

Civil Society Development during Accession: On the Necessity of Domestic Support to EU Incentives

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Civil Society Development during Accession: On the Necessity of Domestic Support to EU Incentives. This article examines the development of Czech and Slovak civil society during the Eastern enlargement. While EU accession has without doubt benefited the consolidation of democracy, the impact of the European Union is often overestimated. We support this argument by setting side by side EU actions to promote civil society in the candidate countries on the one hand, and the Czech and Slovak domestic policies on civil society development on the other. The empirical evidence suggests that, contrary to what Europeanisation literature may expect, Czech and Slovak civil society development during accession cannot be explained by EU actions alone. Domestic support proves to be a necessary condition for EU incentives to result in the development of civil society in candidate countries.

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Introduction

After years of intense preparations eight Central and Eastern European countries (CEECs) joined the European Union (EU) in May 2004. It is widely accepted that EU accession has been beneficial to the consolidation of their democracies. (Pridham 2005; Dimitrova – Pridham 2004) While the Eastern enlargement has without doubt contributed to the anchoring of the formal rules of democracy in Central and Eastern Europe (CEE), the Union's impact on substantive democracy² remains a matter of controversy. Discord exists over the question in how far EU actions have been the main incentive behind domestic change in the sphere of deeper democracy.

Several authors (Vachudová 2005; Pridham 2005; Schimmelfennig *et al.* 2005) have analysed how EU accession contributed to consolidating formal democracy in CEE. Others have examined the Union's impact on various domains of substantive democracy, such as minority rights (Ram 2003; Vermeersch 2003), corruption (De Ridder 2009) and local government. (Marek – Baun 2002) While civil society is a critical component of deeper democracy, few scholars have focused on the Europeanisation of civil society organisations (CSOs) and interest groups in accession states. (Notable exceptions are Fiala *et al.* 2007, Parau 2009) The article at hand contributes to bridging this research

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² Formal democracy, as the basic level of democratic consolidation, refers to the institutionalization of democratic rules and procedures, which leads to the dissemination of new democratic rules, institutions, procedures and laws. (Kaldor – Vejvoda 1997) Substantive democracy takes place during a second stage of democratic consolidation. It implies the deep entrenchment of democracy in a society, making democracy endure as “the only game in town”. (Linz – Stepan 1996: 5) On the Union's impact on corruption and substantive democracy, see also De Ridder 2009, 2010.

gap, by focusing on civil society development during EU accession in two Central and Eastern European candidate countries (CCs), namely the Czech Republic and Slovakia.

In the run-up to accession, the European Union applied various instruments to support the CEECs on their way to liberal democracy and market economy. While the EU could have an impact on the applicant states in alternative ways³, mainstream researchers have come to the conclusion that democratic conditionality has been the most successful and effective mechanism of external democracy promotion during accession. (Pop-Eleches 2007: 142; Schimmelfennig *et al.* 2005; Dimitrova – Pridham 2004; Schimmelfennig – Sedelmeier 2005b: 210; 2007) Although developing a strong and active civil society is no part of the official (democratic) criteria for accession, at various occasions the European Union pointed to the democratic value of the third sector and indicated its preference for the development of a vigorous civil society before the CEECs joined the Union. (See e.g. European Commission 2000: 4; 2001: 14) Based on such references, one expects the European Union to have contributed actively to the development of civil society during the Eastern enlargement. The main aim of our article is to verify whether the EU has lived up to this general expectation, by examining whether and how it has tried to promote an active civil society in the Czech Republic and Slovakia.

When examining the development of the Czech and Slovak third sector during accession, the article tries to avoid a key problem of contemporary Europeanisation research, being its almost exclusive focus on European explanatory variables. In any given country several actors and processes interact on the domestic scene, which makes it difficult to determine which domestic changes can be directly attributed to the impact of the European Union. (Goetz 2000: 227; Olsen 2002: 937, 942) In this context Europeanisation scholars have often prejudged or overestimated the significance of EU variables. This article avoids this recurrent methodological trap of Europeanisation research by supplementing the analysis of the EU's enlargement policy – which takes up the lion's part of the article – with an examination of the Czech and Slovak domestic policies on civil society. Where our first analysis allows us to define whether the Union has actively supported the development of a vigorous civil society in the Czech Republic and Slovakia, our second analysis reveals whether EU incentives have been supported, or even supplemented, by domestic actions. The findings of our research allow for a deeper understanding of the realities of civil society

³ Instead of applying coercion – the key instrument of conditionality – domestic change in a CC can be incited by a process of socialisation or persuasion, in which the EU is capable of convincing the target country of the intrinsic value of its rules. (Sedelmeier 2006: 13) Socialisation and persuasion take place when national elites engage in increased interaction with the different EU institutions, or when they take up membership in transnational party federations. (Pridham 2005: chapter 5; 2006: 359-360)

development in the Czech Republic and Slovakia at the time of their accession to the European Union.

Before elaborating on the structure of the article, some caveats are in order. The first relates to our understanding of the concept of Europeanisation. Europeanisation is a term which lacks a single definition, but instead entails considerable conceptual problems and confusion. While some scholars have claimed that the concept is not useful or even favour abandoning it altogether (Kassim 2000: 235), others (e.g. Olsen 2002; Featherstone 2003: 3) have tried to bring some order to the chaos, by offering typologies and classifications to better conceptualise the theoretical concept. Because alternative classifications of Europeanisation exist, it is necessary to mention that in the article candidate country Europeanisation is identified with the adoption of EU rules – both formal and informal – as elaborated by Schimmelfennig and Sedelmeier. (2004; 2005a)

A second caveat concerns the methodological choices of the article. Our study of domestic politics regarding civil society development consists of an analysis of key political documents drawn up by the Czech and Slovak Republics during the period of EU accession. An analysis of government programmes and party manifestoes issued in both CCs between 1998 and 2004 is carried out. When analysing these different national documents, we are well aware of the fact we are examining the intentions of policy makers and not the actual policies which have been implemented. The decision to focus on these documents has been motivated by the fact that they best allow us to uncover the salience of the topic of civil society on the domestic scene. When offering support to civil society is a recurrent topic in government programmes and/or party manifestoes, we can assume that the development of civil society was an issue of interest, supported by the various domestic actors in question. The article deliberately does not offer an examination of policy changes in the field of civil society, since this method would not allow us to determine whether these decisions had been made in response to EU requests, or merely out of domestic considerations. Since we aim to uncover whether civil society development was supported by Czech and Slovak domestic actors – regardless of EU demands or incentives – this option was deemed unsuitable in terms of providing an answer to this question.

It is also crucial to mention here that the analyses of government programmes and party manifestoes can only offer a first insight about the salience and development of civil society in both CCs. The article therefore does not claim to offer an exhaustive overview of all domestic factors which could have had an impact on the development of civil society in the Czech Republic and Slovakia in the period of EU accession. Such systematic

examination falls outside the scope of this article, but at the same time offers interesting opportunities for further research.

The article reads as follows. A first chapter elaborates upon the concept of civil society and its divergent development in the Czech Republic and Slovakia. A second part focuses on the enlargement policy of the European Union. In order to outline the EU's efforts to promote civil society development in the Czech and Slovak accession process, an analysis is carried out of the Accession Partnerships, Commission Reports and Phare financial aid projects developed since 1998. A rationalist institutionalist framework is applied in which the external incentives model (EIM) is adapted to better explain EU impact on issues of substantive democracy. A third chapter is dedicated to the domestic component of our research. A final part summarises the results of our research and concludes that, contrary to what Europeanisation literature may expect, EU incentives had to be supported by national actions in order to successfully promote the development of a vigorous civil society in the CCs.

