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Establishment of an independent Slovak Republic

The communist form of a federal state based on centralised control did not suit any former Soviet bloc countries. Most people considered such a system to be a symbol of the past from which they wanted to break free – this was clear in the former Soviet Union as well as Yugoslavia. Sensitive nationalist issues, which had been taboo for many years, came to the forefront and intensified. Relations between the Czechs and Slovaks had seen turbulent developments in the 20th century. Both nations had lived in a joint country for sixty-five years, of which forty-one years were under communism. With democracy, almost all social problems were discussed, including state-legal issues. The first large dispute in December 1989 concerned the future president – instead of the originally planned election of the Slovak, Alexander Dubček, the Czech Václav Havel became president. In March 1990, a dispute about the country’s name began – both Czech politicians and the public rejected a hyphenated name. Finally a compromise won through – the Czech and Slovak Federal Republic. But disputes were not resolved but rather intensified, culminating in October 1990 with a protest against the passing of a language law by the Slovak National Council. All state-legal solutions were discussed ranging from centralised unified state, federal state, federation, confederation, to two independent states, with each solution referring to a historical tradition, contemporary examples and practicality. Both Slovak and Czech politicians jointly sought an agreed solution to transfer authorities from the federation to the republic. Initially it seemed a solution had been found in August 1990 at a meeting of governments in Trenčianske Teplice – the transfer of competences and new constitutions should be completed within two years. The compromise Competence Law was signed based on this agreement, which neither politicians nor the general public understood as something final. Heated discussions continued, but they did not deflect from achieving each nations’ respectively optimal position. Economic problems entered the discussions, with a different impact on Czech and Slovak society. Slovakia with its primary industrial production and larger companies was harder hit by transformation processes and the end of traditional eastern markets. The conviction was growing that the federal government could not effectively solve this situation. Old demagogic statements were renewed, such as the Czech Republic financially supported Slovakia and that Slovakia held the economy back from transforming into a market system. A referendum was offered as a suitable solution to calm a discontent society – so citizens could decide the future of the joint country. The federal parliament passed the referendum law in November 1991, but couldn’t agree on the questions it should pose. There was finally no guarantee that a referendum about retaining Czech-Slovakia would bring calm. Even if citizens voted to retain the joint state in a referendum, politicians would again have to negotiate the particular state-legal relationships – with a low probability of

..... success. The new Slovak Prime Minister Ján Čarnogurský proposed another
..... procedure – to conclude a state contract between the republics as the basis for a
..... joint state. This confirmed the original independence of the republics, which
..... would voluntarily conclude a federative unit. President Václav Havel originally
..... agreed with such a solution, but most Czech politicians rejected it. Some Slovak
..... governmental politicians finally retreated and agreed with the Czechs that the
..... republic parliaments should conclude the contract on behalf of the populations of
..... both republics and not the republics themselves. So the primary principle of the
..... independence of the republics was not sufficiently expressed. Such solution was
..... included in an agreement from Milovy in Bohemia, concluded in February 1992,
..... which increased internal tensions. When the chairmanship of the Slovak National
..... Council voted on the draft of the Milovy Agreement, the proposal could not be
..... approved due to lack of a majority. The Czech National Council stated that
..... further negotiation with the Slovak National Council was useless. According to an
..... agreement between the chairmen of the republic’s parliaments, the future fate of
..... the federation was to be decided by the winners of a future parliament election. In
..... the second free parliament election in June 1992, the Movement for a Democratic
..... Slovakia (HZDS) won in Slovakia. The Civic Democratic Party (ODS) of Václav
..... Klaus won in Bohemia. HZDS with new Prime Minister V. Mečiar supporting the
..... change from federation to a union of two states with foreign policy subjectivity.
..... The ODS submitted two variants – a ‘functional federation’ with a strong centre,
..... or splitting into two independent countries. On 17 July 1992, HZDS subsequently
..... supported adopting the Declaration of the Independence of the Slovak Republic in
..... the Slovak parliament. In this way, the primordially of the republic’s
..... independence and the derived nature of the federation was confirmed. The Czech
..... party did not consider a similar step necessary. President Havel responded to the
..... declaration’s adoption by resigning. It was soon seen that negotiations between
..... HZDS and ODS would not be easy – the HZDS proposal for a joint adoption of
..... constitutions for both republics was refused by ODS. So on 1 September 1992 the
..... Slovak parliament adopted the Constitution of the Slovak Republic, which
..... included an article that the Slovak Republic could decide to enter into union with
..... other countries. The initiative of Czech Social-democratic Member of Parliament,
..... Miloš Zeman, could be considered the last attempt to retain the Czech-Slovak
..... state. Zeman submitted a proposal to the Federal Assembly to establish a
..... commission for the formation of a Czech-Slovak Union. The proposal was
..... adopted, even by HZDS MPs. But it was rejected by Václav Klaus’s ODS, which
..... had the decisive word in Bohemia and which insisted on two independent
..... countries. On 25 November 1992, the Federal Assembly adopted the
..... Constitutional Law on the cessation of the Czechoslovak Federative Republic.
..... From January 1993, two independent countries were created – the Slovak Republic
..... and the Czech Republic. The international community appreciated the calm
..... course of the Czechoslovak Federative Republic’s split, especially in comparison
..... with the former Yugoslavia’s bloody war.



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References: