

**Europeanization of Slovak social policy**  
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**WORK IN PROGRESS**  
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*The aim of the paper is to analyse processes of “Europeanization of Slovak social policy” with emphasis on the way of acceptance of social policy ideas and instruments relating to EU priorities in the field. Taking in regard the present debate on the OMC in social inclusion in the member states (Mabbett 2005, O’Connors, 2005, De La Rosa 2005, Daly 2006 and others), we will analyse conditions for using the Open method of coordination in Slovak social policy, its impact both on forms and contents of reforms that have been launched during recent years. The attention will be also paid to willingness (of Slovak social policy-makers) for political learning, participating in ideas diffusion and active formulating of themes for EU social policy discourse.*

*Processes of agenda setting and framing of public discourse play the key role in “implementation” of ideas and instruments in national social policy. There are various actors with different interests and different (unequal?) capacity to exercise the influence on the agenda of public discourse. We will take notice of the tendency of neoliberalism to monopolise the public space and then will describe the forms of relating the governing social policy to the EU social policy agenda under the condition of limited competition of ideas. Further, we will examine role of EU social policy ideas in Slovak social policy discourse and their utilization in advocacy of specific reform strategies.*

Our contribution is a part of the research trying to find explanatory factors of the development of welfare state in Slovakia since 1989 (1992). Nowadays, it seems to be obvious that transformation and reform processes have resulted in the retrenchment of original universalistic – oriented welfare state toward the residual “basic needs” – oriented one. In this paper we will analyse conditions and mechanisms of the social welfare retrenchment that occurred in Slovakia both before and after becoming EU member state. We will try to identify actors and ways of transfer of social policy ideas that contributed to justification of the development. As overall process of social policy transformation has been accompanied by EU accession process, we will also examine role of “European” social (and economic) policy ideas and procedures in relation to understanding of social policy in Slovakia. Studying changes of Slovak welfare state from this perspective is very helpful. There are several questions to answer. Did have effort to become EU member state any impact on formulation

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of social policy priorities in Slovakia? Moreover, what could be said about conceptualization of welfare state design after the EU accession? Is there any link to EU ideas? Do European methods of social and political learning work in the case of the Slovak Republic?

The paper will deal with development of welfare state in Slovakia taking into account its (changing) relations to the European Union and its changing nature. **The main focus is on analysis of key features of social policy since early 1990s with emphasis on social policy discourse.** The article starts with clarifying the term “Europeanization” for purpose of next analysis. Then it continues with brief methodological comments. In next section, the four stages of welfare state development in Slovakia are described. Special attention is paid to the fourth stage characterised by participating in the Open Method of Co-ordination.

### *Conceptualization of Europeanization*

Europeanization is really contested term. It refers to many different meanings related to distinct aspects of changes within the Europe Union. As Featherstone (2003:3) shows, there is increasing usage of the term Europeanization in social science since the beginning of the 1990s. Based on survey of 116 academic journal articles listed in the “Social Science Citation Index” he argues that “Europeanization is applied within four broad categories: as an historical process; as a matter of cultural diffusion; as a process of institutional adoption; and as the adoption of policy and policy processes” (Featherstone 2003:3). Olsen (2002) offers similarly broad typology when speaking about “what is changing”. He identifies five possible uses of notion Europeanization:

- „As changes in external territorial boundaries“. It is related to creation of common political space, to the expansion of the EU through enlargement.
- „As development of institutions of governance at the European level“. It involves building of capacities for collective action at the EU level.
- „As central penetration of national and sub-national systems of governance“. Here the term Europeanization involves division of power, responsibilities and competencies between different levels of governance. At the heart of this meaning lies adaptation of national and sub-national systems to European norms.
- „As exporting forms of political organization and governance that are typical and distinct for Europe beyond European territory“. In this sense, Europeanization refers to relations to non-European actors and institutions.
- „As political project aiming at a unified and politically stronger Europe“. This kind of usage of the term is the most widespread in current debate about future of Europe.

Despite this broad range of issues, we have solid basis for building adequate framework for using the term in social policy area. Growing importance of debate about “future of Europe” as well as raising efforts to shed light on the past trajectories of the EU member states contributes to sophistication of substance of the notion. Now we will review some interpretations of the Europeanization that are useful for framing our next analysis. We will not offer exhaustive taxonomy of meanings and definitions used in current academic “European industry”. On the contrary, we will mention approaches that could help us to identify relevant aspects of the process.

Europeanization is often viewed as dynamic concept that captures *processes of changes* in European societies. In the most of the studies, Europeanization refers to processes of influencing, disseminating, adapting, restructuring or convergence. Ladrech (1994), for

example, stresses that Europeanization is an „incremental *process* re-orienting the direction and shape of politics to the degree that EC political and economic dynamics become part of the organizational logic of national politics and policy-making“ (Ladrech 1994:69). The definition is quite incomplete. It doesn't involve methods of transmission of “European logic” into national systems. Moreover, it implies pure functional logic where actors have to adapt to system requests.

Radaelli (2000:4) defines Europeanization as „*processes* of (a) construction (b) diffusion and (c) institutionalization of formal and informal rules, procedures, policy paradigms, styles, ‘ways of doing things’ and shared beliefs and norms which are first defined and consolidated in the making of EU decisions and then incorporated in the logic of domestic discourse, identities, political structures and public policies.” According to the author, the definition puts emphasis on the importance of the change in the logic of political behaviour. Important part of the definition – that is helpful for our work here – is the role of EU policy formal (and informal) procedures, policy paradigms and shared beliefs in domestic discourse. From our point of view, this line of Europeanization interpretation is very promising. It allows us to study “cognitive Europeanization” as one of the major channels of ideas transfer.

The second important approach within the “top-down” perspective describes Europeanization as “the independent variable which impacts upon domestic processes, policies, and institutions” (Borzel, Risse 2000:4). In this sense, Caporaso, Cowles, Risse (2001 – cited by Borzel, Risse) define Europeanization as „the emergence and development at the European level of distinct *structures of governance*, that is, of political, legal, and social institutions associated with political problem-solving that formalize interactions among the actors, and of policy networks specializing in the creation of authoritative rules.“

Guillan and Palier (2004) used understanding of Caporaso, Cowles, and Risse in their attempt to make some conclusions in relation to the impact of EU development on countries both from Southern and Central and Eastern Europe. They argued that „changes in social policy in candidate countries should be understood in terms of interaction between adaptive pressures coming from both EU and the international organizations, and domestic structure, the capacities and constraints they create“ (2004:204). Therefore it is necessary to study content and development of adaptive pressures – prescription and models offered at the international level. Authors mentioned (2004:204) two dimensions for seeking evidence on EU influence in social policy. The first one is related to procedures, changes in social policy tools, in the structure of policy making and in policy actors and their roles. The second dimension refers to changes in so-called policy substance, expressed in changing level of expenditures, coverage of programmes, etc...

