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Democratization in central and east European countries

MARY KALDOR AND IVAN VEJVODA

The political systems that characterize the ten newly democratizing countries of central and eastern Europe are examined. Drawing a distinction between formal and substantive democracy, the authors discuss the development of key facets of democratic practice in the countries of the region. A final section draws out some of the policy implications of their findings for governments and European institutions.

The misery of Eastern Europe's small nations...causes such great suspicion and irritation in Western European observers. [This] leads many people to conclude that the entire region...should be abandoned to its fate...This region's inability to consolidate itself is not due to its inherently barbarian nature, but to a series of unfortunate historical processes which squeezed it off the main course of European consolidation...We should not give up on the idea of consolidating this region if for no other reason than for the fact that today, after 30 years of great confusion, we can clearly see the course of consolidation; after the passing of mutual hatreds, occupations, civil strife, and geno-

This article is a revised version of a text originally written as a project report for the European Commission in Brussels. This research project was undertaken in collaboration with the European Commission and the Council of Europe, by the Sussex European Institute, University of Sussex. The aim of the project was to assess the process of democratization in those CEECs eligible for EU membership and the extent to which these countries met the political criteria for membership. The ten central and east European countries studied in the project were Estonia, Latvia, Lithuania, Poland, the Czech Republic, Slovakia, Hungary, Romania, Slovenia and Bulgaria. The project coordinators commissioned a paper on each of these countries by researchers from the respective countries. The country reports (an integral part of the project report) were written by András Bozóki (Central European University, Budapest, Hungary); Martin Butora (University of Trnava, Slovakia); Kestutis Girnius (Vilnius, Lithuania; RFE, Prague); Zdenek Kavan (University of Sussex, Brighton, UK), co-author on the Czech Republic; Romyana Kolarova (University of Sofia, Bulgaria); Marcin Król (Graduate School for Social Research, Warsaw, Poland); Tonci Kuzmanic (University of Ljubljana, Slovenia); Alina Mungiu Pippidi (University of Bucharest, Romania); Martin Palous (Charles University, Prague, Czech Republic), co-author on the Czech Republic; Andris Runcis (University of Riga, Latvia; and Jüri Ruus (University of Tartu, Estonia).

In the article and the footnotes we refer to these ten 'country reports' and use examples from them to illustrate some of our arguments. Tables 1 and 2 are an attempt to summarize some of our findings. They are 'snapshots' of the current state of affairs up to November 1996, and like all such succinct presentations are an oversimplification. The framework of the tables is ours, while the content of the 'boxes' draws on the country reports and on interviews with their authors.

We would like to thank all of the abovementioned colleagues as well as Karoly Gruber, assistant on the project, for a truly collaborative effort. Responsibility for the article, of course, lies entirely with ourselves.

cidal wars...We must make sure only that heavy-handed and violent attempts at solutions do not return the filthy tide toward our region. Of course consolidation can also be thwarted; after all, it is not an elemental process that irresistibly takes over a region, but a delicate, circumspect, and easily derailed human endeavour facing the forces of fear, stupidity and hatred. However, it should be emphasized that the consolidation of this region is *feasible*.¹

The countries of central and eastern Europe (CEEC) finally seem to be on the 'course of European consolidation'. Despite the optimism of the Hungarian historian, István Bibó, after the Second World War, expressed in the passage from 1946 quoted above, they were pushed off course, yet again, for more than 40 years. Now the CEECs are in the seventh year of 'consolidation' and there exists something to be consolidated. The political stabilization of the region and the consolidation of the newly emerged democratic regimes of the CEECs is, in spite of the many challenges they are facing, not only feasible but an ever-growing reality. In the search for democratic institutions, rules and procedures the main internal obstacle remains the absence of a democratic political culture, while externally the key question is the willingness of the West to provide help through this precarious phase during which the danger of a relapse into forms of totalitarianism, authoritarianism and populism lurks in the background.

Time is a crucial factor in this process of 'democratic invention',² as is the international political and economic environment. An overwhelming but simplistic popular perception in the CEECs after 1989 was that democracy was synonymous with a 'return to Europe'. In fact, the geographical barriers imposed by Yalta were not the only ones to be overcome. The political, economic and psychological practices that evolved during the 40 years of communism were going to prove a far greater impediment to an early 'return' than seemed to be the case in 1989. Moreover, the trials and tribulations of democracy in the West have a direct impact on the image and influence of democratic ideas in the CEECs.

While it is generally argued that the institutional, formal prerequisites for democracy have been broadly fulfilled in the ten CEECs under consideration, it is more difficult to assess in such a clear manner the level of consolidation of democratic behaviour, or of the fledgling democratic political culture, that has been attained. It seems that, whatever their mutual differences, all CEECs have gone beyond the point of a return to the *ancien régime*, though in some (in particular, Slovakia and Romania) there have been menacing signs of a willingness on the part of the democratically elected majorities to transform themselves into a contemporary variant of what Tocqueville called regimes of 'democratic

¹ István Bibó, 'The distress [misery] of east European small states', in *Democracy, revolution, self-determination: selected writings*, ed., Karoly Nagy (Social Science Monographs; Boulder, CO, Oxford: Atlantic Research and Publications, High Lakes; New York: Columbia University Press, 1991).

² Claude Lefort, *L'invention démocratique—les limites de la domination totalitaire* (Paris: Fayard, 1991).

despotism'.³ The question arises as to whether these two particularly fragile new democratic polities will find the internal political energy and the necessary external support and pressure to overcome these difficulties. Some authors contend that we are only witnessing a 'mirage of democracy' where there is 'reason to suppose that the post-communist world finds a suitable option in a semiauthoritarian order...[in which the CEECs] may embrace somewhat harsher and more centralised political practices than can be found in Western democracies'.⁴

In this article, we put forward the argument that the political systems which characterize the CEECs constitute a particular variant of democracy that is specific to this part of this world; we argue that it is possible to talk about a *sui generis* post-communist political model which is influenced by the legacy of communism and, at the same time, by both the strengths and weaknesses of contemporary Western democracy. In order to develop this argument, we draw a distinction between formal and substantive democracy which enables us to assess critically the process of democratization in terms of both formal criteria and what we consider to be substantive features of democracy. The result is a more differentiated understanding of the process of democratization as it is experienced by individual CEECs. Our conclusions about the extent to which individual CEECs fit this model of democratization are based on a research project in which individual case-studies of ten CEECs were undertaken (for details see unnumbered footnote above). In the final section, we draw out some of the policy implications for governments and European institutions.

In October 1992 Elemér Hankiss, Hungarian sociologist and first post-1989 Director of Hungarian state television, commented that, if 1989 was the *annus mirabilis*, then 1990 was the *annus esperantiae*, 1991 the *annus miserabilis* and 1992 the *annus desillusionis* or *realismis*. We are now four years into the awakening of CEECs to the realities of their new situation in which the brave new democracies continue to recast their politics, economies, culture, law and education while at the same time confronting the great burden of the totalitarian past; meanwhile the 'West' and 'North' are beset by questions about the 'end of politics' and of 'democratic deficit'.

