

**Reform of the Public Administration System  
at the Local and Regional Levels in the Slovak Republic**

by

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## Foreword

The Centre for Small States Studies at the University of Iceland has two sets of publications, CSSS Occasional Papers and CSSS Working Papers. The Working Papers, of which this is one, reflects research in progress, and they are edited and refereed before publications. As chair of the editorial board for both series, I would welcome approaches by those who wish to publish research work on any aspects of small states. Potential contributors should first consult the *Guidelines* at the web-site: [http://www.hi.is/page/ams\\_publicationseries](http://www.hi.is/page/ams_publicationseries) for details of what is required to submit material for the series.

We are pleased to publish this paper by Dr Daniel Klimovský, Department of Social Sciences, University of Pavol Jozef Šafárik in Košice, Slovakia. It reflects Dr Klimovský's research on public administration at the local and regional level of a small member states of the European Union, Slovakia. It not only tells the story of the changes experienced in that country's local and regional administration since the historic events of 1989 (and indeed before), but provides an analysis of those developments. It should be of interest to those involved with small states studies and with local and regional government. It is also the raw material for comparative studies. Those wishing to comment on the content of the Working Paper should contact Dr Klimovský directly.

The Centre for Small States Studies has supported this series in a professional manner and my thanks go, in particular, to Silja Bára Ómarsdóttir, Director of CSSS, for her practical assistance in producing this paper.

Clive Archer (Professor)  
Chair, Editorial Board  
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# ***Reform of the Public Administration System at the Local and Regional Levels in the Slovak Republic<sup>1</sup>***

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## **Abstract:**

The Slovak Republic (SR) has gone through some very important changes in the relatively short period since 1989. Those changes have had different character – political, economic, and administrative – and, though some were started already at the end of 1989, none is finished yet.

This paper is about the reform of public administration in the SR and its impact on the framework of policy-making processes at the regional and local political levels. The paper aims at firstly presenting the reform in line with five conditions (i.e. external pressure, internal dissatisfaction, the reform strategy, a mechanism for managing reform, feedback and evaluation); and secondly, to point out that the reform of public administration was the cause of several important changes with respect to the policy-making processes.

**Key words:** public administration reform; policy-making processes; local and regional level, Slovak Republic

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## Introduction

Reforms in government often start with high expectations and end in disarray and disappointment, usually for two reasons. One reason is bureaucratic resistance to change, and the second is associated with lack of political will. However, although reformers may get both bureaucratic resistance and political will under control, it is not sufficient to guarantee the success of any reform. As listed in *Preparing Public Administrations ...* (1998), it is possible to identify five conditions that can determine reform and its quality:

- external pressure – all countries (or more precisely their governments) of the former socialist bloc - including the Slovak Republic (SR) – were under enormous pressure from various actors to introduce those reforms which furthered the process of their transition;
- internal dissatisfaction – a feeling that things could be done differently and better is essential to maintain the motivation for reform, which means that a *status quo* policy approach is not often the best;
- a reform strategy – without a strategy and a clear reform project, every reform is sentenced to failure;
- a mechanism for managing reform – in modern government, reform is the management of change in organizations as well as the working relationships among networks of organizations;
- feedback and evaluation – these two elements are important politically (to give reforms political visibility) and managerially (to provide reformers relevant evidence and information with regard to realized activities), too.

The SR has gone through a few very important changes in a relatively short period since 1989. In Nižňanský's (2002) opinion, they have been associated with three fields. The first of them has had a political character (implementation of democratic elements, consolidation of democracy, horizontal and vertical division of political power); the second one has been linked to the economy (elimination of the limits of market economy, extension of private property, implementation of new tax policy); and the third has been related to organization of the state and its bodies (new structure of public administration system, new principles of action of public administration, improvements in delivering of public services). Some of them

were started already during the existence of the Czech-Slovak Federal Republic (ČSFR), and some later; however, none is finished yet.

This paper is about the reform of public administration in the SR and its impact on the framework of policy-making processes at all political levels (i.e. national, regional, and local). The paper has two main goals: first, to present the reform in line with the above-mentioned five conditions; and secondly, to point out that the reform of public administration was the cause of several important changes with respect to the policy-making processes. For this, the description of legal conditions and empirical data related to those changes are utilized.

### **Initial Reform Processes (1989 – 1998)**

The necessity of the policy of decentralization came to light in Czechoslovakia after the successful overthrow of the communist regime in 1989. The communist institutions were removed practically immediately but their replacement with a new system of institutions (especially political, administrative, and economic institutions) was more problematic than trouble-free. One of the most visible uncertainties of replacement was related to the tempo. The new system of institutions was, in comparison with removal of the so-called old principles, developed very slowly, and quite often in a chaotic and non-strategic manner. The main purpose of the political and administrative changes was to redesign political and administrative systems considering their improvement and accommodation to the new social as well as economic conditions.

The transformation of the territorial structure of government – its decentralization, particularly the introduction of territorial self-government – was considered an essential task in the process of rebuilding political and administrative systems in Central and Eastern Europe after 1989 (Illner, 1999a: 7), and Czechoslovakia was not an exception. The Slovak communities obtained self-governing status by the Act on Communal Establishment in 1990. They started to execute public affairs administration not belonging to state administration issues and delegated state administration. They thus became fully-fledged actors of policy-making at the local level. Before 1990, only state administration existed there. Even though the lower bodies of this state administration system dealt with all administrative and political issues and did have the right of establishment of various committees where the inhabitants could be involved, in fact (primarily because of existing strict subordination to one line) it

was not possible to speak about territorial self-government in that period. Moreover, legislation defined national committees as ‘state organs with a self-government character’ which proved their special nature.