Following previous interpretations and whole extensive debate on Europeanization, we will pay attention to ways of adoption of social-political ideas linked to the EU priorities<sup>2</sup> in Slovakia, to the tools of cognitive Europeanization in the field of social policy and their impact on socio-political discourse in Slovakia. For purpose of the paper, we will not take into account influence of all “distinctive structures of governance” on Slovak institutional environment in social policy. On the one hand, we will focus on managing of accession process and role of EU ideas. On the other hand, we will pay attention to the Open Method of Co-ordination as “indirect” soft procedure of influence that may catch the possible cognitive resonance between the two levels. As Guillen and Palier stated (2004), indirect, cognitive

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<sup>2</sup> In the next section we will show what kinds of priorities are considered here.

aspects of influence are of crucial importance in analysing changes in public debates, logics and discourses that are reservoir of justifications for future policy reforms.

### ***Europeanization of Slovak social policy – analytical approach***

Our text presents case-study in the field of welfare state reforms. We follow the main changes in Slovak social policy and confront them with the EU requirements, expectations, cognitive norms that have been incorporated in European procedures at different stage of development of EU-SR relations. We analyse both pre-accession period and situation after entering the EU.

Our research covers political documents, legislation, social policy conference papers and newspapers articles of the daily SME since 1994 up till now. We attempt to embrace all materials that allow to “observe” steps of referring to, insisting on the necessity to adopt new social policy principles, tools and measures or cancel the old ones without regard to its labelling “European” or not. Of course, special attention is given to ideas and measures labelled as European. We focus particularly on events of justification of the necessity to modify access to and scope of welfare.

We are conscious of the fact that understanding of Europeanization of social policy as adoption of social-political ideas and tools that are linked with the EU priorities in the social policy domain seems to be a quite narrow to our goals. Exclusive focus on social policy and on the period since Lisbon (2000) might rule out the possibility to study the regularities in policy transfer as well as the policy transfer in the economic domains that significantly influence social policy development. Therefore involvement of the study of economic regulation into the study of the Europeanization of social policy is important: economic policy is the dominating frame of social policy development not only in Slovakia<sup>3</sup>. Moreover, unlike the OMC in social policy, transfers of economic and fiscal policies are enacted in less voluntary fashion<sup>4</sup>.

The reports on the progress of the SR in preparation for the EU membership belong to the examples of “economization” of social policy issues in Slovakia. The fundamental assessment of social system and related policy objectives and tools has not been placed in “Social affairs” or “Human rights” chapters, as it might be expected, but in the chapter “Public finances.”<sup>5</sup> It is in line with Guillen and Parlier’s findings that “while Brussels was more oriented towards the development of public social policies in the 1980s, *the discourse of the “economically-oriented” actors, who were partially in charge of the accession procedure for the CEE countries, has become more similar to the discourse of the international financial organizations*” (2004:206). Naturally, there is next abundant evidence of the domination of economic policy and economic consideration in social policy making aside the accession reports. The present social-democratic government (2006 – 2010) also places the fulfilment of

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<sup>3</sup> There is frequent assumption that European integration is considered to be primarily an exercise in market building and that the European social dimension has been defeated by the economic priorities set by monetary union. The economic policy of the EU has an indirect impact on the social policy of member states. During the 1990s, the ambition to achieve economic union and the single currency greatly affected national welfare states (Annesley 2003)

<sup>4</sup> Daguerra and Taylor-Gooby (2004) cite (by referring to Peters 1997) The World Bank and International Monetary Fund (IMF) as examples of agencies which impose coercive policy transfer on governments which wish to gain access to loans

<sup>5</sup> In the connection to economization of social policy in Slovakia, activities of international institutional actors should be taken into account. We also need to cover expert exchanges and recommendations passed to the government by IMF, WB and OECD in our next research.

the criteria for monetary union on the first place and omnipresent saving continues to curb social inclusion “imperatives”.

Here, the process of Europeanization is used as some kind of opposite to the process of Americanization. According to Claire Annesley, Americanisation and Europeanization refer to a process whereby the distinct ideology, language and policy practice of the American or the EU social policy regime influence another welfare state. She considers Americanisation to be a voluntary, one-way transfer of ideology, rhetoric and policy whereas Europeanization is a two-way process of obligation for the EU member state. The core difference rests in the assessment of the economic efficiency of welfare: “Americanisation stresses the negative impact of welfare and social policy on economic performance, while Europeanization clearly sees a positive role for welfare in the macro-economy“. (Annesley 2003: 153)

Prevalent emphasis on cohesive functions of social welfare as an end-in-itself in academic writing (Rhodstein - Uslaner 2005) cannot be mistaken for the EU social policy. Annesley stresses that at the heart of the EU social policy is the conviction that social policy is not a counterweight to market integration or a correction of market forces, but the belief is rather that social cohesion promotes market efficiency. She refers to Bonoli who shows that the Commission emphasises the ‘investment’ dimension of social welfare, that is to say, it favours social policies which are conducive to growth (education and training and active labour market policies), over passive ones which make “no contribution to economic growth” (Bonoli et al. 2000, 122–123). For this reason, too, the EU has mostly been concerned with promoting social rights for workers rather than for citizens (Annesley 2003 149).

Such perspective opens possibility to approach the issue of Europeanization by studying the *ways of discursive construction of societal functions of social welfare and relations between economy and social welfare in strategic political documents, legislation explanatory reports and other materials*. Constructions that emphasise negative functions of welfare can be considered as manifestation of Americanisation of social policy.

Ema Heron considers that next indicator of Americanization can be “a move towards an emphasis on responsibilities” (Heron 2001, 82) that is increasingly present within criminal justice, housing and regeneration, social security and education policies. This indication of Americanization is somewhat problematic for its European roots<sup>6</sup>. However, thanks to long-term value orientations surveys such as EVS, development of views on personal of governmental welfare for citizens provision can be easily studied in diachronic perspective and for that reason it is very alluring to choose it for empirical indicator of Americanization of the public opinion on social policy<sup>7</sup>. They can serve as appropriate categorization tool for document analysis too.

### **Prehistory of “Europeanization”**

In order to identify conditions and actors of the (certainly not instant) transfer of social policy ideas, we had also to include pre-accession period in our research<sup>8</sup>. Our research is not finished yet and for that reason we cannot offer here well sufficiently balanced view on the

<sup>6</sup> In his essay on rotation of poverty paradigms Allan Hanson shows that emphasis on individual responsibility is fostered by several honourable European traditions such as Protestantism and enlightenment. (Hanson 1997)

<sup>7</sup> If measured by this indicator than Americanisation of Slovakia has been continuously on the increase since the beginning of the 1990s. Emphasis on individual responsibility (and critique of state paternalism) appears to be even the leitmotif and hallmark of the post-communist new era.