One may ask whether the seventh year of experience of new regimes in the CEECs is too soon to make meaningful assertions as to the foundations of democracy in these countries. Lijphart, for example, formulated one of the criteria for determining 'whether a political system can be called democratic—that is whether it is sufficiently close to the democratic ideal' as that 'it must be reasonably responsive to the citizens' wishes over a *long period of time*'. This criterion, 'persistence of democratic rule', was defined in temporal terms as 'at least thirty to thirty-five years'.⁵ The CEECs have by this criterion only

³ Alexis de Tocqueville, *De la démocratie en Amérique* (Paris: Garnier-Flammarion, 1981), vol. II, p. 386.

⁴ Charles Gati, 'The mirage of democracy', *Transition* 2: 6, 22 March 1996, pp. 6–12, 62.

⁵ Arend Lijphart, *Democracies: patterns of majoritarian and consensus government in twenty-one countries* (New Haven, CN, London: Yale University Press, 1984), p. 38. The first criterion, as defined by Lijphart, was the existence of political rights and civil liberties.

achieved a fifth or a quarter of the 'required' temporal experience. However precarious it may appear, we consider that it is nevertheless worthwhile to make a preliminary assessment about whether a genuine process of democratization is under way.

On formal and substantive democracy

Ever since democracy became the subject of political philosophy and political theory there have been varying definitions and usages of the term.⁶ For Tocqueville, democracy had essentially two meanings: one was as a political regime defined by the rule of the people, with all the institutional and procedural mechanisms that had been specified by earlier theorists of democracy; the other was as a condition of society characterized by its tendency towards equality. This social, societal democratic condition, the Tocquevillian 'habits of the [democratic] heart' (much in the sense of a Hegelian *Sittlichkeit*), meant that democracy could not be reduced to its formal, institutional aspects.⁷

In this article, we distinguish between formal (procedural) democracy and what we call substantive democracy.⁸ Formal democracy is a set of rules, procedures and institutions which we attempt to define below. We consider substantive democracy as a process that has to be continually reproduced, a way of regulating power relations in such a way as to maximize the opportunities for individuals to influence the conditions in which they live, to participate in and influence debates about the key decisions which affect society.

We take it as given that the formal character of democracy is the indispensable presupposition of the democratic social condition. Attempts to represent the 'social condition' as the pre-eminent 'substantive' value have, in fact, through an overemphasizing of the idea of 'community', under various guises, led in the twentieth century to the modern political form of totalitarianism. This image

⁶ See e.g. Juan J. Linz, *The breakdown of democratic regimes: crisis, breakdown and reequilibration* (Baltimore, MD, London, 1978), p. 8: 'Unfortunately, there is no meaningful, accepted typology of competitive democracies, nor any accepted measure of the degree of democracy. Only the distinction between democracies based on majority rule and those that Lijphart calls 'consociational' has gained wide acceptance.' See also George Orwell, 'In the case of a word like democracy not only is there no agreed definition but the attempt to make one is resisted from all sides...The defenders of any kind of regime claim that it is a democracy, and fear that they might have to stop using the word if it were tied down to any one meaning' in *Selected essays* (Baltimore, MD: 1957), p. 149, quoted in G. Sartori, *Democratic theory* (Detroit: Wayne State University Press, 1962), p. 3.

⁷ In a different vein in his early writings Marx expressed a scathing criticism of early nineteenth-century democracy, considering that formal, bourgeois democracy was insufficient, indeed a veil cast over relations of exploitation, and that a more socially equitable and just society (socialism) in the future would deliver real, substantial 'rule of the people': see 'On the Jewish question', in Karl Marx, *Early Writings* (New York: Vintage Books, 1975), pp. 146–7.

⁸ The debate between a proceduralist, formal approach to democracy and a substantive and/or normative approach has been for long a mainstay of political theory. A variety of authors address these issues. Most recently, for example, Jürgen Habermas, *Between facts and norms: contributions to a discourse theory of law and democracy* (Cambridge, MA: MIT Press, 1996; originally *Faktizität und Geltung*, Frankfurt am Main: Suhrkamp, 1992) has taken the proceduralist side, while Ronald Dworkin, *Freedom's law: the moral reading of the American constitution* (Oxford, New York: Oxford University Press, 1996) takes the substantive side.

of a finally 'real' democracy, as totalizing community, has been the political form from which the CEECs have emerged. 'All those who want to replace formal democracy with so-called substantive democracy, and thereby reunify state and society in a totalising way, surrender democracy as such.'⁹ On the other hand, the existence of formal mechanisms and procedures, which represent an *a priori* safeguard against abuses of power, is a necessary condition, but by no means a sufficient condition for democracy in a substantive sense.

Democracy is a set of formal institutions, a way of redistributing power and a way of life. When distinguishing between formal and substantive in this article, we separate out for analytical purposes the institutional and procedural aspects from the way they are implemented, from the practices and 'habits of the [post-communist] heart'.

Compliance with formal criteria

There have been many attempts to define the criteria for democracy. We have assembled our own list of formal criteria adapting a set of 'procedural minimal conditions, originally drawn up by Dahl.'¹⁰

- 1 *Inclusive citizenship*: exclusion from citizenship purely on the basis of race, ethnicity or gender is not permissible.
- 2 *Rule of law*: the government is legally constituted and the different branches of government must respect the law, with individuals and minorities protected from the 'tyranny of the majority'.
- 3 *Separation of powers*: the three branches of government—legislature, executive and judiciary—must be separate, with an independent judiciary capable of upholding the constitution.
- 4 *Elected power-holders*: power-holders, i.e. members of the legislature and those who control the executive, must be elected.
- 5 *Free and fair elections*: elected power-holders are chosen in frequent and fairly conducted elections, in which coercion is comparatively uncommon, and in which practically all adults have the right to vote and to run for elective office.
- 6 *Freedom of expression and alternative sources of information*: citizens have a right to express themselves without the danger of severe punishment on political matters, broadly defined, and a right to seek alternative sources of information; moreover, alternative sources of information exist and are protected by law.
- 7 *Associational autonomy*: citizens also have the right to form relatively independent associations or organizations, including independent political parties and interest groups.
- 8 *Civilian control over the security forces*: the armed forces and police are politically neutral and independent of political pressures and are under the control of civilian authorities.

⁹ A. Heller, 'On formal democracy', in J. Keane, *Civil society and the state* (London: Verso, 1988), p. 131.

¹⁰ R. Dahl, *Dilemmas of pluralist democracy* (New Haven, CN: Yale University Press, 1982), p. 11.

Table 1 summarizes the findings from our study about the extent to which the CEECs meet the formal criteria of democracy as defined. The material is based on our individual case-studies. By and large, we find that the ten CEECs do meet the formal criteria for democracy. All ten have democratically ratified constitutions. Some are already refining and amending their post-1989 constitutions so as to attain higher democratic standards. Constitutional courts play an important role in this sense and have proven themselves to be a major institutional democratic actor in the present transformations.

