation of the parties oriented towards a liberal democratic regime.

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A Hidden Silent Grand Coalition

Michal Klíma

It is claimed that in 1998, as in 1996, a minority cabinet was established after the elections to the Chamber of Deputies. But not every cabinet which masquerades as a minority cabinet or which appears so at first sight, is in fact a minority cabinet. Political science has developed an elaborate system of terminology and methods of approach with which to define the various forms of cabinet and make sense of the oft beguiling labyrinth of political happenings and relations.

The beginning of this discussion is concerned with the question of how to define most accurately the present form of cabinet. If it becomes clear what form of cabinet we are dealing with, it will also be evident that this invention of the Czech political élite has created an unusual environment, which in the long-term perspective could lead to overall political and social instability. Instead of positive coalition potential a negative coalition potential is activated and is, for the time being at least, celebrating some success. It is shown that the trend since the 1989 revolution has not led to the elevation of political culture, but it is on the contrary linked to many negative phenomena, feelings and values which are the legacy of a relatively marked discontinuity in the democratic development of the Czech Republic.

Coalitions - minimal winning, connected

For the purposes of gaining an overview, it is useful to look at the incidence of the various forms of cabinet in the 16 West European countries from 1945 to 1995. In a total of 396 cabinets, the most predominant form is the majority coalition: 210 cases. Only 59 cabinets were formed on the basis of a one-party majority. 127 minority cabinets were formed, of which 76 were one-party cabinets and 51 were coalitions (Kubát 1998: 241).

Since the most frequent form of cabinet in the West European region is the majority coalition, the question presents itself: what is the standard type of coalitions in terms of party formation? The answer is: the **minimal connected winning coalition** (Lijphart 1984: 46-52). The term "minimal winning" denotes the fact that, in setting up a cabinet, the political parties try to gain the largest possible share of power. In parliamentary systems, power means participation in the cabinet, and maximum power means holding as many of the cabinet posi-

tions as possible. In other words, each party in a majority coalition gains the biggest share of ministerial appointments if the coalition is formed with the minimum necessary number and strength of partners. The term "connected" indicates that, in the politics of standard democracies, the bare principle of power maximization is not primary. A "minimal connected" coalition is formed insofar as a qualitative principle is also applied and given priority; this is the criterion of similar manifestos and similar political preferences of the "related" parties. Thus, it is customary for cabinets to be formed by parties which share a similar view of how to govern a country and how to solve particular problems. Parties separated by a large ideological and practical distance usually unite only in the case of a threat to the democratic system from the inside (anti-system parties) or from the outside (an external aggressor).

It follows from the above that the coalition form of cabinet is something common in established democracies, and that in normal conditions minimal winning coalitions, connected in the sense of proximity of political program, are generally formed.

Definition of terms "coalition" and "coalition potential"

The **definition of membership in a cabinet coalition** is not an entirely straightforward matter. It is evident that every party which gains at least one ministerial appointment becomes a member of a coalition. The problem occurs when the principle of power maximization is not immediately satisfied. Under certain circumstances, parties need not aim for ministerial posts in order to possess enough power that the government cannot get by without their support. Such parties have been designated by Arend Lijphart, a political scientist of Dutch origin working in the United States, as "**support parties**", parties which prefer a position outside the cabinet to direct entry into it (Lijphart 1984: 53).

Now it is necessary to examine the motivation of these parties. Compensation for the fact that they do not gain direct entry into the cabinet is usually viewed in the form of productive influence on cabinet policies. The coalition between the Labour and Liberal parties in Britain between 1977 and 1978 was one example of this. The Liberals supported the Labour cabinet in exchange for consultation on cabinet policy. Support parties can, however, have other motives. Unwillingness to enter directly into a cabinet may be induced by the desire to gain an advantageous position for victory in the subsequent elections. A support party opts for intermediate status with a view to gain subsequent full-fledged cabinet membership. And the exercise of influence on a cabinet without having to bear full responsibility for its policies holds temporary attraction (Lijphart 1984: 54).

The Italian political scientist, Giovanni Sartori, also tackles the issue of membership in coalitions in his typology of party systems. He introduces the

term "**governing potential**" or "**coalition potential**" in it. He proposes the following rule for the purpose of operationalizing this term: parties have coalition potential if they *"have in fact entered, at some point in time, coalition governments and/or have given governments the support they needed for taking office or for staying in office"* (Sartori 1976).

Coalition government, in the broader and narrower sense, may be defined on the basis of what has already been said. In the first case, it is a coalition consisting only of those parties which have their representatives in it. The **definition of a coalition in the broader sense** is not based merely on the strict delineation of membership, but also takes account of the conditional nature of the government's existence. The relevant definition thus reads: **a coalition is formed by parties which are either direct members of it, or on which the taking of office and subsequent staying in office depends.** It is this concept of a coalition that will be applied in the remainder of this article.

The Form of Government in the Czech Republic

After the 1998 June election, only 5 parties overcame the 5 percent electoral threshold, thus gaining representation in the Chamber of Deputies. Seen from the perspective of the left-right political spectrum, the parties may be classified as follows:

A	B	C	D	E
24	74	20	19	63

Party A (KSČM - Communist Party of Bohemia and Moravia) holds 24 mandates;

Party B (ČSSD - Czech Social Democratic Party) 74;

Party C (KDU-ČSL - Christian Democratic Union - Czech People's Party) 20;

Party D (US - Union of Freedom) 19;

Party E (ODS - Civic Democratic Party) 63.

In the case of Party D and Party E, there are arguments in favour of identifying the one or the other closer with authentic right wing, but for the purposes of further exposition it is sufficient to say that the positions of parties D and E are interchangeable.

It is clear from the results of the election that none of the parties is capable of forming a majority government with the minimum 101 mandates required. So what coalition options are available? Before answering this question, it is necessary to state that all of the parliamentary parties officially regard Party A as an anti-system party with zero coalition potential. The fear is that if Party A entered government, it would endeavour to abolish the democratic rules of the

political game or to take over power by forceful means. For the purpose of simplification, this attitude of the other parties is taken as read,¹⁾ and therefore Party A is excluded from further considerations concerning the formation of a meaningful coalition.

Thus only four political parties possessing a certain amount of coalition potential, i.e. ability to form a majority government, remain on the Czech political scene. The logic of the standard method of coalition formation as outlined above suggests, as the first possibility, a "minimal connected winning coalition". Under current conditions in the Czech Republic, this would entail a partnership of parties C-D-E (KDU-ČSL, US, ODS), whose cabinet would possess 102 mandates. The second possibility²⁾ would be a coalition of parties B-C-D (ČSSD, KDU-ČSL, US) with 113 mandates. In this light, all other possible coalitions appear unusual at the least.

Why was it, then, that expectations were confounded, and that neither of the two most probable coalitions were formed? The reason lies in the **limited coalition potential of the democratic parties**. Even before the elections, the parties adopted considerably hostile stances towards each other. Some even announced that they would forbid co-operation with another party. Overall relations between parties B, C, D and E may be depicted as follows (the symbol „x“, meaning „against“, denotes a more or less hostile relation between the given party and another party; brackets mean a lesser degree of hostility):

B x D	C x (E)	D x B	E x B
x E		x (E)	x (C)
			x (D)

Starting with Party B (ČSSD), prior to the elections this party prohibited the formation of a cabinet with parties D and E. Party C (KDU-ČSL) admitted the possibility of a coalition with Party E only with grave reservations. Party D (US) totally refused to form a coalition with Party B, and expressed considerable reservations about Party E. Party E (ODS) openly declared co-operation with Party B to be unacceptable, but also used a considerably hostile tone to show its position with regard to parties C and D. From this follows that if all official statements and viewpoints were to remain valid in the post-election period as well, it would be quite impossible to set up a working government. Only coalitions B-C (ČSSD, KDU-ČSL) or C-D (KDU-ČSL, US) would come into consideration. In the former case this would create a cabinet of 94 mandates, in the latter, of a mere 39.

- 1) Obviously the extent of Party A's coalition/non-coalition potential is a subject for factual discussion and a thorough analysis of the party's manifesto and practical policies.
- 2) In a certain sense the second possibility may be regarded as the first, as it is the victorious party B which is first entrusted with the formation of a government.

The calculation of the coalition potential of the four democratic parties allows us to identify two significant features of Czech politics. The first is that the **two strongest parties, one on the left (B) and one on the right (E), exhibit the least coalition potential**. The second is that the more or less centrist Party C has the highest coalition potential. At this early stage, it is worth mentioning that, paradoxically, it is precisely Party C, the party most willing and able to come to terms with the others, which is frequently seen as a "spineless" and "slimy" party, a party preventing the formation of stable cabinets.

In the end, neither coalition C-D-E nor coalition B-C-D was formed in the post-election period. On the contrary, a surprising agreement was made between parties B and E (ČSSD and ODS). It is evident that a **non-standard partnership** was created, in the **quantitative and qualitative** sense. It is a partnership between the two largest parties, and at the same time the two parties most distant from each other in terms of manifesto and ideology. At this point it is worth noting that the pact between these two in many respects hostile parties was concluded in a **record short space of time**, at the stage when the real post-election bargaining was just beginning. The elections took place on June 19 and 20, 1998, on June 30 Party B received the offer from Party E, oral agreement was reached on July 3, and on July 9 the agreement was signed. This means that the concrete initiative was formed only 10 days after the elections, and that the agreement was initiated by the leaders of Parties B and E within 20 days. It is important to mention these facts, as sometimes it is claimed that there was no willingness to find another solution. The crucial factor is that the actual coalition negotiation was completed right at the initial phase. The parties were given no time to clear away the pre-election barriers and reduce the intensity of their uncompromising rhetoric and posturing. In Western European countries, coalition bargaining usually lasts a month or more. Thus the surprising agreement between parties B and E cannot be explained by saying that no other rational solution existed. On the other hand, it could be expected that, during the various rounds of coalition bargaining, the positions of the various parties would come closer together on the basis of friendly compromise.

What kind of cabinet was formed in the Czech Republic? It is officially stated, and political scientists and journalists usually confirm, that a minority cabinet was formed. Naturally, this so-called minority cabinet of Party B is not suspended in thin air - its formation and continuing existence is directly dependent on the agreement with Party E. The rise and fall of this so-called minority cabinet of Party B is linked to the wishes and interests of Party E. It is clear that Party E acts as a "support party" in relation to the government. Without it, this government would not exist. A support party, in this case Party E, is in the broader sense of the word part of a coalition cabinet. The current cabinet is thus defined as a **"silent grand coalition"**. "Grand", because the two largest

parties participate in the partnership (a total of over two thirds of the mandates), "silent", because one of the parties does not directly hold ministerial appointments.

What compensation does Party E get, if it decided to support the establishment of a cabinet in which it has no direct representation? Party E's profit is guaranteed by contract. The coalition partner (Party E), which stands outside the cabinet, is promised the following forms of remuneration:

- appointments (high positions)
- consultation
- constitutional changes
- the right to set up a cabinet in case of a victory in subsequent elections.

These exclusive rights were granted to the support party E as a counter-service by the directly governing Party B. This finds an expression in concentrated form in Article II of the so-called opposition agreement (hereinafter referred to as "the agreement"), where it is stated that the winning party respects the right of the other party to "be the opposition to this party" (Lidové noviny July 10, 1998). This right is, however, guaranteed by the constitution and the democratic system of the country. Moreover, a non-government party becomes an opposition party automatically, without having to try or to declare it. And if only the second party in the order had the right to be the opposition party, what kind of oppositional role, if any, would the other parliamentary parties have? Lurking behind the turn of phrase "right to opposition", and thus the right to the contractual advantages resulting from this, there is the attempt to conceal the real state of the matter - that party E is as the supporting party a member of a grand coalition, the real opposition consisting of parties C, D and possibly also A. In this context, it seems that the most appropriate term for the current cabinet partnership is: "hidden silent grand coalition".

A few words are required on what exactly is guaranteed to the support party in return for its contractual support (enabling the formation of a cabinet and not calling for a vote of no confidence in the government - Article VI). Articles III and IV secure for Party E the following high political appointments: chairpersons of both chambers of Parliament, heads of the controlling organs of the Chamber of Deputies (Commission for Control of BIS/Security and Intelligence Service/, Commission for control of military defensive reporting), chairperson of the budget committee of the Chamber of Deputies and president of NKU (Supreme Control Bureau). In addition, under Article VIII Party E gains the right to consultation on the manner of solution of questions of foreign and domestic policy prior to their discussion in Parliament with the ruling Party B. Under Article VII, the support party E undertakes to collaborate with Party B on an agreement on amendments to the Constitution of the Czech Republic (to be presented within 12 months). Finally, if support party E wins the next election, Article I assigns to it the right to set up a cabinet with the tacit support of Party B.

The fact that the collaboration between parties B and E is of a coalition nature is testified by the fact that both partners undertake not to form a coalition or agreement with a third political party (Article IX). If coalitions with other parties are not permitted, it is clear that the actual parties to the agreement are forming a coalition, albeit in an unorthodox manner. The objection that there cannot be a silent grand coalition when the parties to the agreement do not undertake to act as a single unit in cases of voting on legislative proposals (including the budget), is false, because even if the support party voted constantly against the government motions of Party B, it would still be support party E which is responsible, in the end, for the passage of any such motions. The prime factor in this context is the undertaking to guarantee the government its existence. In the event of substantial disagreement, support party E may at any time cancel the agreement and thus bring about the demise of an "undesirable" government. Termination of the contract may only take place after exhaustion of all the possibilities of conciliation as set forth by both parties to the agreement (Article X).

Negative Coalition Potential

The formation of a hidden silent grand coalition could be given a positive evaluation, if it really "created a stable political environment in the Czech Republic", as claimed in the agreement. Unfortunately this coalition makes use, not of positive, but of negative coalition potential.

How are the terms positive and negative coalition potential best defined? As mentioned earlier, coalition potential by itself, without further qualification, means the ability of a party to share in a government, either by direct entry into a coalition or by silent (essential) support for the government. A partnership based on positive coalition potential lays primary emphasis on matter-of-fact co-operation with the aim of resolving social problems. Positive coalition potential assumes the ability of the parties to reduce the intensity of their ideological fulmination and hostile relations, the ability and willingness to reach compromises in the administration of public affairs, and the willingness to subject themselves to control. Thus no party achieves a total victory, and no party can fully implement its own manifesto, which is based on partial interests, and frequently on the ideologised conceptions of a single party. Positive coalition potential presupposes the division of power and a working system of checks and balances.

Negative coalition potential of Czech provenance, which is incorporated into the foundations of the hidden silent grand coalition, does not count on matter-of-fact collaboration in terms of political programme, but is distinguished by:

- power utilitarianism;

- a negative relation towards third parties;
- the preservation of a high degree of enmity between the parties to the agreement, B and E;
- the concealment of the true state of affairs - a hidden coalition;
- prevention of the formation of positive coalition potential.

In this country, we are not dealing with a real program-oriented coalition aimed at seeking common solutions to the current social and political problems of the country. Firstly, we are concerned here with a **partnership of power utilitarianism**. Although the power element is present in every coalition, in this case power is elevated to become the principal reason for the cabinet arrangement, whilst actual common policies are relegated to a subordinate role, or are entirely absent. Support party E even declares that the point of the agreement is to give Party B the opportunity to "historically disable itself".