<sup>8</sup> If we put aside the 1989 slogans of return to Europe, the first step to an accession process was made in 1993. Association Contract came into effect in 1995 (published in the Code in 1997)

*development and mutual interaction of social policy discourses* in all domains that could influence the process of the retrenchment of welfare state in Slovakia. We will concentrate here mostly on the development of governmental/strategic policy discourse and will deal with mass-media discourse and academic research discourse only marginally.

However, even in this preliminary research stage it is not easy to avoid temptation to sum development of social policy during the accession process of Slovakia to the EU membership under the headline “from human rights to basic need approach”. No doubt, other characterisations are also possible<sup>9</sup>. We distinguish four stages of the development, provisionally named as Human rights period (1991 – 1995), Hybrid period (1996 – 1998) and Budgetary period (1999 – 2004) and OMC period (2003 - 2007): the last two periods overlap. The main classification criterion is the sort of referred principles and authorities in substantiation and justification of social policy measures that were to be adopted. This classification refers mainly to the governmental social policy/discourse and it does not aptly characterise the situation in next domains of our interest: in mass-media and academic discourse. Their development was rather uneven (if taken together, all should be characterised as hybrid) as we will briefly illustrate on the first “human rights” period. Now we will portrait individual stages with the special focus on their justifying “doctrines”.

### 1 Human rights period (1991 - 1996)

This period is demarcated by preparation of signing the European Social Charter<sup>10</sup> and by signing the European Association Agreement. The main institution referred of this period was the Council of Europe and the main texts referred to in the social policy strategy documents passed in or prepared that period were the human rights documents. References to international human rights documents are salient as they disappeared in later periods.

For instance, the Act No. 463/1991 on Subsistence Minimum (SM) that was passed in the beginning of this period refers in his preamble to the article 30 paragraph two of the Human Rights Declaration. The Act guaranteed the state assistance in securing minimum living standard in the case of “persistence of validated situations”. The SM served as the eligibility threshold for social assistance and the guaranteeing line bellow which the amounts of old-age pensions, unemployment benefits, parental benefits, birth allowance and social assistance benefits had not to fall. This Act continued to serve as the referential point of social policy till 1997.

Frequent references of this sort might be an expression of uncertainty of international position and acute need for recognition of the new state, moreover as in this period there existed many suspicions about the capacity of Slovak government to protect human rights of its citizens, especially those of ethnic minority. One can even hypothesize that the disappearance of the references to human rights documents might signal the moment of maturity when the tenets need not be repeated as they become common.

If the governmental documents were framed by human rights discourse and spoken highly about of “relatively high level of social protection provided to citizens”, in the academic

<sup>9</sup> for alternative classification see (Kvapilová – Gerbery 2006)

<sup>10</sup> By the then Ministry of LSAF of the Czechoslovak Federal Republic Petr Miller on May 27, 1992. Slovak Republic adopted the signature of European Social Charter on the basis of its succession when it became the member state of the Council of Europe (June 30, 1993). ESCH was published in the Code on November 23, 1998 as the Announcement of Ministry of Foreign Affairs No. 329/1998. However, it remains in a sort of “legal reclusion”: it is almost not quoted in other legal documents as the source of justification. In fact, it was referred to only two times: in the Act No. 357/2001 and the Act 209/2001 on Collective Bargaining.

world sharp critiques of the amount of social protection appeared already in this period. Reputable and well-rounded academicians like political scientist Soňa Szomolányi or economist<sup>11</sup> Ivan Mikloš described Slovak social security system as unbearable burden which impeded economic development. Mikloš argued that “welfare state retrenchment is now on the programme of the day in all welfare states” and the 1990s are years of liberalization, de-etatisation, privatization and deregulation in social domain”. He took the UK as the evidence that sustainable economic revival is “only possible only under the simultaneous retrenchment and stabilization of social security system and under the precondition of introducing the elements of private initiative and responsibility also in this system” (Mikloš 1995: s. 20).

Similarly, Szomolányi asserted that the social security system implemented in Slovakia was not affordable, or only at the costs of enormous indebtedness and economic slowing, even for prosperous western countries. She emphasised the necessity of political will to “consistent marketization and minimising state regulation” and stated that “Postponement of inevitable transformation of state-socialist welfare only increases risks of blocking economic and social reforms and in the end the risk of political destabilizations” (Szomolányi 1995: s. 43). Mediated ideas that “It is not possible to do economic reforms and at the same time to develop welfare state” and “existence of a welfare state represented financial burden and hindrance of economic development” (ibid) were germs of the repeated coda of the late 1990s and turn of centuries. In given moment the placing welfare state and economy development into opposition had put potential advocates of welfare states and social rights in precarious situation. They turned unexpectedly into the enemies of reforms what practically meant “old days comrades”. It was sufficient for the degradation of their efforts and their quietening.

The above quotation from the conference volume suggests that the uneven development of governmental and academic social policy discourse. Even in the “human rights period”, the negative role of welfare for the macroeconomic performance was stressed by (part of) academicians. It suggests that the transfer of welfare retrenchment discourse was promoted by academic or semi-academic means (here we include the think-tanks) and it first<sup>12</sup> spurted out from the semi-academic soil in Slovakia. As New Right is scienticised<sup>13</sup> it is not specific for this country. However, the academic lead in the retrenchment arguments concerned solely macroeconomic arguments in those days. Moralising about declining working moral of welfare recipients was not the part of reasoning<sup>14</sup>.

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<sup>11</sup> and former minister of privatization and the director of the think tank MESA 10 and the future minister of finance and vice-premier for economy (1998 – 2006)

<sup>12</sup> It would be, however, not very prudent to ignore Mikloš’ political background and embeddedness in political networks as former Minister of privatisation

<sup>13</sup> „It is now the Right who believes it has the right to shortcut political process because it benefits from the undisputable laws of one science, economics, that explains everything else provided the incontrovertible results of a few other sciences are thrown in as well —a bit of neo-darwinism, some "eugenetics", a few results of cognitive sciences (no matter if the real scientific disciplines that deals with life and brain offer totally different pictures)” (Latour 1998).