Only Latvia and Estonia do not fully meet the criterion of inclusive citizenship.¹¹ In both countries substantial ethnic minorities, especially Russian-speaking people, lack citizenship primarily for procedural reasons, even though the citizenship laws do not explicitly exclude minorities. In the Czech Republic, Roma people do not automatically qualify for citizenship because, after the split of Czechoslovakia, they were classified as Slovaks; they have had difficulty acquiring citizenship for procedural reasons, particularly a clause (since removed under international pressure) that those eligible for citizenship must have no criminal record during the previous five years.¹²

Apart from these citizenship problems, the key formal criterion of existing and guaranteed democratic civil liberties (human rights), in particular for minorities, has been met in the CEECs. However, in none of the CEECs is the rule of law fully implemented. Although this is a criterion that is difficult to gauge fully with respect to an ideal-typical rule of law, it can nonetheless be said that the individual citizen in the CEECs is in a variety of ways (with marked differences among the countries) still grappling with the practical use of formal legal guarantees that have been enshrined in statute, as a result of weak judiciaries and/or inadequate machinery for law enforcement. Hence, there exists a continued sense of individual insecurity in a number of the countries under review.¹³

The separation of powers between legislative, executive and judiciary branches is more or less in place. In Slovakia, there have been attempts by the government to constrain the power of the President, which to some extent were countered by pressures from opposition parties, civil society and European institutions. In Poland, President Walesa on occasion abused his position to interfere in the functioning of government. In Romania, former President Ilescu played a very powerful role and insisted on standing for a third period in office, although this appears to be contrary to the constitution. In the Baltic states, the weakness of the judiciary—a Soviet inheritance—makes it difficult

¹¹ See Andris Runcis, *Democratisation in Latvia* country report, MS, 1996; Jüri Ruus, *Democratisation in Estonia*, country report, MS, 1996.

¹² Martin Palous and Zdenek Kavan, *Democracy in the Czech Republic*, country report, MS, 1996, pp. 9–11.

¹³ See the section below on 'Administration' and individual country reports: Alina Mungiu Pippidi, *Romania—from procedural democracy to European integration*, country report, MS, 1996; Martin Butora, *The present state of democracy in Slovakia*, country report MS, 1996; Romyana Kolarova, *Democratisation in Bulgaria: present tendencies*, country report, MS, 1996; also those on Latvia and Estonia cited in note 11 above.

Table 1: Formal democracy: main criteria

	Bulgaria	Czech Republic	Estonia	Hungary	Latvia	Lithuania	Poland	Romania	Slovakia	Slovenia
Inclusive citizenship	A	B	C	A	C	A	A	A	A	A
Rule of law	B/C	B	B/C	B	B	B/C	B	C	B	A/B
Separation of powers	A	A	A	A	A	A	B	B/C	B	A
Elected power-holders	A	A	A	A	A	A	A	A	A	A
Free and fair elections	A	A	B	A	B	A	A	A	A	A
Freedom of expression and alternative information sources	A	A	A	A	A	A	A	B	A	A
Associational autonomy	B	A	A	A	A	A	A	A	A	A
Civilian control of the armed forces/security services	A	A	A	A	A	A	A	B	B	A

A = Formal procedures are in place and mostly implemented.
 B = Formal procedures are in place but incomplete implementation.
 C = Formal procedures are in place but hindrances to implementation.
 D = Formal procedures are not in place.

Source: Country reports

for the judicial arm to balance the other branches of government. In Latvia, the legislative branch dominates over the executive branch.

Regular elections have led to the alternation in power of divergent parties or coalitions, thus proving that the mechanisms of political competition can operate and are accepted by the political actors. In Romania, peaceful alternation has only recently taken place for the first time, as a result of the elections of November 1996.

It is clear that elections are not a sufficient condition for the existence of democracy but have to be complemented by a 'variety of competitive processes and channels for the expression of interests and values—associational as well as partisan, functional as well as territorial, collective as well as individual'.¹⁴ These can become efficient and operational only in a free public realm where open access to a variety of sources of information can then lead to deliberation concerning the collective norms and choices that are binding on the society and backed by state coercion. In Bulgaria, associational autonomy, based on ethnicity, is restricted.¹⁵

The control of civilian authorities over the military has been largely achieved, although in some countries, especially Romania and Slovakia, the so-called dark forces, remnants of the secret police, lurk in the shadows of politics and society.

Getting under the skin of the new democracies in the CEECs

Democracy, however, is not reducible to institutions, rules and procedures, i.e. to its formal aspects. It is a way of life of the individual citizen in the societies born out of the modern democratic revolutions. The 1989 transformations mark the new beginning of this process in the CEECs. How are these formal institutions, rules and procedures implemented in practice? Are the CEECs following the blueprint of an existing democratic model or have these seven years of democratization displayed tendencies towards a *sui generis* model of partially developed democracy?

The extent to which a particular society can be said to be characterized by a democratic political culture in which there is a genuine tendency for political equalization and in which the individual feels secure and able and willing to participate in political decision-making is not something that can be easily measured. We have chosen to focus here on what we see as key 'features' of substantive democracy, which have a bearing on the deeper nature of democratic life. These features include the character of constitutions and the way in which human rights are perceived; the role of political parties and the extent to which they provide a vehicle for political participation; the role of the media and the extent to which they are capable of representing a broad political debate; whether and how far the

¹⁴ Philippe C. Schmitter and Terry L. Karl, 'What democracy is...and is not', *Journal of Democracy* 2: 3, Summer 1991, p. 78.

¹⁵ Rumyana Kolarova, country report, p. 5.

former communist administration has been able to transform itself into a genuine public service in which individuals have trust; the degree to which local government is able to manage and respond to local concerns; and finally the existence of an active civil society, in the sense of independent associations and institutions, which is able to check abuses of state power. We are aware that these features by no means constitute an exhaustive list of the characteristics of substantive democracy, but our research suggested that these were the aspects that appear to be most central to an assessment of substantive democracy.

Constitutional issues and human rights

The social function of constitutions has become increasingly complex because of their historical and theoretical development.¹⁶ The basic function is the limitation of power both in a negative, defensive sense and in a positive sense as the 'authorizing function'. The capacity to legitimize political authority is closely related to the integrative function of modern constitutions. Constitutions, in so far as they 'incarnate the goals, aspirations, values and basic beliefs which [a society's] members commonly hold and which bind them together...may serve as a kind of secular catechism'.¹⁷

Overall, the legitimizing function of the new constitutions in the CEECs has fostered stability and a process of consolidation. It has provided a framework to which the workings of institutions, rules and procedures have slowly been adapting. The constitution-makers in the CEECs have demonstrated their concern for both rights and social justice, and, in spite of differences, all reveal a significant preference for a communitarian concept of constitutionalism, as opposed to a rights-based concept, thus emphasizing the 'nation' as opposed to the 'citizen'. Contemporary debates in the field of political philosophy suggest a bifurcation between a political concept of the 'right' and one of the 'good', or between justice and community. The new constitutions of the CEECs tend to express a preference for the latter rather than the former, although neither rights nor justice are disregarded.¹⁸

Human rights 'depend on public institutions, they cost money (and this is true not only for social and economic rights but for the so-called negative rights as well); government cannot protect property and life itself without resources... rights will not exist without a rights bearing culture, that is a culture in which ordinary people are at least sometimes willing to take serious personal risks by challenging powerful people by insisting that rights are at stake. The protection of rights will require government to act in both public and private spheres, sometimes within the family itself (to prevent domestic

¹⁶ Ulrich Preuss, *Constitutional aspects of the making of democracy in post-communist societies of east Europe* (Bremen: Zentrum für Europäische Rechtspolitik, 1993), Diskussionspaper 2/93.