1. The divergent development of Czech and Slovak civil society

As is the case for many concepts in the social sciences, civil society lacks a single definition. Besides the exact meaning of the term, there exists disagreement on the scope of the concept. The modern idea of civil society is based on a separation of society into three arenas: a political, an economic and a civil society⁴. The latter refers to all self-organised intermediary organisations and associations existing outside the state and the market. (Carothers 1999: 19; Schmitter 1993: 5) This sector – which is often denoted as the third sector or the voluntary sector – comprises divergent groups such as NGO's, religious organisations, labour and trade unions, employers' and employees' federations, chambers of commerce, professional and business organisations, cultural and artistic associations, educational organisations and academia, media, sports and recreational clubs, charity organisations, political movements, organisations dedicated to health care and social work, youth work groups and consumers' organisations⁵.

Civil society is an important, if not indispensable, part of a democratic order. (Carothers 1999; Diamond 1994) By representing the interests and opinions of citizens in the policy making process, CSOs link the political elite with society

⁴ As Kopecký (2003: 15) rightfully points out, the depiction of society as a tripartite world serves analytical simplification, and overlaps between the three sectors are to be found.

⁵ This list of organizations belonging to civil society has been drawn up on the basis of mainstream academic work. (Howard 2002: 158-159; Fagan 2005; World Value Survey; Diamond 1994: 6; Carothers 1999: 19-20; Hadenius – Uggla 1996: 1621) While we do not claim this list to be neither final nor absolute, it has been used as a basis to conduct the research presented in this article.

at large. (Carothers 1999: 21; Howard 2002: 165) The main democratic task of the third sector, however, is to curtail the power of the state. CSOs restrict the power of democratic political leaders as they control the state, check for abuses of power, and protect citizens against unjust laws and policies. (Diamond 1994: 7; Howard 2002: 165)

When focusing on the development of civil society during the Eastern enlargement, we have opted for comparative research between the Czech Republic and Slovakia. This has been motivated by the fact that both countries – although sharing a large part of their history – showed a wide variance in their democratic development after the split of Czechoslovakia in January 1993. While the Czech Republic chose the path of liberal democracy, Slovakia was clearly struggling to establish the basic principles of democracy. The diverging development of democracy in both countries was clearly reflected in their EU accession process. The Czech Republic belonged to the first group of CEECs receiving candidate status at the Luxembourg European Council in December 1997. The initial relationship between Bratislava and Brussels on the other hand was tainted by the authoritarian behaviour of the Slovak government. In December 1997 Slovakia was withheld candidate status because of the insufficient level of its democratic development. Until the Mečiar regime was replaced by a liberal, pro-reform government in October 1998, issues of democracy dominated the relationship between Slovakia and the EU. After 1998 however, the situation improved at a high pace and Slovakia was officially recognised as a CC in December 1999 and started accession negotiations in February 2000. These decisions revealed the fact that the European Union considered Slovakia to possess the basic characteristics of a liberal democracy by the end of 1999.

In order to assess the development of the Czech and Slovak third sectors in the years of EU accession⁶ we have calculated the number of CSOs registered per 1.000 inhabitants. The results show that during EU accession more CSOs were active in the Czech Republic (average 4,58 / 1000 inhabitants) than in Slovakia (average 3,73 / 1000 inhabitants). The Slovak third sector, however, developed at a higher pace, marking an increase of 87.15 % between the start of the accession process, while the number of Czech CSOs increased by only 54.50 % within the same period.

⁶ According to the European Union, the accession process of the CEECs was launched on March 30, 1998. The Czech Republic started its accession negotiations the same month, while Slovakia started the official negotiations for membership in February 2000. Regardless of this two-year difference, we follow the time delineation of the European Union and use the term 'accession process' to cover the years 1998 – 2004 for both countries. This decision is supported by the fact that the EU's main accession documents have been developed for all Central and Eastern European CCs since 1997 (Opinion Reports) or 1998 (Regular Reports, Accession Partnerships, reoriented Phare programme).

Table 1: Number of CSOs registered in the Czech Republic and Slovakia

Czech Republic	Mid-year population	Total number of CSOs	CSOs per 1,000 inhabitants	Average (1998 – 2004)	Increase (1998 – 2004)
1998	10.294.943	36.301	3,53	4,58	54.50 %
1999	10.282.784	39.599	3,85		
2000	10.272.503	43.876	4,27		
2001	10.224.192	48.885	4,78		
2002	10.200.774	51.025	5,00		
2003	10.201.651	53.090	5,20		
2004	10.206.923	55.604	5,45		

Slovakia	Mid-year population	Total number of CSOs	CSOs per 1,000 inhabitants	Average (1999 – 2004)	Increase (1999 – 2004)
1998	5.390.866	n.a.	n.a.	3,73	87.15 %
1999	5.395.324	13.625	2,53		
2000	5.400.679	17.844	3,30		
2001	5.379.780	n.a.	n.a.		
2002	5.378.809	21.916	4,07		
2003	5.378.950	21.661	4,03		
2004	5.382.574	25.438	4,73		

Based on data from the Czech Statistical Office, Slovak Statistical Office, neziskovy.cz, Bůtora – Demeš 1998; Demeš 1999; 2001; 2002; 2003; Kadlecová – Vajdová 2004; Vajdová 2005

In order to compare the level of membership in CSOs, we have used data collected by the World Value Survey (WVS). The WVS is a global network of social scientists who survey the basic values and beliefs of the public. The network seeks to map and understand the human component of ongoing global social and political changes in more than 80 societies, on all six inhabited continents. Their study comprises five waves of research, carried out between 1981 and 2008. At the moment, the WVS network works on a sixth wave of surveys, which will be carried out in 2011 – 2012.

Numerical data on civil society membership in the Czech Republic and Slovakia are to be found in wave two – carried out in 1990 – 1991 – and wave four – conducted between 1999 and 2001. In both waves of surveys, the WVS network provides data on the percentage of society which belongs to at least one CSO. A comparison of both countries results in table 2.

This table reveals that in the Czech Republic civil society membership decreased over the years, while an opposite development can be noticed in Slovakia. At the beginning of the nineties the share of society which belonged

to at least one CSO was 6.6 % higher in the Czech Republic than it was in Slovakia. Less than a decade later the tables had turned: at the time that Bratislava was about to start negotiating EU accession, Slovak civil society membership exceeded civil society membership in its neighbouring country by 9.1 %.

Table 2: Percentage of Czech and Slovak society which belongs to at least one CSO

Wave	Year	Czech Republic	Slovakia
2 nd Wave	1990 – 1991	62.2 %	55.6 %
4 th Wave	1999 – 2001	55.6 %	64.7 %

Source: website WVS

Data on civil society membership have to be treated with caution however. As scholars such as Kopecký (2003), Howard (2002) and Merkel (2001) rightfully point out, the number of citizens active in a CSO is not always an indication for the actual involvement of these members in the organisation. Organisational membership does not necessarily equate with organisational intensity. (Kopecký 2003: 7) In the same line of reasoning, the number of active CSOs does not tell the whole story on the strength and influence of the third sector inside a country. (Kopecký 2003: 2; Merkel 2001: 106) For this reason we have opted to include a third database, which reflects not merely the number of active CSOs, but provides a more qualitative assessment of the development of the third sector in both the Czech Republic and Slovakia. For this reason, the empirical parts of our article primarily use this data set when examining Czech and Slovak civil society development during accession.

The data-set in question is provided by Freedom House. Its Nations in Transit study analyses the progress of democratic change in 29 countries, focusing on reform in the former communist states of Europe and Eurasia. Data are provided on seven democratic categories, including civil society. Numeric ratings are assigned based on a scale of 1 to 7, with 1 representing the highest and 7 the lowest level of democratic progress. As mentioned above, the added value of the Nation in Transit study lies in the fact that the data on civil society are based on a qualitative rather than a quantitative assessment of the situation. The ratings do not merely represent the number of CSOs active in a country, but they reflect data on the growth of NGO's, their organisational capacity and financial sustainability, the legal and political environment in which they function, the development of free trade unions and the participation of interest groups in the policy process. A comparison between the ratings offered on civil

society in the Czech Republic and Slovakia for the years of EU accession can be found in table 3.