A **negative stance with respect to third parliamentary parties** is another important feature of the negative coalition potential engendered by the two parties to the agreement. Parties B and E concluded the agreement with the quite clear purpose of fundamentally restricting the influence of the other parliamentary parties, and even to exclude them entirely from political competition. The core of the agreement is contained in the first two articles, which effectively envisage the creation of conditions for a transition to a **two-party system**. In Article I, the parties undertake to respect the right of the winning party to set up a cabinet, whilst Article II guarantees the other party the "right to be the opposition to this party" (or to share power by other means than by direct presence in the cabinet). The main instrument for restricting or eliminating the influence of third parties was to be an electoral reform. During the period immediately after the signing of the silent coalition agreement, the highest representatives of the parties to the agreement openly declared their interest in introducing a single-member district plurality system, or in the radical reinforcement of the majority-forming elements within the system of proportional representation (substantial reduction in district magnitude, a high electoral threshold). In the shape of the agreement, the threat of electoral reform is concealed in Article VII, which mentions the undertaking to prepare an amendment to the Constitution of the Czech Republic and the need to reinforce the "import of the results of the competition between political parties". This last expression is a juggler's phrase, designed to conceal precisely the opposite meaning: to create a kind of cartel of two parties, where the political market is shared out between two entities.

Thus the primary aim of the silent grand coalition is not to reinforce the coalition potential of the parties on the Czech political scene, but to squeeze out and eliminate competition. Should they succeed, there will no longer be any need for coalition potential: the two strongest parties will be able to exclude

from their repertoire once and for all the ability to form coalitions, as the system of two parties invented by them envisages the formation of one-party governments.

Another component of negative coalition potential is the **declared intent to preserve a high degree of enmity between the parties to the agreement**, B and E. At least on the level of rhetoric, the parties to the agreement present themselves as major political rivals fostering mutual hostility. The agreement is not designed to be constructive or matter-of-fact, but has the long-term aim of "historically disabling" the partner, or of "stealing their thunder" in the short term.

It follows from the above that the entire contractual collaboration and the agreement itself are based directly on contradictions and opposites. The parties to the agreement were inspired by the desire to **conceal their true intents and the actual state of affairs**. After their "mobilization-style" electoral campaigns, neither Party B or E could bring themselves to admit a partnership with a party which up to now it had painted in hostile terms. Hence the need to sell the joint agreement on a silent coalition in a better packaging under an advertisement-style trade-name. Thus it was, and still is, necessary to have contractual phrases speaking of such concepts as the "opposition agreement", the "creation of a stable political environment", the "interest in preserving fundamental democratic principles", "responsibility for the world standing of the Czech Republic" (see the Introduction), and "reinforcing the import of the results of the competition between the political parties"...

To recapitulate, the four characteristics of negative coalition potential are: power utilitarianism, a negative stance with respect to third parties, preservation of a high degree of enmity between the parties to the agreement, and the desire to conceal the coalition nature of the partnership. It follows directly from these four characteristics that negative coalition potential **prevents the formation of positive coalition potential**. Commonly negative phenomena are thus associated with certain positive features. If, shortly after the elections, coalition-forming potential was severely hampered, at the current time (December 1998) it may appear that interest in collaborating with the other parties is growing significantly. Of course, this coalition potential, mainly on the part of the other parties, is generated by the need "to be or not to be". Entry into a coalition may seem to medium- and smaller-sized parties as the acknowledged and necessary condition of their survival on the Czech political scene. Today's situation may at certain moments suggest a kind of "political promiscuity", with each party attempting to come to terms with each other (at both nation-wide and communal level) with the aim of anticipating or catching up the others. Thus, paradoxically, a contractual hidden silent grand coalition may, in certain circumstances, lead to the establishment of ties of co-operation. Needless to say, this is a by-product of the arrangement between parties B and E - it is certainly not their intended goal.

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Main Actors of Political Change in Slovenia

Jernej Pikalo

Introduction

In the second half of the 1980s and in the beginning of the 1990s pluralization and democratization of Slovenia occurred. The end-result of this process was an introduction of multi-party system, which produced 124 parties. Their number gradually decreased to modest total of 37 parties in the local elections of 1994, out of which only seven got some representatives in local governing bodies (Lukšič 1994a: 25). It was during the 1980s that pluralism became new hegemonic ideology in Slovenia. In the name of pluralism political parties were established, although almost all of them had a corporate character. Parties were at first created for realization of functional interest, and not, as one might expect, to fight for political power. On that basis some parties of retired people were created (Grey Panthers, Democratic Party of Retirees), two parties of craftsmen (Liberal Party, Party of Tradesmen), a peasant party (today named Peoples Party), a party of intellectuals and culture workers (Democratic Alliance), and parties of workers (Labour Party and two Social-democratic parties). For realization of ideological aims of Catholic and ideological communities a Christian Democratic and National Party were formed. In fact only two parties were actually political: the renamed socio-political organizations – the League of Communists as the United List of Social Democrats and the Socialist Youth Organization as Liberal Democracy of Slovenia. Today one may observe that almost all parties are acting much more like political parties than they did during the first years of their existence.

The purpose of this paper is not to find out why parties are today acting much more like political parties, it is rather to identify the actors that contributed to the political pluralism and democratization of Slovenia. It is, however, important to emphasise that political parties were never actors of the communist breakdown, they were only the end product of the democratization.

The Catholic Church is in some contexts mentioned as an actor of political change, although in Slovene case it has never reached the level of a public actor. It had namely a very narrow and focused interest, which, when translated into power terms, meant nothing else than a fight to increase its influence in all spheres of life. It used a form of religion (such as theological seminars, meetings of religious intellectuals, etc.) to promote its own political strategy (to in-

roduce religious education into public schools, to ban the right of abortion, etc). It has never been interested in multiparty system as such, its aim in transforming the system has always been to increase the role of the Church.

The leading role of intellectuals is a common feature of all actors of political change in Slovenia. Despite the fact that intellectuals were not the only part of population in former socialist societies that actively contributed to the fall of authoritarian regimes, their role was of immense importance because they could create alternatives to the existing ideology and join forces in realizing this ideology (Bernik 1997: 60). It could rightly be said that their role during socialism was somehow diminished because of a silent contract between proletariat and socialist establishment (Županov 1983). Because they were a part of population, which was treated with disdain during socialism, they emerged as powerful leaders as soon as the wind of change started to blow. What is especially interesting is their shift from ethics of conviction to ethics of responsibility, to use Weberian terms, particularly in the case of those intellectuals who entered politics. Ethics of conviction, also known as the "ethics of the highest aim", namely postulates that something is moral as long as this is a conviction of the participant. So, when one strives for his/her moral aim, one does not take into account consequences that may or may not appear as a by-product of his/her action. On the other hand the ethics of responsibility is the one where one has to consider consequences in pursuing its aim. Actions of intellectuals in Slovenia have always been structured around these two Weberian terms. What they repeatedly did was to judge political issues from a moral perspective. Someone, who had been used to judge things according to an opposition good-bad, could not adapt instantly to a principle powerful-weak, which is the principle of political reasoning. On the one hand they wanted to preserve their *beautiful soul* (Hegel), and on the other hand they had to make choices, which can never satisfy all and are bound to cause trouble as a by-product with some. This is one of the reasons why almost all of them failed to get re-elected after second elections. Or as Ash (1995: 153) suggested the intellectuals in these societies fell from the unusual importance they had before 1989 to unusual unimportance.

For the purpose of this paper we have split these (f)actors into two categories. There is no doubt that external (f)actors such as collapse of one-party system throughout Central and Eastern Europe, centralization tendencies in former Yugoslavia especially by Serbian nationalist leaders and the unsolved national question largely contributed to emergence of political pluralism in Slovenia. However, let us focus solely on internal (f)actors that contributed to the emergence of political pluralism in Slovenia.

Actors of Political Change in Slovenia

Actors that in large part contributed to the emergence of political pluralism in Slovenia could be divided according to different criteria. Official and dominant political organizations, the League of Socialist Youth (LSY) and the League of Communists (LC), can be placed under the heading of real political organizations. New social movements, journals, professional associations, can, on the other hand, be placed under the notion of civil society. One can also group these actors according to whom they were in opposition to: the League of Communists was in opposition to Belgrade and its centralist forces, the League of Socialist Youth was in opposition to the LC and Belgrade, and civil society was against all three. We have placed, however, these factors according to a chronological order of forming opposition stance.

The New Social Movements

New social movements were the ones which did the pioneering job in launching ideas and praxis of civil society (Bibič 1994: 163). These processes gained strong impetus in the mid-eighties with the emergence of new cultural¹⁾ and other alternative movements, e.g. peace, environmental, feminist, gay, "new spiritual", etc., which more and more virtually identified themselves with the "civil society"²⁾. Together with other youth subcultures they formed a network that called itself the "alternative scene" or simply the "alternative". Less than few hundred people were active in these groups especially in the capital city of Ljubljana, but group size is not a critical indicator of significance or influence. What characterizes them as social movements is that a public voice was given spontaneously to social issues outside the frame of official political system (Volcic 1997: 93). A key factor to those movements was the League of Socialist Youth (LSY), which decided at its congress in Krško in 1986 to take under its own official umbrella all those new movements³⁾. At the same time it proclaimed

- 1) NSK (*Neue slowenische Kunst*), to name the most famous one, was formed as a collective entity consisting of artists from different fields of art expression. Through retrograde ideology they expressed their critique of establishment by means such as music (Laibach), paintings (Irwin), theatre (Red Pilot), practical philosophy, etc.
- 2) As Volcic (1997: 93) points out, already in the seventies there was the Punk movement, which backed new social movements. Namely, in the middle seventies an extraordinary range of Slovenes got involved in the punk scene. They combined different forms of punk, which they were familiar with, and applied them to their own context as Slovenes in a decaying authoritarian state (Mastnak 1994: 93-94).
- 3) There was a contract between the movements and LSY, by which the movements became attached collective members of the youth organization without giving up their autonomy. The contract provided these vial actors of democratic transition with le-

med itself as an independent civil society organisation (Bibič 1993: 369). Weekly *Mladina*¹⁾, which was then an official review of the youth organization of Slovenia, helped to strengthen the idea of civil society and gave space to the new social movements. It opened many politically controversial topics such as relation of the army to the civil society, the rights of homosexuals, etc. In the mid-eighties, a number of discontented journalists in the central media organized themselves around *Mladina*, giving priority to the professional ethical code over the party line. Their successful struggle for the freedom of press and information was of the greatest importance for the democratic transformation of Slovenia (Mastnak 1994: 95)²⁾.

The Slovene social movements had no equivalent in Eastern Europe (Volcic 1997: 94). They belonged to political opposition, but primarily, they had much more in common with the „alternative society“ in the West than with political dissidents in Prague. The distinctive characteristics of the alternative scene was that it was free from the figure that played a central role in other socialist countries: the dissident (Mastnak 1994: 95). The alternative understood its own action as the production of the social sphere, the creation of social spaces of otherness, and would refuse to be characterized as dissident or opposition. They had a lot of power and freedom for action. For instance, a dialogue was even possible between them and the establishment. Movements would stage peaceful demonstrations (Volcic 1997: 94). It is also by all means true that without silent support of the reformist wing of the Communist party none of the social movements would have been possible.

The Role of the Journals

Journals have always played an important role in the life of political parties in Slovenia. At the end of the 1930s they were the ones which, together with associations, spawned considerable number of political parties (Lukšič 1994a: 23). In the eighties and at the beginning of the nineties they played a special role in democratic transformation as forums for discussions on current cultural, political and economical issues (Bibič 1994: 164). Periodicals such as *Mladina*, *Naši razgledi*, *Problemi*, *Časopis za kritiko znanosti*, *Revija 2000*, *Anthropos*, *Teorija in praksa*, *Nova revija*, etc. analysed situation in detail and made valuable contribution towards democratic political atmosphere. *Nova revija*, which was

gality and therefore relative safety. At the same time also LSY gained greater legitimacy, which was in the following years crucial for its political life. (Mastnak 1994: 99).

- 1) Weekly *Mladina* became during eighties and in the beginning of the nineties politically the most influential media in Slovenia. It reached the circulation of over 70 000 copies per week. (Bibič 1993: 369-370).
- 2) For an insightful analysis whether the review acted as a political party, see Lukšič (1991).

founded in 1981, played a particularly significant role in articulating the problems of democracy, political pluralism, civil society, the role of army, the question of national reconciliation and Slovene national question. It attracted harsh political criticism and pressures, particularly because of its stand on the national question and for national independence (Bibič 1994: 164)³⁾. It is especially noteworthy to mention that authors around *Nova revija* all gained important political posts in independent Slovenia, which shows how important their ideas really were. France Bučar became the first president of the National Assembly, Spomenka Hribar was one of the most influential MPs and the president of the Slovene National Congress, Jože Pučnik became the leader of the joint opposition and later also vice-president of the first democratic government in Slovenia. Dimitrij Rupel was the first Slovene Minister for Foreign Affairs and is currently serving as Slovenia's Ambassador to the United States, and Peter Jambrek took the post of the president of the Constitutional Court²⁾.

Another important feature of the democratization process to remember is the role of alternative media. In addition to journals, which were great success such as *Mladina* or *Nova revija*, there were numerous fanzines, bulletins, books, tapes, records, exhibitions, public discussions and happenings, not to mention local radio station *Radio Student*, which played a crucial role in the formation of alternative scene (Mastnak 1994: 95).

The Role of Professional Associations

Different professional associations played significant though varying roles in articulating ideas of civil society (Bibič 1993: 370). The Slovene Sociological Society sought to assert idea of autonomous social sciences and, particularly through the younger generation's independent stance, contributed to a systematic professional consideration and dissemination of the civil society idea. Several eminent members of the Society also took part in drafting the alternative Slovene constitution. Some of the younger philosophers (Slavoj Žižek, Miran Božovič, Mladen Dolar, etc.)³⁾ gathered around a review *Problemi* and founded Society for Theoretical Psychoanalysis where they employed successfully modern linguistic and psychoanalytical concepts for analysing current political issues. Slavoj Žižek was in the first democratic elections a candidate for a member of the Presidency of the Republic of Slovenia and is still active in poli-

- 1) Mastnak (1994: 106) argues that when *Nova revija* published in 1987 "Contributions to the Slovene National Program" the publication made a greater impact in Yugoslavia than in the democratic movement in Slovenia. Only later, when, with Demos, people from the journal's circle came to power, the „Contributions“ became an historic event.
- 2) For a further analysis see Lukšič (1994: 31).
- 3) The identity of these philosophers was mainly structured around work of a great French psychoanalyst Jacques Lacan and around work of Sigmund Freud.

tics as an ideologist of Liberal Democracy of Slovenia today. Lawyers took part in the debate on civil society and the rule of law, initiating and conducting investigations into political crimes, human rights and freedoms, the right to political association, the sovereignty of republics, the possibility of confederal status of Yugoslavia, and penal repression in the past - the so called "Dachau trials" (Bibič 1994: 165). The Slovene Political Science Association also added its share to democratic transition with its annual meetings in Ankaran, where scientists discussed topics such as Political Pluralism and the Democratization of Public Life (1989); Confederation, Majority Rule, Consensus (1990); Parliamentarism: Dilemmas and Perspectives (1991); The Emergence of Slovene Statehood (1992); The Problems of Consolidation of Democracy (1993). The Slovene Writers' Society played crucial role in democratic transformation, especially because of its extreme sensitiveness about Slovene national question. The Society felt growing pressure from centralist forces within the Federal State Presidency and reacted decisively against the Presidency's proposal to institute amendments to the Yugoslav constitution. It set up a special constitutional commission which at first unsuccessfully proposed referendum on these amendments and later wrote so called *Writers' Constitution*, which is today regarded as one of the cornerstones of Slovene constitutional history.

It is noteworthy to mention the role of trade unions in the process of democratization. Only one Trade Union existed before 1990, which was in fact an Association of Trade Unions. It was more or less the transmission of the state and of the leading League of Communists. In the second half of the 1980s, a lot of strikes broke out, and in majority of cases the Trade Union was not on the side of the workers (Lukšič 1994b: 209). On the other hand, the experience of the Polish Solidarity and its role in democratization of politics had a great impact on Slovene radicals, especially young intellectuals (Mesner and Andošek 1984). The League of Socialist Youth made a proposal to establish an independent Trade Union in the name of the real interests of the working class, a Trade Union that would organize workers in the fight against the state and the managers. One month before the first multiparty elections this initiative was taken by the Social Democratic League (Lukšič 1994b: 210). Thus DEMOS - joint democratic opposition of Slovenia - created its own Trade Unions.

The Role of Human Rights Associations

Two human rights associations were of immense importance in the assertion of ideas of political pluralism and political democracy. The first was Committee for Protection of Human Rights, also better known as Bavčar Committee, which was originally established as a Committee for Protection of Rights of Janez Janša and later after arrests of two other people evolved into Committee for Protection of Human Rights. Its first and foremost task was to protest against the imprisonment of three innocent civilians, who were arrested

on charges of subversive activities against the state and of unauthorized copying and distributing of military secret documents. The Committee grew rapidly into a mass protest movement reaching about 100 000 individual and about 1000 collective members with a close press coverage of its work (Bibič, 1993: 371). Aforementioned weekly *Mladina* played crucial role in establishing the Committee and soon became its main medium for communication with the public. Such a position of *Mladina* is perfectly reasonable, because all four imprisoned were either its editors or columnists and the first meeting of the Committee took place in the premises of the weekly. Massive membership of the Committee reflected general conviction that the trial was merely a political show trial by the conservative and centralist forces seeking above all to halt political reform (Bibič 1994: 166). The Committee had a broader role than just the defence of "the four": it focused on the problem of human rights and freedoms, it raised the issue of the relationship between the civil and military authorities, between civil and military courts, the problem of independence of the judiciary and the use of Slovene language before courts, etc.

Human Rights Council under the leadership of a distinguished professor of criminal law Dr. Ljubo Bavcon was the second human rights association. Founded in 1988, this autonomous body dealt with a critique of individual elements of the prevailing criminal law from the standpoint of human rights and with a critique of particular forms of political prosecution (Bibič 1994: 166-167).

The Role of the Former Communist Elite

The former communist elite is another key factor that has to be taken into account. Let us examine two levels of their transformation. At the symbolic level it must not be overlooked that, particularly after the mid-1980s, reformists under the leadership of Milan Kučan employed slogans whose real significance became apparent only gradually. Amongst those that should be considered were criticism of the "Party state", championing "political democracy", "human rights", and "stepping down from power" (Bibič 1994: 169). The path to political pluralism carried them from stressing political democracy and human rights, to the adoption of the slogans of a civil society and the rule of law, and then to "non-party political pluralism" and finally to a public and explicit opting for political pluralism, including political parties.

One may object to these findings as being merely drawn on the ground of political language and ideology, and not on the ground of real political deeds. However, Bourdieu (1991) entreats us to pay more attention to the role played by words in the construction of social reality. The power of naming is namely a creative power, one that brings reality into being rather than simply providing already existing "thing" with a name (Kertzer 1996: 66). No element in the quest for political power is more basic than the struggle over the right to name:

"There is no social agent who does not aspire, as far as circumstances permit, to have the power to name and to create the world through the naming" (Bourdieu 1991: 105).

In the field of practical policy the acts of former communist elite went hand in hand with their political language. When they left congress of the League of Communists of Yugoslavia in Belgrade because of the Serb pressure, they embarked on a journey of political change, which would ultimately lead Slovenia to political pluralism. In January 1989 they started preparatory work for multi-party elections. They critically distanced themselves from some serious mistakes in the past and changed their politics in relation to farmers, small businesses, education, autonomy of the social sciences, human rights, etc. The reform orientation was concretely shown – which is especially important criterion in evaluating reformist policies – also in the amendments to the Slovene Constitution and in legislation (Bibič 1993: 375). These amendments, that were adopted by the "communist" assembly, proclaimed political pluralism and pluralism of ownership of property and at the same time reaffirmed the right to self-determination and to secession.

Conclusion

In this essay I have tried to present (f)actors that contributed to democratization of Slovenia. These (f)actors were closely interwoven and worked on one hand together and on the other counter one another. So political pluralism in Slovenia was born out of pressures and counter-pressures and co-operative interaction between the forces of civil society and open-minded communist elite. One must not also forget the contribution of intellectuals to the democratization process. An important transformation occurred following the transition to democracy. The civil society has lost a lot of its political potential and political society has gained a lot of strength. In this respect Slovenia was no different from the other Central and Eastern European Countries.

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Parties as the Lonely Protagonists of the Czech Political Transition

Jiří Kunc

It took pains to raise the question about the "success or failure" of the Czech process of transformation in the first half of the 90s because it implied a strong effort to deny it. Before starting any serious analysis it was necessary to do away with a propagandistic dead weight directed both to the internal and external audience which described the Czech case as a heroic story and a total exception within the Central and Eastern Europe, an irresistible trajectory of success.

Since then, the very reality accomplished a great deal of this work. Although nobody speaks about failure, both scholars and public opinion cannot cover up the serious complications in all the dimensions of transformation. Nowadays, discussions focus on the question whether these problems have historical roots (legacy of the history), and/or whether they are the product of a bad blueprint that was used and/or whether these complications came into being only through the process of transformation because of neglecting of some important parameters.

There are no doubts among scholars¹⁾ about the key role of the party system in the process of building democratic institutions dealing with political dimension of the whole process of transformation (how to gain control of the government and hence to set the policy-making agenda). Adopting the view that parties "not only reflect but also shape the social structure, economy and culture" (Mainwaring and Scully 1995: 3), a similar perspective Lubomír Brokl adopted in his polemics with interpretations of the 1996 Czech elections in social-class-interest determinants (Brokl 1996: 394-397), it is necessary to recapitulate the basic features of the process of the party system institutionalization. These features imply "stability in interparty competition, the existence of parties that have somewhat stable roots in society, acceptance of parties and elections as the legitimate institutions that determine who governs, and party organizations with reasonable stable rules and structures" (Mainwaring and Scully 1995: 1). These features could be an important guide for the analysis of Czech political parties,

1) From those who concentrated mainly on Central and Eastern Europe it is necessary to mention mainly A. Agh, H. Kitschelt, L. Brokl, Z. Mansfeldová, M. Strmiska or those who concentrated only on the Czech Republic - P. Fiala, P. Mareš, M. Klíma, P. Pšejda, M. Novák....)

party system and its role in the process of transformation. Thus, in this paper I would like to confine to a basic characteristics of partyism and to a description how the development of the parties under re/construction after 1989 has resulted in the present very critical stage of mutual relations.

Stabilization of Parties

We can adopt an interesting classification proposed by Maurizio Cotta and Sergio Fabbrini dealing with historical evolution of Italian party government (i.e. the role of the parties in determining policies and in controlling appointments of the government). The main distinction is that **residual** party government is the one in which the parties have a little or no control over its appointments and over its policies, while an **organic** party government is the one in which the parties exercise control over both. The third type - **spartitorio**¹⁾, is when the parties control only government appointments but have no interest in controlling its policies (Fabbrini 1996: 308). Mainly Maurizio Cotta can inspire us with his classification of government policies pursued in post-war Italy, which are ranked by three distinct levels:

- **metapolitics**: fundamental arrangements of the political regime are defined;
- **medium-range policy**: important aspects of economic, social, foreign, etc. policy are defined;
- **micropolitics**: definition of the ways in which particular interests are to be handled (Cotta quoted by Fabbrini 1996: 310).

I would like to argue that the parties' government policy in the Czech Republic has gradually changed into the type of Fabbrini's *spartitorio* or Cotta's micropolicy combined with general arrangements of the regime - metapolitics. In this sense I will concentrate both on the level of government formation and on decision making-process of the executive.

Let us compare the government formation from the formal point of view - appointments of the Prime Minister and other ministers by the President of the Republic in particular phases of the post 1989 development. Even if one leaves aside the fact that after the first free elections in 1990 the hasty appointment of the new government led to a situation when the Czech Republic had in one moment two governments because the old one did not resign as an expression (very symptomatic) of underestimation of the constitutional procedures in this phase of transformation, it is not possible to ignore the way how new government was appointed. Appointment of the new government clearly characterizes the relations between parties and the other actors of transition. Marián Čalfa who was again appointed as the Prime minister was a member of Public against

1) Fabbrini explained the term as a party government mainly interested in dividing up the spoils of power.

Violence (VPN) but he was not a leader of this party. This party even did not have any majority in the Federal Parliament. It was the will of the President who was able to promote his candidate against the will of the party secretariats and Coordinating Center of Civic Forum.

The situation radically changed in 1992. After the 1992 elections the President of the Republic asked the leader of the strongest Czech party - Civic Democratic Party /ODS/ - to form a government. It is necessary to stress that all negotiations and bargainings were held only by the two main parties - one third victor of the Czech elections - ODS and one third victor of the Slovak elections - Movement for Democratic Slovakia /HZDS/. All important decisions were made there: disintegration of the state and the formation of the provisional federal government with equal representation of the Czechs and Slovaks which was to prepare technicalities for disintegration.

Václav Havel, who in July 7, 1992 was not reelected the President due to the negative vote of Slovak members of Parliament resigned on July 20, 1992 (after the Declaration of Sovereignty of Slovak nation that was passed by Slovak parliament), although he could stay in power till October 5. This resignation probably means the culmination of the power of party secretariats which eliminated the other decision-making centers - both the president and the parliament. Federal Assembly had almost no chance to influence the decision taken by the leaders of the parties.¹⁾ The Constitution was changed to prevent a possibility of a referendum on disintegration of the federal state. At that time the parties were on the top of the decision making process, and simultaneously at the peak of their loneliness - no people, no president, no parliament.

The period 1992-1996 seemed to be ideal for strengthening of this sovereignty of the parties. The Czech parliament (Czech National Council) transformed itself into the House of Representatives and till the formation of the second chamber - Senate (only in 1996) performed also its role. This meant that it was not possible to dissolve the House of Representatives. The governing coalition - ODS-KDS²⁾, Christian Democratic Party - Czechoslovak People's Party - KDU-ČSL and Civic Democratic Alliance - ODA had majority of 105 members of Parliament (out of 200 seats). Opposition was strongly fragmented. As Kevin Krause (1996: 436) stressed, in the end of this period parties were the key factor that decided who governed in Czech Republic. The rules

1) On one side the members of the Federal Assembly who had officially to decide about disintegration of the state (and in the same time about their own self-dissolution) were warned by the Czech National Council that even if they had not passed this constitutionally law (constitutional amendment) the disintegration would be in any case and on the other side they were "bribed" with a promise that if the law would be passed the members would occupy the second chamber - Senate. Nevertheless, this did not happen.

2) There was an electoral coalition of ODS with small Christian Democratic Party - KDS which later unified with ODS.

that influenced activities of the parties had been changed only insignificantly, in a direction strengthening the party system. Using Laakso and Taagepera index of the effective number of parties Krause documented the positive trend (4.8 in 1992 elections, 4.1 in 1996) that continued even later (3.7 in 1998). If this index is transferred (as Mainwaring, Scully, Krause did) to Sartori's classification there is an evident shift from the category of extreme pluralism to the upper level of the limited pluralism.

Although one can agree with this characteristic, K. Krause underestimated the fact that there was a substantial change of the rules of competition which was brought into the relations of the coalition parties by ODS. This change dealt with two dimensions:

- deepening of *conventio ad excludendum* toward the extreme parties on the left-right scale

The fact that if on unidimensional scale - A, B, C, D, E, F - the party F put through the exclusion of party A, the impact in a descending rate affects also the parties B, C, D, E in favour of party F, is reflected here. If the centrist parties put through the exclusion of the two parties based on different poles on the same scale, that means if there is a bilateral antisystem opposition, the classical trend toward polarization (Sartori) is asserted and the center is permanently occupied with consequences of decreasing quality of competition. Although the Czech system was not polarized in this Sartori's sense (Kitschelt 1995: 15; Strmiska 1998), the parties behaved as if it was so. In the Czech Parliament this *conventio ad excludendum* was used against two parties - communists /KSČM/ and republicans /SPR-RSČ/ (radical right wing party) and thus delimited very narrow space for competition between governmental coalition and the rest of opposition.

- absolute majoritarian logic in all decision-making process

Governmental coalition excluded the opposition from any participation in decision-making process. To discuss any proposal from the opposition was waste of time since it was possible to vote just with a strong party discipline inside of the Parliament. According to this principle the governing coalition occupied all important posts of the Parliament, committees etc. It is necessary to point out that this practice worked in the Czech Parliament since the fall of 1992. In Slovakia it was introduced by Mečiar only after 1994 elections. Such majoritarian logic worked also inside of the coalition where ODS had majority of ministers.

However, during this period 1992-1996 the first weaknesses of the established party system started to be evident that later led to some corrections. It was mainly the change of the character of the Social democratic party. The new leadership of Miloš Zeman (1993) defined itself as an alternative to the right wing cabinet. Previous leadership of Jiří Horák¹⁾ calculated with a "First repub-

1) Social democratic emigre who returned to the Czech Republic from USA, professor on Manhattan College.

lic" model, involving some form of a great coalition in which social democrats would participate. The strategy of Zeman's leadership was to form some coalition with smaller parties in the Center (mainly Christian Democrats). Coalition with communists was forbidden by the resolution of party congress. This could enable smaller parties in the Klaus's cabinet to think about new strategies, to formulate new programs, and new identities.

Smaller parties were not in a good position in the governing coalition. The majoritarian logic of decision-making applied also inside of the coalition. Not only ODS had majority of ministers, this worked also on the parliamentary level. The minority partners were left some space on the level of micropolicies. They could use their departments for party appointments and financing of the parties and use them in a propaganda way in order to become more visible¹⁾. There were several efforts to change the situation and to build new institutions inside of the coalition for coordinating the process of decision-making. Mainly there were organized meetings of so called "7", "9" and the most important "13" (chairmen of the coalition parties, chairman and deputy chairman of the Parliament, the chairs of Parliamentary clubs). Nevertheless, the impact was not very strong and the supremacy of ODS continued to exist.

Václav Klaus in his analysis places the prevailing agreement on government policy to the period 1992-1994. Since then he has complained about blackmail behaviour of the partners in coalition which culminated in an open conflict during the Senate elections 1996 when *"Josef Lux (leader of KDU-ČSL) organized a very different coalition against his formal partner in coalition, against ODS. The ability to govern was thus strongly limited. The struggle of everybody against everybody started and the governing coalition became at times the place of the most furious opposition"* (Klaus 1999: 13,14).

In the situation when parties concentrate on the discreditation of the rival, and not on the competition of programs offered to voters, all dialogue is transposed to the level of metapolitics and to the question of the support to the regime, or micropolicies (dividing up the spoils of power). In such combination everybody accuses everybody of mean competition or abuse of democratic rules, and/or of acting against the statehood. Václav Klaus discourse interpreting the formation of an alternative by social democrats as the return back before the year 1989, as antisystem behaviour or as an ineffectual effort to find the "third path" that had been discredited long time ago is a good illustration of this phenomenon. Social democrats in their discourse stress the corruption, tunneling of the national property, and conflict of interests. And both opposi-

tion and smaller parties of governing coalition warned against the bad control and misuse of secret services that could affect both opposition and minor parties of the governing coalition.