¹⁷ *Ibid.*, p. 7.

¹⁸ *Ibid.*, p. 34.

violence).¹⁹ The problem of individual and collective (minority) rights is one of the stumbling blocks in the CEECs. Lacking a rights culture, slanted towards a communitarian outlook, with a scarcity of resources and in the absence of any tradition of community policing, there are persistent problems in certain countries—in particular those in which there are significant minorities. These relate to the Russians living in Estonia and Latvia, the Hungarians living in Slovakia and Romania and the Roma living in the Czech Republic, Slovakia, Hungary, Romania and Bulgaria, as well as the discrimination against and abuse of foreigners, especially from developing countries, who came to study or work in the CEECs during the communist period.

The legacy of social guarantees under communism has been an inclination to view human rights as equated not with individual, civic and political rights, but largely with economic and social rights, such as guarantees of work, free elementary, secondary and university education, child allowances and old-age pensions,²⁰ although this view has come under pressure from the new neoliberal ideologies. The tendency has often been put forward as one of the main reasons for the electoral successes of the former communist parties in elections in Lithuania, Poland, Hungary, Bulgaria and Romania. It is suggested that the electorates, disenchanted with societal convulsions and the social costs of change,²¹ believed that these parties could at least stem the flood of change and slow down the pace of 'streamlining' and 'downsizing' in their workplaces.

The legislation in human rights is for the most part in place. The international covenants have been, or are in the process of being, integrated into domestic legislation. The 'paper guarantees' can, however, unfortunately coexist with more or less extensive discrimination or inequality on grounds of, for example, gender,²² or minority status. In Romania, the new penal code makes homosexuality a criminal offence.²³

It has been stressed that an awareness of the 'right to have rights'²⁴ is the first step in the direction of developing both an individual and a collective awareness. This should be followed by a learning process whereby it becomes clear to the people concerned that rights actually serve collective interests, by making it possible to have and maintain a certain kind of society with a certain sort of culture. Part of the reason for a system of free speech is not only to protect the individual speaker, but to allow processes of public deliberation and discus-

¹⁹ C. R. Sunstein, 'Rights after communism: introduction', *East European Constitutional Review* 4: 1, Winter 1995, p. 61.

²⁰ See e.g. James R. Millar and Sharon L. Wolchik, eds, *The social legacy of communism* (Cambridge: Cambridge University Press, 1994).

²¹ See N. Eberstadt, 'Eastern Europe's disturbing health crisis', *Wall Street Journal*, 30 Sept. 1993; also 'Social indicators and transition', *Transition Report 1995* (European Bank for Reconstruction and Development, 1995), pp. 21–5.

²² K. L. Scheppele, 'Women's rights in Eastern Europe', *East European Constitutional Review* 4: 1, Winter 1995, pp. 66–9.

²³ Alina Mungiu Pippidi, country report.

²⁴ H. Arendt, *The origins of totalitarianism* (New York: Harcourt, Brace, Jovanovitch, 1973), pp. 296–7.

sion that serve public goals, by, for example, constraining governmental power and making just and effective outcomes more likely.²⁵

Political parties

After 1989 three basic kinds of political parties emerged: the communists recast themselves under different names and with a more centre-left slant; some parties attempted to continue the tradition of the pre-1940s parties; and wholly new parties emerged, most often founded by ex-dissidents or other individuals who were not linked to communist power-holders in a direct sense. Only the post-communist parties have sizeable membership and significant local organization. They have inherited the party networks and put them to use in the new environment of competitive politics. This may well be the main explanation for their electoral success in all the CEECs except the Czech Republic and Slovakia, where they were discredited and in Estonia and Latvia, where they fragmented. Since 1989 very few of the pre-1940s parties that re-emerged have survived except for peasant parties which are rather small outside Poland.²⁶

Some of the wholly new parties, such as the UW (Union of Freedom) in Poland, the UDF (Union of Democratic Forces) in Bulgaria and DCR (Democratic Convention of Romania), are suffering from 'childhood illnesses'. They have been created from the top down and their membership is low. Their representatives have in many cases had no prior experience in practical politics. In a society that seeks stability after a major transformation it is not a simple task for these new potential politicians to win the trust of the electorate. Also, it is difficult for these parties to build up an extended network of grass roots party organizations within a short time. This requires human and financial resources which are not always forthcoming. The result is that political party life gravitates around the capitals and the major cities of these countries.

The transition from a one-party to a multi-party system went through an initial phase of mushrooming political parties, followed by a tightening of electoral laws defining thresholds usually of 3–5 per cent which in time reduced this great number of parties to five or six important parties in virtually all the CEECs.²⁷ With the exception of the former Czechoslovakia,²⁸ a pattern seems to be

²⁵ Sunstein, 'Rights after communism', p. 61.

²⁶ The PSL (Polish Peasants' Party), the largest such party in the CEECs, won 19% of the votes in parliamentary elections in September 1995 and is part of the governing coalition. Other examples are the Small-holders Party in Hungary and the Agrarian Party in Bulgaria.

²⁷ An almost identical process occurred in Spain in the immediate post-Franco period.

²⁸ The ruling ODS (Civic Democratic Party) of Prime Minister Klaus in the Czech Republic, which took 29.6% of the vote in the May–June 1996 parliamentary elections, is in a coalition with the ODA (Civic Democratic Alliance) and the KDU/CSL (Christian Democratic Union/Czech People's Party). The ruling HZDS (Movement for a Democratic Slovakia) of Prime Minister Meciar in Slovakia, which won 34.9% of the votes in the 1994 elections, is in a coalition with the ZRS (Association of Workers of Slovakia) and the SNS (Slovak National Party).

emerging in which the post-communist parties are the largest and often predominant parties. In Hungary and, until recently Slovenia, where these post-communist parties had already begun to change during the 1980s, they rule in coalition with liberal parties and a kind of consensual politics is developing.²⁹ Politics is becoming 'boring', even 'normal'. In other countries, a sharp polarization separates the post-communist parties from the anti-communist opposition. Such is the case in Bulgaria and Poland where former communists are in power, and Lithuania and Romania where former communists were recently defeated. Lithuania was the first country in which, in the October 1992 elections, the former communists—the LDLP (Lithuanian Democratic Labour Party)—regained power; most recently, in the October 1996 elections, the former communists have also become the first such group to be displaced from power. In the case of the Czech Republic and Slovakia, where the communists had been totally discredited, the predominant parties seem to have organized themselves around the personalities of their leaders—Klaus and Meciar respectively.

Both the post-communist and new parties are for the most part highly centralized with a markedly hierarchical structure. It can be argued that they see themselves, as their communist predecessors did, as instruments for the capture or preservation of power rather than as 'transmission belts' for political ideas and debates. The old tendencies to extend party control over various spheres of social life—the media, universities, the newly privatized enterprises—are reducing political space to what the Italians have called *partitocrazia*,³⁰ rule by parties dividing up 'spheres of influence' in society.