<sup>14</sup> On the other hand, opinions of voters were given weight as the transformation barrier. Szomolányi states that „(by public opinions surveys revealed) Slovaks’ biggest dissatisfaction with the ways of securing social rights surely reflects the situation, but it is also the result of value orientations and attitudes that were already formed under the old regime“ (Szomolányi 1995: 44). She added that „the memory of secured full employment and caring hand of the state from the cradle to grave is the significant factor of social definition also in the perception of the economic transformation as the whole and, as a consequence, it is also the factor of poor will to bear its social costs“(ibid). This argument makes ingenious link of need/right for social security and “old regime”. In that time of general incapability to distinguish among general civilisation achievements and “old regime relics” it was rather easy do degrade value or trustworthiness of anything by having it labelled as „formed under the old regime“.

## 2 Hybrid period (1996 – 1998)

The Conception of transformation of social sphere that was passed in the Parliament in beginning of 1996 can be considered as the embodiment of the turning point to hybridisation. The Conception marked out “basic directions of transformation of social sphere and its main principles”. Rather extensive list of main principles suggests penetration of new political ideas. There were placed alongside “withdrawal of paternalism”, “social solidarity”, “participation of citizens on their rights”, “targeting of provision”, “protection and development of natural property rights” “personal responsibility of citizens for their fate and fate of their families”, “the state guaranty of dignified life of citizens” and promotion of social justice” (The Conception 1996: 1). The Conception referred to Universal Declaration of Human Rights and to Encyclical Centesimus Annus 1999 that is “the basis for following Christian principles and ideals during the transformation into a socially just society” (ibid: 5)

Definition of social policy and its relation with economy clearly follows the Europeanization line: “*Social policy is not and cannot be the residuum of economy, but it is its equal part, cause and consequence; it forms the basis of the economic transformation. Its role is - in harmony with economic changes to initiate, motivate and stimulate economic processes.*” (ibid: 6)

On the other hand, the emphasis on personal responsibility of citizens is also salient in this document. The use of some terms (such as paternalism, targeting) and some argumentation chains<sup>15</sup> seems not very comprehensible but its critical mission (towards passive citizens) was clear. The Conception pointed out the principles of targeting and conditionality (means-tested) in social security and the intention to devise specific construction of amount of individual benefits in order “*to avoid decreasing motivation of families to provides for their members first of all by their own efforts*” (ibid: 36). The document declared the intention to *distinguish subjective and objective reasons* of citizen/family state of material need and to provide them accordingly by different levels of protection (ibid: 39). This sort of classification resembles distinguishing among deserving and undeserving poor (according their responsibility for their poverty) that is rather typical for *Americanization*. On the other hand, the Conception comprises extensive part on international aspects of transformation of social sphere that names numerous international documents, conventions and organisations the commitment to which or lessons of which will inform the social sphere transformation. The various specific tasks related to collaboration of the SR with the EU in social sphere, and knowledge transfer (taking lessons) (ibid: 42 – 43). ***The Conception includes concrete plan of “Europeanization”, while “Americanization” remained implicit.***

Presumption of the Conception that “people will live on social benefits only for a short period and that they have a real opportunity to improve their situation by their own effort” later became also the basic principle of newly prepared Act on Subsistence Minimum. If we look at the development of unemployment statistics, it seems to be clear that this presumption was more normatively-driven than factually-based. It was expression of increasing role of working moral ethos (or moralization) in Slovak social-policy thinking.

„*Compatibility clause*“

European Association Agreement between the European communities and the Slovak Republic was signed on October 4 1993 and came in force on February 1, 1995. ***This extensive document can be considered as the comprehensive lecture of Europeanization.***

<sup>15</sup> For instance the linkage between „missing alternative possibilities of dealing with material need“ and „implicit decrease of citizen‘ motivation to take active part on dealing with his situation (living conditions)“ and „growing tendency to count passively on the state social security“ (ibid: 6)

This special instruction contains its Article 70 that lists preference areas of legal approximation. Since February 1, all new bills had to take into account their compatibility with the EU legislation. This rule ought to be applied also to the areas such as social security, social assistance or social services: social bills had to be also supplemented by the compatibility clause that noted the contractual non-obligation of compatibility of social sphere.

Then, for instance, the compatibility clause of the proposal of the Act on Subsistence Minimum states that “the issue of this bill is not regulated in the EU legislation” and “the topic of this bill does not belong among preference areas of the approximation and the issues it deals with do not belong among the priorities recommended in the White Book” (Dôvodová... 1998: s. 13). Every new social bill – with exception of acts on employment services - was supplemented by the clause repeating similar phrase: “topic of this bill does not belong among preference areas of the approximation and the issues it deals with do not belong among the priorities...” The Compatibility clause had become practical and (taking in regard hundreds new bills and amendments of bills) literarily everyday teaching aid of learning about preferences and non preferences of European communities.

The next teaching aid of Europeanization was the Article 88 of the part VI named “Economic cooperation”. This article covers also cooperation in the field of social domain. It indicates that the cooperation in this field is subsumed under the economy, or perhaps made “the equal part” of economy. Undoubtedly, it is the expression and adoption of the EC pattern of considering social security as vital part of economy. However, economy in the headline of the part VI promotes implication of the superiority of economy and of subordination of social issues. ***This implicit lesson about subordination of social security to economic issues is also the form of Europeanization.***

Para 3 of the Article 3 (on Cooperation in social domain) mentions the aims of cooperation that will be directed to „accommodation of social security systems to new economic and social situation mainly by providing expert services, information and professional training“. The question is how and by whom the definition of „new economic and social situation“ was formulated. Who did help Slovak governments to define changed parameters of the situation to which they had to accommodate social security systems? In situation of several European models of welfare states, the question about how and by whom the experts and information were selected and where professional training was provided, is quite substantial. Speakers of “European Communities” might have spoken at least by three different discourses (Levitas 1998): to emphasise welfare state retrenchment, to praise egalitarianism and redistribution or they could prefer development of social inclusion processes.

### *Emerging moralising discourse*

New Act on Subsistence minimum (1998) was dealt with in the National Council in the shortened legislative process. The government justified the request for shortened process by “its care of non-violation of basic human rights”<sup>16</sup>. References to human rights and living in dignity were frequent also in the speech of Minister of LSAF Tkáč who submitted the Act to the Parliament. (Stenografická... 1998).

The Explanatory statement to the Bill defines SM as „such amount of goods and services that is necessary for jointly economizing household of certain size and composition to meet its living conditions that are considered in the given period to be necessary *for its insertion in*

<sup>16</sup> [http://www.vlada.gov.sk/vlada/zasadnutia/1998/sk\\_komunike19980317\\_158.shtml](http://www.vlada.gov.sk/vlada/zasadnutia/1998/sk_komunike19980317_158.shtml)

*customary life*, though on very modest level“ (Dôvodová... 1998: 9, our italics) This definition of the SM is in the line with the one of the Council of Europe and embedded in the social-integration discourse (to follow Ruth Levitas again). Benefits in the amount of SM are considered as protection against exclusion from society, or as inclusion tool. Income on SM level is considered as human right.

However, the protective effects of new Subsistence Minimum Act could only be assessed in connection with the following legal norms that regulated its practical execution and were submitted to the sitting of the National Council together as one “social parcel”. Special attention should be given to the Act on Social Assistance (No. 195/1998 b. c.). Though it was the part of the social parcel lashed by human rights addresses, it brought about the first substantial overhaul of social assistance provision.

In his explanatory speech, Minister Tkáč described the previous system of social security as the one with paternalistic elements. He argued that social protection and social security must be based also on citizen himself: „citizen is also a pillar, he should himself put together. He must receive assisting hand if he himself wants to pull together. However, if he does not want, he may not wander!“ (Stenografická... 1998: 5-6).

For those ‘who do not want to pull together’ the Act on Social Assistance introduced cuts in benefits. The legal tool was the differentiation among reasons of the state of being in material need. It distinguished between *the state of material need due subjective reasons* and *the state of material need due objective reasons*. People that were classified as in material need “due to subjective reasons” were entitled to social assistance benefits to supplement their income to reach 50% of the subsistence minimum level. On the other hand, those who “were in material need due to objective reasons” received benefits to reach 100% of subsistence minimum level. Minister Tkáč exemplified the former category by „known groups of citizens who come to take their benefit on Mercedes Benz“<sup>17</sup> (Stenografická... s, 17).

The article 6 of the Paragraph 7 lists in detail various subjective causes of material need which lead to reduced benefits. Of particular importance is the item (b) that names situation when “citizen is registered in the labour office registers of unemployed ... longer than 24 months.” However, it further specifies “AND he is not himself looking for a job”. Moreover, Article 8 of the paragraph 7 includes obligation of citizen to prove that he is searching for a job if the article 6 “b” concerns him. By the Article 8 citizens who were unemployed more than 24 months<sup>18</sup> were given chance to prove that they are still looking for job and thus they are not “guilty” (subjectively responsible) for their joblessness and they deserve full amount of benefits.

After several months, the Act on Social Assistance was amended by the Act No. 155/1999 with immediate effect since July 1999. It also included - at the first glance - one marginal change that had enormous practical effect on recipient of social assistance. In the Act, the wording of the article 8 of the paragraph 7 has been changed - phrase “and (b)” was omitted from it. This omission radically simplified the assessment work at labour offices. Since this amendment the long term unemployed lost the chance to prove that they are unemployed from

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<sup>17</sup> Tkáč example conspicuously resembles the idea of ‘Cadillac queens’ – as Ronald Reagan called Black recipients of welfare programmes such as Aid for Families with Dependent Children (AFDC) – could drive luxury cars at the expense of taxpayers was particularly repellent to middle-class American voters (DAGUERRE, A., TAYLOR-GOOPY, P. , 2004: 29). Is it coincidental correspondence of “dependent behaviour” all over the world or it is rather time-tested divisive rhetorical means to weaken interclass solidarity and to gain approval of restrictive welfare measures?

<sup>18</sup> According to the Act, periods of unemployment were calculated together if the break between unemployment was shorter than 3 months.

objective reason. Since that date, they were – without exemption - legally defined as being in material need because of subjective reasons and provided by reduced benefits.

***The Act 195/1998 on social assistance legally defines long-term unemployment as the situation that has subjective causes. The 1999 amendment confirms this definition and cancelled exceptions.*** This legal norm seems symptomatic for “moralistic” turn in social security discourse and in perception of unemployment. With certain simplification it might be even said that this Act launched Americanisation of Slovakian welfare system. This step was praised by the OECD: “The introduction of the concept of “subjectively in need” – which halves benefits for persons who are voluntarily unemployed – is an important step and it should be applied to the maximum extent possible.” (OECD 2002: 15). Unnoticeable substitution of “long-term unemployed” by “voluntarily unemployed” (mediated by “subjectively in need”) that was, moreover, promoted by the foreign authority had completed the shift in explanation of causes of unemployment towards moralist paradigm.

Negative consequences of this stipulation for long-term unemployed went beyond cut benefits. *The attention was moved from structural conditions to personal causes of unemployment. Attitudes to unemployment as personal failure and responsibility were legally supported.* More and more frequently, welfare system had been depicted as seized by those “irresponsible.

According to our present knowledge, it seems that there was not any research focused on consequences of this regulation (except the research on Roma exodus). Mass-media debate of that period was not also extensive. Differentiation of causes of poverty along the axis subjective-objective did not turn to be attractive probably because long-term unemployed and poor were publicly blamed and victimised long ago. High proportion of Roma among long-term unemployed promoted ethnic stereotyping of jobless people. Therefore it might be said that the Act rather institutionalized than changed the perspective on unemployed in Slovakia<sup>19</sup>.

### 3 Budgetary period (1999 – 2004)

This period can be also labelled as the moralising period. Budgetary considerations as the uppermost organising principles of social welfare discourse are accompanied and supported by moralising discourse. Thesis about generous social benefits appears to be the intersection of both discourses.

If in the first half of the 1990s governmental strategic documents describe social security system as the device by which the state fulfils its duties to its citizens, in the turn of centuries governmental strategic documents did not refer to human rights. Foreign and domestic authorities repeated warnings against too generous social benefits that were identified as the barrier of the employment growth. The thesis that sounded peculiarly to those who knew actual levels of social benefits<sup>20</sup> had its rationale in the relativist perspective. Relativist perspective compared social benefits to the amount of net minimum wage and in this comparison benefits appeared “very generous.”

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<sup>19</sup> Imputation of subjective responsibility for long-term unemployment became the fertile soil for the next overhaul of the welfare system, especially for psychologically- blended programmes aimed at increasing responsibility and work motivation.

<sup>20</sup> Even the benefits on the level of subsistence minimum were very modest as the SM was constructed as socially accepted “threshold of net income that should *temporarily* secure basic needs of household unit on a very modest level”. Attribute „generous“ quickly lost inverted commas and its relational character was forgotten. Generosity begun to be understood as essential aspect and characteristic of benefits itself.

Since 1999 severally repeated cuts in social benefits had made the gap between benefits and low pays much more salient. In spite of this the thesis of generous benefits was further promoted by the government<sup>21</sup> and mass media together with the assessment that *social expenditures are unreasonable high*<sup>22</sup> and significantly contribute to the state budget deficit. The danger of generous welfare system was further strengthened by the import of the benefit dependency thesis that had been already successfully tried and tested framework of the cuts in social expenditures in the US and UK and other countries.