The strategies and the offers of the parties are basically copied from those of Western Europe or they are very vague. We can agree with P. Fiala and M. Mareš (1998: 13) that *"The impact of the programs on the policy thus often loses any significance and is frequently overshadowed by the attention that is paid by the Czech massmedia to particular, often casual, proclamations of party leaders. As the political programs are not often transferred into the policy, the space for permanent and no conceptual discussion about particular problems is opened where very different and changeable positions based on general principles could be held and transformed according to changing situation"*.

1996 elections brought partial changes of the relations between political parties. Extreme parties with no coalition potential but with strong negative vote potential grew stronger (republicans - 8 %, communists -10,3 %: together 20 % of the seats). Social democrats also improved their position substantially but 61 mandates (out of 200) and internal ban on a coalition with communists did not give them any chance to form an alternative government. The government was again formed by the same political parties - ODS, KDU-ČSL, ODA - but now it was a minority government: 98 seats of coalition against 102 seats of opposition.¹⁾

The impact of the elections was not as strong inside of the governing coalition (in some respect positions of ODS was strengthened mainly since the smallest party ODA barely passed 5 % threshold). It radically changed the relations among one part of opposition and coalition, though. Social democrats obtained important seats in the Parliament - Miloš Zeman was elected the Chair of House of Representatives. Social democrats on the other side promised to tolerate the government²⁾. The exclusion of communists and republicans continued. What is more important, the ability to solve the problems, i.e. to define clearly the policy of the government did not change.

1) Thus, the "property" of KDU-ČSL was mainly in their Ministries of Agriculture and Defense, ODA was connected with all the institutions dealing with privatization - mainly Ministries of Privatization, Economy and also the Fund of National Property.

1) It is necessary to mention that this situation changed rather quickly because of the changes of party affiliation of some members of the parliament. Most of the period of this government (till December 1997) there were 100 members of parliament who supported coalition. To obtain the majority for important laws the coalition needed to find the support of one member of the parliament - Wagner, who left social democratic party and became independent. It was him who decided whether the budget would be approved, etc.

2) In practice they left the hall when important voting (on confidence) was held.

Blocked parties and the President of the Republic

The lasting crisis in the relations between parties and its impact on the whole political life and on acceptance of no policy led to several attempts to resume this situation mainly by revival of traditional elitist antipartyism¹⁾. As an illustration for such a discourse the Proclamation of the Political Club can be used. The authors of this proclamation speak about the failure of the governing politicians, about brutal partitocracy. They do not believe that any change can be provided by established political parties. *"Our goal is ambitious. We want to form political alternative to the offer of these parties"*. Although this discourse failed totally in the elections it enabled president Václav Havel to activate his post.

According to the Czech Constitution as the constitution of the parliamentary system the position of the President is strongly connected with the executive power. Most of the presidential activities need contrasignature of the Prime Minister or a particular minister. Although the president's position is not only symbolic, the space for independent decisions is very narrow and is delimited by the article 62 of the Constitution. From the very beginning Václav Havel has tried to use this space in maximum and, contingently, to widen it.

In 1992, in the situation of the process of disintegration of the state and the preparation of the new Constitution of the Czech Republic, Václav Havel publicly supported the idea of the direct election of the president. He argued that *"such decision was taken by all postcommunist countries. The main reasons - among others - were to enable the president to stabilize political system in transformation and to strengthen the international position of the state"*²⁾. It was mainly Václav Klaus and his ODS who refused this idea; Klaus warned against *"the danger of the second center of power"*.

Activities of president Václav Havel at that time provoked discussion whether he, as a part of the executive power, acts in accord with the politics of government and/or as one side in the conflict. The problems concerned mainly the questions of the foreign policy and diplomatic activities of Václav Havel (with almost no coordination with Ministry of Foreign Affairs) and partly the internal politics - mainly dealing with the formation of the governments.

- 1) This strongly differs from anti-establishment and antiparty and antipolitical appeal of extreme right as dominated in the discourse of the Republicans.
- 2) This was rather difficult situation for Václav Havel because in December 1989 communists asked for the direct elections of the president (even in that time they could use the advantage of well organized party secretariats in the regions and rather high popularity of last communist prime minister Adamec who had started negotiations after November 17, 1989) and he strongly opposed this idea.

Formation of governments after the first and second free elections has been described above. In 1996 Václav Havel was criticized by social democratic leader Miloš Zeman for inviting only parties of the former coalition to consultations after the elections, although it was clear that without support of social democrats the minority cabinet (98 seats) could not work. But the real expansion of the presidential activities extended beyond the traditional understanding of the powers of the president in a parliamentary system during the crisis of 1997 which led to the resignation of the Klaus's cabinet.

To some extent one can argue that the space for the crisis¹⁾ started after Havel's famous speech in Rudolfinum hall in the joint session of both chambers of the Parliament in November 1997. He did not inform the Prime Minister about the content of his speech²⁾ although this is a tradition in parliamentary systems (and even this was a tradition during the First republic with a stronger position of the President) and more, the discourse was that of the leader of opposition. During the crisis, after Klaus' resignation, Havel tried to reduce the role of the parties not only in the appointment of new Prime Minister but also in the personnel composition of the government. It is symptomatic, that after the appointment of Tošovský's cabinet³⁾ he stressed that *"this government was formed neither on a basis of the agreement of political parties nor on the results of the elections, because the parties, we could take into account were not able to find any agreement. This fact we would have to interpret - among others - as a warning against the excessive power of parties that put partial interests above the general ones and thus complicate the ability to find political agreement"*.

This analysis was more or less correct, but the second part was interpreted by the leaders of the main parties as an attempt of the president to eliminate the role of the parties and to strengthen his independence from them. This impression strengthened after the president warned the parliament, that if Tošovský's cabinet would not pass the vote of confidence, he as a president, would look for

- 1) The crisis is very often interpreted in a very narrow sense as a problem of the financing of the parties, sponsors, corruption. But the problems that were opened by the journalists in December 1997 were more or less known even before (ten years dead sponsor from Hungary, sponsor of Island Mauritius that had never heard about the Czech Republic, etc.), only the bank account of ODS (till today under investigation) in Swiss bank was something new. It was the conflict inside the coalition and also inside ODS that led to the crisis. But to solve this conflict or open it, it was necessary to demystify Václav Klaus whose support as a politician *"who knows what to do"* was rather strong.
- 2) It is said that just before starting he said to the prime minister: *"Václav, you would not like that"*.
- 3) Tošovský was not a member of any party, he was the governor of the Czech National Bank and the members of the cabinet were partly partisans of KDU-ČSL, ODA, and members of ODS who participated in overthrow of Václav Klaus and later formed the new party Freedom Union, and partly of "experts".

a new Prime Minister for weeks.¹⁾ This would complicate the organization of preterm elections that was the condition *sine que non* for the support of any cabinet as was declared by Václav Klaus and Miloš Zeman.

In the subsequent discussion Václav Havel used his "blackmail" potential given by unclear formulation of particular articles in the Czech Constitution. He warned that even after the elections it was not his obligation to appoint the leader of the victorious party a Prime Minister.²⁾ Miloš Zeman immediately answered that being a president elected only in the second round with the majority of one vote (*it was my vote that had decided*) he would have been more modest in his behaviour.³⁾

The detailed description is mentioned here because it can illustrate very complicated communication between the parties and the president and it can also explain the further development that led to the "oppositional agreement" described in the Michal Klíma's contribution in this volume. Although it seems like a paradox it was this activity of the president that deepened the cartelization of the two main political parties, and enabled them to find some common interest (strengthening of the role of the great parties) and common enemy (the president). Thus, very narrow space for the communication between the two main parties - ODS and ČSSD has been created that resulted in a very surprising outcome of 1998 elections when "oppositional agreement" was signed.

On the other hand, it is necessary to mention that "oppositional agreement" limited some activities of social democratic government (mainly dealing with the anticorruption activity - "clean hands"). Mainly it redirected the governmental activity again to the "level of micro-politics", i.e. the government appointments in the board of trustees in the enterprises with state participation, etc.

Simultaneously, both of the two parties understood that now it was a very good moment to strengthen their position and their role, because together they had a qualified majority in the parliament that could enable the changes of the constitution. Their further discussions concentrated mainly on the change of the electoral system (weakening of the proportional logic), on the limitation of powers of the president (to force him to appoint the prime minister that would be nominated by the strongest party after the elections, to fix the term when the president would be obliged to appoint the prime minister, etc.). In this context Václav Klaus warned against "yeltsinization" of the politics, that means

- 1) There is no specific regulation of this in the Czech Constitution.
- 2) This argument Havel repeated once more in his letter to Václav Klaus just before the elections 1998.
- 3) In January of 1998 Václav Havel was elected in the House of Representatives in the second round with 99 votes against 98 (in Senate it was 47:34) in a very specific situation when one of his competitors Mr. Sládek, leader of the republicans, was imprisoned. In this sense Zeman is not right saying that it was his vote that decided; it was the missing vote of Sládek.

against the politics of governments without any or with very limited influence of political parties. Although the results of these discussions remained blur, the effort is clear.

* * *

Summarizing the state of the party system stabilization in the Czech Republic the whole picture is not very positive. We can return back to its general basic features as were described by Scully and Mainwaring (mentioned above).

- stability in interparty competition

It is difficult to speak about stability mainly because there are often changes in party affiliation of the members of parliament, new subjects and factions form frequently. We can speak about party stabilization only in the case of the distribution of mandates between the main political parties - two main poles - ODS, ČSSD, and two minor poles - KDU-ČSL, KSČM (Strmiska 1998). More, till today the discussion about the rules of party competition dealing with the substantial change of electoral system has not been finished.

- existence of stable roots in society

Generally speaking they are very weak. Better situation is in the "historical parties" (christians, social democrats and communists). Among newly formed parties only in ODS due to its connection with privatization, restitution of the property and its behaviour as a "social lift" for its supporters.

- acceptance of the parties and elections as the legitimate institutions that determine who governs

As it was described above the efforts of the parties in this sense were constantly undermined by the atmosphere of antipartyism strengthened also by the activity of the President of the Republic. Nevertheless, it is mainly parties behaviour, majoritarian logic imposed to proportional system, and delegitimization of the competitors that have decreased this acceptance.

- party organizations with reasonable stable rules and structures

We can argue that the party discipline in legislature is reasonably solid. Party voting and party identification are rather strong. On the other hand, most of the parties have a minimal presence at the local level. This can be explained by the fact that the new parties after 1989 were constructed mainly from above on the level of national elites, with no organizational structures on the local level, and with no experience in local governments. Only the historical parties that have survived from the period of communist regime (communists and christian democrats) were based in regions. This situation can be documented by results of the local governments elections where the independent candidates won most of the seats. Only communists, christian democrats and partly ODS (mainly in bigger cities) were able to obtain some posts.

So, what is the position of political parties in the Czech political system? Are they weaker than they were in the beginning of this decade? I do not think

so, but they are very lonely. They are socially isolated, their ability to form a program is very low, most of their activities diffuse in personal conflicts. They remain the lonely wolves of the Czech political scene.

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From a Police State to a Demonstration Democracy: Policing Mass Demonstrations in Hungary before, during and after the Regime Change

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1. Protest Policing in Communist Hungary: after the 1956 Revolution until the Democratic Transformation in 1989

This part aims to document and analyze the transformation of police strategies from the counterrevolutionary intervention of the Soviet army and its Hungarian allies against Hungarian revolution in 1956 until the re-democratization in 1989. This process shows, what role and what techniques communist police used in the repression of the spontaneous protest of the civil society before 1989, and how police role shifted to the neutral peace and public order-keeper during the democratization in the end of the eighties, 1988-1989. Our assumption is that police forces in a totalitarian/authoritarian regime are opposed to all type of unofficial demonstration activities, do not have contact and communication with the "enemies" of the regime whom they want to prevent from all public activities. From a repressive policing strategy and tactics there is a gradual shift to the direction of communicative attitude towards mobilized, demonstrating masses in the process of democratization. Demonstrators are

- 1) This paper attempts to synthesize my research on protest policing in Hungary carried out since 1994 in the context of the international research networks of the European University Florence and the University Geneva, Institute of Political Science. I worked with many foreign and Hungarian colleagues, whom I would like to acknowledge their support and co-operation as follows: Donatella della Porta (Florence), Dominique Wisler (Genève), István Szikinger (Constitutional and Legislative Policy Institute), Katalin Bendzsák (Institute of Police Research), and students e.g. PH. D. students participating in the research work Gábor Magyar, Kinga Páll, Andrea Szabó, Krisztina Butsy. Various discussions were organised on my research results and the above listed persons gave interesting comments and criticism. Last but not least I would like to express my thanks for material support to my research towards the European University Institute (Florence), Police Research Institute (Budapest), Constitutional and Legislative Policy Institute (Budapest), and for the Swiss National Fund.

not any more treated as "enemies" but as legitimate actors of the public life, whom the police provides services in "demonstration management" under conditions that certain basic rules are kept by the protesters. The same police staff managed demonstrations in a non-violent way in the end of eighties who dissolved them by all means of coercive techniques demanded for the task some years before. How to interpret this interesting fact by different hypotheses known from Western social science, will be discussed in the concluding part.¹⁾

1.1 The Rules of Coercion 1957-1984

The Communist Party started as early as possible, during the war to infiltrate the new temporary and later the established non-military police forces. This strategy was very successful according to both the testimonies of police officers and historical research (Szakács, Zinner 1997: 75-145; Gyrmati 1996: 497-570). The communist rule was first established in the police and in internal affairs long before the final shift of power occurred. So in 1945-1947 the Hungarian police organization, strategy and tactics were directly linked to the Communist Party. As soon as totalitarian system was established, the main bulk of public order policing was brought from the "normal" police to a special political police, Államvédelmi Hatóság, AVH, enjoying all power of Nazi Gestapo or Soviet KGB authority (Szakács, Zinner 1997; Kahler, Kiss 1997). "Normal" police was seen by them as a subordinate organ, AVH officers and Soviet "experts" supervised and instructed the work of police (Kopácsi 1989: 57-94). The police strategy and tactics aimed to "annihilate the enemies of the people" who may "disturb" the new political order. Mainly pure military techniques were developed to disturb any type of non-conventional official public gathering. Crowd management was planned just for the official marches and gatherings expressing system-conform beliefs and goals, the First May Parades and other commemorative or declarative events. Regarding the crude and transparent forms of repression, during this period neither the military preventive tactics have been used, nor much skill and experience was gathered with demonstrating masses. The official gatherings were so well disciplined, that only marginal problems related to drunkenness or traffic problems made communist police to think about it.

The 1956 revolution was a sudden and big challenge to the Hungarian police forces to which they were not prepared to respond in any way. When on

October 23, 1956 a semi-official solidarity march with the Polish Revolution transformed into a rebellion with street fighting, the police forces were not able to react. Sándor Kopácsi, the head of the Budapest Police at that time, remembers the crisis meeting with the Minister of Interior, the Soviet experts and police leaders saying about the training and equipment of Hungarian communist police: *"To prevent or disperse a demonstration we need adequate equipment. Before the war, the Horthy-police had batons. We do not have it. They had swords too. We do not have it. Police on horses could disperse the crowd. We just started with the training of police with horses. Our firemen are not trained to use water pipes against crowd. We do have just weapons, as handguns, rifle and machine guns (Kopácsi 1989: 97)."*

According to Kopácsi, the discussion about possible dispersing methods was just about whether to use or not the guns against the crowd. Another source, the edition of the papers of the Ministry of Interior from 1956 stated: *"The police personnel were not trained for public order policing"* (Kajári 1996: vol. 1. XVIII). During the revolution the police forces either supported the revolutionaries - as Kopácsi himself - or used their weapons against the crowds with the AVH and the military forces. Proper demonstration management did not occur in the revolution.