It is very difficult to distinguish parties on the basis of philosophy or ideology, except for those mostly peripheral parties with xenophobic or extreme chauvinistic tendencies which are to be found in all these countries, some of which attain 10 per cent of the vote. Most parties express a commitment to the market, to social justice and to joining the EU, whether they are post-communist, such as the former communists of Romania (National Salvation Front of President Iliescu), the BSP (Bulgarian Socialist Party of Prime Minister Zhan Videnov), the Polish SLD (Alliance of Democratic Left of President Kwasniewski) or right-wing, such as the ODS (Civic Democratic Party) of Vaclav Klaus in the Czech Republic. These tend to be catch-all parties. There are some differences between those parties which express a more civic orientation (for example, the Free Democrats in Hungary, the Union of Freedom in Poland or VPN, Public against Violence in Slovakia), and those which accentu-

²⁹ In Hungary the former communist MSZP (Hungarian Socialist Party), which in the 1994 elections won 33% of the vote but 54% of the seats in parliament, decided to create a grand coalition with the post-1989, new liberal SZDSZ (Alliance of Free Democrats) which won 20% of the vote (András Bozóki, *Democracy in Hungary: confronting theory and practice*, country report, MS, 1996, pp. 8–13). In Slovenia in the three years up to March 1996 the Associated List of Social Democrats (former communists) was in a grand coalition with the Liberal Democrat Party and the Christian Democrat Party (Tonci Kuzmanic, *Slovenia: from Yugoslavia to the middle of nowhere*, country report, MS, 1996, pp. 4–5).

³⁰ Giovanni Sartori, *Democratic theory* (Detroit: Wayne State University Press, 1962), p. 187.

ate attachment to national and/or religious values, for example, Sajudis in Lithuania, the ruling HZDS in Slovakia or the former ruling MDF (Hungarian Democratic Forum), in opposition since 1994. By and large, political debates have had little programmatic substance. The sharpest debates are either about the past, pitching communism against anti-communism (in the Baltic states, Bulgaria and Poland), or about personalities (Meciar and Kovac in Slovakia, Klaus and Havel in the Czech Republic, Walesa and Kwasniewski in Poland in the recent presidential elections, or Brazauskas and Landsbergis in Lithuania).

Attempts are being made by the new parties to broaden their membership, but they are coming up against a wall of antipolitical sentiments. This reluctance of people to engage in politics has its roots not only in the negative political legacy of prolonged life in an overpoliticized communist polity, but also in a sense of powerlessness, of inability to influence political or economic events, in a situation in which the perception of parts of the electorate is that agencies such as the IMF or the World Bank have much greater leverage on their future than internal actors. The absence of a public sphere, a space for true discussion in a sharply polarized situation, leads often to political cynicism and apathy.³¹

In most of the CEECs there are extreme nationalist parties, but their support does not exceed the 10 per cent mark in polls or elections. In some cases nationalist strands and factions organize within the larger parties (for example in the ruling Bulgarian BSP and in the ruling Slovak HZDS); in others larger parties enter coalitions with the smaller extremist ones (Romania's recently ruling National Salvation Front was for some time in a coalition with the small extreme nationalist party, and Slovakia's HZDS is coalesced with 'non-standard groupings—characterized by an increased degree of national and social populism, authoritarianism and confrontational style politics'³²).

Media

The modern media of communication were part and parcel of the former communist regimes, servicing the political monopoly of the ruling party. A parallel second public sphere was created through the establishment and existence of *samizdat* journals and informal private lines of communication. Since 1989 the media have been pluralized to differing degrees in all the CEECs. There have been 'media wars' (in Hungary and Bulgaria), conflicts and often irreconcilable tensions over the control and legal definition of the media. Some countries passed their media legislation only recently, an example being Hungary in December 1995; others, such as Bulgaria, contrary to constitutional provisions, still have no enacted legislation, and the absence of such legislation enables the ruling majority to control the national media directly.³³ The

³¹ See Ivan Vejvoda, 'Apolitisme et postcommunisme', *Tumultes* (Paris) no. 8, Sept. 1996, pp. 195–206.

³² Martin Butora, country report, p. 5.

³³ Rumyana Kolarova, country report, p. 9.

plurality of the media and their differing reach and influence have to be taken into consideration when assessing the degree of pluralization and the level of independence that have been attained.

The broadcast media, especially television, clearly exert the most powerful influence on public opinion. In all these countries the state has retained a notable degree of control over the television channels previously operated by the party-state. These have been reformed and liberalized, although the extent of liberalization varies, being greater in Lithuania (a very successful example), Hungary and Poland than in Slovakia and Romania. The incumbent governments which finance these television channels out of the state budget tend, with a more or less subtle approach, to try to influence the way their ideas and policies are presented, while journalists sometimes exhibit too great a degree of loyalty to those in power.³⁴

There is evidence from opinion polls, in Slovakia for example, that moves to exercise greater government control over state-owned broadcast media are arousing growing disapproval and dissatisfaction in the countries where this is occurring. People are turning instead to the available private/commercial channels or to channels from neighbouring countries—in Slovakia, to the Czech channel 'Nova' until in September 1996 Slovakia launched its first commercial station, TV Markiza.³⁵ Numerous independent television and radio channels have appeared alongside the state-financed channels. For the most part, these are privately owned by domestic or foreign (often expatriate) interests. In many cases they are entertainment, advertisement-driven channels with little political information content, although more balanced private television channels are beginning to emerge. Journalists have tended to seek a greater degree of professionalization and were among the first groups to organize independent unions (for example in Slovenia). It is the lack of financial means and the efforts of politicians to influence the independent boards of media stations that limit the independence of media.

The basic problem is the difficulty of establishing a public media service which is not dependent on the changing political colour of governments, and where for the benefit of the public good, different political positions can be expressed side by side. In the broadcast media, there seems to be a polarization now between government-influenced, state-run channels and independent, commercial or opposition channels. In the print media the situation is more varied, but similar patterns occur. Newspapers resembling *The Independent* or *Le Monde*, which try to cover a wide variety of positions, are rare. In this part of the world, 'independent' media usually means opposition media. Perhaps the best opportunities for the provision of a genuine public service media are to be found at a local level, where both local radio stations and local print media have more space to address local issues, although the audiences are small.

³⁴ András Bozóki, country report, p. 15: however, 'this relative loyalty was reached not by censorship but by economic influence'.

³⁵ Martin Butora, country report, p. 12.

It is interesting to note that there seems to be today a broader and more intense public discussion in both national and local media in those countries, such as Poland and Hungary, where a public debate had already begun during the late 1970s and 1980s, in often very difficult circumstances, and was flourishing by 1989. This debate is probably just as intense in countries such as Slovakia and Romania, but here the reach of the printed and electronic media in which the debate takes place is less.

Administration

In the aftermath of 1989, the main challenge of transition was the introduction of democratic control over, and the establishment of a public sphere independent of, the state. In this whole process, much less attention was paid to the problem of reforming the state itself. Moreover, unlike in East Germany, in none of the CEECs, except the Czech Republic, has there been an extensive programme of decommunization. Lustration laws were introduced in Czechoslovakia before the split; subsequently, the law was abandoned in Slovakia but extended in the Czech Republic. However, even in the Czech Republic, lustration laws seem to have been used mainly to discredit political opponents rather than to reform the administration.³⁶ An important area for any assessment of the process of democratization is the fate of the extensive former communist 'apparat' and its 'apparatchiks'.