There are some interesting points concerning the replacement of local elites in Czechoslovakia in the first years after November 1989. Firstly, there was greater elite replacement in larger than in smaller places, as inhabitants were more involved in smaller communities. Secondly, inhabitants' involvement increased with age and education. Those with higher education were also more interested in staying on in elective office. The younger and the better-educated among the elite were also more eager reformers (Illner 1999b: 179). Thirdly, the trend of such replacement was more pronounced among councillors than among mayors (Illner 1999b: 174). However, the extent of replacement of local elites differs among the various regions or countries. The high proportion of old-timers was, according to Illner (1999b), found, for example in the Slovak part of ČSFR, while a greater extent of replacement was detected in Poland. A possible explanation could be the new Slovak political parties selecting their local candidates without a stable organizational structure at the local level or experience with local party politics (Chapman and Malíková, 1995: 65).

The following development of reform was affected, very markedly, by political tensions which occurred between the highest political representations of both the Czech and Slovak part of ČSFR. After a series of unsuccessful political negotiations, the 1992 parliamentary election became a turning point. The winners of the election were able to agree only on the division of the common state into two independent states. Thus, ČSFR perished on 31 December 1992; and since 1 January 1993 two successor states have started to develop their own political and administrative systems. Due to the unitary character of these states, they did not have a federal political level.

In the mid-1990s, the Slovak political situation was characterized by the absence of a consensual elite. Although levers had already been created for public access to the policy-making process in the early 1990s, strengthening public participation was not really a priority. Moreover, in 1995-7, during the era characterized by a ‘struggle over the rules of the game’ and political instability, the idea of a consolidated democracy in the SR was considered more uncertain than just ‘a variant of an unstable regime’ within the frame of policy-making processes (Szomolányi, 2004: 9). Paradoxically, as mentioned by Klimovský (2005a), such a

complicated political situation activated the third sector and many NGOs, which deal with political issues and take an important part in policy-making processes,

It is not surprising that the government did not have a real concern over decentralization in such a political situation. With regard to reforming public administration, the government fulfilled only two of its pledges. One involved a “horizontal” integration of the national government system, which reduced the number of local offices of the national government. The other was a new administrative structure, which divided the country into 8 regions and 79 districts. The effect of these measures was not to streamline the system but in fact to make it more inefficient, as the number of government offices, state officials and public expenditures all increased. For example the number of central state administration staff increased from 4735 in 1993 to 8022 in 1998 (Kling, Nižňanský and Petráš, 1999: 108).

### **Continuation of Reform Processes after 1998**

Although the results of parliamentary elections in 1998 indicated the continued strong position of HZDS within the Slovak political scene, because of the zero-coalition potential of this party, a new ruling coalition was created. The main problem as well as the weakest point of that ruling coalition (which involved two right-wing parties: DS, and SDK; and two left-wing subjects: SDL, and SOP) was its internal programme’s inconsistency. The key reason why these different parties had joined together, stemmed from the previous government's style of policy-making and primarily from an identification of a common political enemy personalized by the controversial chairman of HZDS and the Prime Minister of the previous government, Vladimír Mečiar. However, in spite of political preferences and other contexts mentioned above, every member of this ruling coalition declared a willingness to start a large-scale reform of public administration system that would lead to its modernization and stronger orientation towards citizens' needs. Such declarations were included in the programme proclamation and were connected with the SR's effort to become a full member of the European Union.

The first problems emerged when the government negotiated to transfer the responsibility linked to public administration reform to a Government Commissioner (Plenipotentiary) for Public Administration Reform. Under pressure coming from the side of SDL as well as SOP, the ruling coalition had to change its declared plans. Finally, the responsibility was divided

among eight officials. The absurdity of this decision, and the chaos it sowed in the responsibilities of the various actors was apparent as early as December 1999, when SDL accused the Government Commissioner of having not made sufficient preparation for the reform of public administration. This party also demanded that a single person be made responsible for preparation of the reform, and proposed that the entire agenda be transferred to the Deputy Prime Minister for Legislation (this position was taken over by a representative of SDL) and to the Ministry of the Interior. But it was soon apparent that SDL's demands flowed from its partisan interests – this party objected to the extent of decentralization proposed, the structure of local state administration offices, as well as to the swiftness of the reform and thus it tried to gain control of the management of the reform (Kňazko and Nižňanský, 2001: 107).

The Draft Conception of Decentralization and Modernization of Public Administration was approved by the government on 11 April 2000. In May 2000, the National Council of the Slovak Republic (NRSR) passed the Act on Unrestrained Access to Information. The entire legislative process was accompanied by a support campaign led by NGOs under the slogan “what is not secret is public” (during the vote, the law was supported not only by MPs belonging to the ruling coalition but also by MPs representing SNS, an opposition party at that time; HZDS was boycotting the parliamentary session) (Mesežnikov, 2001: 19). This act created broader space and more possibilities for involvement of the public in policy-making processes.

At the same time the government was deciding on the establishment of regional self-government units and their bodies. Members of the government negotiated the regional division of 8 units and 12 units in June 2000. With the exception of two ministers from SMK, all members voted for the 12 units variant. An integral part of public administration reform should also mean a reduction of regional as well as district state administration. However, some of the ministers (particularly those from SDL and SOP) wanted to retain their influence over that property, which was in direct conflict with the principles set out in the Strategy of Public Administration Reform. In this context, in September 2000, SDL utilized the right of veto in order to stop the proposal on the abolition of regional and district state administration authorities with general competences and on their replacement by the regional or district state administration authorities with specialized competences.