The data show that the Czech Republic had a well functioning civil society at the time it was acknowledged as a CC. This did not change by the time the country joined the European Union. A small deterioration of 0,25 points can be noticed in 2002, which is rectified the next year. Slovakia, on the other hand started off much worse, but underwent radical changes before entering the Union in 2004. A crucial improvement of 0,75 points took place between 1998 and 1999. In the subsequent years before accession an annual improvement of 0,25 points can be noticed. As a result, the situation of civil society in Slovakia was, by the time of EU accession, assessed more positively than in the Czech Republic.

Table 3: Level of civil society development in the Czech Republic and Slovakia

	Czech Republic	Slovakia
1998	1,50	3,00
1999 – 2000	1,50	2,25
2001	1,50	2,00
2002	1,75	1,75
2003	1,50	1,50
2004	1,50	1,25

Source: Freedom House – Nations in Transit study

Faced with these data, we are tempted to take a closer look at how the European Union has handled the question of civil society in the Czech and Slovak accession process. Especially with regard to Slovakia, we can wonder whether the improvement of its civil society records is an achievement of the EU accession process. To answer this question, an analysis of the Union's enlargement policy is in order. We start this analysis by examining the salience of civil society development in the Union's conditionality instruments (Accession Partnerships and Commission Reports) as well as in the financial aid provided to the Czech Republic and Slovakia (Phare programme). To assess the impact of the European Union, we apply the EIM, which has been adapted to better suit issues of substantive democracy. Our analysis of the Union's instruments and the application of its findings in the EIM allow us to identify the impact of the European Union on the development of Czech and Slovak civil society during accession.

2. The EU's impact on civil society development

During the Eastern enlargement, the EU applied several instruments to promote domestic change in the CCs. One of the most effective tools was the application of conditionality. By linking the provision of aid and the promise of membership to the fulfilment of certain criteria, the Union has been able to guide the reform process in CEE. A second instrument used to guide the transition process was the provision of financial aid. Both tools have been applied by the European Union to stimulate economic and political reform in the Central and Eastern European CCs.

In order to become a member of the European Union, a country has to fulfil certain criteria. The basic conditions for membership were laid down at the Copenhagen European Council in 1993. These conditions not only stipulate a functioning market economy and the adoption of the *acquis communautaire* as a prerequisite for membership, but they also put forward democratic criteria which have to be met⁷. (See also De Ridder *et al.* 2008: 244ff.) The political Copenhagen criterion mainly contains requirements of formal democracy, but in the course of the accession process, the EU's enlargement policy was fleshed out to include issues of substantive democracy.

During enlargement, the EU specified the conditions for membership in Accession Partnerships, which were drawn up for each CC individually. These documents contained Short- and Medium Term Priorities and Objectives in which the Union identified the areas where improvement was needed before membership could be granted. In addition to being a condition for membership, the achievement of these objectives determined the financial aid which was provided to the country. The Regular Reports published by the European Commission constituted a second active application of conditionality. (Grabbe 2006: 13) In these annual reports, the Commission assessed compliance with the accession criteria and the progress towards accession made by the different applicant countries. This in turn allowed for differentiation between the various applicants. The Commission's continuous monitoring made it virtually impossible for the CCs to mitigate impact induced by the Union. (Grabbe 2001: 1022; 2003: 307) Negative assessments by the European Commission increased the pressure on incumbent governments to undertake reforms. Positive comments, on the other hand, increased the legitimacy of political choices in the post-communist context. (Grabbe 2001: 1022) The different Commission Reports were made public, which increased the effect of naming and blaming.

⁷ The democratic criteria of accession established at the Copenhagen Summit in 1993 read as follows: Membership in the European Union requires that a CC "has achieved stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities". (European Council 1993: 14)

Besides the application of conditionality, the European Union used the provision of financial aid as a powerful tool to have an impact on the Central and Eastern European CCs. The bulk of financial help was distributed through the Phare programme. The latter was set up by the OECD, as early as 1989, as a stimulus for the massive reforms which had to be carried out in CEE. The coordination of the programme was assigned to the European Commission. In 1998, the Phare programme was reoriented towards supporting the CCs in their preparations for membership. Taking into regard the vast amount of money allocated, the Phare programme had great potential for influencing the CEECs. (Smith 2004: 71ff.)

In what follows we examine how the EU has applied these two instruments in the Czech and Slovak accession process with the aim of promoting a vigorous civil society in both countries. Before doing so, we elaborate upon the EIM, which provides us with a theoretical framework to assess the impact of the European Union on the development of the Czech and Slovak third sector.

2.1. The external incentives model

Schimmelfennig and Sedelmeier (2004: 663-667; 2005a: 10 ff.) offer a rationalist institutionalist model to account for the impact of EU conditionality. Their EIM is a rationalist bargaining model which specifies the conditions under which CCs are likely to adopt EU rules. The authors define 'rules' in a broad manner, including formal as well as informal rules. This focus on rule adoption makes the EIM highly suitable in terms of explaining the transposition of the *acquis communautaire* to CEE. The EU's legislative body contains concrete and tangible laws whose adoption was a precondition for membership. However, the *acquis* provides the Union with few binding rules which can be presented to the CCs when it comes to issues of substantial democracy. For that reason we will not apply the EIM to explain mere rule adoption as such, but to account for EU impact in a broader sense. For the same reason, the explanatory model elaborated by Schimmelfennig and Sedelmeier is adapted to better suit issues of deeper democracy.

The EIM departs from the general hypothesis that a target government will adopt EU rules if the benefits of the rewards offered by the European Union exceed the domestic adaptation costs. Four sets of factors intervene in this cost-benefit calculation. The first factor is the determinacy of the conditions. In order for an EU rule to be adopted, the European Union needs to formulate it as a condition for rewards. This precondition confronts us with a first difficulty in applying the EIM to explain EU impact on issues of substantive democracy. In the latter case, the European Union often did not officially formulate an improvement of the situation as a condition for membership, nor did it present

clear rules to be adopted. When applying the EIM in a strict sense, this would imply that the European Union has not had any impact on the development of substantive democracy during the Eastern enlargement. While acknowledging the importance of formal conditions and their power to bring about change, we do not regard the formulating of the adoption of a rule as a condition for membership as the only way in which the EU has been able to have an impact on domestic developments in the CEECs. We claim that, even when the precondition of a formal condition has not been fulfilled, the independent variables identified in the EIM can still be relevant when accounting for the impact of the EU on the consolidation of substantive democracy in CEE.

In their model, Schimmelfennig and Sedelmeier also elaborate on the determinacy of the conditions as an intervening variable. The likelihood of rule adoption increases with the determinacy of the conditions set by the EU, and the determinacy of the rule itself. Determinacy refers to the clarity and formality of a rule. The higher the clarity of a rule, and the more legalised or binding its status, the higher its determinacy. When adopting this model to better suit issues of substantive democracy, we claim that not only the determinacy of a concrete rule, but also the determinacy by which the EU generally treats a certain issue in the enlargement process, will determine the impact the Union exerts on the issue in question. The higher the clarity of the rules presented to the CCs – even when their adoption is not formally laid down as an accession criterion – the higher the likelihood of EU impact.

A second factor which has an impact on the likelihood of rule adoption is the size and speed of the rewards which are offered in exchange for compliance. The likelihood of rule adoption varies directly to the size and speed of the conditions' rewards. The larger the reward, and the sooner it is to be granted, the larger the likelihood of rule compliance. Issues of substantive democracy, however, have hardly ever⁸ been linked directly to membership (see also De Ridder 2010), nor have they been the single criterion for the granting of other rewards, such as financial aid. For this reason the size and speed of the rewards will not determine the impact of the European Union on cases of deeper democracy. Since we do not exclusively examine mere rule adoption, but rather EU impact in a broader sense, we suggest including the financial aid which has been granted to the accession countries in this second set of factors. With the provision of financial aid, the European Union disposed of a powerful tool to influence developments in CEE. Due to the fact that issues of substantive democracy improvement were not directly linked to specific rewards, the relevance of financial help as a tool to bring about change

⁸ A notable exception is the inclusion of respect for and protection of minorities in the political Copenhagen criterion.

increased. The higher the amount of money dedicated to a certain topic, the higher the impact to be expected.