Daniel Škobla shows that the World Bank abused the generous benefits thesis in its analysis of income situation of inhabitants in Slovakia (2005). He argues that the thesis is apparent political choice helping to advocate benefits restrictions. He points attention to the fact that social security system had never provided social benefits that exceeded the subsistence minimum level. (Škobla 2006) His reservation addresses logically also domestic analysts who used to refer to the generous benefits thesis as explanation of unemployment (see also Drál' 2006).

Thesis on generous benefits as the barrier of employment growth appeared also in the reports on monitoring preparedness of Slovakia for the EU membership. Monitoring reports on the accession process can be understood as the process of clarifying expectations and rules concerning proper EU member. As the Slovak Republic claimed only few exceptions during the negotiation process and was rather known for its readiness to accept the EC requirements<sup>23</sup>, we can hardly suspect that Slovakia boycotted European Social Model and smuggled Americanisation ideas into accession process. On the contrary, the contents of these reports can be considered as the transfer of European policy ideas in Slovakian policy-making.

The Report on the SR progress (1999) informs that Slovak Republic was given lessons on Europeanization not only by the EC but by various trans-national authorities: the OECD, IMF, WB, EBRD and many other governmental and non-governmental organisations. With all of them “*Slovak party regularly discusses the steps necessary for the fulfilment of the Copenhagen Criteria.*” (Report 1999: 16)

The Report makes it clear that there were two uppermost economic priorities before the SR: economic growth and “substantial decrease of public deficit”. The long lasting problem of deficit<sup>24</sup> was analysed and its basic causes were identified. Among other causes there are

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<sup>21</sup> Not only the Government. OECD Report (2002) pointed out at necessity to enlarge “small difference” between social benefit and minimum wage: “the MSI assures social assistance that is *very generous relative to wage levels*; benefits for a family with two or more children can exceed the average net wage, making employment financially rewarding only for those with more skilled jobs where pay is significantly higher. The level of social assistance and the high tax rates needed to finance it thus reduce incentives to work, particularly for low-skilled persons with large families. .. More than 60 per cent of the unemployed receive social assistance benefits, which have no time limits, to bring their income up to the MSI. Indeed, this is *probably a major factor* in the upward trend in the rate of unemployment, which is one of the highest in the OECD area and represents the most serious economic and social problem in the Slovak Republic today.” (OECD 2002: 14, our italics). The statement about no time limits of taking benefit bringing income up to MSI was not factually correct since July 1999. However, various similar inaccuracies did not lower the authority of this OECD report that was widely referred to in the social policy strategic documents of the second “reform” government of M. Dzurinda.

<sup>22</sup> There were not any marked attempts to reason why social assistance and minimum income is necessary and clarify the consequences of the missing social policy for erosion of social capital. The president of the SR Schuster (2001-2005) did not sign majority of austerity reform laws in social domain but he was massively denounced by the mass media as not sufficiently competent.

<sup>23</sup> For analysis of public and political discourse during the accession process see (Kusá 2005)

<sup>24</sup> Analysis of the articles published during 1994 – 2004 in Daily SME suggests that the care about state budget deficit was the most frequent topic of articles on OECD and IMF. At times, their headlines had even imperative form: “Save more and reform more rapidly!” (19.6.2002) or “You still have not begun to save” (15.8.2002)

listed “*expensive and ineffective state administration, an ill-targeted and generous social system, unreformed system for financing healthcare and education, unexpectedly high government guarantees payable this year, and so on.*” (Report 1999: 17)

Ill-famous thesis of “generous social system” appears in this Report without giving any supporting statistical evidence. Introduction of thesis of this sort is as important as the fact that this judgement was placed in the chapter Public Finances and not in (substantially shorter) chapter Social affairs or chapter Human Rights. Location of the passages concerning social security system issues in the chapter devoted to Public finances is the rule implemented in all monitoring reports on accession process.

The above mentioned Report (1999) included extensive list of planned tools of savings in public budget expenditure. We offer some of them:

- *stricter criteria for the assessment of material need and reasons for unemployment, the amount of unemployment benefits, the length of the period for the provision and maximum amount of unemployment benefits*
- *a decrease in the social assistance benefit provided in the situation of material need for subjective reasons to 40% of the subsistence minimum*
- *decrease in the maximum sickness insurance benefit from 350 to 275 crowns a day*
- *preparation and submission of a new social insurance system for public debate (contains a new system of sickness and pension insurance, including a gradual increase in the pension age); the goal is to deal with the efficiency of sickness insurance and sustainability of the pension scheme*
- *achieve a better targeted system, and thorough inspection and efficiency of the use of state resources for direct financial support of families with children, individuals and households on low incomes.* (ibid)

As we have already mentioned, all these proposals were introduced in the chapter on Public Finances. Possible side-effects of “deficit-healing” measures were not discussed, the EU apparently did not require to deal with them. The Report informed that the measures adopted so far as a decrease in the amount and period of unemployment benefits, decrease in the limit for sickness benefits and decrease in the calculation base for social benefits “should bring savings of around 1.8 billion crowns this year. The information that “the Government has agreed that it will be necessary to seek further possibilities for savings in this area” (ibid) was not supplemented with information about increasing unemployment rate in the country.

In the final Comprehensive monitoring report (2003) social domain was again dealt in the part devoted to public expenditures reform:

*Improvements can be made to the macroeconomic situation, which requires urgent measures to reduce both the fiscal and current account deficits. Expenditure reforms, in particular in the health and pension area and as regards subsidies and guarantees, are essential. The unemployment problem necessitates a whole range of structural reforms, including the elimination of disincentive effects in the social protection system and a more flexible labour legislation.”* (CMR 2003: 5).

The comprehensive report recognized that unemployment is deep-seated structural problem, however it further recapitulates that “reforms in the health and social protection systems are of the utmost importance and should reduce disincentives for employment creation and acceptance, partly by reviewing social assistance benefits and lowering social contribution rates”. (CMR 2003: 8).

It is not clear in which sort of data and research the assessment on disincentive effects is embedded and if the wording came from the Slovak or the EC side. In any case, the proposal to reduce („review“) social protection in the period of massive unemployment was given direct benediction from the EC. Contrary to original expectations from early 1990s it turned out that it is possible to speak about European future without discussion of social rights, right to live in dignity.

Besides these recommendations of welfare state retrenchment this report expresses expectation that the SR will be able to participate in social dialogue at European level, and in the EU policy processes in the areas of employment, social inclusion and social protection. Period of Open Method of coordination was envisaged. \*

#### 4 Open Method of Coordination period (2001-)

Obligations of Slovak Republic in the field of fight against poverty and social exclusion were already clear in 2002. Slovakian administration was informed about OMC in social inclusion domain. The Report on fulfilling the tasks of preparation of the EU membership for years 2001 – 2002 demonstrates an awareness of the coming task to prepare the National Action Plan of inclusion which aim is to “contribute to better understanding of social exclusion, to mainstreaming of fight against social exclusion into policies and measures, as well as to development of priority steps which have been chosen by the member states in accord with their concrete situation” (Správa... 2002). As this Report was completed several months before the parliamentary elections, it was possible to include Common objectives and specific commitments linked with the OMC inclusion in the programme declaration of the new government (November 2006). However, it did not happen, in spite of the personal continuity in the part of the cabinet (but not in Minister of LSAaF).