Not only has there been no extensive programme of decommunization, the new ruling parties have in many cases inherited the clientilistic assumptions of the previous period. Thus, in almost all the CEECs, the ruling parties have tended to control appointments to the upper levels of the civil service. This tendency is especially marked in the Baltic states and in Bulgaria. In Bulgaria, for example, there have been three waves of partisan replacement of the various echelons of the administration: in 1992, 1993–4 and 1995. Moreover, the 'Kapualiev amendment' to the labour code allows medium- and high-level managers in administration and state enterprises to be dismissed without reason.³⁷

The administrations in the newly democratized CEECs also lack a public service ethos. In particular, there has been a tendency on the part of the younger, more pragmatically minded members of the outgoing communist administrations to transform their political losses at the demise of communism into economic gains through the transfer of state property into private ownership making use of their privileged position and knowledge of the inside functioning of the state in their respective countries. There is, therefore, an important, complex and often opaque relationship between the 'administration' and the 'economy'.

There have been more or less widespread and more or less regulated and accountable examples of movements of people from public administration to pri-

³⁶ Martin Palous and Zdenek Kavan, country report.

³⁷ Rumyana Kolarova, country report.

vate enterprise and corresponding transfers of property in all the CEECs, to varying degrees. In most CEECs the technocrats of the former communist parties are perceived as the winners from the 'transition', having successfully transformed public assets into private property with the help of those in the administration. So-called 'spontaneous privatization' in several CEECs, for example Hungary in 1988–9 or the Baltic states, has enabled former managers of state enterprises, members of the *nomenklatura*, to become the new private owners. Various scandals involving members of government ministries and political figures have been revealed during the privatization process, for example, in banking. In Bulgaria, the assassination of the former prime minister Andrei Lukanov is reported to have been linked to his threat to uncover a scandal involving the coterie around the current prime minister, Zhan Videnev, and their control over the Orion group of enterprises.³⁸ Romania is a particularly acute example of this tendency, due to the pervasiveness of the secret police during the communist period.³⁹ A variety of terms, including 'directocracy', 'cleptocracy', the 'new bourgeoisie', are used to describe the power of former directors of currently or formerly state-owned enterprises who are closely linked through former communist and secret police networks enabling them to circumvent the existing legal framework and achieve their goals 'invisibly'. A particularly infamous aspect of the Romanian situation is the way in which the Prosecutor's Office has blocked investigations into scandals, for example, a Financial Guard report accusing several high-level officials of 'traffic of influence', or the Puma helicopter scandal, revealed by the press, in which a government party official with a position on the Defence Committee of the National Assembly allegedly received a commission of \$2 million for a deal with South Africa.⁴⁰

One of the problems arising from this state of affairs is the position in these countries of the civil service in general and the law enforcement agencies in particular. Undoubtedly corruption is a social, economic and cultural phenomenon present under all political regimes around the globe, and liberal democratic countries are not immune from it. What is specific to the post-communist condition is the lack of resources in state budgets adequately to finance their civil services and in particular their law enforcement agencies. This lack of resources is in turn related to the inadequacy of tax collection because of weak law enforcement, which is in turn paralleled by the growth of a shadow economy and the emergence of various mafia-type networks, often with links to the administration. This situation is most extreme in Romania, Bulgaria and the Baltic states. In Estonia, it is estimated that 45 per cent of busi-

³⁸ Julian Borger, 'He was a communist with the Midas touch, now he is Sofia's first "illustrious corpse"', *Observer*, 27 Oct. 1996.

³⁹ 'Governmental agencies such as the Financial Guard [in Romania] occasionally have bursts of authority and good intentions, but these remain unsupported by the Parliament and the government itself so they cannot face up to the problem of generalized corruption, traffic of influence, administrative abuses and lack of effectiveness': Alina Mungiu Pippidi, country report, p. 6.

⁴⁰ Alina Mungiu Pippidi, country report.

nesses make payments to the mafia.⁴¹ Thus bribery and corruption become a 'normal' way of doing even the most menial administrative business.

Instead of progressively becoming a true 'service', these public institutions are still experienced by people in the CEECs as clientilistic, dependent on ruling party allegiance, and not as neutral institutions working in the interest of the public. It is still with much unease that citizens enter public service institutions, where the experience of an overbureaucratized past has not changed as rapidly as in other aspects of daily life.

Local government

The need to establish and direct from the top down effective political, economic and legal institutions, practically from scratch, has engendered a centralization that stifles local government. The inheritance of the historical past and in particular of the communist centralization of power has been entrenched by the perceived need for 'expert' governance and control.

Within all CEECs there are important regional differences, and in local elections both local parties and local democratically oriented imaginative leaders have emerged whose attempts to develop a decentralized democratic arena have been thwarted by a lack of redistribution of resources from the central state budget and by the impossibility of retaining at least part of the taxes gathered at the local level, as well as by direct interference from the centre. In some cases, for example Lithuania, local government has no independent tax collection authority; in other cases, financial autonomy is very limited. In many cases, for example Hungary, Slovakia or Slovenia, a struggle for power has developed between the regional tier of central government and democratically elected local government. An extreme example is Romania, where the department of local administration was actually able to sack a large number of oppositional mayors.⁴²

Administrative and fiscal impotence has sometimes undermined the legitimacy of locally elected administrators. This is exacerbated by a tendency of even local media to focus on national politics, so that information about local affairs is not readily available. The consequence is that the local electorate may try to align their local votes with the party in power at the centre to create a lifeline from the centre to the periphery, i.e. access to power and resources. Depending on the party in power, the regions have benefited or been excluded from funding in different social and economic sectors. This phenomenon appears in countries as different from one another as Slovakia and Romania.

It should be stressed that despite this situation local government has been able in certain circumstances, either because of ownership of local property or prolonged presence and knowledge of particular local needs and interests, to push forward policies concerning cultural or environmental issues, or to acquire resources in ways which have benefited the local population.

⁴¹ Jüri Ruus, country report.

⁴² Alina Mungiu Pippidi, country report.

Civil society

The term 'civil society' is associated with the 1989 revolutions. During the 1980s it came to have a very specific meaning, referring to the existence of self-organized groups or institutions capable of preserving an autonomous public sphere which could guarantee individual liberty and check abuses of the state. Essentially, the term was linked with associationalism. In some parts of central and eastern Europe, associationalism has a respectable history. It was very strong in Hungary, which included Slovakia, between 1867 and 1914, as well as in Czechoslovakia and the Baltic states in the interwar period. It was largely concentrated in towns; hence the term 'civic' also tends to be associated with multiculturalism and contrasted with 'ethnic'. For this reason, the term 'civil society' is also used in a normative sense to denote a set of values having to do with democracy and freedom. During the communist period civil society was totally crushed, except for brief periods such as the mid- to late 1960s in Czechoslovakia. Only in Hungary and Poland after 1956 and in the former Yugoslavia was a limited amount of pluralism permitted within, for example, universities, arts and culture.