A third intervening factor identified in the EIM is the credibility of conditionality. (cf. Sedelmeier 2006: 11ff.) For the EU's conditionality to be effective, there must exist a genuine threat that the Union will withhold the reward in case of non-compliance. In addition, a CC must be convinced that the EU is capable of providing the reward when the conditions are met. In the case of the Eastern enlargement, the credibility of conditionality has been identified as beneficial for rule adoption. (Schimmelfennig – Sedelmeier 2005a: 14) In general the CEECs were convinced that the EU was capable of delivering and/or withholding the reward in case of (non-) compliance. As suggested above, and demonstrated in our analysis hereafter, issues of substantive democracy have never been the main criterion linked directly to the granting of a certain reward. For this reason, the intervening factor of the credibility of conditionality loses its relevance when accounting for the differential impact of the EU on issues of deeper democracy. When progress on a certain issue is not directly linked to receiving a reward, it becomes insignificant to a target country whether the EU is capable of delivering or withholding this reward.

A last set of factors identified by Schimmelfennig and Sedelmeier are adoption costs and veto players. In cases where the previous three factors are beneficial for rule adoption, the size of the adoption costs and their distribution among the different veto players will determine whether a CC accepts or rejects the conditions presented by the EU. Our basic criticism of the EIM is precisely that the model cannot be used to explain domestic change in substantive democracy when the scope conditions identified by Schimmelfennig and Sedelmeier are applied rigidly. Since the fourth set of variables only comes into play when the previous three are beneficial for rule adoption, we suggest replacing this last set of variables by an analysis focusing merely on the domestic politics of CCs, as is done further on in this article.

In sum, when adapting the EIM to account for EU impact on issues of substantive democracy, the determinacy of EU demands and the size and speed of rewards are the two most powerful intervening variables explaining domestic changes in CEE. Besides the official formulation of progress as a condition for membership, the Union's impact is determined by the clarity by which it has treated a certain topic during the accession process. While EU-induced domestic change depends on the size and speed of the rewards, the financial aid provided to support issues of substantive democracy is a contributory factor explaining EU impact. The final two sets of independent variables in the EIM – the credibility of conditionality and domestic adaptation costs and veto players – become irrelevant when examining the Union's impact on the consolidation of deeper democracy in CEE.

2.2. Promoting civil society in the Eastern enlargement: Applying the tools

In order to identify the impact of the European Union on Czech and Slovak civil society development, we have examined the Accession Partnerships and Commission Reports published by the European Union. In addition we have carried out an analysis of the financial aid granted to the Czech Republic and Slovakia. In a subsequent subchapter, the results of these analyses are inserted in our adaptation of the EIM, with the aim of identifying the EU's impact on pre-accession civil society development.

2.2.1. Accession Partnerships

Short and Medium-term Priorities and Objectives were drawn up for the CEECs in 1998, 1999 and 2002. In none of the documents issued about the Czech Republic civil society is identified as an area of urgent attention. For Slovakia, one reference to the third sector is made in 1998, where the EU identifies the strengthening of NGO's as a medium-term priority:

“Further steps to foster and strengthen the functioning of the institutions of democracy, non-governmental organisations (NGOs), independence of the media and the policies and institutions protecting the rights of minorities.” (Council of the European Union 1998)

Taking into account the fact that a total of over 500 criteria were established for the Czech Republic and Slovakia together (De Ridder 2010, see also footnote 13), one single reference to civil society development is negligible.

2.2.2. Commission Reports

In its annual assessment of the CCs' progress towards accession, the European Commission also pays attention to the development of civil society. In the reports, reference to civil society is made in the first chapter, which assesses compliance with the Union's democratic criteria. In the Czech Opinion Report⁹, no literal reference is made to the non-governmental sector. The report refers to the existence of freedom of association and freedom of assembly, which it deems indispensable for the development of an active civil society. On the other hand, the Slovak Opinion Report makes direct reference to the state of civil society in its general introduction. Referring to political circumstances in the country, the report calls for a special focus on the establishment of civil society. The Slovak report also refers to the third sector when it examines the functioning of the country's executive powers. The government is assessed negatively for seeking to extend its methods of exercising control over various

⁹ The Regular Reports – published annually between 1998 and 2002 – were preceded by an Opinion Report, issued in 1997. In the latter reports, the Commission evaluated the capacity of the CEECs to implement the Union's legislation and made recommendations on the opening of accession negotiations.

sectors of civil society. As to the freedom of association and assembly, the situation in Slovakia is described less positively than in the Czech Republic. Some decisions of the legislative and executive seem to counteract the development of an active civil society. The Czech and Slovak Opinion Reports also contain indirect references to civil society when they assess the situation of the Czech and Slovak trade unions. The references to trade union activity in both reports are purely descriptive, offering data on the percentage of union membership and on the number of trade unions and trade union federations active in both countries.

Parallel to the Opinion Reports, the subsequent Regular Reports contain references to civil society when assessing compliance with the EU's democratic criteria. For both countries, direct references are to be found in three out of the five reports. Those documents which do refer to the third sector give an overview of the development of civil society, its funding, and the legislative framework which regulates its activities. In the Slovak reports, more detailed attention is paid to the relation between civil society and the government. The different Regular Reports on both CCs also provide information on the situation of the Czech and Slovak trade unions.

Table 4: Reference to civil society in the first chapter of the Czech and Slovak Opinion Reports (OR) and Regular Reports (RR)

Czech Republic	OR 97	RR 98	RR 99	RR 00	RR 01	RR 02
Number of words in chapter on democratic criteria	3.417	1.712	2.712	5.641	6.350	8.273
Number of words dedicated to civil society	139	106	8	56	113	138
Reference to civil society –percentage of the entire chapter	4.07 %	6.19 %	0.29 %	0.99 %	1.78 %	1.67 %

Slovakia	OR 97	RR 98	RR 99	RR 00	RR 01	RR 02
Number of words in chapter on democratic criteria	3.816	2.659	3.363	4.408	5.539	7.751
Number of words dedicated to civil society	182	141	88	319	26	30
Reference to civil society –percentage of the entire chapter	4.77 %	5.30 %	2.62 %	7.24 %	0.47 %	0.39 %

For the Czech Republic, as well as for Slovakia, the first two Commission reports (OR 97 and RR 98) pay relatively more attention to civil society actors than the subsequent Regular Reports. While the entire reports themselves become more extensive over the years, this does not hold true for the attention

paid to the subject of civil society. In half of the reports, less than two percent of the assessment of the democratic situation in the country is dedicated to the third sector. These numbers suggest that civil society was not a major topic on the agenda of the Commission.

As the data from Freedom House demonstrate, civil society in the Czech Republic was much better developed than in Slovakia at the start of the EU accession process. Faced with this variance, one would expect the Union to have treated both countries differently. But the references to Czech civil society bear great resemblance with those to Slovakia's third sector. The biggest difference which can be noticed is the more critical assessment in some Slovak reports of the relation between the government and civil society. With the exception of the latter assessments, no substantial variance is to be found. At times, identical wording is even used when assessing the situation in the two acceding countries. The fact that the European Commission reports, when describing Czech and Slovak civil society development, have not differentiated between both countries in terms of the wording and content of its reporting is striking given the different levels of civil society development in the Czech Republic and Slovakia.

