

# EU Enlargement and Consolidating Democracy in Post-Communist States – Formality and Reality\*

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## Abstract

European integration's impact on democratization in post-authoritarian societies has usually been considered in the academic literature to be of significance in the long term, in helping to firm up regime consolidation. It is important, however, to consider impacts which come earlier through the accession process. This is shown by focusing on the implementation of the EU's political conditions by new democracies in post-communist Europe. The two case studies of Slovakia and Romania show the different salience in accession countries of problems related to the political conditions, but common to both is the dynamic created by the advance of negotiations for membership. At the same time, negative effects may be present, coming from the intense pressure to join. Overall, integration effects vary between levels of democratic consolidation, being greater at the institutional than the societal level.

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## Introduction: European Integration and Democratization

It has long been held by political scientists, especially those working on regime change, that the involvement of new democracies in European integration can only be beneficial to their eventual consolidation. It has also been assumed that this effect is gradual and long term as a result of actual membership. Thus, full membership of the European Union (EU), in Whitehead's summary,

generates powerful, broad-based and long-term support for the establishment of democratic institutions because it is irreversible, and sets in train a cumulative process of economic and political integration that offers incentives and reassurances to a very wide array of social forces ... it sets in

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motion a very complex and profound set of mutual adjustment processes, both within the incipient democracy and in its interactions with the rest of the Community, nearly all of which tend to favour democratic consolidation ... in the long run such 'democracy by convergence' may well prove the most decisive international dimension of democratisation, but the EU has yet to prove that case fully. (Whitehead, 1996, p. 19)

While it is difficult to disagree with the main thrust of this essentially optimistic argument, some qualifications are necessary.

First of all, one should not assume that integration impacts on democratization are only long term. Admittedly, democratic consolidation normally takes a couple of decades to be achieved. But it is also quite possible that such integration impacts are evident much earlier on if not from the start of the democratization process. This is emphasized by the immediate pressures on accession countries to satisfy a raft of political conditions both in advance of but also in parallel to membership negotiations. Secondly, it cannot be maintained that these impacts are always positive given the considerable pressures deriving from accession. Still fragile new democracies undertake a crippling overload of implementing change, involving tight economic as well as specific political conditions but also extensive tests of their 'ability to assume the obligations of membership'.

Signs have been evident in Member States of the EU strengthening executive and bureaucratic power without active popular engagement also among prospective Member States. When applied to accession countries, this creates a potential for widening the gap between political elites and masses, already a problem in many post-communist democracies; and, hence, for creating disillusionment when democratic attitudes have not fully taken root. That would raise questions about Europeanization and democratization possibly pulling in different directions (Bideleux, 2001). In this context it has to be asked whether policy-makers have a like-minded understanding of the meaning of 'democratic consolidation', compared, say, with academic work. This second question is necessary as such conceptual understanding underlies policy choice. Are there any faults inherent in the design of the EU's political conditions which might cause problems for countries seeking to achieve democratic consolidation?

These problems point to the need to measure integration impacts on democratization. Academic work in this field has rarely, or only recently, focused on measuring impacts either in terms of specific effects or with reference to case studies. It is necessary to develop further this approach of differentiating between integration impacts. This should involve relating impacts with different levels of regime change, such as elite, intermediary and societal. The EU's policy of democratic conditionality, much developed in the

1990s with respect to post-communist states, provides a pertinent and specific focus for estimating integration impacts on democratization in these countries. But it has to be viewed critically in the light of academic research.

Little attention has been paid to European integration as an explanatory factor in domestic political continuity and change in EU Member States (Goetz and Hix, 2000, pp. 1–2). There are compelling arguments for extending this academic concern to accession countries which are hardly immune to integration impacts. It has, for instance, been recently argued that new Member States are ideal cases for studying domestic accession effects (Falkner, 2000). This article proceeds by appraising EU policy with respect to political conditions and new democracies before focusing on problems of implementing conditionality demands. Special attention will be paid to the cases of Slovakia and Romania while comparisons will be included where appropriate with other post-communist states seeking admission to the EU. Conclusions will then be drawn about the effects of this policy on democratization and on progress towards democratic consolidation. What, overall, is the scope for, and what are the limitations on, EU influence on regime change in new democracies?

### **I. Democratic Consolidation and Political Conditions: Brussels Perspective**

It is evident from the above that democratic consolidation is best measured by differentiating between levels of that process. This need is recognized in some of the democratization literature as in Linz and Stepan's five arenas of a consolidated democracy: the rule of law, the state apparatus, and civil, political and economic society (Linz and Stepan, 1996, ch. 1). But it is crucial in doing so to focus on dynamic interactions between consolidation levels, for this provides us with a manageable link for estimating EU impacts through political conditions.