As stated by Demeš (2001), the NGOs did not stay passive in this situation and began to be much more active in relation to public administration reform. After the conference “Civic Vision of Slovakia: The Third Sector on Public Administration Reform” organized by the SPACE Foundation in January 2001 for all relevant political actors, they started a campaign called “For a Real Public Administration Reform” in March 2001, which was supported by petition activities. Consequently, the activists from more than 300 Slovak NGOs published a public appeal called “Accomplish What You Have Promised, Make Terms, and Revive a Real Public Administration Reform”.

In such an atmosphere, the government agreed, during its special session on 1 April 2001, on two law drafts in regard to the establishment of regional self-government units and their bodies. The government approved a decision to create 12 parallel regional units and bodies – 12 regional state administrative authorities and 12 regional self-government units, i.e. the 12 + 12 model (although SDL and SOP did not support this variant, they did not use the right of veto). However, these drafts were not (on 4 July 2001) supported during the parliamentary discussion on them by all political subjects of the ruling coalition (the left-wing parties did not vote on their approval in the proposed versions), and therefore their approved versions varied from the proposed ones (the 8 + 8 model was approved). Finally the NRSR approved three important acts that were influenced by the above events: the Act on Self-Government of the Superior Territorial Units (the Self-Government Regions); the Act on Bodies of Self-Government Regions Election; the Act on Some Competences Devolution from State Administration Bodies on the Communities and Superior Territorial Units. The most unaccountable point linked with political activities concerning approbation of these acts was distinct, focusing on the regional division of Slovak territory instead of a complex appraisal of quality of this part of public administration reform.

Immediately after the decision of NRSR, the Government Commissioner for Public Administration Reform took his discharge from the function of government commissioner, and the Deputy Prime Minister for Economics refused to guarantee the form of public administration reform. The representatives of the Association of Towns and Communities of Slovakia (ZMOS), various NGOs, and communities protested against the approved territorial division and likened it to the violation of democratic principles or political failure. However, nothing happened and the question of the continuation of public administration reform was overshadowed by the forthcoming election.

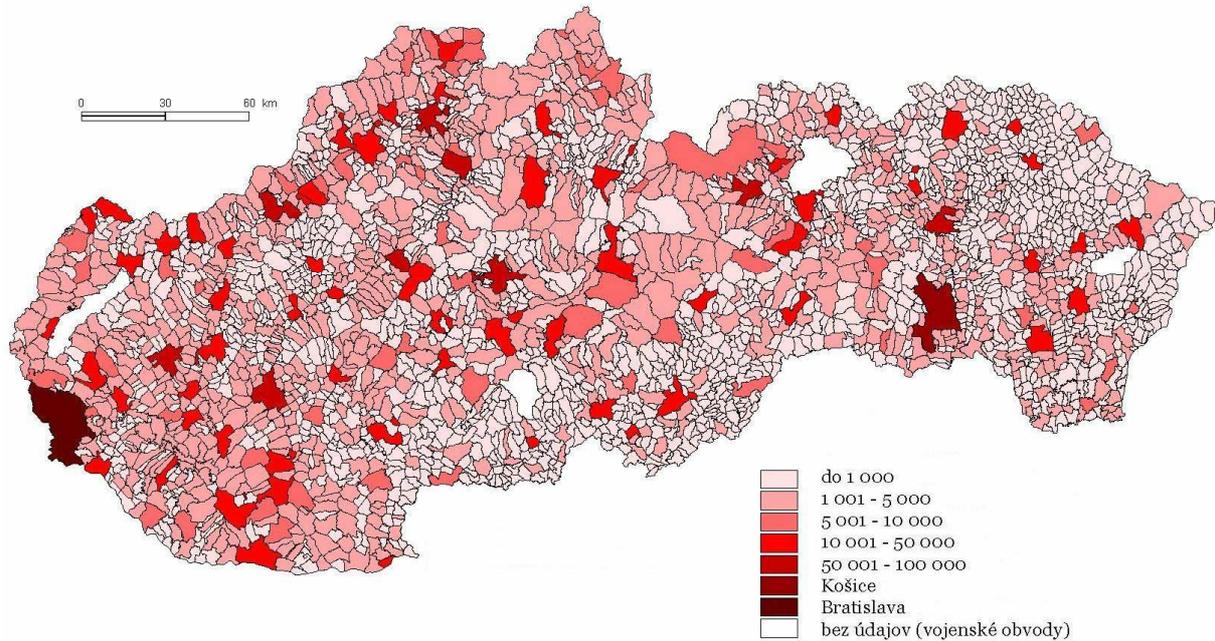
**Table 1: Size structure of the communities in SR (1996).**

Size Category (Number of Inhabitants)	Communities				Inhabitants		
	Number	Share in %	Cumulative Share in %	Number of Towns (Cities) in Category	Number	Share in %	Cumulative Share in %
<b>Up to 199</b>	382	13.31	13.31	0	49,003	0.91	0.91
<b>200 – 499</b>	824	28.70	42.01	0	285,061	5.30	6.21
<b>500 – 999</b>	765	26.65	68.66	0	544,574	10.12	16.33
<b>1.000 – 1.999</b>	534	18.60	87.26	2	751,235	13.97	30.30
<b>2.000 – 4.999</b>	242	8.43	95.69	19	710,414	13.21	43.51
<b>5.000 – 9.999</b>	52	1.81	97.50	43	364,392	6.77	50.28
<b>10.000 – 19.999</b>	31	1.08	98.58	31	444,535	8.26	58.54
<b>20.000 – 49.999</b>	30	1.04	99.62	30	883,389	16.42	74.96
<b>50.000 – 99.999</b>	9	0.31	99.93	9	652,435	12.13	87.09
<b>Over 100.000</b>	2	0.07	100.00	2	693,894	12.91	100.00
<b>OVERALL</b>	<b>2,871</b>	<b>100.00</b>		<b>136</b>	<b>5,378,932</b>	<b>100.00</b>	

Source: Komunálna reforma (2004).