2.2.3. Financial aid

Besides applying a conditionality policy, the Union has influenced developments in CEE by providing financial aid. When analysing the Phare aid¹⁰ which was allocated to the Czech and Slovak Republics, we come across several projects which have been dedicated to civil society. Within these projects a distinction can be made between two categories. A first set of projects grants money to the general development of the third sector. They provide funds to support the sustainability of the non-profit sector or to improve the efficiency of the activities performed by CSOs. A second category of projects provides financial aid to support one CSO in particular (e.g. an association of judges), or those CSOs active in one particular domain (e.g. Roma integration).

In the framework of the Czech National Programmes, the Commission dedicated four projects, worth 7,25M€, solely to the development of Czech civil society. Ten projects, for a total sum of 8,45M€, provided money to one CSO, or those active in one particular domain. For Slovakia only one project, for the amount of 2,50M€, was set up with the principle aim of developing Slovak civil society. Only two projects, worth 3,20M€, were elaborated to

¹⁰ Our research on the Phare financial aid provided to the Czech Republic and Slovakia is based on an analysis of the Phare national programmes. Phare funds have been distributed through several programmes, depending on the beneficiary countries involved. The national programmes which were developed for each CC separately and elaborated on the financial aid for the year in question were most important. The bulk of the financial aid provided by Phare was distributed through these programmes.

support a single third sector organisation, or organisations active in one particular domain.

The provision of financial aid was one of the most powerful tools at the disposition of the EU to influence domestic developments in the CEECs. An analysis of the projects granted to the Czech and Slovak Republics teaches us that only a small part of these funds was dedicated to supporting the development of a vigorous third sector in the CCs. Remarkably, the Czech Republic received more money for this aim than Slovakia, although civil society in the latter country was less well developed. This finding suggests that the European Union did not take the initial conditions inside an accession county into account.

Table 5: Phare financial aid dedicated to the Czech Republic and Slovakia to support civil society development

Czech Republic	Money allocated	% of total amount	Number of projects
Total amount of money allocated under the PHARE National Programmes to the Czech Republic (1998 – 2006) ¹¹	380 M€	100 %	200
Amount of money allocated to projects which support the general development of civil society inside the country	7,25 M€	1.91 %	4
Amount of money allocated to support one particular CSO, or those CSOs active in one particular domain	8,45 M€	2.22 %	10
Total amount of money allocated under the Czech National Programmes to support the development of civil society	16,70 M€	4.13 %	14

Slovakia	Money allocated	% of total amount	Number of projects
Total amount of money allocated under the PHARE National Programmes to Slovakia (1998 – 2006)	330 M€	100 %	169
Amount of money allocated to projects which support the general development of civil society inside the country	2,50 M€	0.76 %	1
Amount of money allocated to support one particular CSO, or those CSOs active in one particular domain	3,20 M€	0.97 %	2
Total amount of money allocated under the Slovak National Programmes to support the development of civil society	5,70 M€	1.73 %	3

¹¹ Phare projects were drawn up with the aim of supporting accession preparations between 1998 and 2004. From the day of accession to the end of 2006, temporary financial assistance was granted under the banner of the Transition Facility. The latter provided financial aid to the new member states with the aim of supporting their administrative capacities to implement community legislation and to foster the exchange of best practice among peers.

2.3. Explaining the limited impact of EU incentives

Our analyses of the Accession Partnerships, Commission Reports and Phare programme allow us to determine the effectiveness of the EU's conditionality policy with regard to civil society development in the Czech and Slovak accession processes. To do so, we apply the EIM once we have adopted it to better suit issues of substantive democracy. A basic condition which enhances the impact of EU conditionality is the formulation of a rule as a condition for membership. While the importance of and preference for a developed civil society in CEE is shown in various documents of the European Commission (first and foremost in the various Regular Reports), our analysis of the Accession Partnerships reveals that a well developed civil society has never been formally established as a membership criterion in the case of the Czech Republic. For Slovakia, this request was made in 1998, when the CC was asked to strengthen the functioning of its NGOs. Only one condition out of the 287 priorities and objectives identified in the Slovak Accession Partnerships refers to the third sector. While a strong civil society in Slovakia was formally established as a condition, the fact that there is only one single reference suggests that it was not a priority on the Union's conditionality agenda.

Formulating a rule as a condition for membership is only one of the factors which define the determinacy of the EU's demands. For the EU to have an impact on a CC's deeper democracy, the EU needs to treat the issue in the enlargement process in a clear and formal way. With regard to civil society development, this factor has not been beneficial for EU impact in the Czech and Slovak accession process. Our analysis of the Regular Reports shows that the European Union has often been unclear in its requirements of civil society development. In the different reports, the European Commission gives an overview of the situation in which the third sector functions. The bulk of these references is purely descriptive. Hardly ever does the EU determine what can or has to be done by the CC to improve the development and functioning of its civil society. This makes it difficult for the acceding countries to see how they can comply with the expectations of the European Union. This uncertainty about the tasks to be fulfilled has been identified as one of the main factors intervening in the impact of the EU's conditionality on applicant states. (Grabbe 2006: 75ff.; Schimmelfennig – Sedelmeier 2005a: 10 ff.; De Ridder 2010)

The vagueness of the Regular Reports has to be linked to the fact there exists no Community competence in the field of civil society. As several authors (Grabbe 2001; Olsen 2002) have pointed out, issues of democracy and democratisation remain largely outside EU-level responsibilities. This is reflected in the fact that these issues are not covered in the Union's *acquis communautaire*. Also civil society does not appear in the extensive legislative

body of the European Union. The EU does not dispose of binding and legal rules on the role or the development of the third sector in a member state. The European Commission has published several documents on civil society (European Commission 2000; 2001; 2002), in which it focuses on the relationship between the European institutions and civil society actors and the role of the latter in the EU's decision making process. However, in these the European Union never elaborates on the function and development of civil society inside its member states. Neither does it provide benchmarks nor standards for the role of CSOs in a modern liberal democracy. As a result, there are no binding Community rules on civil society and no *acquis communautaire* on the third sector. This also explains why civil society was never mentioned during the accession negotiations, where issues on *acquis* transposition were negotiated¹².

A second set of factors which have an impact on the effectiveness of EU conditionality is the size and speed of the rewards. The ultimate reward for rule compliance is the granting of EU membership. As is the case with most issues of substantive democracy, civil society development has never been linked directly to the decision to grant membership. Since accession was a remote reward, the Union has installed intermediate rewards such as financial aid. One of the conditions for receiving financial help was the fulfilment of the Short and Medium-term Priorities and Objectives. For Slovakia, an improvement of its NGO sector was identified as a medium-term priority in 1998. Improving its civil society sector thus became a *de facto* condition for receiving financial aid. However, civil society development was just one of 287 factors which determined the granting of financial aid. The bulk of the references¹³ cover the obligations under the third Copenhagen criteria (taking over the *acquis communautaire*). This minor reference to civil society development suggests that the issue was not one of the main conditions determining the scope of financial assistance. Moreover, the provision of financial aid has never been halted because of an insufficient development of a CC's third sector. With regard to the speed of the rewards, Schimmelfennig and Sedelmeier have suggested that the closer membership comes, the higher the level of compliance. After 1998, however, civil society development has no longer been identified as a condition to be fulfilled before financial aid or membership is granted. When adapting the EIM to better account for EU impact on issues of substantive democracy, we have included financial aid under the second set of

¹² Information obtained in interviews with Petr Kubernát (May 28, 2008) and Jiří Havlík (June 4, 2008) in Prague. Both were members of the Czech negotiation team during accession.

¹³ Out of the 254 priorities identified for the Czech Republic, 13 related to democratic criteria, 20 to economic criteria, 204 to criteria on *acquis* transposition, and 17 to administrative criteria. For Slovakia, 287 priorities were established, of which 25 covered the first criterion, 23 the second, 223 the third, and 16 the fourth criterion.

intervening variables identified by Schimmelfennig and Sedelmeier. Our analysis of the Phare programme reveals that only a small part of the funds were dedicated to the strengthening of civil society in the Czech Republic and Slovakia. As a result, the financial aid provided by the European Union was not able to exert more than a minor influence on the development of the third sectors during the accession years.