In general terms, democratic consolidation is not only a much lengthier process than transition to democracy but also one with wider and usually deeper effects. It involves in the first instance the gradual removal of the remaining uncertainties surrounding transition (e.g. constitutional, elite behaviour, resolution of civil–military relations) – known as negative consolidation. The way is then opened for the institutionalization of a new democracy, the internalization of rules and procedures and the dissemination of democratic values through the activation of civil society and a 'remaking' of the political culture – all of which constitute positive consolidation (Pridham, 2000, p. 20). It is obvious that democratic consolidation – certainly its positive dimension – is essentially about stabilizing and rooting substantive democracy, which goes beyond formal democracy into deeper areas of political life, notably civil society (Kaldor and Vejvoda, 1999, ch. 1).

Much depends on achieving consolidation, and certainly the time required for this, on the weight of historical inheritances and problems. Furthermore, one may expect post-communist countries to take a long time here, owing to their multiple transformation, for democratization has been taking place in the countries of central and eastern Europe (CEECs) since 1989 in conjunction with both economic system transformation and, in many cases, also nation- and state-building. It goes without saying that interactions between all three parallel processes are likely to be significant. In other words, are such interactions beneficial or detrimental to democratization? Thus, in order to capture the dynamics of regime change, it is crucial to focus on its different levels, and in particular on how these interact and the intensity and consequences of such interactions. Notionally, different dimensions may develop at different paces – and consolidation may be achieved here at different points of time.

Levels of democratic consolidation which incorporate the parallel transformations should include the following: the formal – the institutionalization of rules and procedures; actors and linkages – political but also non-political elite groups and their interrelationships, as well as their adaptation to change and their role in legitimating new democracies; economic transformation and its interactions with political democratization; civil society and vertical dynamics with elite–society interactions; stateness and national identity problems and how these impact on democratization and *vice versa*; and international influences on democratization. It is important to add, where relevant in these levels, any continuing legacy problems from both previous historical experience and the form of authoritarian regime collapse (Pridham, 2000, pp. 24–8). This approach thus differs from that of Linz and Stepan by considering historical factors, by focusing on parallel transformations and by including international factors which are often neglected in traditional theories of comparative democratizations.

Among notions of international influences in democratization, ‘conditionality’ is the one most resonant of deliberate efforts to determine the process’s outcome through external pressure. This is achieved by specifying conditions or even preconditions for support, involving either promise of material aid or political opportunities. It is a method increasingly adopted by international and especially European organizations; and it parallels greater international attention in the 1990s to minority rights and human rights in general. A special version is democratic conditionality (DC) which emphasizes respect for and the furtherance of democratic rules, procedures and values. While other international organizations make such conditionality demands, it is the EU which most of all has elaborated an extensive though not compre-

hensive policy of DC. It has considerable leverage because the prize for compliance on the part of applicant states is full membership of that organization.

The formulation of DC (known bureaucratically in Brussels as 'political conditions') has undergone considerable evolution over time, expanding to include substantive democratic requirements. But it has also become a more central and proactive part of the overall enlargement process in the case of the CEECs, influenced partly by concern over special problems relating to post-communist politics (Pridham, 2002a, pp. 205–6). This more interventionist approach is no longer confined to post-communist applicant states. Member states are also now formally subject to a democracy test since the 1997 Treaty of Amsterdam provided for suspension of those which infringed the EU's principles of liberty, democracy, respect for human rights and fundamental freedoms and the rule of law. This provision became a dramatic issue in 2000 with the bilateral sanctions imposed on Austria (Merlingen *et al.*, 2001).

The EU's political conditions of today originated in the Copenhagen criteria (which also cover economic conditions and a country's ability to assume the obligations of EU membership) agreed at the European Council held in that city in 1993. These stated: 'membership requires that the candidate country has achieved stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities'. These political conditions have been elaborated on in the European Commission's *avis* of 1997 and from 1998 in the annual regular reports on candidate countries. The political conditions have also been tied in with EU programmes of financial assistance, the accession partnerships and the whole pre-accession strategy. It has to be noted that additions have been made to the original criteria (which were in any case vaguely phrased), notably in the inclusion of the fight against corruption, prompted by growing evidence of widespread corruption in most post-communist states.

European Commission thinking on the political conditions has evolved considerably. It has, over time, become more precise, justified in its eyes by the need to improve analysis of how DC is being met (Pascual Bremon, 2001). This change was influenced by criticisms of the first regular reports in 1998 that they lacked a clear methodology for objective cross-national comparisons between applicant states. This explains the seeming ambiguity in the annual regular reports which invariably say that given countries 'fulfil the Copenhagen political criteria' but still need to make further progress in meeting particular conditions. The Commission has been criticized for 'moving the goalposts' against a common feeling that the EU is demanding higher political standards of candidate countries compared with Member States – a feeling voiced openly, however, in only a few cases such as Hungary (Becsey, 2001).