As far as competences, these were transferred from the subsystem of state administration to the relevant territorial self-government units, i.e. communities and superior territorial units over several periods. The reason why the interested actors took a decision on such a periodic approach was to provide an adequate time for both the superior territorial units and communities to prepare themselves for a proper execution of those competences. However, even if the mentioned periods had been longer, it would not have been possible for the most of communities to be prepared for it. The problem is that there were too many very small communities (Table 1 and Figure 1), especially in the countryside of the Eastern and Southern SR. Nearly 70% of all Slovak communities have less than 1,000 inhabitants, and only a bit more than 16% of total population of SR live in 70% of all Slovak communities; the smallest community called Príkra has only 7 inhabitants but, under the rule of the Act on Communal Establishment as amended, it has the same competences as the largest Slovak communities. For example Šutajová (2006) considers the absence of any functional categorization of the Slovak communities to be one of the most serious problems in regard to the policy-making processes at the local level.

**Figure 1: Size structure of the communities in SR (2004).**



Key: “bez údajov (vojské obvody)” – without any data (army zones).

Source: Zvolenský in: Čavojeec and Sloboda, 2005: 19.

After the parliamentary election in 2002, a ruling coalition of right-centrist (conservative as well as liberal) political parties – SDKÚ, SMK, ANO and KDH – was created. From the viewpoint of program orientation, these parties promoted market-oriented policies in the social-economic fields and adhered to basic liberal democratic values. The government program of this coalition presented an ambitious plan of sector reforms concentrated on a short period of time (Mesežnikov, 2004a: 64). There were three important turbulences within the ruling coalition which, in the end, led to the shortening of the government's term of office (i.e. in 2006). However, despite them, the government was able, with the exception of a period at the very end of its term of office, to push ahead with several important reforms.

As far as the public administration system is concerned, the government decided and parliament consequently approved a huge reduction of the general state administration in 2003. The most visible part, from the citizens' point of view, of such a reduction was an abolition of all district state administration authorities and a re-establishment of borough state

administration authorities. The main idea of this resulted from a government effort to reduce general state administration, and vice-versa, to strengthen its specialized parts.

At the same time, the issue of fiscal decentralization became a true “hit” in the public debate on public administration reform and its continuation. All major political parties pledged to decentralize power over public money, and all advocated accumulation of the self-generated revenues of self-government units (Kling and Nižňanský, 2003: 195) at both local and regional level. A Government (Plenipotentiary) for Decentralization and Modernization of Public Administration, before its implementation, stated that many political actors as well as common people automatically connected fiscal decentralization to higher revenues in local and regional self-government budgets. It seemed it could be difficult to explain that fiscal decentralization should play “only” a role of a suitable tool which shifts decision-making processes regarding fiscal tools or instruments (mainly taxes, i.e. tax policy) from central level to lower levels (Manca, 2003: 3).

Fiscal decentralization was not implemented at the same time as decentralization of competences, and because it was implemented later, some serious problems occurred. As mentioned by Palúš (2004), especially the superior territorial units and their bodies were completely dependent on the state budget. Of course, it interfered with the basic principles of division of political power and responsibility because these units remained dependent on the central government's decisions, there was no motivation to utilize own potential and remove the disconnection between delivering public services and tax payment or low responsibility for public dues.

Although fiscal decentralization was expected with apprehension primarily from the side of self-government units and their associations, after a relatively short period their representatives complimented its impact. However, because of the mechanism of fiscal compensation, the representatives of the biggest towns (for example Banská Bystrica, Nitra, Trnava or Žilina) were not as satisfied as the smaller communities. As a consequence, there was internal tension in ZMOS.

Moreover, despite strong opposition from ZMOS, on 27 September 2005 the NRSR approved an amendment to the Constitution of the SR and introduced an external control, realized by the Superior Controlling Authority (NKÚ) and its organizational units, with respect to

territorial self-government. Until this period, external control could have been done only in the cases of execution of delegated state administration tasks. ZMOS considered it a possibility for groundless state interference with self-government issues but most experts – e.g. Pilát and Valentovič (2006) – considered it a meaningful and necessary element which reflected an increase of territorial self-government importance.

The new government that came into power in 2006 has not mentioned the continuation of the decentralization processes in its program proclamation. Despite the Prime Minister's pledge to reduce by 20% the overall number of civil servants, that number has not yet been fulfilled. However, the government has already succeeded in other commitments, and elaborated an act which was consequently approved by the NRSR and which is to abolish the regional authorities.

### **Comparison of Periods before and after 1998**

Before comparing the two mentioned periods in terms of the framework of policy-making processes, a brief overview concerning those periods in terms of public administration reform is needed.