In our adaptation of the EIM, the credibility of conditionality as a third intervening variable has been identified as irrelevant when accounting for EU impact on developments of deeper democracy in CEE. The fourth set of variables focusing on domestic factors is replaced by an analysis of the national policies on civil society development in the next chapter.

To conclude, the scope conditions identified in the EIM as determining the impact of the Union's conditionality have not been favourable to promote the development of a vigorous civil society. In the case of the Czech Republic, the European Union has never formulated a vigorous civil society as a prerequisite for membership. While for Slovakia the strengthening of its NGO sector has been formulated as an accession criterion once, the lack of clarity of the Union's civil society demands did not favour domestic impact. Also, the size and speed of the rewards and the financial aid provided to both CCs were not beneficial for EU impact. No reward was directly linked to progress in civil society development, and little money was provided to support the third sector in both countries. Based on this analysis using an adaptation of the EIM, we can therefore conclude that the impact of the European Union on Czech and Slovak civil society during accession has, when existent, only been minor.

3. The domestic salience of civil society development

After elaborating upon the Union's enlargement policy and instruments, we analyse in this third chapter the domestic salience of civil society development in the Czech Republic and Slovakia. As mentioned above, the impact of the European Union is often taken for granted by Europeanisation scholars, as many fail to acknowledge that other dynamics may be the driving force behind change. (Radaelli – Pasquier 2007: 37, 40; Haverland 2006) However, in the context of EU accession conditionality, several authors (Hințea *et al.* 2004: 146; Hughes *et al.* 2004: 543; Sasse 2005: 15; Malová – Houghton 2002: 116) emphasize the importance of domestic (f)actors which determine the outcome of the Europeanisation process. Compliance with the EU's criteria of formal democracy – which was a prerequisite to receiving candidate status – was largely determined by the domestic adaptation costs for the incumbent government of the applicant state. (Schimmelfennig 2005: 828ff.; Schimmelfennig – Sedelmeier 2005b: 212ff.; 2007: 91-93) In this regard, the start of the accession talks with Slovakia were postponed as its democratic

records under the Mečiar regime were deemed insufficient. (De Ridder *et al.* 2008: 245)

But domestic factors did not merely play a role in the context of democratic conditionality, they also proved crucial in the context of *acquis* conditionality¹⁴. Here the density of the *acquis* in a certain policy area determined the demands presented by the EU to the CCs. This in turn defined the Union's leverage and the scope left to domestic actors to step in. (Magen – Morlino 2009: 238) In other words, where the *acquis* was “thick” – offering many concrete and tangible rules in a certain policy area – the leverage of the EU was deemed higher than in policy areas where the *acquis* was “thin”. (Hughes *et al.* 2004: 525; Jacoby – Cernoch 2002: 320; Brusis 2005: 316) In those cases where the Union had little or no *acquis* to transfer, the EU made use of thresholds instead of offering clear benchmarks which had to be met. (Hughes *et al.* 2004: 543; Sasse 2005: 18)

This situation is particularly applicable to issues of substantive democracy, where the Union presented the CCs with little or no concrete rules nor models to adopt, but vaguely asked for an improvement of the situation inside the country. (Brusis 2005: 314; Hughes *et al.* 2004: 542; Vermeersch 2003: 1; Sasse 2005: 12; De Ridder 2009) This left considerable discretion to the accession states to decide on how to manage the issue, which in turn had an impact on the outcome of the Europeanisation process. (Sedelmeier 2006: 18) In these policy domains, the influence of the European Union was exerted indirectly (Olsen 2002: 936). The EU played a role by putting certain issues on the agenda, by framing the debates and perceptions, and by affecting the timing and nature of domestic change. (Sasse 2005: 18; Ram 2003: 46) Instead of directly determining the outcome of domestic reform, the European Union worked as a catalyst for change. (Goetz – Wollmann 2001: 882-883)

The same conclusions can be drawn from our analysis of EU support towards the development of civil society in the Czech Republic and Slovakia. With the exception of a sole reference in the Slovak Accession Partnership, civil society has never been the subject of EU conditionality. In addition, the Commission's annual monitoring reports proved to be primarily descriptive, instead of offering clear rules and methods to the CCs. This vagueness is a direct result of the fact that the EU's *acquis communautaire* does not contain rules which elaborate upon the development and functioning of civil society within EU member states. Besides the fact that the EU did not actively use the instrument of conditionality to promote a strong third sector, the financial aid

¹⁴ In several of their contributions, Schimmelfennig and Sedelmeier (2004: 669-673; 2005b: 210-221; 2007: 89-94) explain how the impact of EU conditionality crucially depends on the context in which it is applied. The authors distinguish between democratic conditionality, and *acquis* conditionality. The main rationale behind this distinction is a theoretical one: the processes of Europeanisation as well as the scope conditions determining the Union's impact differ in both contexts of conditionality. In addition, each kind of conditionality has prevailed at a different historical stage of the accession process.

which it provided to support the development of civil society in the Czech Republic and Slovakia proved to be low. In sum, EU support – which has without doubt exerted an indirect influence on both countries – has been too low to be the sole explanatory variable for the development of the third sector in both the Czech Republic and Slovakia. In order to uncover the realities of civil society development we will therefore analyse national documents of both countries to see whether during accession the limited EU incentives have been supported by or supplemented with a national policy in favour of the development of a vigorous civil society.

When examining how civil society develops in any given country, there are many domestic factors to be taken into account. Political actors are one of them. Although civil society is conceived as an autonomous arena, independent of direct political control, the civil and political sectors are interdependent. A first link between both arenas consists of the participation of CSOs in the formulation and implementation of public policy. Second, civil society often depends on the state for (part of) its funding. Last but not least, the state is the main provider of the rules which protect civil society and determine the conditions in which the sector operates. (Carothers 1999: 26; Hadenius – Uggla 1996: 1628) Precisely because of the interdependence between both sectors, the state can actively contribute to the creation of a healthy civil society. Support can consist of the establishment of a clear and facilitative legal-administrative framework for the functioning of civil society, the offering of tax incentives for the funding of the third sector, the pursuit of partnerships between the state and CSOs, and the provision of channels for influence and interaction. (Hadenius – Uggla 1996: 1630-1632; Carothers 1999: 26) In sum, a state's policy on civil society plays a crucial role in the existence and development of a vigorous third sector. (Hadenius – Uggla 1996: 1628ff.)

In order to gain insight into the Czech and Slovak policies on civil society (development) during accession, we have analysed the government programmes and party manifestoes issued in both countries between 1998 and 2004. A government is the key actor involved in the policy-making process. It plays a crucial role in the initiation, formulation and implementation of public policy. (Heywood 2007: 357ff., 426ff.) In the initiation stage, a government formulates ideas and programmes and determines which issue becomes an item on the political agenda. The appearance of a topic on a government's agenda is a precondition for a policy to be formulated and implemented. The political agenda of a government is reflected in its so-called government programme. This document, in which a government outlines its plans for the future, is submitted to the national parliament in order to receive the approval of the cabinet. An analysis of the Czech and Slovak government programmes is

carried out in order to uncover in how far civil society development has been an issue on the political agenda of both countries.

Besides governments, political parties play an important role in the policy initiation stage. (Heywood 2007: 278, 431) In their struggle for power, the latter formulate the programmes of the government, as well as alternative policies. These programmes and policies grant political parties a key role in the agenda-setting process. Another crucial function of political parties is the wielding of government power. (Heywood 2007: 275) In parliamentary systems the members of the executive are chosen from the national assembly, and are expected to govern according to the political and ideological priorities of their party. (Heywood 2007: 358) The ideas and beliefs of political parties will be reflected in the decisions made by the government. Last but not least, the different parties constitute the national parliament of a country, which holds a key political function when enacting legislation. (Heywood 2007: 335) The policies and programmes, as well as the priorities of a political party, are outlined in its party manifesto. An analysis of the Czech and Slovak party manifestoes allows us to uncover the salience of civil society development in the eyes of the different political parties and of parliament.

Our analysis of the government programmes contains three Czech programmes and two Slovak programmes. As regards party manifestoes, nine have been analysed for the Czech Republic, and 13 for Slovakia. For all documents, a word count has been carried out of those parts dedicated to civil society actors and organisations and the development of the third sector in general¹⁵. In order to get an idea of the proportional salience of these issues in the different programmes and manifestoes, the numbers of words dedicated to civil society (development) have been converted into a percentage. This number expresses the share of the total number of words of the entire programme or manifesto which is dedicated to civil society. The number reflects the salience of civil society and its development in each of the government programmes and party manifestoes.

3.1. Government programmes

In the period of EU accession, the Czech Republic has been ruled by three different governments. After the sudden fall of the Klaus Government at the end of 1997, the country was headed by a caretaker government under Josef Tošovský for a period of seven months. This cabinet was replaced in July 1998, when Miloš Zeman was appointed Prime Minister. He in turn was succeeded in July 2002 by Vladimír Špidla, who headed the Czech government until after

¹⁵ This word count – which has been carried out manually – took into account all CSOs as they are listed in chapter 1. (See also footnote 5) When a government programme or party manifesto proposes measures which hamper the establishment and strengthening of civil society, a negative percentage has been allocated.

EU accession. In their programmes, the latter two governments touch upon issues of civil society. The programme of the Tošovský government fails to refer to the country's third sector. (See table 6)

Slovakia has had two successive governments in the period of EU accession. Both were headed by Prime Minister Mikuláš Dzurinda. The first Dzurinda government came into power in October 1998, the second in October 2002, and ruled until July 2006. The programmes of both governments include references to CSOs or the development of civil society in general. (See table 6)

Table 6: Reference to civil society in the Czech and Slovak government programmes (as a percentage of the entire wording of the programme)

Country	Government	Period	Attention to civil society development	Average
Czech Republic	Tošovský	01/1998 – 07/1998	0 %	0.454 %
	Zeman	07/1998 – 07/2002	0.288 %	
	Špidla	07/2002 – 08/2004	1.073 %	
Slovakia	Dzurinda I	10/1998 – 10/2002	1.573 %	1.124 %
	Dzurinda II	10/2002 – 07/2006	0.675 %	

As the data from Freedom House clearly demonstrate (see table 3), the Czech Republic had developed a well functioning civil society by the time it started its EU accession negotiations. Only a small deterioration could be detected in 2002, which was rectified the next year. Slovakia started of much worse, but underwent a radical improvement in 1998. Smaller advances were noted in the years which followed, as a result of which Slovak civil society was assessed to function better than its Czech counterpart on the day of EU accession.

A first glance at the data in table 6 shows that the issue of civil society development has generally been more salient in the Slovak government programmes than in their Czech counterparts. The table unveils diverging developments in the course of the accession process. While the development of civil society becomes more important in the Czech programmes, the attention paid to the topic in the Slovak versions decreases. The limited attention to civil society development in the Tošovský government programme can partially be explained by the small size of the entire programme. A precondition for the approval of the Tošovský government was the holding of early elections later that year. (Brokl – Mansfeldová 1999: 359-362) The government, which was destined to rule for not more than a few months, presented its programme in a mere five pages. For comparison, its successors unfolded their plans for the future in approximately 30 pages. While all government programmes largely focus on similar issues, the Tošovský government never expands upon these

issues in detail. In the Zeman government programme, only 0.288 % of the document focuses on civil society development. This low number suggests that the third sector was not a major issue on the policy agenda of the cabinet. The Zeman government was in power from 1998 until 2002. In the last year of its office, Czech civil society was assessed slightly more negatively than in the previous years. (See table 3) This deterioration was rectified by 2003, when the Špidla government – which took office in 2002 – was already in power. In its government programme, the Špidla cabinet pays almost four times more attention to the development of civil society than its predecessor did. These findings show that the salience of civil society in the different government programmes coincides with the developments which took place in Czech civil society development during accession.

As regards Slovakia, the first Dzurinda government placed civil society development much higher on the agenda than the second government did. The 1998 government more than doubles the attention paid to civil society by the government which took office in 2002. As seen above (table 3), civil society development underwent a radical improvement in Slovakia between 1998 and 1999 – 2000. The biggest improvement of Slovak civil society development takes place in the period in which the country pays most attention to the topic in its government programmes.

Our analyses of the Czech and Slovak government programmes reveal that in both countries the development of civil society coincides with the attention paid to the issue by the government in office. This suggests that (the lack of) government support is a defining variable for the development of a strong and active civil society during EU accession.

3.2. Party manifestoes

A similar analysis has been carried out on the manifestoes of the Czech and Slovak parties represented in parliament¹⁶ between 1998 and 2004. For the Czech Republic, the period of EU accession was spread out over two parliamentary terms. The first ran from July 1998 until July 2002, the second from July 2002 until August 2006. Between 1998 and 2004, the following parties were represented in the Czech parliament: ČSSD (*Česká Strana Sociálně Demokratická* – Czech Social Democrats), KDU-ČSL (*Křesťanská a Demokratická Unie – Československá Strana Lidová* – Christian Democratic Union-Czech People's Party), Koalice (Coalition), KSČM (*Komunistická Strana Čech a Moravy* – Communist Party of Bohemia and Moravia), ODS (*Občanská Demokratická Strana* – Civic Democratic Party), and US (*Unie Svobody* – Freedom Union).

¹⁶ The Czech Republic has a bicameral parliament, consisting of a Chamber of Deputies and a Senate. For our analysis, only party manifestoes released for elections to the Chamber of Deputies have been used.

An analysis of the party manifestoes and the attention they pay to issues of developing civil society, results in the following data:

Table 7: **Attention paid to civil society development in Czech party manifestoes**

Party	Year party manifesto	Attention to civil society development
ČSSD	1998	1.088 %
ČSSD	2002	3.178 %
KDU-ČSL	1998	1.067 %
Koalice	2002	3.495 %
KSČM	1998	3.018 %
KSČM	2002	4.846 %
ODS	1998	- 0.456 %
ODS	2002	0 %
US	1998	1.142 %

In Slovakia, the period of EU accession was covered by two legislative terms. The first electoral term ran from October 1998 until October 2002, the second from October 2002 until February 2006. Between 1998 and 2004, 13 parties were represented in the Slovak parliament: ANO (*Aliancia Nového Občana* – Alliance of the New Citizen), HZDS (*Hnutie Za Ddemokratické Slovensko* – Movement for a Democratic Slovakia), KDH (*Kresťanskodemokratické Hnutie* – Christian Democratic Movement), KSS (*Komunistická Strana Slovenska* – Communist Party of Slovakia), SDK (*Slovenská Demokratická Koalícia* – Slovak Democratic Coalition), SDKÚ (*Slovenská Demokratická a Kresťanská Únia* – Slovak Democratic and Christian Union), SDL' (*Strana Demokratickej Ľavice* – Party of the Democratic Left), Smer (Direction), SMK (*Strana Maďarskej Koalície / Magyar Koalíció Pártja* – Party of the Hungarian Coalition), SNS (*Slovenská Národná Strana* – Slovak National Party), and SOP (*Strana Občianskeho Porozumenia* – Party of Civic Understanding).

