NATION IN TRANSITION
The View from Bratislava

Robert Percival

The changes sweeping central Europe in the wake of communism’s demise are transforming legal education there, as I discovered this spring while teaching as a J. William Fulbright scholar at Comenius University Law School in the capital of Slovakia, Bratislava. Slovakia is the eastern half of what was Czechoslovakia until the Czech and Slovak Republics agreed to separate at the end of 1993.

Comenius University is the oldest and most respected institution of higher education in Slovakia, with more than 18,000 students and 5,000 faculty and staff. The law school, which is one of 12 faculties of the university, is located on the north bank of the Danube River in a historic building that until 1919 housed the Slovak stock exchange.

At Comenius, I taught seminars on environmental and administrative law to students fluent in English. Rather than emphasizing the intricacies of American law, I sought to distill general lessons from the U.S. experience that would be particularly useful in a country like Slovakia. Because environmental and administrative law have been important in establishing the rights of citizens to influence government decision-making in the U.S., they can provide rich lessons for countries now making the transition to democracy.

I was impressed by the quality of the Slovak students and their eagerness to explore how the U.S. experience could assist the development of Slovak law. The students were particularly enthusiastic about the use of teaching methods that employed case studies and class discussion rather than the lecture and rote memorization approach that prevails in the former Soviet sphere.

Prior to the collapse of the communist regime in 1989, the Slovak educational system was rigidly controlled by party officials with political considerations dictating the curriculum. While democracy has brought new freedom to educational institutions, the transition is proving painful to them. As the state sector of the economy shrinks, state funding for higher education has plunged to less than a third in real terms of what it was in 1991. In 1993 alone, 20 percent of the Comenius faculty resigned, many to pursue opportunities in the growing private sector. The faculty who remain include many who were tenured during the communist era.

Yet I found enthusiasm for educational reform, particularly among the scientists and economists I met while giving guest lectures at the Slovak Polytechnic Institute and the Bratislava University of Economics. While many eastern Europeans have grown weary of being offered advice from U.S. consultants, I received a particularly warm reception because I was not viewed as promoting any private agenda.
Crowds gather in front of the National Theater for the annual May Day celebration.

For me and my family, life in Bratislava combined the joys and frustrations of living in a society in transition. Slovakia's economy has not progressed as rapidly as its neighbors, and the range and quality of consumer goods available in Bratislava is not as great as elsewhere. The new consumer Mecca in downtown Bratislava is a massive department store now owned by K-Mart. The cost of living in Bratislava is quite modest by U.S. standards, but housing has become difficult to find.

We considered ourselves lucky to lease a house in the villa district of Bratislava just down the street from the former home of the late Czechoslovakian leader Alexander Dubcek, who was removed by the Soviets after their 1968 invasion. However, as I discovered, concepts of contract and property rental are new to many in former communist societies. Halfway through the term of the lease, our landlord, who had never previously rented his house, decided to move back in. Fortunately, I was able to seek legal assistance from a former student, UM law grad Karin Krchnak '93, a Slovak lawyer now working in Bratislava.

One of the few positive legacies of the former regime is an extraordinary preschool system. We enrolled our three-year-old son Richard in one of the schools, which are called jasles. Although the staff of his jasle spoke only Slovak, Richard adapted quite readily and was soon spouting Slovak words. Our five-year-old daughter Marita attended kindergarten classes taught in English at the Bratislava American International School, along with students from 13 countries.

My family and I enjoyed Bratislava's rich cultural life, which features state opera, ballet and theater companies, and even a state-run children's puppet theater. We also took advantage of Bratislava's central location by making frequent visits to Vienna (which is as close to Bratislava as Baltimore is to Washington), and trips to Prague, Budapest and Slovakia's spectacular High Tatra Mountains.

While I am optimistic about the long-term prospects for central Europe, I expect the transition to democracy will continue to be painful for Slovakia for a considerable period of time. In March I watched the crowds gathered outside the Slovak Parliament building as defections from the ruling coalition brought down the government of ex-communist Vladimir Meciar.

The new Slovak government, which is led by former Comenius law professor Josef Moravcik, has made positive steps towards economic and educational reform. These include more vigorous efforts to privatize state-owned enterprises and the drafting of a higher education law that will allow state schools to charge tuition. However, the new government faces an uncertain future in the fall elections. The absence of experienced leaders who are reform-minded and the fractious nature of multi-party politics appear likely to prolong the country's political turmoil.

Slovakia faces an immense array of economic, social and environmental problems as a legacy of its former communist regime. While the transition to a market economy is bringing new problems of crime and unemployment, the country is beginning to appreciate the important role law can play in facilitating peaceful economic and social change. I hope that the students I taught eventually will form the core of the new generation of leadership Slovakia will need to complete its difficult transition.

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