External (especially international) pressure on public administration reform was very visible in the second period. It was related to the effort of the SR to join the European Union, and several political actors, for instance the European Commission, commented and evaluated SR policies in this field as well. Obviously, there was an external pressure related to the first period too but it was drowned out by various movements in the Czechoslovak society that wanted to shake off its communist heritage.

As far as internal dissatisfaction is concerned, it was present in both cases even though it differed from case to case. In the first period, internal dissatisfaction reflected relations to the previous non-democratic development and the absence of democratic elements in the political as well as administrative systems (for example, absence of real territorial self-government). Internal dissatisfaction in the second period reflected rather a disobedience to the legally implemented democratic elements as well as the failures within the relationships between the SR and its international partners.

The researched periods vary from one to another in terms of existence of a reform strategy. While public administration reform processes in the second period were strategically planned (besides other reasons, there existed a continuation in the governments' main public policies) and several strategic documents importantly influenced practice. Public administration reform in the first period was rather spontaneous (although it had been prepared) rather than really strategically planned. One of the principal reasons for such spontaneity was the existence of many hectic, but also important, social and political changes that emerged very quickly and often unexpectedly.

The mechanism for managing reform in the second period was prepared in a more suitable way. On the one hand, it is linked to the mentioned spontaneity of the changes during the first period; on the other hand it corresponds with very short governmental terms of office that were typical for the time following the so called Velvet revolution in 1989. Those governments were changing so quickly and had different attitudes to solving problems that it was practically impossible to utilize some strategic methods.

Feedback, particularly the critical, was not as strict and strong in the first period as in the second. For example, reforms implemented by the government (2002-6) attracted a lot of international attention. However, reformers were mostly the focal point of criticism at home, partly justified by the incompleteness of reforms. Such criticism was also the result of insufficient communication with the public (Szomolányi, 2004: 22-23). Although incompleteness of reforms and insufficient communication were also typical for the first period, the feedback was not so strong. Maybe it was caused by ongoing expectations, and maybe by economic uncertainty and the existence of many serious economic problems. As far as evaluation, it is too early to speak about all the impacts of that part of public administration reform which started in 1998 (or more precisely in 1999) because some aspects had been implemented for only one or two years.

Obviously, the division of the development of the SR into two periods is very schematic and simplifying rather than an analytical one. For the purpose of further analysis, a more detailed division by Mesežnikov (2004a) is utilized, but even though he presented an idea that the implementation of systemic changes in the SR since the fall of the communist regime to the present could be divided into three stages, it is already possible to say that there are four such stages:

- radical political transformation, and creating conditions to launch economic transformation (the end of 1989 to the first half of 1992);
- hampering, even stagnation, of the political democratization process; limited implementation of selective reform steps in the socio-economic field; the so-called perverted form, corresponding with the necessary support to establish a semi-authoritarian regime (the second half of 1992 to the end of 1998);
- restoring the political democratization processes, and carrying out reform steps in socio-economic fields that correspond with the basic framework of a liberal-democratic regime (the end of 1998 to the beginning of 2006) (Mesežnikov, 2004a: 59-60);
- critique and reappraisal of the policies (and especially their reform parts) of previous government, and attempts at their modification (mid-2006 to the present).

A similar but a slightly different division provides the criteria linked to the processes of coalition bargaining. Coalition bargaining usually involves two processes. The first one is linked to program negotiation, the second one to distribution of ministerial (or other senior) positions. With respect to the theoretical background developed by Laver and Schofield (1990) and Martin and Vanberg (2004), there are three models of that bargaining:

- First model: The strongest party, which invited the other parties to form the ruling coalition, enforces on the other partners its own priorities and how to reach them.
- Second model: Every member of the ruling coalition decides independently about public policy within its entrusted branch, and is fully responsible for it.
- Third model: All members of the ruling coalition respect common program priorities; they respond together and accept the fact that a guarantee has been assigned for every branch and therefore this guarantee has the largest impact on the final form and shape of entrusted public policies.

As far as the Slovak conditions are concerned, Mesežnikov (2004b) considers that, since the establishment of the SR, the first of those models had been utilized by central government. The change occurred in 1998 when the second model was implemented into policy-making processes at a central level. The third model (although in some branches still the second one remained) came into effect during the second term of office of Mikuláš Dzurinda's government (i.e. 2002-6). The first year of Róber Fico's government, however, showed that

the central government returned back to the first model in which the Smer-SD party, and especially its chairman, played the most crucial role.

The policy-making processes were, naturally, affected by the mentioned events and approaches or attitudes of relevant actors. Until 1998 the most important actor within these processes, regardless of political level, was the central government. As stated by Sopóci (1995), a strong central government caused the prevalence of representative over participatory democracy as well as the parliament political parties' decisions over political decisions with broader support from other political actors. In the early 1990s, it was caused on the one side by the necessity for quick implementation of many important changes, on the other side also by simultaneous crystallization of other political actors and the building of relationships among them. In the later period, particularly between 1994 and 1998, the main reason for such central government's dominance resulted from its political approach and unwillingness to share some extent of public power with other political actors. In the case of this government, on the contrary, counter efforts occurred. It elaborated a few acts that weakened not only its opposition but other political actors (for example at lower political levels), too. A clear qualitative change related to policy-making processes was developed, as stated by Iancu and Klimovský (2007), after the parliamentary election in 1998 and consequently in 2002, when the central governments led by right-wing parties decided to decentralize and modernize the administration. The first taken step consisted of elaboration of a few strategic documents that included the basic description of further developments. Thus, the central government remained the most dominant political actor but each of the mentioned documents invoked the necessity to strengthen public participation, while granting the self-government bodies, situated closer to citizens, extended powers to manage regional or local affairs. Additionally, new political actors were established during the terms of office of these two governments— i.e. superior territorial units with their bodies, which have a potential to be even more important in the near future. The strengthening associated with the communities and their position should also be mentioned. Although they had become visible political actors since 1990, thanks to the transfer of competences or powers during 2002-4 they became respected and important political actors disposing of policy tools with a strong impact in many fields of politics.