An analysis of the Slovak party manifestoes and the attention they pay to issues of developing civil society, results in the following data:

Table 8: Attention paid to civil society development in Slovak party manifestoes

Party	Year party manifesto	Attention to civil society development
ANO	2002	1.087 %
HZDS	1998	2.408 %
HZDS	2002	0.851 %
KDH	2002	0.928 %
KSS	2002	0 %
SDK	1998	1.728 %
SDKÚ	2002	1.289 %
SDL'	1998	4.111 %
Smer	2002	1.686 %
SMK-MKP	1998	3.101 %
SMK-MKP	2002	0 %
SNS	1998	0.777 %
SOP	1998	6.100 %

As mentioned above, political parties fulfil a crucial agenda-setting function. The different parties – those in government, as well as opposition parties – play a crucial role in the initiation of public policy. The more attention paid to the third sector in different party manifestoes, the higher the probability of a policy being developed. In 1998, Czech political parties dedicated an average of 1.172 % of their manifestoes to the issue of civil society. Four years later, in 2002, the average attention paid to the subject increased to 2.880 %. In the Slovak party manifestoes of 1998, 3.038 % of the documents reflected civil society actions and development. In 2002, the parties dedicated only 0.834 % of their manifestoes to civil society development. These data coincide with the findings of our government programmes' analysis.

We have also used our analysis of party manifestoes to assess the dedication of the Czech and Slovak parliaments to the development and strengthening of civil society. In order to get an idea of the relative importance of civil society for the parties in parliament between 1998 and 2004, an average has been taken of the party manifestoes, proportioned according to the number of seats each party occupied in parliament¹⁷ after the elections. This allows us to uncover the salience of civil society development for a particular legislature.

¹⁷ Division of seats in the Czech Chamber of Deputies in 1998: ČSSD 74, ODS 63, KSČM 24, KDU-ČSL 20, US 19.
 Division of seats in the Czech Chamber of Deputies in 2002: ČSSD 70, ODS 58, KSČM 41, Koalice 31.
 Division of seats in the National Council of the Slovak Republic in 1998: HZDS 43, SDK 42, SDL' 23, SMK-MKP 15, SNS 14, SOP 13.
 Division of seats in the National Council of the Slovak Republic in 2002: HZDS 36, SDKÚ 28, Smer 25, SMK-MKP 20, KDH 15, ANO 15, KSS 11.

When the analysis of the parliaments (see table 9), based on the party manifestoes of their constitutive parties, is placed next to the analysis of the government programmes, some striking parallels are found. As was the case for the government programmes, developing civil society has been more salient in the Slovak parliament than in the Czech ones. The difference between both countries, however, is less outspoken when it comes to the parliaments. With regard to the development of the data, an evolution parallel to the one in the government programmes can be noticed: while the attention paid to the topic of civil society by the Czech Chamber of Deputies grows over time, it decreases in the Slovak National Council. Between 1998 and 2002 the dedication of the Czech parliament to issues of civil society is relatively low. The end of the legislation coincides with the small deterioration of Czech civil society which has been recorded in 2002. (See table 3) This deterioration was rectified by the time the 2003 ratings were issued. The Czech legislature which took office mid 2002 pays due attention to issues of civil society development.

Table 9: Dedication of the various parliaments to developing civil society, based on an analysis of the manifestoes of their parties

Country	Parliament	Attention to civil society development	Average in period of EU accession
Czech Republic	1998 – 2002	0.836 %	1.742 %
	2002 – 2006	2.647 %	
Slovakia	1998 – 2002	2.716 %	1.822 %
	2002 – 2006	0.927 %	

When we take a closer look at the Slovak parliament, we see that considerably more attention is paid to the subject of civil society in 1998 than in 2002. The legislature which came into power in 1998 was highly dedicated to the development of civil society. As is shown in table 3, 1998 proved to be a decisive year for the development of Slovak civil society. Between 1998 and 2002, the situation improved annually, and by the end of this period Slovak civil society reached a level of development equal to the Czech Republic.

Our analysis of the salience of civil society in Czech and Slovak domestic politics reveals that the developments in both countries' third sector coincide with the support of domestic political actors and their dedication to developing an active and strong third sector in their country. Since the Czech Republic had already developed an active civil society by the time it started accession negotiations, the EU could not contribute directly to the establishment of the sector. However, the developments during accession are also explained best by domestic actions, for the small deterioration in 2002 follows upon a period in which all major political actors dedicated less attention to the development of

civil society. In Slovakia, civil society was unsatisfactorily developed at the beginning of the accession period. As our analysis of the EU's accession documents demonstrates, the major improvement which took place in 1998, and the smaller annual improvements noted in the years which followed, cannot merely be attributed to EU incentives. Once again these developments tie in well with the actions of domestic actors, i.e. the fact that the Slovak government, political parties, as well as parliament, have put civil society development high on their policy agenda. In sum, our research findings suggest that domestic support was a necessary condition for EU incentives to result in the development of Czech and Slovak civil society in the years of EU accession.

Conclusion

In this article, we focus on the development of Czech and Slovak civil society in the years of EU accession. The Czech Republic had developed a vigorous third sector since the mid 1990s and maintained it throughout the entire enlargement process. The Slovak third sector started off in a worse position, but the situation improved radically after 1998. In the article at hand, we have examined in how far these developments are a merit of the EU accession process. In order to avoid a recurrent methodological trap of mainstream Europeanisation literature, we have supplemented our analysis of the EU's enlargement policy with an examination of the Czech and Slovak national policies on civil society (development) in order to prevent an exclusive focus on European explanatory variables.

During the Eastern enlargement process, the European Union applied several tools to support the CEECs in their democratising reforms. The main instruments at the disposition of the Union were the use of conditionality (applied in the Regular Reports and Accession Partnerships), and the provision of financial aid (via the Phare programme). Our analysis has shown that the EU did not make optimal use of these tools to promote the development of civil society during the Eastern enlargement. While the Union has more than once hinted at the importance of a vigorous third sector, it identified the development of civil society as a priority neither in the Accession Partnerships, nor in the Regular Reports. All but one of the Accession Partnerships lack reference to the third sector. Moreover, several of the Commission's reports do not pay attention to the subject of civil society, or refer to it only indirectly. Most references are purely descriptive and do not contain any recommendations for improvement. In addition, the conditionality policy applied in the Czech and Slovak accession process does insufficiently differentiate between both CCs. With regard to the provision of financial aid, we have shown that only a small part of the Phare funding provided to the

CEECs was dedicated to the development of the third sector. In addition, the amount of money allocated to the individual CCs was not in line with the actual needs of the countries in question. In sum, while the European Union had powerful means to promote the development of civil society in Eastern Europe, our analysis demonstrates that these were not used to their full potential. Civil society development proved to be no priority on the agenda of the Union's fifth enlargement.

In order to assess the impact of the European Union on the development of Czech and Slovak civil society, we have adapted and applied the EIM. This application confirms our finding that the enlargement policy employed by the EU has had no major influence on civil society developments in its CCs. The determinacy of the Union's demands has been low, as well as the impact of the size and speed of the rewards. The remaining two intervening factors identified in the original version of the EIM – the credibility of conditionality and the adoption costs and veto players – proved to be of minor relevance.

Our analysis of the EU enlargement policy supports our argument that domestic changes in an acceding country may not be put down merely to European Union incentives and support. Developments in the CEECs during the Eastern enlargement cannot be disconnected from a CCs' domestic policies. An analysis of the government programmes and party manifestoes of the Czech and Slovak Republics has offered a valuable confirmation of domestic developments with regard to civil society in both countries during the EU accession process. The temporary deterioration of Czech civil society development follows upon a period in which the third sector did not appear high on the domestic policy agenda. In Slovakia, the major improvement of 1998 coincides with the high level of attention paid to civil society development by the Slovak government, political parties, as well as the parliament.

In sum, taking into regard the Union's little effort to promote civil society during accession, we cannot conclude that the domestic developments in Czech and Slovak civil society development were motivated merely by the Union's enlargement policy. While EU incentives may have worked as a catalyst for change, developments in the CCs' third sector coincide with the salience of the topic on the Czech and Slovak domestic agenda's. To conclude, while the Union's impact on its CCs has often been taken for granted, our research suggests that domestic support was a necessary condition for the development of Czech and Slovak civil society in the years of EU accession.

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