The Program Declaration (“Policy Statement”) of the SR Government for the years 2002 – 2006 was prepared on the eve of the EU accession and promised citizens “European future”. What sort of attributes is given to such future by the Program Declaration? Here we focus on “dimensions” of European future in the social domain.

The most marked commitments of the Program Declaration were to promote employment growth and fight against unemployment; the pension reform, the labour market reform and social benefit reform. But mainly: *“The Government will concentrate on reducing the public finance deficit to ensure that this area is not a barrier to the Slovak Republic’s entry into the euro zone. A policy focused on reducing the deficit-generating nature of public finance, combined with reforms in the most expenditure-intensive sectors, will create room for reducing insurance contributions and direct taxes. The Government will continue to decrease the degree of redistribution through public finance.”* (Policy Statement 2002. 7)

The government promised to pay special attention to *“how will the proposed changes contribute to the decrease of unemployment, to the decrease of financial demands for taxpayers and to the increase of job-seekers motivation<sup>25</sup>”*. The only explicit European transfer was the commitment to *draft a new act on employment compatible with the European Employment Strategy*” Policy... 2002: 24)<sup>26</sup>.

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<sup>25</sup> „In all reforms, the Government will pay special attention to the degree to which the proposed changes help reduce unemployment and financial demands it places on taxpayers and to increasing people’s motivation to seek employment. The objectives of reforms in the social system include the reduction of its misuse, elimination of bureaucracy and suppression of corruption.” (Policy Statement 2002: 22)

<sup>26</sup> NAP employment later influenced or shaped considerably NAP inclusion, especially in the part devoted to the measures and political tools. Similar process of „duplicating“ NAP employment in NAP inclusion was observed

The Chapter Social domain delineates residual social security system:

*„The basic objective of the Government’s social policy is to motivate people in productive age to work actively and simultaneously create a social security system that would provide all citizens with solidarity resources to cover adequate living needs in the event of absence of income or material need. In all reforms, the Government will pay special attention to the degree to which the proposed changes help reduce unemployment and financial demands it places on taxpayers and to increasing people’s motivation to seek employment. The objectives of reforms in the social system include the reduction of its misuse, elimination of bureaucracy and suppression of corruption” (Programové ... 2002: 22)*

The main purpose of social reform is not to hamper employment growth and not to increase fiscal burden.

*„The Government will pay particular attention to the long-term unemployed so that meeting their basic needs is linked with appropriate motivation to find employment.. (...)The Government will define **the upper limit**<sup>27</sup> of social assistance and support benefits for which jointly assessed persons are eligible“ (Programové... 2002, 24 our emphasis)*

Conditioning of *basic needs provision* by one’s working motivation suggests continuing resignation on civic universalism<sup>28</sup>. Division of society to tax-payers and those with not enough “motivation to work” shows similarities with the Thatcherian discourse or discourse of New Right (Phillips 2005). Discourses of this sort contribute to the erosion of social trust and citizenship values (Rhodstein – Uslaner 2005).

The Program Declaration renders welfare system as neither the technology of social cohesion, and nor the tool of Europeanization of social policy. On the contrary, it is presented as the problematic institution:

*„Special attention will be paid to countering fraud and corruption in all areas of social policy, in particular in cases of illegal work by registered unemployed, misuse of disability pensions and assistance, as well as in the field of misuse of social assistance benefits” (Policy Statement 2002: 25).*

With small exaggeration it is possible to conclude that immediately before entering the EU, Americanisation of social security was completed in Slovakia.

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in many member states (de La Rosa 2005, O’Connors 2006). Such procedure need not to be demonstration of missing social imagination or even indifference. It can be the consequence of adaptation to the priorities of the European Social Fund, the main “sponsor” of social inclusion programs in many countries. The priorities of the ESF are well-known: development of labour market, employment and employability.

<sup>27</sup> Ministry of LSAF attempted to legitimise planned introduction of the benefit ceiling by the *public opinion survey* probing the agreement with the opinion that social benefit should not exceed 10,500 SK per one household. The agreement rate was high, above 75 %. Also this amendment had passed without noisier protests (except President who was, however, ignored by mass-media). Neither political opposition nor NGOs tried to attract attention to negative consequences the benefit ceiling could have for living conditions of large jobless households. The mass media of that period emphasised healing effects of the flexibility of labour relations and the decreased tax burdens that would stimulate jobs creation. There seemed to be implicit belief that households and individuals dependent on the cut benefits would be in tightness only for a short period.

<sup>28</sup> Starke and Green-Pedersen point out that during hard economic times universalism may be quite difficult to defend in public debates. In Slovakia, hard economic times have been continuing almost two decades. However, even stronger hindrance to universalism is the possibility to attack universalism for being alleged relict of communist ideology or not substantiated support of rich (in the period of omnipresent saving and shortage). The cuts of flat measures like subsidized public transport or electricity supplies for households were justified as the fight against wastefulness. In comparison to flat measurest, targeted assistance, focusing on the most needy looked like plain truth and the most logical decision

The first strategic documents elaborated in the frame of the OMC process proved and further developed this direction. Long-term unemployed, the core of people on social benefits, were attacked by the social inclusion documents for taking benefits “as *the permanent replacement of income* and not as the temporary relief”. They were portrayed as exploiters of social welfare and the social security system was rendered responsible for creating “the culture of benefit dependency”<sup>29</sup>.

Joint Memorandum was built on the thesis about benefit trap:

*„However, although the social protection system has been successful in reducing poverty levels, its passive nature and the small difference between levels of benefits and wages in low-paid jobs has contributed to reducing the incentive for some unemployed social assistance beneficiaries to actively look for a job, which in turn contributes to the very high levels of long-term unemployment. The disincentive effect is greatest in regions with low average wages, and among large families whose social income is increased by child and parental allowances“*(JIM 2003: 7)

Joint Inclusion Memorandum (2003) reiterates the intent of the Program Declaration to increase employment also by reducing the opportunity to secure one’s livelihood “due to the large benefits that copied the large number of children”:

*“Meeting the needs of those who do not work will **be limited to basic living conditions**, whilst the income gap between recipients of benefits and those on low wages will be widened. The changes to the system of social assistance will lay stress on limiting advantages and incomes associated with unemployment and giving the long-term unemployed more incentive to seek employment by retaining an entitlement to a portion of benefit when they take up employment”* (JIM 2003, our emphasis).