**Table 2: Impacts of decentralization policy on financing and control within the system of territorial self-government.**

Comparative Criteria	Stages of Decentralization		
	<i>Local Level</i>		<i>Regional Level</i>
	1990 – 1991	2001 – 2005	2002 – 2005
<b>Establishment of Organizational Units on Different Levels</b>	communities	---	superior territorial units (self-government regions)
<b>Relationship with State in Term of Financing</b>	strict dependency on state grants or subsidies, and minimal possibility to decide own revenues and their amount independently	implementation of mechanism of independent decision-making on own revenues and their amount, and maintenance of state grants in regard to execution of delegated state administration	implementation of partial independence of decision-making on own revenues and their amount, and implementation of state grants in regard to execution of delegated state administration
<b>Control of Execution of Self-Government Tasks</b>	emphasis on internal control mechanism	making provision for transfer of competences, and implementation of principle of equal importance of internal and external control	making provision for transfer of competences, and implementation of principle of equal importance of internal and external control
<b>Relations between Amount of Competences and Resources of their Financing</b>	stable	flexible	relatively stabile

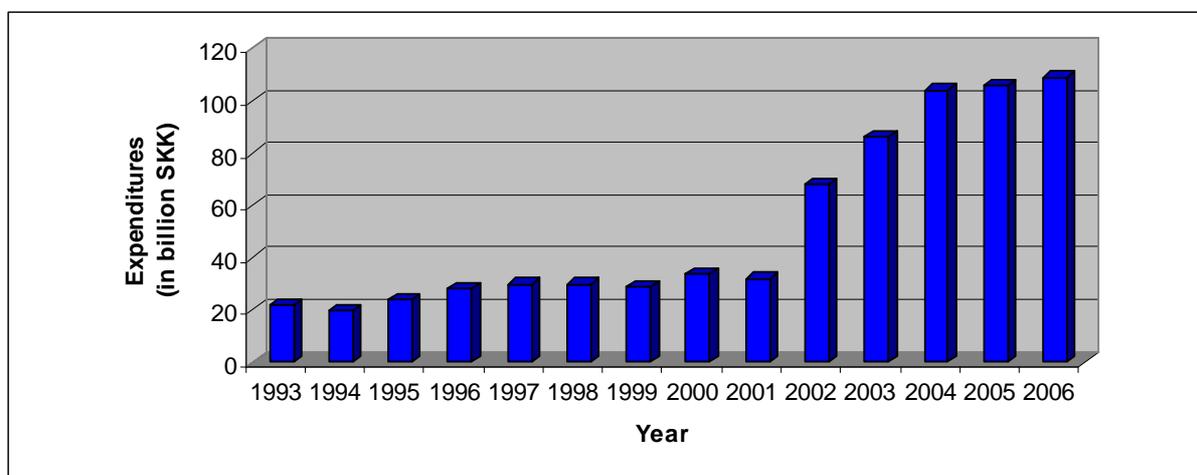
Source: Klimovský, 2006b: 194.

At this point it has to be stressed that territorial self-government units are not so strictly limited by law as other state organs, and therefore their possibilities within policy-making processes are broader and more diverse in comparison to those authorities that had realized some of their competences in the previous period (i.e. before 2002). Besides other possibilities, they are much more open for international co-operation than any state administration authority at the sub-national level. Speaking of which, it is possible to say that the SR lagged behind in creating conditions for international co-operation of Slovak territorial self-governing units and their bodies with their foreign partners. They had not been legally created until the first Mikuláš Dzurinda's government succeeded in adopting the European Charter of Local Self-Government (in the SR it has been implemented since 2000), the European Framework Agreement on Cross-Border Co-operation among Territorial Units and Bodies, as well as its 2<sup>nd</sup> Protocol (in the SR they have been implemented since 2001), and, except for Austria, it entered into the agreements on cross-border co-operative possibilities with all its neighbours (Majchrák and Pilát, 2002: 50). An effort to create suitable conditions for the development of cross-border co-operation among the Slovak territorial self-

government units and their foreign partners was finally completed in 2004 (the agreements with the other neighbours were made earlier), when the then-government agreed with its Austrian partner on such an agreement (Klimovský, 2005b: 362).

Policy-making processes related to financial issues were uniform until 2004, when the first elements of fiscal decentralization were implemented. Since this period, the communities and superior territorial units have been much more independent because they have received the right to make decisions on own revenues – for example through local taxes (Table 2).

**Diagram 1: Volumes of expenditures of local self-government (1993 – 2006)**



Source: State Financial Statements of the Slovak Republic (1993-2006) in: Nižňanský, 2006: 416.

As far as responsibility for public services, it can be seen that while state administration dominated in the SR before 2001, since this period, the territorial self-government units obtained many important competences and the importance of sub-national state administration units clearly declined. The development of volumes of expenditures of local self-government (Diagram 2) can be used as a proper proof of such changes.