After 4th of November 1956 re-established communist power did not trust the police, because many of the officers supported the revolution. On the other hand, they did not want to re-establish the political police, AVH, which was loyal to the regime, but hated by the whole society, and one of the main demands of the revolution was to abolish it (Kajári 1996: vol. 1. XIX-XXIII). The solution of this dilemma was to establish a special armed force unit, *karhatalom* which was both part of the police and of the military forces, equipped and trained to fight political enemies of the party with violence. Special units within the army and the police were called *karhatalmi ezred*, special force unit. Their main activity was to act against the remnants of the revolution and any new political challengers with the means of public order policing.

Their tasks were clearly defined in the document¹⁾ issued by the Ministry of Interior in 1957 "Transitory manual to train special force units within the police". The 80 pages document defines among the merits of the members of the special forces, that they *"hotly hate the enemies of our People's republic and fight them grimly"* (p. 3) and one of their other virtues is *"very deep knowledge of shotgun and the use of it"*. The task of the units is *"the keeping of internal order against all attacks of the enemies"* (p. 4) both of internal and of external. The tactics described and regulated are of pure military character, giving a blueprint for how to fight the enemies of the People's republic.

1) The chapter is based on historical documents and archives of Ministry of Interior, Police Headquarter, „Historical Office”, Torténeti Hivatal (similar to German Gauck-Behörde) and interviews conducted with senior police officers during 1995-1998 following a questionnaire of Dominique Wisler. The research is a part of the joint project of the University Geneva, D. Wisler and the University ELTE, Budapest, M. Szabó on protest policing in Switzerland and in Hungary.

1) (Ideiglenes segédlet a belügyminisztérium ORFK rendőri karhatalom karhatalmi kiképzésének végrehajtásához Belügyminisztérium 1957.)

The Kadar's regime consolidated very fast, after the harsh repression in the beginnings. The regime incorporated some of the demands of the Revolution, for example the dissolution of AVH, more respect for the rule of law, etc. The police used "softer" methods against the diminishing resistance of the society against the new regime. So in 1957 the baton was introduced as the common equipment of Hungarian policemen substituting the purely military equipment of the pre-1956 period (Kajári 1996: vol.1, 35). The resistance weakened by the economic consolidation, the harsh repression and the mass emigration/exile did not provoke bigger policing problems for a long time after 1957 (Ekiert 1996: 99-121). Another diminishing factor for the role of the public order policing was the building up of a nationwide system of informants connected to the special political policing unit. This unit was called the preventive state security department, the III/III within the police and the Ministry of Interior. It helped in an efficient prevention of unofficial public gatherings (Kenedi 1996).

At the beginning of the 70's, the liberalization attempt in the communist countries reached Hungary, too. New ways of expressing non-conventional opinion developed in culture and in the society in the different trends of youth culture and movements oriented to Western models. The rock concerts, the non-conventional youth behaviour influenced by Western patterns appeared also in the new waves of public gatherings. The concerts and the unofficial commemorative meetings of the youngsters on 15th March, anniversary of the Hungarian revolution of 1848 - for many the symbol of the strictly forbidden and tabooed 1956 - were a new challenge for the police forces (Kenedi 1996: vol. 2, 8-159). The police was not enough to treat the new forms of youth protests, so a new paramilitary organ, the "youth guard" was established, related to the Communist Youth Organization (*Kommunista Ifjúsági Szövetség, KISZ*) the only official political and social organization of youngsters after 1956. The guard had to separate the official youth gatherings from the "disorderly elements" to keep order in case of emergency also with batons. However, its members were "normal" members of CYO, wearing uniform and baton only in service for special events.

A co-ordinated action campaign of police and of the secret political police, the "Department III/III" within the Ministry of Interior was launched against the politically minded demonstrators of the "youth gatherings on the 15th of March". The campaign is well documented in the published materials of the Ministry of Interior, so interplay of public and coercive and of secret informative/coercive tactics can be observed in the police strategy (Kenedi 1996). In the case of participants of these gatherings, police action repertoire included identification, arrest followed later by observation and information gathering on the person by secret agents. There are formalized and legalized sanctions too, but the dominant strategy is the use of informal influence on the social surrounding of the protesters, through parents, teachers, or working place and military service, and to push them to be loyal and finish oppositional contacts and activities.

The task of the "normal" police was to observe and dissolve protesting groups, provide personal information for the political police. This started to work in the milieu of the protesters to dissolve the group, and to separate the protesters. Secret police tried to gain new collaborators among them, or to isolate them and give the way to informal (as prohibited entrance to university, or/and early recruitment to military service, no permit for travels abroad) and/or formal sanctions (arrest, hearings, compulsory duty to appear at police, prison). The regime wanted to avoid trials, not to make young protesters well known oppositionals with higher prestige as victims of harsh repression. The very tough legal and administrative sanctions of a communist system to punish protesters were not used in its full force. The "soft" strategy was also based on the widely consolidated and passive civil society, which was different from the Polish one supporting Solidarity and workers resistance on the mass level. Hungarian society was satisfied with the "small freedoms" provided in the Kadar's regime for small business, travel abroad, access to Western cultural goods etc. and did not back the small group protests of young intellectuals or of workers.

Hungarian police was not used or very rarely and only against small groups of demonstrators during the seventies. Because the extended system of information and of manipulation of the police with so called "operative", secret methods, there were only few and small gatherings. In the beginning of the decade the first manual for public order policing was published systematically regulating police tactics against demonstrations and in case of official mass gatherings.

The document¹⁾ "The forms and rules of police in case of group figures and of special force tasks" is very different from the previous document from 1957 mentioned above. Then a "counterrevolutionary rhetoric", now a "sober professionalism" characterized the style of the text. "Legality" as ultimate virtue was mentioned in 1957 too, but without mentioning any institutional rules or controlling hierarchies for special cases. In 1971, the general rule was that "police behaviour has to meet laws and orders of the People's Republic" (p. 203). In 1970 the manual for police action was backed by a constitutional reform from 1970, and by many new legal norms related to the Ministry of Interior and the armed forces. However, the validity of this "new legalism" is restricted in the established authoritarian system of Kadar, too. The ultimate norm is the "order of the higher authority", which has to be "fully realized", but the "legal restrictions" are also mentioned (p. 203.). Later, it will be clearly stated that members of the intervening units are only subordinated to the orders of their superior officer (p. 185). The formula "Coercive measures have to be used in such ways that no material, personal or moral injury is caused to a third person, only to the person under the police procedure" (p.202) shows that the police action with special tasks took place in a consolidated environment, compared to the

1) (A rendőrség alaki-karhatalmi szabályzata. Belügyminisztérium 10-1824/1970)

situation of 1957. The manual makes a difference between weapons (handgun, machine gun, rifle etc.) and equipment (as baton, dogs, shackles). The "counter-revolutionary cult" of the guns from 1957 was over in 1970, as the special tasks units from 1957 as separate organizations, and their remnants are later in 1970 fully integrated into the police as *készletrendőrség* - *Bereitschaftspolizei* (Kajári 1996: vol.1, XXIIp). The use of weapons and of "softer" means (baton, dog etc.) against crowds is regulated by the document to disperse resisting crowds. The use of weapons is "extraordinary mean" for "realizing legality and prevent public order" (p. 148). To secure public gatherings, the responsible officer has to make a plan in advance, using the suggested tactics by the manual, and in the case of emergency to ask the crowd for peace or disperse. If they are not willing to do so, then order to use means of policing (pp. 163-175). The goals of the techniques are to prevent the crowd to enter certain institutions or places, to disperse them etc.

A special chapter (5.) is devoted to the "special tasks" (pp. 183-201) giving more detailed instructions, what to do in case of dispersing crowds (*tomegosztás*). A differentiation is given between "peaceful" crowd, "hostile but unarmed" crowd and of "hostile and armed" crowd (p. 183). Dispersing "peaceful" crowds, is mainly based on the announcement of the head of intervening police unit to disperse, and on the presence of police forces. The unarmed but hostile crowd is defined with political characters "aiming to weaken the socialist social structure, diminish its authority and prestige, against the leaders of state and party" (p. 184), and its existence threatens public order. So "it has to be dispersed with quick and resolute measures" and the "troublemakers" have to be captured and identified. The third type, the fighting crowd had to be dealt with also with weapons, and its armed members had to be annihilated, or captured, using the "methods of street fighting" (p. 184). The unofficial demonstration is included in the second category of "hostile and unarmed". First category includes cultural or sport event disturbing public order, and the third street fighting, civil war, revolution. For all cases the general rule is to avoid the use of the means of coercion and the use of weapons. The order of dispersion had to be announced at least twice by the responsible officer, threatening the crowd with the use of the means of coercion - except, if the armed crowd may damage police forces, or if it is dangerous for the public (p. 184-185). To disperse peaceful crowds it is enough to use the means of body coercion, but against hostile crowds the use of different technical means from water pipes to shotguns and tear gas is recommended. Horsed police can use swords. "Police forces have to try to prevent the gatherings with hostile political attitude, and intervene in the early phase prohibiting the extension, by dispersing small groups, closing public spaces" (p. 185). This general order of the police to disperse all unofficial public gatherings excluded the appearance of the legal and institutional demonstrations in Hungary by law until they were legalized in 1989.

However, the problems with spontaneous gatherings on the 15th of March resulted in the preparation of a Special manual for dispersing crowds in 1973¹⁾ which gave detailed instructions for organizing the dispersion of crowds. It states that "Our social system is stable, there is peace and order in the country" (p. 5). However there are still problems: "the urban and other settlement concentration of modern societies, the cultural and the sport activities, entertainment and the political activities of masses" may result in situations when masses break the law. Such situation has to be solved "by using special force tactics in group of police forces, and disperse crowds" (p. 5) The Political Committee of the Communist Party initiated at the Committee of Defence of the Party a resolution from 06.05.1971, which states "special force tasks has to be solved by all armed organizations of our people's republic together" (p. 5). The dispersion of crowds may be a task because of natural disasters or when the behaviour of the crowd "is against the political and social order, and threatens public order and legality" (p. 5). There are some frequent forms of crowd behaviour listed as reason for dispersion:

- non-permitted gatherings, marches with bigger number of participants
- permitted march and gathering, which threat public order and legality
- political, cultural or sport event breaking the law
- strikes, or other hostile group activities against the production process (p. 8).

Dispersion of crowd had to be undertaken in the case if the established political organs as parliament, party, youth organization, trade unions are not able any more to influence the crowd behaviour to stop disobedience (p. 8). The goal of dispersing crowd is to:

- keep safety, public order
- enforce laws
- secure the realization of authorities instructions
- secure safety on mass gatherings
- protect persons
- move blockades, solve problems related to crowd behaviour.

"The dispersion of crowds should not go beyond these goals. It has to be finished if they are reached. The dispersion of crowd is not a reprisal." (p. 8) With this taxonomy of goals, and with the emphasis on the restricted, and non-sanction character of the dispersion of crowds, the new manual is getting rid from the "revenge -spirit" of the 1957 special task force manual. The exceptional and restricted character of the dispersion is clearly put in the forefront.

The techniques and group tactics of the dispersion are described and analyzed in length (pp. 10-20). The use of shotguns is considered a rare and exceptional element of the strategy. In practice police did not use that against crowd

1) A tomegosztás elvei és gyakorlati kérdései 13-18/46/73. BM

since 1957. Water pipes and tear gas were never used against demonstrating crowds in Hungary.

The general process of dispersing is planned on an optimal basis of ten times proportion. A crowd with 1000 person had to be treated by police unit of 100 policemen (p. 9). As in the 1971 manual, all means of police coercion should be used after two announcements of order on disperse or mentioning the threat police action. In the proposed text the possibility of the use of weapons in case of resistance is a bit stronger, than in the 1970 manual, may be based on the frequency of spontaneous demonstrations on 15th Marches between 1971-1973.

In case of resistance, the scale of the use of the means of coercion is as follows "baton, sticks, tear gas, water pipe and in extreme cases shotguns" (p. 15). Ammunition and shells should not be taken with the police forces operating in the field, only if there are no doubts that they will be needed. This means, in all cases without any exclusion, police was equipped with ammunition and shells. The use of gun starts with a shot in the air, later followed by shots at armed persons, leaders and trouble-makers (p. 15). Shots should be concentrated on the below parts of the body. "*Children, pregnant women and persons who may support us*" should be protected in the case of the use of gun (p. 15). The manual is making a detailed prescription about how leadership should plan, provide and report the intervention for dispersion (pp. 16-20). An "unconditional discipline" is requested from all participants of the intervention to the higher commander, so reference to general ethical and legal norms in the case of disobedience of police personnel is not mentioned (p. 16). "*Dispersion of crowd may be undertaken based upon the orders of the Minister of Interior, deputy Minister of Interior, and Head of Police or by the leader they ordered for this task*" (p. 14). The very top of the "security nomenclatura" seems to include three persons in the Hungarian communist regime according this document.

However, all testimonies of demonstrations in the Kádár's era by political elite state that the top of the communist party elite, the Politbureau discussed and decided on interventions and strategic rules handling unofficial political activities (Csizmadia 1995). Minister of interior who was a part of the highest nomenclatura, had an important executive task, but no political function, meaning elaborating general rules for the "war" against political enemies. Within the ministry of interior existing "political policing units" had the main task to gather information on oppositional activities and propose policies how to fight them directly to the responsible organs of the central committee, the departments for administrative tasks and for mass propaganda. The documentation of the state security discourse shows following. The highest party functionaries, a circle of 8-15 persons received and discussed very detailed information gathered by the political police. These contain information on oppositional activities and based on their opinion, certain general rules were developed - all secret, of course, at that time, as almost all of our documents reviewed here. These were

the so called "principles" (irányelvek) for the policy towards the opposition, which were distributed in a certain circle of governmental and party hierarchy, the lower nomenclatura, which had to make use of them in their daily work (as firing somebody, rejecting demands etc.). So, there was some top political discourse, where "hardliners" and "softliners" differentiated according to their toughness in realizing the communist power monopoly. The division was there since 1957 at the top of the Hungarian Socialist Workers Party (Sipos 1993). One of the main persons of the "softliners" was György Aczél, the responsible politician for culture and education in the central committee, who had some influence on Kádár. The impact of Aczél was, as far as one is able to reconstruct these matters (Révész), that the issue of "oppositional activities" were in Hungary looked at as a matter of culture and education, of propaganda, and less as a policing task both in security and public order sense. The Party was "patient" to the regime opponents if they did not have mass influence.

However, the style of the 1973 document is tougher than of the one from 1970. The difference is based on the transitory victory of the enemies of the social and political reforms within the Hungarian party elite. Bearing in mind the long preparatory periods for such documents, the 1970 one is based on the full bloom reform times, which were blocked later. The 1973 one is a product of the times, when the influence of Aczél and of others for "softer" principles was weakened, and the "hardliner" lobby was getting more influence at the top of the party. But the 1973 document is not going back to the spirit of 1957.