It may be hypothesized that the EU's potential for impacting on democratization varies between three broad stages: (1) pre-negotiations, when the Copenhagen criteria have to be satisfied before negotiations commence; (2) actual negotiations, when political conditions as updated are monitored regularly; and, (3) once membership begins, when the EU's direct leverage over new entrants begins to weaken, but at the same time the indirect effects of European integration in helping to consolidate democracy increase through the very intensification of networking that goes with membership. In other words, the deeper effects of integration are most likely through the embedding of new democracies within the EU itself. But the decisive stages when direct effects are most effective remain (1) and (2). Strictly speaking, during (1), negotiations may be blocked by a country's failure to satisfy the political conditions (this being the case with Slovakia under Mečiar and today with Turkey); while during (2) negotiations may be interrupted or terminated if a negotiating country reverses its fulfilment of the political conditions, or chooses seriously to violate any one of them.

The procedure for dealing with this ultimate situation is slow. According to an official in DG Enlargement (European Commission), there would be advance warnings in the annual regular report, and the Commission would then set up an official visit to the offending country at the highest level. There would follow a period allowing for suitable action by the government. Failure here would be recorded in the next annual report (i.e. a year after the matter was originally raised). Eventually, if still no correction of the political violation is made, then the matter would go to the European Council which would be responsible for halting negotiations for membership (May, 2001). In other words, the country's commitment to joining the EU would be really tested. If, as is likely, this is confirmed, then the matter will not get that far. The visibility accorded any such problem with a political condition creates real pressure, as the Czech authorities found in the autumn of 1999 over the segregation of the Roma in the community of Usti nad Labem.

In short, although the term 'democratic consolidation', familiar in transitology, is fairly common currency in EU circles (e.g. it is often used in the annual regular reports of the Commission on applicant states), this does not presuppose a well-considered integrated approach to conditionality. Interviews with Commission and other EU personnel in Brussels involved directly with enlargement matters suggest they do not have a composite view of 'democratic consolidation'. Most have heard of the term, which in a vague way is easily understandable, but few demonstrate a systematic awareness of its full implications. They do not conceptualize the term and, if anything, are very pragmatic about its application. Thus, implementation of democratic conditionality tends to be disaggregated.

The evolving definition of political conditions since the Copenhagen summit of 1993 has, at best, been incremental, at times ad hoc and is essentially bureaucratic. In effect, the Commission adopts the 'checklist approach'. The annual progress reports are formulated in committee style, involving many actors, not just the Commission and the EU delegation in the country concerned, but also local non-official sources and other international organizations like the Council of Europe and the World Bank (Pridham, 2002a, pp. 206–7). EU democratic conditionality furthermore is not all-inclusive in its scope. This is not so surprising given the Commission's lack of conceptualization on the matter and its fragmented procedures. When measured against the key indicators of democratic consolidation, an obvious gap in the EU's political conditions is evident over civil society, for instance. Even though the term appears in some EU official documents like the Phare democracy programme, there is no clear meaning attached to it and it is usually related to one or two specific conditions like civil rights. Furthermore, political parties do not feature in EU programmes for democracy assistance, although they are well provided for by foreign political foundations, not to mention their integration into European transnational organizations.

Nevertheless, despite these deficiencies in designing democratic conditionality, the EU provides a consistent and direct pressure for the introduction and elaboration of democratic rules and procedures but also civil and other rights. Political monitoring of applicant countries is almost continuous. This procedure reflects the Brussels view of democratization as that of a rolling process and not as a state that is reached at a certain point of time. What impact does this procedure have; and, do deficiencies in its strategy in any way affect its operationalization?

## II. The EU's Political Conditions: Application to Implementation

Accession countries respond formally by making necessary institutional changes and passing relevant legislation such as on minority rights. But their full satisfaction, including their implementation in practice, is not always easy to achieve. The issue of implementing the political conditions has come more to the fore, in parallel with the Commission's growing attention to implementation in the regular reports, specifically with regard to the *acquis communautaire*. Clearly, achieving this goes well beyond the official level, involving actors like non-governmental organizations (NGOs) and even political parties and the media, not to mention the need to convert economic interests and public opinion where necessary.

Some political conditions may be accomplished relatively quickly. Thus, Slovakia's new government from autumn 1998 was under great pressure to

reverse that country's failure at this level following the loss of power by the Mečiar government. Necessary measures included the holding of municipal elections (December 1998), a charter on local self-government, the institution of direct elections for state president (held in May 1999), and the involvement of opposition parties in parliamentary appointments. On minorities, various formal decisions were taken such as appointing a deputy prime minister for human rights and national minorities, as well as establishing a parliamentary committee and a government council for the same. Finally, in July 1999, a law on the use of minority languages was adopted as a final precondition to be satisfied for opening membership negotiations (Commission, 1999a, pp. 11–17).

In other cases, institutional changes may be more complicated because they involve not just formal measures but rather elaborate procedures and personnel improvements. In the Czech Republic, reform of the judiciary was for a time slow, as highlighted in the 1999 progress report. Following criticisms there, a whole range of further measures were planned under different headings: short-term priorities (e.g. improving the qualifications of judges and training them in the application of European law); medium-term priorities (e.g. modernizing public administration in the field of justice and measures to promote judicial self-administration); and institution-building needs (e.g. rationalizing the court workload and simplifying proceedings in court) (Czech Government, 1999, pp. 4–12). The 2000 report on the Czech Republic acknowledged this ambitious programme, but noted that 'certain key parts of the reform remain to be adopted'. These included amendments to the criminal code and criminal procedure code, as well as constitutional amendments concerning judicial self-administration. It also noted the extraordinary length of judicial proceedings and the lack of systematic training of judges (Commission, 2000, pp. 19–20).