In general, it can be stated that during the whole period researched, a low or insufficient citizens' awareness regarding public administration and its activities, and particularly territorial self-government and its activities, has prevailed. Many citizens have not distinguished self-government competences and competences belonging to the state and its bodies – a typical example is the unemployment issue (Veľšic, 2003) – or have not known what bodies are created and for what reason (Klimovský, 2007). Problems have arisen also due to ambiguity of self-governing units' or their bodies' denomination (Klimovský, 2006a;

Klimovský, 2006b; Nižňanský, 2006), and due to the ambiguity of naming self-government legal enactments (Kukliš, 2005), their names being the same or similar to those of legal enactments of the state administration bodies. Last but not least, the reason for many problems linked to public administration relates to dissatisfaction with activities of the state or public servants (Mesárošová, 2005), and with activities of communal or regional politicians, officials, or other representatives (Klimovský, 2006c).

### **Existing Problems: the future**

There are several existing problems concerning policy-making processes in Slovakia that have to be solved in the future. Their different levels of seriousness are probably the cause of the time difference for their solutions. However, the relevant political actors cannot always put them aside and will have to solve them sooner or later. A prognosis for potential solutions is offered below.

The high rate of dynamics related to a territorial (spatial) organization of sub-national administration during the last 100 years shows that the question has not been handled strategically. Additionally, five different political approaches have already appeared since 1990, and this has complicated not only the action of the relevant state administration as well as self-governing authorities and citizens' attitudes to those authorities but also the action of public administration system as such. As stated by Nižňanský (2003), without reference to the future of present territorial and administrative division of the state territory, it is clear that the central government and other central state administration bodies will have to be reorganized in the future to increase of effectiveness of their activities. However, decentralization processes should be finished before such reorganization in order to see what steps will be meaningful and what would be useless or even unhealthy in terms of the system's functioning. Nižňanský has predicted that in the near future the NRSR will create its second chamber which will reflect the regional division of the country by utilizing the first-past-the-post electoral system, and that the whole Slovak territory would be re-divided into 12 or 13 self-government regions (Bratislava, as the capital, should be an independent region).

Regional policy and regional political actors will become the most important elements of policy-making processes in a few years, also in the SR. This prognosis is derived from the European Union's pressure on compensation of social and economic differences among the

regions but also it is the region and its bodies that are “stronger” than any community or its bodies and at the same time closer than the state and its bodies or authorities. A very interesting ongoing issue for regional policy is the one linked to the regional division of Slovak territory. Its attractiveness emerges from two tendencies. On one side, in the view of the European Union and its grant programmes, it would be logical to prefer division according to NUTS II (in this case the Slovak territory could be divided into 3 regions – or 4 if Bratislava would be an independent region). On the other side, by virtue of strengthening of public participation, the increase of regional units, especially in the eastern part of SR, would be desirable. One way or another, the establishment of a separated regional unit of the capital city is necessary and has been proved by the experience of many countries. This should be a matter for the near future. However, there must be doubts about Nižňanský's prediction on both the creation of second parliamentary chamber and the re-division of Slovak territory into more self-government regions in the near future.

The other problem that should be solved as soon as possible is the too high fragmentation of local self-government units. The increasing problems of rural areas in SR have caused a gradual outflow of economically active people to towns or urban areas. Furthermore, young people who leave villages to study in towns do not return to their villages after finishing their studies because they see no future there. Rural areas are thus becoming depopulated and are increasingly inhabited by elderly people and pensioners (Kling, 2003: 473). Many such atomized units are not even able to perform their tasks, and recently have had to look for co-operation possibilities. Unifying their approaches should indeed be introduced. One possibility is the introduction of local laboratories that have never been introduced in the SR. Although it is not an automatically effective tool – Iancu (2007) showed that while in some countries (e.g. Sweden) this tool has brought clear positive results, there are also countries (e.g. Romania) where it has not – it may be a possible means to put the amalgamation of communities into Slovak practice. There are also some other possibilities how to solve the problems. The establishment of communities with extended competences (i.e. establishment of different categories of communities), which would play a role of political and administrative centres for other surrounding communities, has been implemented in the Czech Republic (Jüptner 2005). The ČSSR in the 1980s established so-called nodal communities, but it was not successful.

An additional problem is associated with self-government units and control of their activities. Although an external control has already been introduced, the relatively high degree of independence of representative bodies in the decision-making process within the public sector at the local level is a positive fact but practice shows that the control system of administration in self-government is not working satisfactorily or effectively (Malíková and Staroňová, 2000: 71). Most problematic is the appointment of the principal controller of a community by the mayor with the approval of the communal board. It is quite clear that this may lead to preference for specific political interests or, especially in the cases of small communities, to problems linked with finding well-prepared appointees (nowadays it is possible to find many cases in which small Slovak communities share one principal controller). Introducing changes into the existing elective mechanism could solve this problem. With this respect, an amalgamation of the communities could make such proposal easier to accept.

**Table 3: Comparison of the number of approved government bills and the number of approved MPs' bills during three electoral terms of NRSR (1994 – 2006).**

Years & Electoral Terms	Overall Number of Approved Bills	Approved Government's Bills		Approved MPs' Bills	
		Number	%	Number	%
1994 II.	8	2	25	6	75
1995	84	68	81	16	19
1996	79	64	81	15	19
1997	73	67	92	6	8
1998 I.	69	57	83	12	17
<b>1<sup>st</sup> Electoral Term (1<sup>st</sup> – 52<sup>nd</sup> Session)</b>	<b>313 (29*)</b>	<b>258</b>	<b>82</b>	<b>55</b>	<b>18</b>
1998 II.	17	10	59	7	41
1999	99	84	85	15	15
2000	124	95	77	29	23
2001	132	112	85	20	15
2002 I.	160	105	66	55	34
<b>2<sup>nd</sup> Electoral Term (1<sup>st</sup> – 63<sup>rd</sup> Session)</b>	<b>532 (52*)</b>	<b>406</b>	<b>76</b>	<b>126</b>	<b>24</b>
2002 II.	22	22	100	0	0
2003	155	134	86	21	14
2004	181	156	86	25	14
2005	142	115	81	27	19
2006 I.	50	31	62	19	38
<b>3<sup>rd</sup> Electoral Term (1<sup>st</sup> – 62<sup>nd</sup> Session)</b>	<b>550 (60*)</b>	<b>458</b>	<b>83</b>	<b>92</b>	<b>17</b>
<b>OVERALL</b>	<b>1,395 (141*)</b>	<b>1,122</b>	<b>80</b>	<b>273</b>	<b>20</b>

Key: \* - number of approved bills that were returned back to parliamentary proceedings through president's right of veto; I. – period before parliamentary election in that year; II. – period after parliamentary election in that year.

Source: Information provided by the Office of the National Council of the Slovak Republic (on the ground of the Act on Unrestrained Access to Information).

Since 1989, all ruling coalitions have endeavoured to influence personnel policy linked to the system of state administration. Some of their endeavours were hidden, some of them acted openly and without any regard for public opinion. There were even such ruling coalitions which criticized their predecessors but their own activities were the same if not worse. A typical example, as listed by Láštík (2004), is the replacement of principals (politically affiliated in SDL or SOP) in some district authorities at the end of 2003 by persons who politically belonged to the then ruling coalition's parties (i.e. ANO, KDH, SDKÚ or SMK). It occurred, even though it was officially decided by the Act on Regional Authorities and Borough Authorities (on the 5 November 2003) that those district authorities would be abolished and replaced by borough authorities as from the 1 January 2004. This problem is associated with political culture; political education, as a potential tool for its improvement, is only very weakly developed in the SR.

Recent legislation is noted for several serious deficiencies (Kukliš (2005)). One of the most fundamental deficiencies that show the weak position of regions and communities within a law-making frame is the “transfer” of law-making initiation to the parliament. The right to initiate bills is, with respect to the rule of the Constitution of the SR, in the hands the government, parliamentary committees, and MPs. However, the MPs are not very active and usually do not elaborate draft laws. They prefer to amend government bills. It is thus clear that the government plays the most important role in relation to that initiation – during the last three terms of its office it drafted and initiated on average 80% of all subsequently approved acts (Table 3), and therefore, within regard to law-making, a top-down approach markedly predominates over the bottom-up one. This problem would be solved by increasing the activity of other political actors who are in contact with MPs. Increased pressure on the MPs would be reflected in both their increased initiative and increased rate of complying with voters' (or other political actors') interests and requests.

A final problem is related to the mentioned low degree of citizens' awareness. It is reasonable to expect a quantitative as well as qualitative change for all interested and relevant political actors. E-government seems to be a good way to improve and intensify the information stream, but it should not be the only means. Improvement of communication between the citizens and their political representatives through various public hearings or public

discussions could be very helpful, too. An effective information policy provides for the existence of mutual communication channels which help to achieve planned goals.

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## **Names of Selected Present and Former Public Administration Bodies and**

### **Units in Slovakia:**

board of self-government region – zastupiteľstvo samosprávneho kraja

borough – obvod

borough authority – obvodný úrad

chair of self-government region – predseda samosprávneho kraja

city part – mestská časť

communal board – obecné zastupiteľstvo

community – obec

district – okres

district authority – okresný úrad

district national committee – okresný národný výbor

government – vláda

local national committee – miestny národný výbor

mayor – starosta

ministry – ministerstvo

nodal community – stredisková obec

principal controller of community – hlavný kontrolór obce

region – kraj

regional authority – krajský úrad

regional national committee – krajský národný výbor

superior territorial unit (self-government region) – vyšší územný celok (samosprávny kraj)

town – mesto (obec so štatútom mesta)

urban national committee – mestský národný výbor

## **Abbreviations:**

### **Names of the Political Parties:**

ANO (Aliancia nového občana) – Alliance of the New Citizen

DS (Demokratická strana) – Democratic Party

HZDS (Hnutie za demokratické Slovensko) – Movement for a Democratic Slovakia

KDH (Kresťansko-demokratické hnutie) – Christian Democratic Movement

KSČ (Komunistická strana Československa) – Communist Party of Czechoslovakia

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

SDĽ (Strana demokratickej ľavice) – Party of the Democratic Left

Smer-SD (Smer – Sociálna demokracia) – Direction – Social Democracy

SMK (Strana maďarskej koalície) – Hungarian Coalition Party

SNS (Slovenská národná strana) – Slovak National Party

SOP (Strana občianskeho porozumenia) – Party of Civic Understanding

### **Other Abbreviations:**

CEE – Central and Eastern Europe

ČSFR (Česká a Slovenská Federatívna Republika) – The Czech and Slovak Federal Republic

ČSSR (Československá socialistická republika) – The Czechoslovak Socialist Republic

MP – Member of Parliament

NGO – non-governmental organization

NKÚ (Najvyšší kontrolný úrad) – Superior Controlling Authority

NRSR (Národná rada Slovenskej republiky) – The National Council of the Slovak Republic

SR (Slovenská republika) – The Slovak Republic

ZMOS (Združenie miest a obcí Slovenska) – Association of Towns and Communities of Slovakia