The strategy of Hungarian opposition does not resemble the Polish one, with mass mobilizations through Church, in the factories and of peasants. In Hungary, a white-collar "intelligentsia" type of protest diffuse, which did not meet the police tactics of dispersion of crowds (Csizmadia 1995: 141-318). Critical intellectuals organized seminars, conferences, published "samizdat", but there were no mass gatherings to dissolve by public order policing methods. However, the challenge of the Polish crisis was taken seriously in all countries of the Soviet bloc. There were new supports for the "hardliners", for more administrative sanctions against regime critique. In fact Hungarian protesters had contacts with Polish Solidarity and looked at the Polish Solidarity as a model but not functioning in Hungary. According to testimonies, there was an immense technical development of the means of coercion of the police forces based on the Polish crisis in Hungary, and probably in all countries of the Soviet bloc in the beginning of 80's. The equipment of the Hungarian police was renewed, and modernized for such tasks, and a new manual for "Group force solving special tasks" issued by the Ministry of Interior¹⁾ gave new instructions for dispersing mass gatherings - but there was no need of it, the Polish protest wave did not spread in Hungary, as in 1956.

1) (Segédlet a csapaterovel megoldandó feladatok végrehajtására 10-37/4/1982. BM. 1983.)

The document lists which forces the police may depend on in case of special task force demand:

- a/ the two thirds of the own personnel
- b/ the Revolutionary Division of the Ministry of Interior¹⁾
- c/ forces of the Workers Guard (established in 1957 as paramilitary organ of the party)
- d/ if there is a need for more forces beyond the ones of the Ministry of Interior and of the Workers Guard, the Hungarian People's Army (p. 9).

The permits and the co-ordination for the use of the different armed forces are regulated in detail (p. 10-12). As special weapons there are heavy machine guns mentioned used only with special permit of the Ministry of Interior, and specialized armed vehicles which were given to the Ministry of Interior under the shadow of the Solidarity revolution (p. 11-12). There are rules developed for occasional and stable co-ordination of armed forces to perform special tasks. The document has a clear military character, speaks the military language, and defines "special tasks force" as "fighting unit" (p. 21-23) a certain step back from a higher and modernized technical level towards the style of the 1957 documents. The vocabulary "counterrevolutionary rebels" comes up again after a long break since 1957, and there is a special chapter devoted to "Annihilating counterrevolutionary groups of rebels" (p. 37-45) which has to be met with "operating fighting units" including police, workers guard and military.

Looking back from the perspective of the aftermath of 1989, it seems inadequate in the beginning of the eighties to extend the armed forces co-operation against its own people, and make detailed plans for a violent intervention against mass demonstrations and strikes. But before glasnost and perestroika started, and later excluded the military options for consolidating communist regime crises, the "hardliners" in the old Communist elite were prepared to keep their power by military forces. This was the Soviet blueprint from 1953 GDR, 1956 Hungary, 1968 Czechoslovakia and especially from 1981 Poland (Ekiert 1996). The 1983 manual for special tasks force policing is a document of this, for that time very serious policy. The political elite planned to use the Hungarian police forces as a part of integrated armed forces strategy in a case of emergency against their own society (p. 16).

As a background reading and understanding of the spirit of the document today we have to bear in mind the Polish army coup d'état, which prevented Poland from a Soviet military intervention by the intervention of the own armed forces against the Solidarity. Hungarian "hardliners" seemed to be prepared for such an intervention, but there was no need. The democratic transformation was managed in a peaceful way.

1) In 1975 under this name was integrated into the police the special tasks force (formed 1957) and the frontier guard of the Ministry of Interior upon special order.

1.3 Perestroika in Hungarian Protest Policing 1985-1989

"After two-three years the Hungarian demonstration wave looks like a rock-and-roll party. In Hungary-although sometimes the rhythm was given by batons - police did not intervene with tear gas, or with water pipes, nobody was killed, and they did not shoot into the crowd. In Hungary the demonstrators were more patient and the police hesitated to (use violence), compared other communist countries" wrote Zoltán Rockenbauer (1992: 545), an activist of the political party FIDESZ which was the most active one in protest actions in 1988-1991. The Hungarian transition towards democracy was peaceful, through negotiating (Linz, Stepan, 1992: 293-316). There were no violent demonstrations, and the police intervened using force rarely. Reminding the 1983 document, describing an extended military-like co-operation in a case of political protest, this fact seems to be a contradiction to the valid instructions of the police dispersing crowds. We may explain it in many ways.

a/ **Hardliners and softliners among the old elite.** The Hungarian political system in the mid-eighties, especially as the Soviet perestroika showed its potential of democratization transparently went through a liberalization process producing a sharp division between the hardliners and the softliners of the old communist elite (Tokés 1998: 223: 316). The camp within the communist party which supported liberalization used its power to open up new political space for the forces of civil society to participate in public life in order to strengthen their own position against the hardliners. The key figure of this interplay between reform minded communists following the new Moscow line, and the "alternative" forces of the civil society was Imre Pozsgay. He declared at the beginning of 1989 the 1956 "counterrevolution" to a "people's uprising" delegitimizing the Kádár's regime, which considered itself to be a "revolutionary government" against the "counterrevolution" (Pozsgay 1993). Pozsgay had allies within the Ministry of Justice and Ministry of Interior, and also probably within police and state security organs, at least according to the memoirs of the last head of the III/III. department, József Horváth (1991). Passive behaviour of police and of state security is explained partly by the existence of the reform-minded cadres within these institutions, which supported a controlled democratization and were aware of the problems and the conflicts of the old system. Similar "alliances for change" within state security organs can be traced in other democratizing authoritarian or post-totalitarian regimes in the army, police, and state securities, too. The reform minded leadership supported and tolerated some of the unofficial public gatherings, so police had to start learning the real "demonstration management" in practice.

b/ **Police traditions of the communist times in Hungary.** After the defeat of the 1956 revolution, an interesting and unique development within the Eastern bloc occurred in Hungary. The new head of the re-established communist power structure, János Kádár was a Minister of Interior during the Stalinist regime, but later he himself became a victim of his own apparatus in one of the political trials. Coming to power, Kádár reduced and dissolved the power of former Hungarian KGB, and established a department for political police within the Ministry of Interior, with much less power and resources, than in the former regime or in other contemporary communist countries. This so-called "Department of III per 3." was responsible for facing political protest in the Kádárist regime, and "normal" police served only on request. As a consequence, when in 1990 the department has been dissolved, "normal" police felt to be released from all sins committed during communist times against oppositions, and blamed the political officers for all violence and repression. The department played a certain "scapegoat" function in this process, made responsible for everything done by police during the authoritarian regime.

c/ **Absence of strong violence from both sides from the beginnings.** „A good beginning is the half of the battle“, proverb says, relevant for the beginnings of public order policing in Hungary. New demonstrations started in 1988 under the raising star of Soviet democratization, followed by some powerful members and groups of the Hungarian party elite. The practice of preliminary bargaining, and co-operation between the protesters and the police emerged in the days of transformation before the legal and constitutional framework for the freedom of assembling was set up. The latecomers had an advantage in the sense that the public order policing in Hungary followed rather relaxed strategic patterns of public order policing in the Western democracies exercised at the end of the eighties (della Porta 1996: 62-93). All police officers interviewed in 1995 visited at least twice Western police institutions to study also demonstrations policing (Bendzsák 1996: 59-70). So both the internal and external conditions were favourable for a softer attitude, and the diffusion processes. The exchange and co-operation with Western, mostly European colleagues helped faster development of a professionalized and non-confrontational practice in policing mass demonstrations in Hungary.

d/ **Changing political opportunities and control.** The common methods of the police were to try to convince the organizers about the meaninglessness of their demonstration activities, to make them to withdraw appeals, and if it did not work, then "normal" police forces were used to dissolve the demonstrations. As the democratization reached Hungary, the state security organs rapidly changed their attitudes, and when they were not able to prevent the demonstrations, they reduced their tasks to prevent "too hostile" articulations. There was a shift already in 1988 in understanding of the work of state security from preventing all types of non-communist activities to prevent the

"hostile" ones threatening public order. However, there is a mixture between the old type of preventive and the new type of selective socio-political control (Raschke 1985: 354-359). There were demonstrations dissolved as "hostile ones", considered politically very dangerous, and others, as the environmental ones supervised without any intervention, because they were less or "not entirely" hostile to the socialist system and the public order. These inconsistencies, and the lack of regulation what may be done and what not during demonstrations, made the "normal" police hesitant, confused, and even fraternizing in some cases with the demonstrating groups.

Police officers spoke about their experience during the transformation periods with mass demonstrations in our interviews conducted in 1995. These demonstrations were partly dispersed, partly managed by them, according to the actual political will of the party, dominated either by the hardliners or the softliners. Mihály Vorosmarty, head of the Budapest „Bereitchaftspolizei“ during the eighties remembers: "Before 1989, until 1985, the instructions were very clear, what police had to do with a particular mass demonstration. These instructions came always from the Central Committee, or from the Political Committee (of Hungarian Workers Party), the Minister of Interior did not belong as much to the government, but rather to the Central Committee of the Party. These decisions were made always in the central apparatuses of the Party. I assume that members of the government who were not members of the Central Committee were not included in this process at all. I remember that before a demonstration with bigger political relevance we always expected the instructions from the Politbureau on our strategy. The police leaders received the order from the Ministry of Interior, and from the National Headquarter of the Police. These orders and instructions were very clear at the beginning of the eighties. Later they became more and more diffuse. The political leadership had more and more respect for the legality. At the end of the eighties political leaders were not any more ready to be responsible for the consequences, and police was set free to solve the problems on its own (Szikinger 1996: 140 - 141)." Looking back, police officers interpret their role as a "puffer zone" between the emerging new political groupings and the old elite in internal conflicts. According to other officers interviewed about demonstrations in 1988-1989, they did not remember "any special problems". "The leadership of oppositional parties became partners, meeting with police leaders before the events. They discussed the possible problems, and worked together with police to eliminate any danger. There were very rarely any violent events" (Butsy Krizstina Interview 27.9.1995: 1-2). According to another officer "we had always contact and communication with the organizers, we talked the event through and they accepted our views. I think in the Eastern bloc we were the only country where there was no bigger clash between police and demonstrators. We were avoiding that with by common will, and we solved this problem together with the organizers. We had no confrontation with the masses. If the state security intervened they

did it on their own. There were some arrests, identifications and some personal/bodily coercion against a couple of people" (Butsy Krizstina Interview 7.9.1995: 1-7).

The picture looks less rosy from the point of view of the demonstrators, as László Szekeres (1989: 351-360), an activist of an early protest group described it. First the organizers were invited to the police office, where restrictions on the planned route of the demonstration were demanded because of the traffic security. Then the police asked either to pay for the police attendance or to strictly respect all traffic regulation, which was impossible. The first meeting ended up without agreement. The demonstration with 5000 participants against the Hungarian-Czechoslovak Danube dam on 27.05.88 was held under the control of police in plain clothes. However on the occasion of the 16.06.88 (1956 Revolution) a memorial protest was dispersed by the police using "cordon, baton and tear gas". The next big demonstration was organized on 27.06.88 against the policy of Ceausescu in Romania towards the Hungarian minority. The demonstration with about 150 000 participants enjoyed the support of the softies of Hungarian leadership, which had conflicts with Ceausescu.

- e/ **The political and legal space of demonstrations, and the legalized political control of police.** The year 1988 was a typical transitory period, when elements of the old and new regime coexisted in some way. Although the old communist regulations on prohibiting demonstrations were still valid, the political elite began to follow the liberal line of Gorbachev, and put old political taboos aside. As a consequence, different political and social groupings articulated their demands in petitions, demonstrations and strikes, which were secured and attended by police forces without violent interventions and repression. There were no legal regulations in Hungary that time of the rights and duties of police and demonstrators, so in informal "face to face" agreements and proceedings compromises have been reached between police and groups of civil society.

The situation around demonstrations in 1988 did not fit at all the routine of police behaviour following written norms or clear-cut orders. The political leadership intervened in all cases through the state security organs, and gave different strategies to different cases. There were demonstrations with police attendance and help, and there were the ones where police used the means of coercion according to the communist manuals. "Good" and "bad" demonstrators were defined according to the constantly changing political atmosphere and the criteria's of the actually more powerful hard- or soft-lines of the party elite. This situation had to be met with a new legal regulation of the gatherings in public spaces.

In the beginning of 1989, the law on gatherings/demonstrations/ has been passed (A gyűlékezési jogról, 1989/III). Framework of organizing demonstrations in Hungary was normatively regulated. Police has a restricted legal

space to reject some applications, based on inadequate traffic turbulence, keeping public order, and securing the functioning of parliament and jury, but there is a short time for judicial review of the police decision. Police action is meant to secure public order and not to restrict freedom of gathering and expression. From this point, the practice and problems of policing mass demonstrations in Hungary are similar to the Western democracies.

The right of assembling in Hungary was institutionalized in a way, which shows the very character of the transitory period, the coexistence and conflict between old and new politics. On the other hand, this regulation has been valid without main alterations until now, and determined the way how police handled demonstrations, and how demonstrations were interacting with the police, giving legal frames for the interaction process between protesters and police. During the transitory year 1988, the Ministry of Justice started to prepare a bill to regulate rights and duties of demonstrators, and the role of the police to secure them and the internal and external conditions made it possible to the public to participate in the preparatory work. A typical Communist type legal institution, the so-called "popular preparatory discussion of bills" was used for the first and last time in Hungary in its "real" meaning. Citizens and groups of citizens articulated their demands on the bill in preparation independently from the ruling party elite.

What were the main changes the proposal "suffered" from by the popular participation? The original official proposal demanded, that police "permits" a gathering, meanwhile in the new law police "registers" the coming demonstration. In the official version, there was a wide range of limitations based on general paragraphs for forbidding of a demonstration. In the text passed, there are no other reasons for rejecting a registration as unproportional intervention in traffic, or endangering the activities of parliament and jury, and breaking existing law and constitution. Only Hungarian citizens and organizations registered in Hungary are allowed to organize a demonstration in the country. The organizers have to announce the place, route, reason of demonstration and the estimated number of participants within 72 hours before the action takes place to the police. Police may reject to register it for above reasons but there is a 24 hours judiciary control in such case, which results in a final decision, obligatory for police and demonstrators.

The political control of the police by the Communist party in the time the law was passed imposed certain compromises according to István Szikinger, which should be reviewed in the text still valid up to now. "At the time of adoption of the Act police still exercised enormous power and discretion under the influence of the communist party. However, other organs that could have been the addressees of the mentioned communication, were not free from direct party political interests. The relatively short time for any decision together with the undisputed public security character of the problem spoke for the police. Finally, a very contradictory compromise has been laid down in the Act. According

to that police, although being responsible for keeping assemblies within the limits of law, has practically no scope for deliberation, discretion in their decision-making" (Szikinger 1996b: 46).

- f) **The defeat of hardliners and state security organs by the new political forces.** We should not imagine that Hungarian police fully followed the "softliners" of the party elite and all policemen fraternized with the new demonstrating civic groups. Hardline attitudes in a military-like body are very likely to occur. Parts of the police leadership tried to break and resist the implementation of new norms on protest policing. In a methodological manual for dispersing crowds from 1989, issued after the new law of gathering was accepted by the parliament, we find peculiar, and unlawful distinction of the types of demonstrators according to their political views, which is certainly contradictory to the new legal framework of neutral policing. Document *Dispersion of Crowds*¹⁾ stated: "Our parliament accepted in January... the law on gathering 1989/III. With this law new hindrances to realize a Socialist democracy were abolished. More cultivated groups of our society participate actively in this free social climate in the public life. But the majority of our society is shocked by these changes. They do not understand the transformation, which they suffer from passively. The third group of our society - their number is low, but their voice is loud and aggressive - has a negative attitude towards the socialist development, and to the processes of reforms and the national consent. This is the part of the opposition that rejects our social system. Its goals are the same since 1945, only its means and methods changed... These groups try to mobilize the masses with their demagogy... The rights and obligations for the state, social groups and the individuals have changed. This process has to be controlled evolution, but not a revolution which produces the renewal of the Socialist system, but not its transformation or change..." (p. 1-2.)

The rhetoric of this text is a conservative one, and excludes the qualitative social transformation by active participation of the citizens. The document stresses the limits of the freedom of gathering, not only as the maintenance of public order and legality, but also of a peculiar type of social system, the existing socialist one. "Enemies of socialism" are considered to be dangerous to public life. The document stresses the responsibility of police leaders to disperse crowds in a legal way, and shows examples from the praxis of West Germany. "If the situation makes it necessary, we have to defend the order with violence and prohibit to disturb the public order. If there is a critical situation, and the conditions to disperse crowds are there, the leader with authority has to decide with political responsibility how to disperse the crowd." The political type of the responsibility delegated to a civil servant shows, how the dissolution of former political control of police is reflected: the police leader himself has a political responsibility to decide on the dispersion of the

crowd dangerous for the Socialist system. The police nomenclatura, and especially of the Ministry of Interior highly intertwined with the top party leadership tried to reduce the right of gathering within the preparation of the Ministry of Interior of the special order to implement the 1989/III law on gathering.

The attempts of the hardliners of the Ministry of Interior to stop and control the democratic transformation were broken in January 1990 after the so-called "Duna-gate" scandal. It was made public, that the secret service is gathering information with operative methods about the new political organizations, which participate in the campaign. As a result, the department for political issues of the Ministry of Interior, the feared and hated "Department III/III." was dissolved and the Minister of Interior of the last Communist government had to resign, although he himself was dedicated to the "softer" communist line (Horváth 1991).

2. Experiences with the Demonstrations and its Policing after 1989

2.1 Main Conflicts

There are different dangers for the freedom of demonstration in established democracies too, not speaking about fragile and new democratic systems like the Hungarian one. Police violence, aggressively acting demonstrators, manipulations of different political forces may endanger public order and freedom of demonstration provided by law. Following events, groups, trends endangered demonstration freedom, or misused it between 1989 and 1996 in Hungary.

- a) **Taxi driver blockade in October 1990**, when masses supported protests disregarding law on assembly and committing crimes. Police did not enforce law in this situation. Discussions about police strategy by leading politicians led to an ambivalent situation, when police had no clear commands, and just performed the role of a neutral peace keeping force on the barricades between demonstrators and counterprotestors. A public discourse of the role of the mass media, police and legality, and civil disobedience as a follow up of the huge protest event started. Participants were released from any legal consequences and sanctions by a political compromise concluding the crisis, and a law on mercy was passed in 1991 (A közkegyelemről 1991/V.). Police prepared an internal order how to handle vehicle blockades in future, but there was no other protest event of such scale since.
- b) **Offence against the President Árpád Göncz** by groups of skinheads during the state celebration on 23.10.93. Police did not act, to protect the president. Allegations on disciplinary problems and political influences in police and security organs were inquired by a parliamentary committee, report unpub-

1) „Tomegcsúsztatás. BM Továbbképző és Módszertani Intézet 226-102/40/1989

lished. The event was preceded by an institutional and power conflict between Prime Minister Antall and the President. Allegations about possible governmental push on police and security organs to blame the President through a political scandal were made because of this existing conflict.

- c/ „Ethnic“ conflicts between Gypsies and skinheads in Budapest and in rural Hungary. Police tried to behave as peace-keeping force, but it was accused of racist prejudice by the liberal public. An internal order was prepared to all policemen in 1993, how to handle skinheads in public order policing. The penalty code regarding racist violence and offence was strengthened in 1996.
- d/ **Smaller illegal traffic blockades** by protest groups with assistance or non intervention of police forces in order to avoid escalation of violence, but limiting the space and time of the illegal traffic blockades (1993 Budapest, at Városliget on Earth Day, and at the Bocskai street school demonstration).
- e/ **Aggressive and prohibited gatherings and protests of Right wing and Left wing groupings**, where police has the task to implement the law passed in 1993 against the public and political use of defined totalitarian, fascist and communist symbols, like red star, swastika etc. Demonstrations of groups using these symbols are rejected/prohibited and their assemblies are dissolved.
- f/ **Terrorism**. There was a series of bombing and bomb threats in Hungary, but political motives and goals were not attributed to them. There were no terrorist groups established and no political demands declared. A series of anonymous bomb threats were aimed also against different public institutions since 1989, but none of them has been connected to public protest issues. If we understand political protest as an activity related to publicly articulated goals and demands, addressing relevant groups and institutions, then the bombings without articulated demands, and the anonymous bomb threats should not be interpreted as protests, and the police activities related to them not as protest policing.
- g/ **Illegal and violent protests of foreign actors**. Some attacks against diplomats or foreign citizens in transit, as consequence of violent international conflicts (Arab and Israeli, Turkish and Kurd conflict) happened in Hungary. Hungarian police has a function to uphold public order in such situation, too. There is a growing tendency among, for example, illegal migrants in transitory camps, or professional drivers to express their demands in a form of aggressive, illegal protests using violence against objects, by hunger strikes, vehicle blockades or by not paying fees.
- h/ **Mass gatherings accompanied with violence** occur during some of the football matches and pop concerts. Police acts as peace-keeping force. Its intervention in stadium becomes a heated issue of public debate, and there were some disciplinary measures against police officers already taken. Football fans are clashing after the matches on the streets some groups are connected to the right wing skinhead scene. Recently, the use of private guards by foot-

ball clubs and rock bands grows, because the police has been entitled to charge the organizers the costs of intervention, so they diminish the risk by using professional security firms or their own volunteers.

- i/ **Farmers protests**. Farmers in Spring 1997 used legal mass blockades of the half of the motorways. In autumn 1997 they organized an illegal demonstration in front of the Hungarian Parliament which was dissolved with bodily coercion by the police. In the spring 1997, nation-wide traffic blockades were organized against the raising of taxes for agrarian farms. The campaign succeeded without violent conflicts (Table 5.). There was a fair communication between protesters and police. However, radical and right wing agrarians organized a prohibited demonstration on 3.11.97, which was dissolved by police in front of the Hungarian parliament (Table 6). There were harsh legal and political discourse and judiciary processes following the event. The governing Social-Liberal government was accused of misuse of the constitutional order and of suppressing the oppositional voice of the farmers supported by the oppositional right wing parties and their street fighting activists. Although the opposition of the 1997 parliament is now in governmental position, some of the judiciary processes against the participants of the illegal demonstration are not concluded yet in the beginning of 1999. The agrarian demos of 1997 were highly mobilizing events for demonstrators and police (Table 7.). The peaceful character of Hungarian demonstration culture was upheld despite the dissolution of the illegal gathering in November 1997.

2.2 A manual for the praxis and how it is perceived by leading police officers

Mass demonstrations became macrolevel phenomena in Hungary of growing size but upholding their peaceful character according to statistics (Table 4.). In some of the internal police orders and manuals the role and tasks of the protest policing were discussed, based on case studies, giving general rules to police behaviour. A document from 1994 *A rendbiztos* (The counsel of order), written by Mihály Bernáth, a leading public order policing officer, sums up, like a blueprint or a manual, how the officers should prepare a demonstration policing, what should they do during and after the demonstration. The document states that the police officer responsible for the demonstration (*rendbiztos*) has the role of a mediator between the organizers of the demonstration and the higher police authorities commanding the action (Bernáth 1994: 5). Some experts criticize the extremely centralized and militarized police organization in Hungary and stress out that a small group of higher officers decides all relevant issues of the protest policing (Szikinger 1996). The decisions on the technique and strategy of policing have to be prepared in a short period between the registration and the date of protest action. The head of the responsible police authority (county, Budapest, or national) make the main decisions but the offi-

cers in the field have to be able to manage the situation on the ground. The manual did not give a clear answer, who decides in cases of emergency but stresses the subordination of responsible officer (Einsatzleiter) to the higher commanding authorities on county or national level (Bernáth 1994: 5).

The "knowledge of the profile" of the demonstrating organization or group is required from the responsible officer. Character, goals, and mobilization potential of protesting group have to be identified through preparatory investigations. Leadership structures of protesting groups, experiences with their former demonstrations and their capability of "partnership" with the police authorities have to be taken into account, as the "elements of risk for the public order" (Bernáth 1994: 6). It is quite clear from the interviews (Bendzsák 1996/a, 1996/b), that the police in Hungary uses secret informants, and information from the National Security Office to identify potential lawbreakers. This practice was endangered by the intervention of the Ombudsman for the Right on Privacy - new institution in Hungary - László Majtényi who in 1996 requested videotapes taken at gatherings to be annihilated, if no criminal action took place at the gathering. So police is entitled to make videos and photos during demonstrations, but if no crime is committed this documentation should not be stored. Voices from the police leadership criticized this decision. Implementation is not fully controlled by outside observers at all. The importance of preparation, mainly the use of videos and of secret service materials in case of "groups with a risk potential" is stressed out by the interviewed officers. For "normal" demonstrators with clean records police officers see the main problems as technical ones, agreement on routes, traffic problems, quantity and character of police presence, and the calculation of the number of participants.

The police is obliged to help the organizers according to the manual (Bernáth 1994: 8), to introduce them to tasks they have to solve themselves, and what would be done by police forces. A personal communication with the leaders of protesters is explicitly demanded even in the cases of prohibited actions. There should be information given to the leaders of demonstration, what type of illegal actions should not take place, and what their rights and duties are. Empathy, communication abilities are required by the manual for a "well done preparation of demonstration" on behalf of the officers. Those are characterized as "talking policemen". They should communicate with the protesters also on the ground, actively taking part in the demonstration management, if it is needed. Both in the document and in the praxis of demonstrations and other gatherings appears the role of "civil guards" hired or provided by the organizers. Members of private security firms are often recruited from former army or police forces and collaboration between them and the police can be therefore direct and professional.

The use of the techniques of coercion against citizens or their groups is regulated in the Police Act from 1994 (1994/XXXIV.), which demands their "proportional use" as a general rule, and regulate the use of them in detail. It is

especially important for our subject that this law forbids the use of guns against mass gatherings, except for dangerous individuals have to be neutralized as a result of experience of 1956 when armed forces shot demonstrating masses. The use of coercive techniques on mass or medium level during demonstrations was not a practical problem until now in Hungary. Only in sport and cultural events coercive techniques were used to dissolve groups or crowds (Bernáth 1996). In the cases reported or documented as police interventions against demonstrations, the police used force against only small groups within bigger masses (the biggest arrest known in Hungary at a demo was 40 persons). As the manual for the responsible officer (*rendbiztos*), summed up "The safety of mass events is a strategic goal, which contains the elements of securing appropriate conditions, preventing illegal practices, localizing, interrupting, isolating" activities of persons or groups endangering the safety and public order (Bernáth 1994: 6). The use of the sanction of the "arrest", a short term reduction of personal freedom without further consequences seems to be very similar in Hungary in demonstrations, as P. J. Waddington (1994) documented analyzing the protest policing praxis of London Metropolitan police. Arrest is a form of sanction stopping the action dangerous for the public order, but there is no further inquiry or procedure to "punish" the arrested persons, they are set free as soon as the situation they were dangerous for the public order or freedom of demonstration is gone. For example skinheads were arrested on the margin of a bigger Roma demonstration in Eger 1993, to avoid violent clash between them and the demonstrators. The same happened in 1996 with the peace activists blocking the route of a "NATO-express".

The most ambivalent and polarized opinion from the interviews (Bendzsák 1996/a; 1996/b.) was related to the role of the mass media and of the press evaluation of demonstrations and police behaviour during them. Some of the officers evaluated it as neutral or marginal factor for the professional policeman meanwhile others stressed its relevance for their job. Some denied and rejected it as an "alien" force. It is not by chance, that the protest policing manual gives the most detailed rules about relations to press and media. To understand this fact, we have to refer to the role of the mass media in democratization in Hungary. In Hungary, the role of mass media and its political control became a heated issue during the time of the Christian Democratic government. Only the Social Liberal government succeeded to pass a law on media control with the consent of all parliamentary parties. There were spectacular cases, when media "made up" the demonstrations or other protests. A huge scandal occurred, when the television showed a picture of a young right wing activist presumably participating in the skinheads action against the state president during the state celebration on October 23, 1992. The whole team of the daily news was fired, because it was assumed but never really proved that the video has been just later added to the report.

The high sensibility towards media coverage among policemen can be explained by the fact that the problem never existed during communist time because all media were state owned and to give a positive image of the police was obligatory for them. On the other hand, the news media industry in the post-communist Hungary with its unclear and unfinished privatization, with the sharp conflicts about its governmental control in case of broadcast and TV became suddenly an unpredictable and dangerous power for the policemen. This feeling of danger is also based on the experience with crime fighting. Especially tabloid press is interested in "spectacular" findings on crimes, criminals, policemen and orients its news marketing value on them. In many criminal cases tensions emerged between police and justice, and attorneys on one side and news eager journalists on the other side.

The manual for protest policing officers gives a detailed procedure and rules for officers to institutionalize and stabilize their relations to the news media, how to make a press conference after interventions, how to prepare it, what to avoid, and what not to do (Bernáth 1994: 7-9). In Hungary initiatives like "Citizens observe police" are not developed yet. Some civil rights organizations like Helsinki Watch or Amnesty International and especially many organizations for the Rights of Roma are inquiring police interventions, and collect evidence of the misuse of power, cases of illegal coercion but these cases were not related to the protest policing until now.

The duty of the officer responsible for a protest policing action is to prepare the policing by communication and preparatory investigations on the demonstrators. He has to co-operate and communicate with them in a good atmosphere during the whole action, and if „something“ happens, being able to communicate with the mass media in a press conference. The image of „talking policeman“ has to be stressed. All information and action have to be communicated with the higher commanding structure, so the „great communicator“ (Bernáth 1994: 9.) is a mediator within the triangle of police leadership, protesters and mass media.

Who are the politicians deciding on police issues? Where do professional politicians articulate their demands towards protest policing and in what ways? In Hungary there is no local or any direct political control of the police by self government or the parliament institutionalized. Political control is exercised through the Minister of Interior and the state secretaries. Political mediation takes place in the highest ranks of the police hierarchy with the minister and with parliamentary committees. Many officers and experts criticize the discretionary, and elitist ways of political control over police (Szikinger 1992; 1996). Some of them even articulated the demand, that police should be connected by direct and institutionalized ties to local self/governments and decentralized, and demilitarized in that way. However, no real opportunities towards this development seem to exist in the nowadays Hungary. Both Christian democratic and Social Liberal governments kept the centralized and militarized

character of the police organization intact. There are bilateral treaties, co-operation agreements made possible by legislation between the local police and community related though only to special demands of the local communities towards the local police.

On the lower executive levels, police officers do not have any connection to local or party politicians. As a consequence, the image of politicians among officers (Bendzsák 1996/a) is very "dark", as it follows from our interviews. Interviewed officers say that politicians do not have any sense for public order policing at all, and if they intervene, they spoil the job of police on the ground. The same gloomy picture was valid for the politicians of the Communist period, as of the post/Communist ones. The taxi driver blockade could have been solved by police forces, the police officers claim. Only the politics, parliament and government were in crisis, not the police, which could not intervene because of the lack of clearly articulated political will. A high level of professional self-confidence among the officers is in contradiction to the picture of politicians presented as ignorant idiots in the field of public order policing. Popular support is felt to be very strong (Bendzsák 1996/a), the population supports the existing way of protest policing. To the question about differences between the political parties in public order policing, police officers answered that parties are supportive of the police praxis of public order policing.