Some political conditions are not satisfied merely by institutional or legislative changes. This particularly applies to the anti-corruption drive, human rights and the protection of minorities. In all these cases, satisfactory conditions include, ultimately, changes in human behaviour which are much more difficult to bring about. In virtually all post-communist states corruption is a serious problem, deriving in part from the previous regimes, but also from the way in which economic marketization has operated, often involving close links between economic oligarchies, public agencies and political elites. A survey of opinion in applicant states in the CEECs in autumn 1998 identified the weakness of the rule of law and corruption as the greatest problems facing them during accession (Rose, 1998, pp. 253–5). Furthermore, the EU has a strong concern for minorities, and the Roma in particular has become a con-

stant issue that is monitored. As the Commission's strategy paper for 2000 recorded,

the Roma continue to face widespread discrimination and difficulties in social and economic life ... . In most countries where this situation occurs, measures and programmes have now been adopted, supported by PHARE funding and, in some cases, national budgetary resources. These programmes, which need to be supported by budgetary means in all countries, should be implemented in a more sustained manner, in close cooperation with Roma representatives. (Commission, 2000b, pp. 16–17)

At the same time, the Commission has come to realize that the problem of the Roma is not going to be resolved completely before accession takes place. What it requires is sufficient progress in the right direction, judging by statements from Commissioner Verheugen (*RFE/RL Newslines*, Part II, 27.4.01).

But how far can the EU really promote the satisfaction of its various political conditions? Some problems are not easily rooted out and clearly fine laws alone are, in many cases, by no means a sufficient response. It is quite obvious that national governments are the key actors and the only viable intermediaries between Brussels and national elites and publics. It is above all the commitment to EU accession of national governments that is the most decisive factor for, if unqualified, this drives through political conditions and may seek to overcome counter-pressures such as resistance from professional or corporate interests or bureaucratic lethargy – though not always with success. As shown by the case of the Czech judiciary, criticisms in the 1999 progress report prompted the Zeman government to act for the sake of not halting the accession process. It is for this general reason that the EU is sensitive to instability or policy discontinuity on the part of governments in candidate countries. The 2001 annual report of the European Commission on Romania noted with disapproval that before the 2000 election, 'the legislature had been effectively paralysed by the weakness of the ruling coalition', with inevitable repercussions on that country's accession capacity (Commission, 2001, p. 16).

In Slovakia's case, the instability of the multi-party coalition led by Dzurinda was an intermittent concern which surfaced in the Commission's progress report of November 2000. This referred to tensions in the government 'which have negatively affected the smooth progress of some politically sensitive elements of the pre-accession legislative agenda, including reform of the constitution' (Commission, 2000c, p. 16). It also mentioned the threat by the Hungarian party (SMK) to leave the coalition over the issue of administrative reform; and this issue became the main cause of the coalition crisis which followed in the summer of 2001. Thus, while the EU was

pleased with the policy commitment of the Dzurinda government it was concerned about its implementation capacity even though Slovakia's membership negotiations continued to advance impressively alongside these political tensions.

Clearly, the Commission's growing emphasis on implementation – as in the series of 2000 and 2001 progress reports – entails involvement in domestic politics. Very important is cross-party consensus over EU accession, for that strengthens a government's position in relation to both Brussels and domestic opinion. This does not necessarily exclude opposition criticisms of the government's handling of negotiations. For instance, it has become a practice for opposition parties – but also especially the media – to concentrate on negative comments in the annual progress reports, which has added to the pressure on governments to respond. By and large, consistently high support on the part of national publics is likely to favour the political conditions, though whether it also acts as a stimulus to their implementation is another matter.

Finally, such implementation may benefit in indirect ways from different forms of 'informal integration'. One less visible pattern through the 1990s onwards has been the extensive transnational networking of interest groups, NGOs and, of course, political parties in the CEECs. This happens autonomously but in parallel to official contacts and membership negotiations but, especially in the case of parties, is also set in greater motion by these negotiations. Accepting parties into fraternal European transnational organizations requires a thorough vetting of their democratic credentials, routine involvement of party elites in transnational activities, forms of training and support for their political actions and briefing in EU policy issues. That is in turn important because parties play a crucial part back home, both when in government and in conditioning attitudes to EU accession on the part of their own electorates and also elite groups close to them.

### **III. The Impact of the EU's Political Conditions: Slovakia and Romania**

This section briefly surveys two national cases from the accession countries as a way of exploring in further depth some of the points presented above in comparative fashion. Given the scope for cross-national variation in the application of the EU's political conditions, one case is taken from east-central Europe (Slovakia) and one from the Balkans (Romania). A further balance is achieved since Slovakia has of late demonstrated its ability to catch up with the so-called Luxembourg group of countries that began EU negotiations in early 1998. These included the other Visegrád states from east-central Europe. Romania, like Slovakia, is part of the Helsinki group that began nego-

tiations in early 2000, but it is commonly regarded as the 'laggard' among the accession countries. Its official deadline for admission to the EU is the last in the line of the 12 candidate countries presently negotiating with Brussels. These include Malta and Cyprus, in addition to the ten post-communist states.

*Slovakia* is the best illustration among the post-communist countries of an earlier problem case concerning political conditions. Democratic conditionality has in fact been central to Slovakia's relations with the EU from the mid-1990s to the end of the decade; and, as indicated above, the issue has not entirely disappeared from these relations although they are at present mainly below the surface. Achievement of this has fluctuated, being positive in the first years after communism (when relations were initially handled by Prague on behalf of the Czechoslovak state), declining seriously during Mečiar's third government of 1994–98, and then reviving decisively under the Dzurinda government in office 1998–2002. A direct link may be made with the country's tortuous democratization path (Szomolanyi, 1999).

These changes of fortune illustrate strikingly how political will and commitment, or the lack thereof, count in relations with the EU before accession. Mečiar's reluctance or inability to grasp the European opportunity, together with his authoritarian tendencies in domestic politics, effectively blocked Slovakia's chances *vis-à-vis* the EU and Nato for a number of years. This period showed up the limitations of EU influence at the official level for the government did not show any contrition over the *démarches* or official protests from the EU; in fact, on the contrary (Pridham, 2002a, p. 212). All the same, European pressures had a political impact on Slovak society and this mobilized anti-Mečiar support in time for the 1998 election campaign.

Political will was once again evident, in the opposite direction, with the immediate initiative taken by the newly installed Dzurinda government to improve relations with Euro-Atlantic structures. Within days of taking office, Prime Minister Dzurinda visited the EU and Nato in Brussels and opened up a dialogue that had been missing at the high political level (Pridham, 2002a, p. 215). There developed a new atmosphere of mutual trust, all the more so as, during this early period, the new government decisively brought into effect its promise over the EU's political conditions. A few months after taking office the Foreign Minister, Eduard Kukan, made a speech in Bonn in which he emphasized: 'Slovakia has not always been on the sunny side and more events have happened to us than we have made happen. But that was in the past; now Slovakia lives for today and especially for the future' (Kukan, 1999, p. 4).

This upbeat approach expressed a very different mentality from that found among senior members of the Mečiar government, one more in harmony with the historical perspective found in conventional European integration think-

ing; and, significantly, it made the connection with democratization. It was undoubtedly this change that helped move matters along in the direction of negotiations with Brussels. There had been various pressures behind the government's drive towards EU negotiations: the strong commitment on the part of the various coalition parties (reflected in their own developed transnational links), but also European pressure to prove Slovakia's democratic credentials after Mečiar. Pressure from the EU was transmitted both routinely in the annual regular reports of the Commission and other EU documents like the European Parliament's annual reports on Slovakia's accession, and in meetings of association bodies like the Joint Parliamentary Committee (where the condition of the Roma has, for instance, been a frequent theme).

In the period since the change of power in 1998, Brussels' demands of democratic conditionality have, by and large, acted as a spur to democratic consolidation. They have provided both a direction in setting official yardsticks with which to measure progress in meeting political conditions, but also a sense of purpose in giving a continuous momentum to change at different levels. This has helped to give an added push to democratization itself. But this success story has not been without its domestic complications. Occasionally, political conditions have been a matter of internal dispute such as the new language law in 1999 and the question of administrative reform in 2001 (see below). Furthermore, in the second phase of the Dzurinda government's European policy, from the start of membership negotiations in February 2000, the focus was on their implementation, which in some cases proved difficult.

Despite the government parties' commitment to EU accession, internal coalition differences sometimes threatened to delay that process. A promising start had been made by the inclusion of the Hungarian Coalition Party (SMK) in this government, in part with a view to reassuring and pleasing European official opinion about the role of minorities. Yet this decision was not easy due to partisan tensions between the SMK and the post-Communist Party of the Democratic Left (SDL) over cabinet posts and policies. In the end, the EU factor helped to bring about agreement, although it was not an absolute influence. According to the new Foreign Minister, during the coalition negotiations 'it was also deep in our minds that the inclusion of the SMK in the government would improve the standing of Slovakia, the image of Slovakia *vis-à-vis* our EU ambitions' (Kukan, 2000). The SDL was subjected to some non-official pressure to back down over its objection to SMK inclusion, especially from the Socialist International (SI); but, despite its so doing, there remained sour feelings between the two parties which reappeared later over various policy issues (Pridham, 2002a).