The reappearance of 'civil society' in central and eastern Europe during the 1980s paved the way for the 1989 revolutions. The term first came to prominence with the emergence of Solidarity in Poland. Elsewhere in central Europe, small-scale clubs and associations developed during this period. In Hungary, Elemér Hankiss used the term 'second society' to describe the various social, economic and semi-political activities that flourished alongside the formal 'first society' of the Party, the Peace Committee, the official trades unions, etc.⁴³ Slovenia became known as 'NGO country'. Independent peace and green groups emerged in Czechoslovakia, and many of the prewar organizations reappeared in the Baltic states in 1988–91.

After 1989, many of those who had been active in civic groups were absorbed into the new political elites, and as a consequence, some opportunities for creating a firm basis for civil society were lost. This is why, for example, the Hungarian independent trades union movement (FSZDL) failed to replace the official communist trades union in representing employees on a large scale.⁴⁴ In general, self-organized activities are still very weak in Romania, Bulgaria and the Baltic states, where they are for the most part confined to closed groups of intellectuals. Disillusion with 'democracy' as it is perceived, exhaustion after the frenetic activity of the years 1989–91, a tradition of apathy and the sheer struggle for survival in the new competitive market era are among the explanations for the decline of civil society.

Nevertheless, new NGOs have developed in all the central and east European states. Most are concerned with such areas as education, culture, leisure, com-

⁴³ See E. Hankiss, *East European alternatives* (Oxford: Clarendon, 1990).

⁴⁴ See Andras Bozóki, country report.

munity development and welfare for such groups as the disabled, although there are also more political groups concerned with racism, human rights, and environmental issues. The most active civil society groups are to be found in Hungary, Poland, Slovakia and Slovenia. In Slovenia, the new groups have for the most part developed in response to the wars in the region and are primarily concerned with humanitarian activities, especially the welfare of refugees. The most remarkable reported growth of NGOs has been in Hungary, Slovakia and Poland. In Hungary by the end of 1993 there were 11,884 associations and foundations. In Slovakia in 1994 the number of registered NGOs rose to 9,800. In 1996 these Slovak independent initiatives were reported to employ 3,500 paid workers and 381,000 volunteers. Even more remarkably, Poland in 1996 is reported to have 80,000 NGOs and some 4 million people are reported to be active in them.⁴⁵ One puzzle is why Slovakia, which is generally deemed to be one of the least democratic of the CEECs, should enjoy such an active civil society, especially in comparison with the Czech Republic. A possible explanation is the disillusion with party politics. Another is the cooperative, localist tradition in contrast to the more atomistic, individualistic Czech society.

Because 'civil society' has become the fashionable concept of the 1990s, it is reasonable to ask how far the growth of these activities is genuinely independent and how far it represents an artificially created demand in response to the various programmes established to support NGOs by Western governments, European institutions and private foundations. (The Soros or Open Society Foundation has occupied a unique place among the CEECs in fostering independent self-organized activities.) Unquestionably, there is a clientilistic aspect to many NGOs. But given the legal, financial and bureaucratic obstacles that many of these organizations have had to overcome, it has to be concluded that most of them stem from genuine local impulses. The fact that in Slovakia, the state has tried to control foundations has to be explained as a reaction to the independence of these organizations. In many cases, civic groups are trying to monitor and control the activities of the state: examples are the Martin Luther King Foundation in Hungary (which campaigns against racism), the Alba Circle (which monitors the Hungarian military), the Slovak Helsinki Citizens' Assembly (which has campaigned against the language law and the law on foundations) and the Slovak branch of Greenpeace (which campaigns against polluting power stations).

From a long-term perspective of the creation of a democratic political culture it is clear that the signs of increased individualism and participative energy are very positive, even though apathy, weariness and social fatigue caused by the deep-seated transformations are prolonging an already slow-maturing process. Many of the above mentioned civic activities attest to the vigour of both political and social imagination.

⁴⁵ See the country reports on Hungary, Slovakia and Poland.

Table 2: Substantive democracy: A snapshot of the main features

	Bulgaria	Czech Rep.	Estonia	Hungary	Latvia
Constitutional issues and legality	Constitutional court strong acting as a quasi-second chamber	Constitutional stability. Lack of will on part of govt to implement all provisions	Supreme Court is also constitutional court. Lack of effective law enforcement.	Constitutional court strong	Concentration of power in the legislative branch. Lack of effective law enforcement
Human rights and minority rights	Roma and Turkish minorities encountering some difficulties	Roma encountering difficulties in acquiring citizenship. Lack of active human rights policy	Limited access to citizenship for ethnic minorities	Record is on the whole positive. Problems with guarantees for Roma	Limited access to citizenship for ethnic minorities
Political parties	Former communists in power. Consolidation of opposition	Centre-right coalition in power. Opposition social democrats are balancing factor	Centre right coalition in power. Polarization along ethnic v. Western-oriented lines	Grand coalition post-communist and liberal. Weak opposition	Grand coalition of right- and left-wing parties
Media	Media law contested by opposition. Plurality of media	Independent media	State-owned and private media. Right oriented print and broadcast media prevail	Independent media. State TV at times 'too loyal' to govt. Media law 1995 not yet implemented	Independent media along with State run. Media law - 1993
Administration	Politicized civil service insufficiently financed. Clientelism	Certain level of politicization and party allegiance persists	Ethnic exclusiveness in higher ranks of civil service	Politicization of civil service	Politicization of civil service. Legacy of past strong.
Local government	Democratically functioning local govt, but lacking financial autonomy	Regional tier of govt to be set up. Opposition balancing role at local level	Non-citizens can vote in local elections	Developed local government	Scarce financial means at local govt level
Civil society	Numerous NGOs in a variety of areas	Active NGOs. Low membership. Govt unhelpful	Few civic initiatives and NGOs	Numerous and active NGOs	Civic initiatives are slowly developing mainly in human rights

Democratization in central and east European countries

	Lithuania	Poland	Romania	Slovakia	Slovenia
Constitutional issues and legality	Negative image of parliament. Weak judiciary	Presidential interference has occurred under previous mandate	Dispute over constitutional interpretation of presidential mandate	Concentration of powers in the executive branch. Important role of the constitutional court	Pending constitutional debate on foreign ownership. Forthcoming referendum on electoral law
Human rights and minority rights	Citizenship law is liberal	Record is positive over past period. Periodic appearance of anti-Semitism without Jews'	Problems with guarantees of minority rights for Hungarians and Roma. Homosexuality is a criminal offence	Disputes over Hungarian minority rights. Tensions between Roma and non-Roma population	Attempts by right wing to reform citizenship of non-Slovenes. Positive human rights policy
Political parties	Former communists. Polarization of political life. Confrontational politics	Former communists in coalition government. Polarization of political life	Defeat of post-Communists in November 1996	Coalition of right/ left authoritarian populism. Vibrant but fragmented left-centre-right non-authoritarian opposition	Grand coalition until November 1996; Christian Democrats and Liberals
Media	Independent media strong but much partiality and prejudice in editorial reporting	Independent media (electronic and printed)	Govt dominated public TV with a number of private independent networks	Govt dominated over public TV. First commercial TV went on air Sept. 1996. Most private radios and print media independent	Independent media with attempts by parties to gain control over national TV network
Administration	Professionalization of civil servants hindered by clientelism, but improving	Attempts at professionalization. Burden of past legacy apparent	High degree of politicization and clientelism	High degree of politicization	Civil service with a certain tradition of expertise
Local government	Regional governor appointed by prime minister. Little devolution of power to municipalities	Decentralization of power largely fictitious. Authority has local power but no financial means	Drastic underfunding. Dependence on gov	Pluralist elected local gov restricted by centralizing tendencies of gov	Centralization. Little devolution of power to local gov
Civil society	Rare civic initiatives (lack of tradition and pervasive apathy)	NGOs very active and numerous	NGOs largely confined to closed circle of intellectuals	Numerous and active NGOs in a variety of areas	Growth of humanitarian NGOs

Source: Country reports

A *sui generis* post-communist political model?