Joint Inclusion Memorandum 2003 can be more properly called *social workfare Memorandum*. It suggested that the aim “make work pay” could be reached by the life-endangering benefits cuts. Because of normative latitude of the OMC, next inclusion technologies did not need to be developed in balanced way. There was enough space for apparent discrepancies in the measures concerning *Social protection – guaranteeing the resources necessary for decent and humane living conditions* (4.2.1). Under this headline, Slovakian JIM describes the existing legal situation:

*“The subsistence minimum is the amount, laid down by law, which is considered necessary to meet the most basic living needs of individuals and families. Below this income threshold, the situation is defined as a state of material distress. The Subsistence Minimum Act does not in itself establish entitlement to any benefit; it merely serves as a criterion for determining the personal situation of beneficiaries and for working out the amounts of some social security benefits. ... The state of material distress of citizens is addressed in the Social Assistance Act. The protective principle it relied on is **to provide for basic living conditions (one cooked hot meal a day, clothing and shelter), which are guaranteed for every person under the SR***

<sup>29</sup> MLSA&F web page “Reform of assistance in material need”

[http://www.employment.gov.sk/socialna\\_pomoc/davky\\_reforma.html](http://www.employment.gov.sk/socialna_pomoc/davky_reforma.html) Drál proces the similarity of the ideas of US and UK conservatives developed in the 1980s now absorbed in so called New Social Policy . One of its key concept is concept of dependency culture: thesis on accommodation of new poor to existing welfare system that is considered to be too generous and de-motivating. (Drál 2005: 24 ). According to Drál in the parliamentary election 2002, electoral programs of all political parties called for strengthening „motivation“ and individual „activity“ as way out of unemployment.

**Constitution**<sup>30</sup>. *If a person meets other requirements under the Social Assistance Act, they are granted social assistance benefit at a higher level.* (JIM 2003: 24, our emphasis)

Memorandum does not mask that provided protection can meet only elementary physical needs. Discrepancy of this political measures and common objectives is neither debated nor even mentioned. Transition from the commitment to warrant resources that are necessary for life in dignity<sup>31</sup>, to the commitment to *one cooked hot meal a day, clothing and shelter*<sup>31</sup>, is smooth. Common objective makes for the title of the paragraph and the domestic practice makes for its content: title and content are mutually independent (what is, by the way, almost common practice in tabloids...).

Structural explanation of unemployment was completely replaced by explanation by personal factors. NAP inclusion (2004-2006) expressed the belief of the authors of social reform that the cuts in benefits would push people out of social net and incite their effort to enter the labour market. However, handling and fighting the long-term unemployment by cutting the benefits did not seem efficient. The LFS data of two reform years suggested permanently high and even increasing proportion of long-term unemployed who are condemned to live from benefits bellow the subsistence minimum. Does it mean that by decoupling social benefits from subsistence minimum did the reformers shoot the wrong guy? Unfortunately, there are no signs of consideration and thinking over of negative long-term consequences of the low benefits. Public expenditures savings seem to be the criterion of efficiency and the basic sense of the implemented reforms.

### **Conclusion**

Development of social policy in Slovakia can be characterised as effort to fit in and use the possibilities offered by the European Communities regulations and institutions. In practice it meant shift from universalistic approach to residual social system with dominating public expenditure considerations. The analysis of the reports about the progress of Slovakian preparedness for the EU memberships suggests that *the human rights → public expenditure shift proceeded as the actual learning process monitored and approved by the Commission. Association Contract itself served as the teaching aid of European preferences.*

Our case-study gives the next evidence to the assumption that European integration is primarily an exercise in market building and that the European social dimension has been defeated by the economic priorities set by monetary union. For Slovakia it is still valid the assessment that referred to the 1990s: The push to achieve economic union and the single currency greatly affected national welfare states (Annesley 2003)

We do not want to underplay the importance of balanced public budget and the threats of big budget deficit. However, the departmental perspective of monitoring reports during the accession process and, especially the fact that social system reform was discussed solely in frames of the Public Finances chapters could contributed to the attrition of the human rights perspective and promoted further the superiority of the economic perspective on social welfare. Scharpf speaks about European social model as about the road that was not taken.

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<sup>30</sup> The Constitution speaks about securing „basic living conditions“ and also about adequate security. According to L. Gajdošíková, the judge of the Constitutional Court, understanding of “adequacy” is not regulated in the Slovak legislature. Helena Woleková therefore thinks that “adequacy” can be as legitimately related to financial opportunities of the state budget as it can be related to the costs of decent living conditions (that are themselves not defined). (Woleková 1999) .

<sup>31</sup> We have already shown that this is the idea of the reform government of M. Dzurinda (2002-2006). Its germs are in the Conception of social transformation of social sphere (1996) that launched adoration of the individual responsibility principle and the process of classification of deserving/undeserving poor.

(Scharpf 2002). Our research on the accession process suggests that “social model” road did not even occur as an offer that could be chosen<sup>32</sup>.

Similarly to many other EU member states, the Slovak Republic has utilised the space of the Open Method of Coordination in the field of social inclusion to its own benefits. It has managed to implement the social and economic reforms that could seem to go to the opposite direction than the Strategy of Social Cohesion of Council of Europe. On the one hand, the social reforms were accompanied by the campaigns against the redistribution, against “punishing the successful” and for increasing personal responsibility and work motivation and framed by the suspicions about frauds and cheating in social programmes. On the other hand, there were generous stimuli for foreign investments and reduced income taxes.

The recent strategic documents (NRSSPSI 2006) witness that Slovakia has learned that though social expenditures are not considered in terms of protection of social rights in the EU, they are not taken solely as the economic burden (as they were rendered during the accession period) and that it is necessary to approach them “in terms of investment in productive capacities especially in the human capital endowments” (Daly 2006: 470). Preferences of the European Social Fund and of the next structural funds substantially promote taking this lesson.

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<sup>32</sup> The continuing long-term dependence of hundred thousands people on benefits could wear the resolution of Slovakia to keep human rights commitments, namely the commitment to secure an adequate income for all to live in dignity. The issue of subsistence minimum, its updating to changed costs of “minimum basket items” was promised to be reassessed only by the National Report on SP/SI Strategies in 2006. However, without referring to it as the debt to constitutionality as the Article 11 of the Constitution states: *International treaties on human rights and basic liberties that were ratified by the Slovak Republic and promulgated in a manner determined by law take precedence over its own laws, provided that they secure a greater extent of constitutional rights and liberties.* <http://www.slovensko.com/docs/const/const1.htm>

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