One of these was a new law on minority languages in summer 1999. This was bitterly contested and was delayed by internal differences within the ruling coalition, with the SDL threatening for a time to leave the coalition. In the end, three of the four coalition parties supported the law (the SMK, being dissatisfied with its provisions, voted against, after its more ambitious draft law had been defeated) and it satisfied Brussels. Regarded as the final political condition to be fulfilled before an invitation to negotiate membership could be issued, EU pressure was decisive in pushing through this measure (*Slovak Spectator*, 12–18 July 1999 and 19 July–1 August 1999). However, the issue of administrative reform – required for eventual EU accession – came close to bringing about a collapse of the government in summer 2001.

Intense pressure from the pace of negotiations, with the need to solve this issue, also added to the tensions. In July, the SMK threatened to leave the government because two government parties sided with the opposition to pass a formula for regional government structures offending SMK interests. The crisis persisted with the prospects for compromise weakening. Then, from mid-August, a series of warnings from EU and US representatives about the effects of government collapse on the country's EU and Nato prospects was followed shortly after by a decision of the SMK to delay by one month its departure from the coalition (*RFE/RL Newsline*, Part II, 15 August, 22 August, 24 August and 27 August 2001). This month allowed a cooling-off period and gave Dzurinda the opportunity to work on satisfying certain SMK demands. By mid-September the crisis was over.

The issue of the Roma, which is certainly not peculiar to Slovakia among accession states in the CEECs, is altogether different. It relates to an endemic social problem, including dire poverty, which will take time to resolve. It is politically evident that the EU, particularly in this case, drives the issue, for the Roma do not have the political capacity (they are divided among some 17 political groups), nor do the main parties have any incentive to push the matter. The Dzurinda government, in response to EU pressure, has acted in adopting ameliorative measures and has been adept at achieving publicity for its actions. In February 2001, Commissioner Verheugen visited Roma settlements in Slovakia and subsequently praised the authorities for their efforts (*Sme*, 24 February 2001).

Finally, various domestic factors of relevance should be noted. Apart from its link with intra-coalition tensions, Slovak European policy has been troubled by the lack of a firm and continuous cross-party consensus over integration and the political conditions. This is despite formal support for EU accession (as shown in the vote in the Parliament on starting negotiations, February 2000). For instance, problems have surfaced in relation to the opposition parties' failure to establish meaningful transnational links, partly because of

doubts about their democratic credentials. However, the outcome of the 2002 parliamentary election led to the formation of a pro-EU centre-right government under Dzurinda. At the same time, Mečiar has made repeatedly reassuring statements about supporting the Dzurinda government's accession policy.

While this promise is reassuring, doubts remain about the HZDS's commitment to economic reform. On the other hand, there are various factors which suggest an optimistic rather than a pessimistic scenario. Firstly, public support for EU entry has been consistently high if not on the increase; and, secondly, negotiations with Brussels have been gradually creating new realities through the adoption of the *acquis* and its wider policy effects, as well as accompanying measures like those examined above, not to mention economic transformation with its own pluralistic effects. All these changes tend to relativize the effects of any future alternation in power bringing opposition parties back into government, while helping to push forward Slovakia's democratic consolidation. Altogether, notwithstanding domestic problems, this dynamic in Slovakia's accession process is likely to continue so long as EU membership meets no basic obstacle and is not seriously delayed.

With *Romania* the EU's political conditions have, compared with Slovakia, been less at the forefront of the country's relations with Brussels. This is because successive governments tended, with one exception, to be less provocative than Mečiar when facing the EU. But that one exception, the suppression of an opposition demonstration in June 1990 which was praised by President Iliescu, made a strongly negative impression abroad. It reinforced a diffuse sense that the country's rulers since Ceausescu were not fully reconstructed communists. These reservations coloured official attitudes in the EU regarding Romania's eventual case for admission as a Member State until 1996, when alternation in power brought into power parties committed to economic and political reform. However, persistent problems with implementing economic transformation and with a weak state capacity had indirect implications for Romania's ability to harness the EU's political conditions as a motor of democratic consolidation (Pridham, 2001).

All the same, the Romanian case illustrates once again that the key determinant in democratic conditionality is the will and commitment of national governments. Governing elite attitudes in the early 1990s seemed to reflect the lack of a real understanding of the implications of European integration and accession (such as over minority rights), although by 1992–93 there were signs of a change in approach if only because other CEECs were beginning to make progress in pushing for Euro-Atlantic integration (Phinnemore, 2001, pp. 252–3, 255). The governments led by the Party of Social Democracy of Romania (PDSR) until 1996 took a cautious line over political conditions, not wanting to risk the international isolation that momentarily threatened in

summer 1990; but, equally, they hardly showed much commitment in this direction. Alternation in power in 1996 was widely acclaimed abroad because it brought into office a reformist elite which gave a strong priority to such integration and was also not heavily linked to the former communist regime.

The new Ciorbea government promised improved bilateral relations with neighbouring states (and more distant relations with Milošević-led Yugoslavia), as well as special attention to minority rights (Phinnemore, 2001, p. 258). In the latter respect, it was significant that the Hungarian party (UDMR) was included in this government alongside the Democratic Convention. This was hailed abroad in Europe as symbolic of a new atmosphere concerning minority rights and inclusiveness and therefore as a step forward in democratization (Shafir, 2001, p. 95). According to a former official in the Government Office and State Secretary for European Integration in this and the following government, external factors were important in this decision as likely to lead to better relations with European organizations, although there was no direct pressure from the EU to include the UDMR as a coalition partner (Niculescu, 2001).