Similar to Western democracies as documented in many surveys (della Porta, Fillieule, Waddington, McCarthy) in Hungary the mainstream of demonstrators regarded by police officers interviewed as "good guys" dedicated to their protest issues and not being dangerous at all for public order. Police has to and co-operates with them before, during, and after the demonstration. The "bad guys" are mostly identified among the football hooligans connected to skinheads and other young right or left wing extremists, all relevant „risk groups“ for demonstrations. It is relevant to mention that since 1988 there is a nation-wide network of skinheads (Szentő 1988; Sárközi 1994) emerging in the country, their number estimated up to 4000 members by police. 10% of them is active in or supports violence against Roma or non/European minorities. Racist attacks occurred frequently against non-Europeans and Roma by skinheads. These attacks were object of parliamentary hearings when police leaders had to appear at the committee for human rights to answer questions. (Table 3. Figure 2.)

Violence against foreigners decreased after its peak points in 1991-1992, and since then the right wing extremists try to organize legally, using freedom of gathering and speech against the Social Liberal government. There are semi/political organizations and leaders, "ideologists" of the right wing scene, organizing demonstrations on a small-scale level, mostly with less than 100 participants. Some of these demonstrations occurred as counterprotests against ci-

vil rights activists' protests or against Roma demonstrations with anti/skinhead and anti/racist character. At the same time, also left wing radicals organized counter-demonstrations against right wing groups.

The demonstrations of skinhead and of Roma groups drew special attention of the police because of the danger of street fighting. Sometimes police intervention hindered the violent clash between groups ready for confrontation (Bendzsák 1996/a). Hungarian right wing scene is concentrated in Budapest and Eger (Sárközi 1994). Police have to implement the law forbidding public use of historical fascist symbols (Önkényuralmi jelképek 1993. XLV), but this did not caused big policing problems, because Hungarian right wing switched fast to the new symbolics, copied from the legally acting German organizations. The protest strategy of the right and the left wing groups includes also the illegally organized gatherings and the disintegration of demonstrations of other parties and organizations. The liberals and socialists and the „left-libertarians“ were divided on the issue of skinheads into the “hardliners” demanding immediate sanctions, and the “softliners” for whom the mobilization potential of the Hungarian right wing was so small that no new legal measures and steps to law enforcement were to be taken. The new implementations may reduce or endanger the civil rights for free speech and gathering. Finally in 1996 new and tougher penalty rules were passed on racist violence and offence by the parliament, where Socialist and Liberals were in majority.

The taxi drivers' blockade in October 1990, paralyzing the whole traffic system for three days (Szakonyi 1990; Szabó 1993; Bendzsák 1995) was another event considered by the interviewed officers as a heated issue of public order policing.

Police did not use violence, and fraternized with the protesters during the blockade. There was one “hot” situation, when the pro-government demonstrators-as well illegal as the taxi drivers' one-protested against the blockade in front of the parliament, and the police had to secure them against the upset protesters. As in other cases, police had to intervene to avoid a clash between protesters and counterprotesters. In the agreement with the government, the protesters demanded mercy for all illegal actions happening during the blockade. The legal frame has been put in the law on mercy related to the traffic blockade (A közkegyelemről 1991/V.) - a legal peculiarity which is based on exceptional political circumstances - which made all illegal actions-except for common crime-related to the blockade unpunished, including the rejection of police intervening against illegal acts.

This experience made the police strategists to think about how to avoid such situations. In 1992, a special internal manual for handling traffic blockades of vehicles has been passed describing how and which measures have to be taken to dissolve such type of protests. The only documented case from 1993 showed (Nagy 1994) that the local police was not able to handle a similar situation

in appropriate way, both because of the lack of technical means and experience. The analysis of this unsuccessful intervention was published to avoid such situations in the future in the internal police journal.

3. Why did Hungarian Police Escape Larger Scale Confrontations with Demonstrators during the Democratic Transformation?

We certainly will be not able to answer this question exhaustively, but just draw upon some possible ways of interpretations, which combined with each other could help the explanation.

Action-reaction hypothesis

There was no larger illegal mass violence during and after the regime change, so the protest policing did not become an issue. Although there is certainly no comparable challenge in decision making for the Hungarian police compared to the western democracies which have experience with non-conventional illegal and sometimes violent protests since 1945, the police reaction can not be seen as fully dependent on the character of the challenging protest action. The articulation of the police reaction takes place in a socio-political environment which shapes it. Police acts in a certain political space selecting appropriate forms and means of the reaction towards protesters, influenced by social or public support towards protest action and police reaction and interacts with the political elite and its organizations and institutions. There is a certain interacting pattern between a changing protest culture of the civil society and the organs of repression. In police reaction, both the structural “police or policing opportunities” and the direct face-to-face interaction with the protesters in the ground have to be taken into account to relate action and reaction with each other.

Changing political opportunities

The political opportunities in Hungary opened up, their transformation facilitated possibilities for protest. The “load” of the fast diffusion of protest met police with marginal experience in the field of democratic protest policing. Examining the “police opportunities”, there was the same organization, the same personnel, and the same leadership who had to meet the suddenly raising tasks of the public order policing. A centralized, militarized, hierarchic organization had to cope with this situation and mastered it in the way, how bureaucratic organizations usually react. They issued central strategic decisions, manuals, in-

cluding their implementation in training. From the point of view of the police there were no more resources provided for the police work. There was more public, especially media control over the police work. The new norms almost excluded the use of force or made it very difficult. The opening up of the political opportunities for protest, the raise of mobilization meant at the same time the end of the old type of police policing protests, and opened up new ways of control over the police action. This situation is everything but not fully defined from the point of view of the police action and strategy. Police is not "punished" for being calm and soft towards the protesters. On the contrary, flexible strategies of the public order partnership, similar to Western democracies, have been established in Hungary. At this point we may refer to organizational patterns and the political control of the police in Hungary. Centralized military organization and clear subordination to the political leadership made possible that during the transformation more reform-oriented political elite could control the behaviour through the change of control over police and the army. The lack of local political control enabled central steps to be taken for the new coordinated police strategy towards protest.

Professionalization hypothesis

The role of the "police construction of social reality", or "police knowledge" as an independent variable has to be taken into account interpreting the strategies of protest policing (della Porta, Reiter). Policemen feel, as P. J. Waddington (1994, 1996) pointed out, being put in between two measures, the "problems on the ground" and "problems within the hierarchy". If the control of the police work makes the use of the violence and the intervention then it is very rational for police to avoid the use of violence or other forms of intervention by co-operation with the protesters. The interplay of professional interests as the demand to avoid any risk for public order, any problem with the hierarchy, any conflict on the ground, may well help to establish peaceful public order partnership with protesters who are able and willing to co-operate.

Diffusion processes

Hungarian policemen act within a broader social, political and cultural context of globalized World and integrating Europe. Post-communist countries have specific traditions of protest policing, which they have to change while becoming members of the community of democracies in the World and especially in Europe. "Europeanization" is a challenge for the former Communist countries of Europe demanding from them far reaching institutional reforms. The simplest way is to join the community by imitation, following the existing pattern. This is a likely strategy especially in hierarchic, military and centralized

organizations, where it is easier to imply new patterns fast by the central authority. There is "selective incentive" too, for Hungarian and other post-communist police officers get better equipment, professional know-how and other types of support by the co-operation with their Western colleagues. Professionalization may be very helpful for the diffusion, "we are like they", as one of the interviewed officer said *"to handle the crowd is a task for an engineer to construct a machine...the Russian, the American and the Hungarian engineer will do it the same way"*. Regardless whether this high self-confidence is based on reality and if this analogy has any other meaning, too, we have to accept the way how leading Hungarian policemen perceive their own role: they feel to be in the same profession, doing it the same way. They accept the ways of the "post-modern policing" in Western democracies to join the pattern of protest policing.

Democratization and Policing

We tried to understand an interesting fact that police with heavy authoritarian background managed to keep up with sudden and radical changes in public order policing without losing its face and even with support from the new political elite and from the society. From the point of view of understanding political and social protests in post-communist Hungary we can explain the success of protest policing management by established co-operation between police and protesters. It is one of the important traits of the political opportunities contributing to the emergence of non-violent Hungarian protest culture.

Let us have a look at the Hungarian situation from a general perspective of feasibility of conflict management and mobilization of conflicts for democratic consolidation. There are always enough grievances and resources to mobilize violent reaction in a society, which can not be prevented by the police. So far the best option for securing public order in a society transforming into democratic one is to handle protest actions with existing resources and status. The growth of violent and illegal protests and the extension of power and resources of the police or other organs of the state by the ruling elite endanger democratic stability. This is a bigger danger for new and fragile democracies than for consolidated democracies with longer traditions of public order policing.

Democratization is a process, where new problems may occur, even if institutional structures have been stabilized. A consolidation of the Hungarian democracy can be expected only if the country is fully bound to the West-European integration by economic, political and military ties. In the shadow of regional crises, surrounded by countries hostile towards Hungarian minorities, with economy under restructuring, sinking living standards and qualities of life, the new democratic institutions are endangered if unfavourable external and internal conditions could cumulate and provoke illegal and violent

mass protests. Hungarian democracy is on the "sunny side of the street" now, but still just on the margins of the "empire of shadows", conflicts and crises endangering the results of democratization.

Democratization of public order policing in Hungary was initiated by legal acts based on Western models but in the socio-cultural reality the preliminary development and experience of the protest culture of Western democracies is absent. There is a tension between legal and constitutional framework and social and political praxis of public order policing in Hungary, which was successfully managed during preceding years of democratic development in Hungary. The socio-political control in Hungary changed fast from a "rejective" system prohibiting all type of dissent to a "selective tolerance" based on constitutional values and rules (Raschke 1989: 349-354). This fast transformation occurred under favourable external and internal political conditions. But the long term police culture tradition and the protest culture of the civil society, and their specific relations will change slowly. The first experiences from 1989 till now could be only the first stage of new developments of the interconnected police and protest cultures. The socio-economic and socio-cultural transformations of Hungarian society towards democracy and market as the main organizing principles are unfinished yet. The developments of police and protest culture as dependent variables of the coming economic and political developments are to be interpreted as transitory stage from the authoritarian system to consolidated democracy.

Finishing the exploration of the paths of the labyrinth interpreting non-violent and calm protest and policing in Hungary, we should have learnt giving up the exclusive use of macro level interpretation and of structural determinism. As Neidhardt and Rucht (1993: 305-325) pointed out, mobilization, framework, conflict and interaction of social movements work in a parallel on macro, mezzo and micro levels. The same view can be applied to protest policing, too. Escalation and de-escalation processes between protesters and the police have to be judged on all these levels. Police is certainly a mezzo and micro-level actor. But as an important mezzo- and micro-level actor, as one of the institutions of the state monopoly of coercion, police and its strategies and actions may support or hinder escalation and de-escalation processes within the society. The time of transformations, the opening up of opportunities are challenges to which police reacts in different ways. Multilevel, interactive and non-deterministic explanations should be combined to understand, what happened within the Hobbes' Leviathan, within the body of politics in which living persons act in forms of co-operation and conflict.

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Tables

Table 1: Number of protests and of police interventions in the press and in the police reports compared

	1991	1992	1993
Nr. of protests in the press	191	112	148
Nr. of assembling (police)	1629	1961	2009
Police interventions in demonstrations (press)	4	2	4
Police actions at assemblies (police)	214	1003	488

Figure 1: Number of protests and of police interventions in the press and in the police reports compared

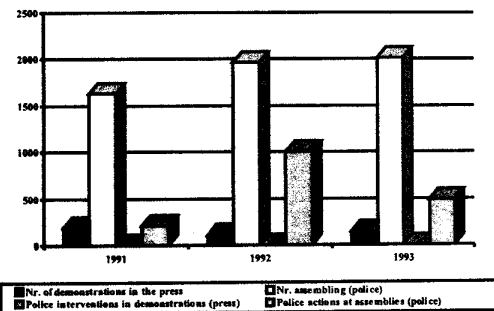


Table 2: Prohibited demonstrations (police data)

Year	Budapest	All other	Total
1991	3	-	3
1992	1	1	2
1993	5	1	6
Total	9	2	11

Table 3: Skinhead attacks in Hungary (Data of the police - ORFK, and of the Martin Luther King Association - anti-racist initiative compared)

	MLK	ORFK
1991	40	1
1992	80	12
1993	13	5
1994	16	3
1995	7	1

Figure 2: Skinhead attacks in Hungary (data the police, ORFK, and of the Martin Luther King Association compared)

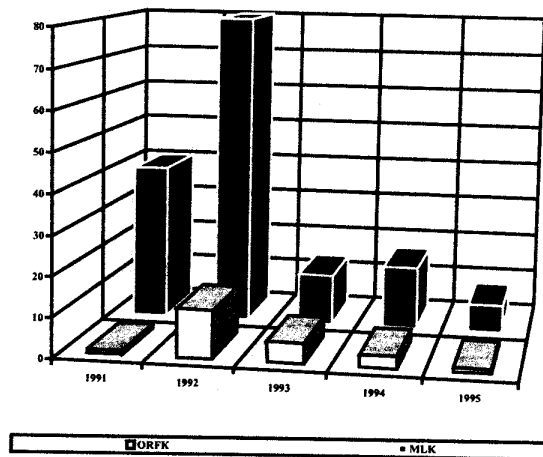


Table 4: Events under the law of gathering e.g. demonstrations registered in Hungary by the police per year Bureau of Statistics and Information of the Ministry of Interior 01. 11. 97

Demonstrations per year registered	1991	1992	1993	1994	1995	1996
Nr. of events	1629	1961	2009	2561	1774	1912
Nr. of policeman participating	10988	13625	14274	14331	11135	10062
Nr. of police actions registered	214	1003	488	371	410	497

Table 5: Registration of the demonstrations of agricultural protesters 1997 Spring

Date	Nr. of places	Participating in demonstration		Police staff on place	
		Persons	Vehicles	Persons	Vehicles
II. 24.	105	10714	5173	816	232
II. 25.	76	5046	8400	630	201
II. 26.	74	5294	4646	660	169
II. 27.	10	2996	342	330	19
II. 28.	6	730	306	67	12
III. 01.	3	152	113	24	10
III. 02.	1	1	1	-	-
III. 03.	6	78	48	24	9
III. 04.	1	13	11	2	1
III. 05.	10	317	214	47	12
III. 06.	11	373	196	36	6
III. 07.	9	255	157	33	11
III. 10.	175	11.704	7252	581	204
III. 11.	122	3216	2579	200	70
III. 12.	99	2739	2277	229	74
III. 13.	65	1677	1362	233	52
III. 14.	20	598	487	69	23
III. 26	21	929	843	439	80
Total:	842	46.832	34.407	7.420	1.185

Source: Országos Rendőr-Főkapitányság Közrendvédelmi Főosztály Rendőri Csapaterő Osztály 1997. március 28.

Table 6: Participation in the illegal and dissolved demonstration November 3, 1997

Date	Places	Participating in demo		Police forces acting	
		Persons	vehicles	Persons	Vehicles
XI. 3.	16	1200	270	-	-

Source: Országos Rendőr Főkapitányság Közrendvédelmi Főosztály Rendőri Csapaterő Osztály 1997. november 28.

Table 7: Agrarian protest in 1997 - an addition

Date	Places	Participating in demo		Police forces acting	
		Persons	vehicles	Persons	Vehicles
	840	48.032	4.667	-	-

Source: Országos Rendőr Főkapitányság Közrendvédelmi Főosztály Rendőri Csapaterő Osztály 1997. november