The CEECs have all made a definitive break with the communist past. The formal rules and procedures for democracy are more or less in place. In all the CEECs there has been a peaceful alternation of power. No one is punished for his or her political views, although arbitrariness and insecurity persist, especially for minorities. Access to alternative sources of information is beginning to spread beyond urban centres.⁴⁶

In substantive terms, a process of democratization is under way. It is not a linear process, and it is not possible to measure progress or specify overall benchmarks of success. Although there is a tendency to separate CEECs into what appear to be more or less successful models of democracy, these distinctions can be misleading. Thus Slovakia is often contrasted with the Czech Republic as being relatively backward in democratic terms; yet although it is undoubtedly true that Slovakia has one of the worst records among the CEECs in terms of treatment of minorities, authoritarian behaviour by the ruling party, and unaccountable police forces, it is also the case that Slovakia has an extremely lively civil society and unusually active public participation in political debates. The Czech Republic, on the other hand, which is widely held to be a model of successful transition, only recently, and under considerable pressure, rescinded citizenship conditions that effectively denied citizenship to a substantial minority of its residents, the Roma, and its human rights policy has been rather weak.⁴⁷

Table 2 summarizes what we have defined as key features of the substantive process of democratization, attempting to indicate a more differentiated approach towards notions of success or failure. There are certain common features in the process of democratization in the CEECs which perhaps make it possible to talk about a *sui generis* post-communist political model. The communitarian character of constitutions, despite the inclusion of individual rights, is linked to the persistent tendency to discriminate against minorities and, in many cases, the absence of an active human rights policy. The monopoly of power that used to be held by the Communist Party has been replaced by the dominance of a single party, in most cases the reformed post-communist party, often associated with a single personality, or a grand coalition. Both post-communist parties and new political parties have a tendency to extend control over various spheres of social life. While the media are, in principle, free, the broadcast media tend to be dominated by the government. Government tends to be top down and centralizing. The notion of a public service tradition in the media, administration or police is underdeveloped; many former apparatchiks have transformed themselves into the owners of newly privatized enterprises; and there remains in some countries a widespread sense of insecurity and lack of trust in institutions. There is very little substantive public debate about such

⁴⁶ See G. Schöpflin, 'Post-communism: the problems of democratic construction', *Daedalus*, Summer 1994, pp. 127–41.

⁴⁷ See. M. Palous and Z. Kavan, country report.

issues as education, economic policy and foreign policy. In several countries there is sharp political polarization, but this is focused on the past, not the future. The post-communist parties aside, membership in political parties is low, as is participation in public debates.

Many of these tendencies can be explained in terms of the communist legacy—the pervasiveness of the state, the totalitarian tradition of passivity, distrust of the public sphere. In this sense, they are similar to tendencies which can be observed in other post-authoritarian states. Some of the specificity of the post-communist experience arises from the far-reaching nature of the transitions these countries are undergoing. This is not just a transition to democracy. It is a transition to the market, a transition from Cold War to peace, a transition from Fordist mass production to the information age, and in several countries (the Baltic states, Slovenia, the Czech Republic and Slovakia) a transition to new forms of statehood. The strains of transition—individual insecurity and uncertainty, growing unemployment and social inequality in societies where full employment and social provision had been taken for granted, the egoistic enterprise culture which affects administration as well as everyday life—have all contributed to a rapid disenchantment with politics, expressed in low voter turnout and a tendency to vote against whoever is in power.

Equally important, however, is the fact that the process of democratization is taking place at this particular moment in history. Several of the characteristics of the post-communist model can also be found in Western countries, albeit in a weaker form. These include the relative paucity of substantive debate, growing public apathy and cynicism about politics, the reliance on media images instead of reasoned persuasion, increasingly top-down approaches to politics. It is possible to speculate about the reasons for this, such as the limited space for manoeuvre for national governments in an increasingly globalized and interdependent world, the difficulty of departing from the pervasive neoliberal ideologies promulgated by international institutions like the IMF or the World Bank and the growing power of the broadcast media. One important explanation could perhaps be the absence of a forward-looking project after the discrediting of earlier utopias; hence the preoccupation with the past. Given the constraints on the autonomy of individual nation-states, there seems no progressive alternative to the predominant political consensus. As one of the participants in the project put it, the tragedy for central and eastern Europe lies in the fact that its predemocratic crisis coincides with western Europe's post-democratic crisis.⁴⁸

There are, however, certain positive tendencies, shafts of light which illuminate this somewhat gloomy depiction of democratization in the CEECs. One is the explosion of energy, at least in some countries, at a local level, expressed in the dramatic growth of both voluntary organizations—NGOs, civic groups, etc.—and small and medium-sized enterprises, sometimes in partnership with

⁴⁸ Marin Król, *Democracy in Poland*, country report, MS, 1996.

local and regional levels of government and often linked to international networks as a result of the growing ease of travel and communication. This is a phenomenon to be found in both East and West, and it does open up the possibility of a new kind of democracy-building from below—provided political and financial limitations on local and regional autonomy can be overcome.

The differentiated methodology for assessing the process of democratization that we have tried to elaborate suggests the possibility of a differentiated strategy that could be adopted by governments and international institutions concerned to ensure the continuation of democratization. Such a strategy would have to deal with both formal and substantive aspects of democracy. Evidently, international insistence on compliance with formal criteria is essential. In particular, the formal criteria must constitute a condition for membership of European institutions such as the European Union. However, it is equally important to focus on the substantive aspects of democracy.

The argument that the weakness of political culture in the CEECs is attributable to contemporary factors as well as to the communist heritage implies that a possible strategy is to promote an alternative forward-looking political project at a European level. Such a strategy might draw on the positive tendencies of democratization and might be associated with support for political decentralization, community development and 'bottom-up' political and economic strategies generally; the idea could be to overcome the limitations on local and regional autonomy through international efforts. A project of promoting democracy through this type of approach involving a public-private-voluntary partnership which would aim to offer a new political model could contribute more generally to political cohesion in western as well as eastern Europe. This approach would focus on those features of substantive democracy that are weakest, for example fostering alternative sources of information, especially in local areas, supporting local media, encouraging dialogue with minorities, stimulating debate about the distribution of tax revenue between different levels of governance, developing training programmes for public service. Some such initiatives are already being undertaken with international assistance, for example through the PHARE democracy programme of the EU. It is also important to involve a range of social actors in cooperative and transnational forms of discourse: parliamentarians, academic networks, debates in the media can all contribute to raising key concerns about the process of democratization in a sustained way. The essential point is the construction of a European public sphere in which critical voices from different parts of Europe and at all levels of society have access to policy-making and can help to define a 'democracy mission'.