The sense of European relief was expressed by the Commission in its *avis* of July 1997, published just six months after the change of power in Bucharest. It concluded on political conditions: 'the current improvement in Romania, following the arrival in power of a new government, indicates that Romania is on its way to satisfy the political criteria' (Commission, 1997). But this indicated the judgement was based more on promise than performance, for otherwise it condemned the country's record such as over meeting economic conditions and coping with eventual membership and its immense demands. It was for this combination of reasons that Romania was not invited to start negotiations with the EU at its Luxembourg summit in December 1997. In other words, political conditions were much less central to this decision compared with the same decision on Slovakia.

The Commission's annual report of 1998 made the familiar distinction between satisfying the original formal criteria and failure to implement specific conditions which have since become more important:

Developments confirm that Romania fulfils the Copenhagen political criteria. Continued efforts have been made to respect and protect the rights of the Hungarian minority and to carry through reforms concerning the situation of children in orphanages. Nonetheless, much still remains to be done in rooting out corruption, improving the working of the courts and protecting individual liberties and the rights of the Roma. (Commission, 1998, p. 12)

But there was no marked improvement in meeting political conditions comparable to the Slovak situation in 1998–99. This was not so much because

Romanian governments avoided Mečiar's provocative approach, but rather because, as from 1996, they were undermined by internal policy differences, proved short-lived and lacked carry-through ability. The 1999 Commission report on Romania was critical. It concluded with the warning that 'at the moment, Romania still fulfils the Copenhagen political criteria although this position will need to be re-examined if the authorities do not continue to give priority to dealing with the crisis in their child care institutions' (Commission, 1999, p. 77). In the 2000 progress report, the Commission noted an improvement in the childcare situation, thus confirming the continuing fulfilment of political conditions. But while 'Romania's democratic institutions are well established', there were real problems as 'the process of decision making remains weak'. On the economic front, the news was as bad as in previous reports: 'Romania cannot be regarded as a functioning market economy and is not able to cope with competitive pressure and market forces within the Union in the medium term – it has not substantially improved its future economic prospects' (Commission, 2000d, section C, p. 91).

The return of the Party of Social Democracy (PDSR) to government late in 2000 aroused initial concern in the EU given its previous record in office, but there have been serious signs of its learning in opposition. One early positive move was the involvement in supporting the minority government of the Hungarian UDMR, an advance for a party (the PDSR) previously inclined polemically towards this minority group. The ruling party has meanwhile successfully sought membership in the Socialist International and Party of European Socialists as a badge of international acceptability. This can only reinforce reformist tendencies in the PDSR, now renamed the the Social Democratic Party (PSD) after merging with the small party of that same name (this being a stipulation of the SI).

After more than a year in power, the Nastase Government has shown a commitment to market reforms and efforts have been made to improve performance in the accession process. This has included a restructuring to strengthen cross-ministerial co-ordination and better policy presentation. Accordingly, the 2001 annual Commission report on Romania presented a more upbeat conclusion than before. Noting positive developments over the past year, it said:

The efficiency of the legislature has improved considerably as has the overall functioning of government ... . Significant progress has been made in the field of human rights. Reform of the childcare system is well under way; homosexuality has been decriminalised ... . New legislation extending the use of minority languages was approved and a National Strategy for Improving the Condition of the Roma adopted. (Commission, 2001, pp. 29–30)

Clearly, these indicated a new government dynamic, one undoubtedly facilitated by the lack of internal differences in contrast with the post-1996 governments. Nevertheless, there is still some way to go before legislative initiatives are implemented to the benefit of democratic consolidation. On the question of the Roma, Romania is not very different from other candidate CEECs; but there is one political issue that has given Romania some international notoriety, and that is institutionalized childcare. Despite this, governments were slow in responding. Eventually, in May 2001, the draft report of the European Parliament rapporteur took Romania to task with semi-veiled threats that, if progress remained unsatisfactory on the matter, then the country's membership negotiations might be compromised (European Parliament, 2001). This caused an immense reaction in the Romanian media and had a shock effect in government circles (as evident in the author's interviews in the Foreign Ministry and with EU specialists in the Parliament at this point in time). It had the required impact in forcing the government to act. There followed a substantial increase in the budget allocation, a rise in alternative childcare services and the strengthening of local government responsibility in this area – as acknowledged in the Commission's annual report the following November (Commission, 2001, p. 23). The threat to Romania's negotiations subsided.

Romania had in fact begun these negotiations in February 2000, a major turning-point in its relations with the EU. It followed years during which Romanian elites had felt discrimination on the part of the EU (and Nato); views that came to the fore after the dual failure in 1997 to receive invitations from either organization (Phinnemore, 2001, pp. 250–1). There was even, at times, a danger that rejection by these organizations might have an adverse effect on domestic politics, as the willingness to embrace a post-nationalist agenda and promote Hungarian minority rights had fluctuated in accordance with the prospects for accession (Gallagher, 2001, pp. 409–10). For instance, nationalist rhetoric increased markedly after the failure to be invited to join Nato in 1997 (Phinnemore, 2001, p. 251). Hence, the success in opening EU negotiations had the potential to reinforce democratization, a trend that should be beneficial to regime consolidation if negotiations are successful. This pattern is all the more likely as public support for EU accession has long been very high, while since 2000 inter-party polarization has declined over key policy questions like this. Even the Greater Romania Party (PRM) of Tudor has shown a more amenable approach towards European integration influenced by both high public support for accession and the advance of membership negotiations (Pridham, 2001, pp. 41–2).

Thus, Slovakia and Romania present rather different examples of candidate countries from the post-communist world. As far as political conditions

are concerned, they are even somewhat contrasting. With Slovakia, the failure to meet the political conditions was the foremost problem in relations with Brussels. It was clearly the main obstacle to opening negotiations with the EU (and, also to Nato membership) up to late 1998; whereas in Romania's case, the question of political conditions was subordinate to those of economic reform and state capacity with which, ultimately, there would be linkage. At the same time, Romania has evidenced a greater political fragility than Slovakia, especially when its European prospects dimmed – which also demonstrated how decisive an effect these could have. In the case of both countries, however, there is a palpable relationship between the dynamic of EU accession, once it develops, and the trajectory of democratization.

### Conclusion

It is important not to forget that accession is part of an overall process of European integration that commenced well before negotiations and will, obviously, continue – and possibly deepen – once these countries become Member States. Accession gradually involves national political elites in the EU institutional framework through actual membership negotiations and preparations for entry as well as, before that, through mechanisms linked to intermediary stages such as association (Europe agreements). Binding policy commitments derive from adoption of the *acquis communautaire* and these increasingly impinge with a variety of effects – direct and indirect – on domestic politics and different economic interests. At the same time, the growing involvement of political and economic elites and groups in transnational networks linked to the EU and other European organizations is accompanied by closer and closer commercial links between the accession countries and the EU Member States.

It follows that this enveloping process is likely to have a reinforcing effect on democratization, in indirect as well as direct ways, in the course of time. It is its vital context, while the prospect of eventual EU entry has various energizing effects on prospective Member States with the same likely effects on regime change. As we have seen, EU pressure over political conditions may indeed have immediate impacts, but it is all the more effective when the stick of conditionality is combined with the carrot of EU accession in the foreseeable future. If the latter is clouded by uncertainty, then the former is a less convincing weapon of compulsion. But even with reasonable prospects for accession, implementing these conditions may be complicated or side-tracked by domestic political problems. It is in both these ways that the limitations of EU influence become apparent. However, there is no compelling evidence

that deficiencies in the design of democratic conditionality have had any serious influence on the course of post-communist democratization. This is despite the fact, too, that EU pressure can become distorted by selective exaggeration of certain political issues over others either due to particular international concerns or because of domestic factors.

The two case studies examined confirm by and large the hypothesis from Section I about differential impacts of the EU on democratization between three broad stages. However, there are also significant differences between them. Whereas Slovakia's shift from pre-negotiations to actual negotiations hinged directly on the satisfaction of political conditions, Romania's same move from the first to the second stage was less decisively affected by these. It has emerged that this second stage has been more important for Romania in creating a dynamic behind the satisfaction of political conditions – which was most evident in Slovakia's case in the years before negotiations began.

As emphasized already in looking at these two candidate countries, national governments are the crucial actor in the business of formally adopting and then implementing the political conditions set out in detail by the EU. But their effects are not always straightforward. Furthermore, integration's impacts on democratization are not necessarily uniform across all levels, nor do they occur at the same pace. Given that these impacts are essentially top-down, it is reasonable to conclude that they occur in the first instance at the institutional level, as those most involved in applicant states are the political elites; then, gradually, they may have an influence on party development through transnational networking. But they are least evident at the level of civil society, at least during accession. Effects at the last level take much longer, stretching into early EU membership, and even then remain somewhat limited, judging by previous EU enlargements.

Finally, while the possible negative effects of the hectic pace of EU accession have not so far transpired to any great degree, it has to be remembered that the accession process of the CEECs is not yet complete. In the two countries examined, difficult issues still remain to be resolved before negotiations are finished; and, judging from the case of Poland, conflicting interests may become mobilized as accession moves closer. Already, the Commission's decision in January 2002 to delay the full benefits of farm subsidies has had a sobering effect on the accession countries. Such problems are magnified by Brussels understandably favouring political consensus within applicant states – a condition which can, however, discourage serious debate about accession. It is here that a gap between elites and masses may emerge, with some contradictions in the overall effects of European integration on democratization. The full story of how EU conditionality impacts on the countries of central and eastern Europe is thus not yet told.

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