Authoritarian Communism, Ethical Civil Society, and Ambivalent Political Society: Poland

OUR PURPOSE in this chapter is to locate transformations in Poland within the overall context of the literature and politics of democratic transitions. We do this by developing four inter-related arguments. First, we will advance the thesis that Poland is the only country in Eastern Europe that was always closer to an authoritarian than to a totalitarian regime, even in the 1949–53 period when totalitarian tendencies were strongest. Second, we show how from 1976 to 1988 the dominant ethos, structure, and language of conflict in Poland were between the nation's "ethical civil society" and the regime's internationalized authoritarian party-state. Third, we argue that, precisely because Poland in 1988–89 was an authoritarian regime led by party-soldiers—and was the *first* of East Europe's transitions—the regime initiated and the opposition accepted a "pacted transition" comparable in its confining conditions to those we have seen in Chile and Brazil. Fourth, we explore how the new democracy's origins in an ethical civil society, a pacted transition, and, very rapidly, a semipresidential system with a directly elected charismatic leader created a legacy of ambivalence toward political society which must be transcended before Poland can consolidate democracy.

THE INABILITY TO INSTALL TOTALITARIANISM

Let us first evaluate the question of regime type. More than any other country we will consider in this section, Polish society resists classification as having ever been a fully installed totalitarian regime. We certainly do not deny that there were some efforts (as in Spain after the Civil War) to install a totalitarian regime in Poland and that much of the totalitarian state apparatus and official party ideology found elsewhere in Eastern Europe was found in Poland. However, some fundamental elements of Polish politics do not really fit the totalitarian regime type as we analyzed it in chapter 3. In particular, we believe that Poland always had a significant de facto degree of societal pluralism. We further believe that this de

facto societal pluralism increased the ability of parts of civil society to resist the regime's ideology and somewhat checked the will of the aspirant totalitarian regime to impose intense mobilization, especially in the ideological area. These limits on totalitarian penetration had in turn an effect on the regime's leadership style. Our argument, therefore, is that in each of the four key typological dimensions of totalitarianism—most clearly in pluralism but also in mobilization, ideology, and leadership—Poland contained some totalitarian but even stronger authoritarian tendencies.[1]

At all times the Polish Catholic Church maintained a sphere of relative autonomy which gave it organizational and ideological capacities to resist its and the Polish nation's full incorporation into totalitarian structures. This de facto social pluralism of the Catholic Church generated a complex pattern of reciprocal power recognition and even negotiation between the Catholic Church and the state not found in any Communist regime we would call totalitarian. For example, in April 1950 the government agreed to allow religious education in public schools and not to interfere with the church press. In return the church agreed to refrain from overt political activities and to restrain priests from active opposition.[2] In one of the most committed Catholic nations in the world, the fact that the atheistic party-state even temporarily granted this concession was a limit on its goal of total ideological hegemony.[3] There was a renewed effort to control the church in 1953–56, during which the primate of Poland, Cardinal Stefan Wyszyński, was kept under house arrest.[4] A measure of how fearful the Soviet-backed

party authorities were of the Catholic Church is that, in contrast to Hungary or Croatia, the Polish authorities did not put the cardinal on trial. The assault on the church generated even more resistance on the part of Polish society and exacerbated the distance between the "us" of the Polish nation and the "them" of the Soviet-supported party-state. As Joseph Rothchild summarizes, "the Polish Catholic Church more than recouped its post-war material losses through its flock's renewed fervor . . . social groups that had been indifferent or even anti-clerical gave it their allegiance as a mark of political and spiritual protest against Stalinist trends."[5] By 1956 the moderately nationalist reform Communist, Gomulka, to make his government more palatable, allowed the reintroduction of religious instruction in state schools.[6] In fact, on a number of occasions between 1956 and 1989 the government implicitly or even explicitly had to ask the church to contain crisis situations that might have led to Soviet intervention by playing a moderating role in Polish politics. Symbolically, in 1986 a statue of Cardinal Wyszyński was erected in Warsaw's most prominent boulevard outside of a church.

Another telling indicator of limited pluralism as opposed to monism was agriculture. Nationalization of agriculture by means of collectivization or cooperatives was soft-pedaled even by the Polish Stalinists in the late 1940s. Gomulka's consistent rejection of forced collectivization was an essential component of his "Polish road to socialism," which was branded heretical and then visionary by Moscow. The tradition of peasant cooperatives predominated over collectivized state farms. Indeed, independent, privately owned farms remained in the over-

1. Milovan Djilas reviewed the history of totalitarianism in all the countries in Eastern Europe, and he also argued that only in Poland was totalitarianism never installed. "It would not be incorrect to conclude that Poland was never a totalitarian state, if only because some form of spiritual life—in the first place the Catholic Church—preserved a measure of autonomy. Also, peasant holdings remained largely private property. On top of that, thanks to the Warsaw uprising in 1944 and the armed and other resistance immediately after the war, the vast majority of Poles received both the new regime and Soviet control without any illusions about Soviet 'liberators.' Poland has been, in fact, largely a police state. The 1956 revolt in Poznan had a crucial significance for Poland's internal autonomy. [Gomulka] . . . retarded but did not stop the anti-totalitarian movement in Poland; it is there that the totalitarian idea has been most decisively rejected." Milovan Djilas, "The Disintegration of Leninist Totalitarianism," in Irving Howe, ed., *1984 Revisited: Totalitarianism in Our Century* (New York: Harper and Row, 1983), 145–46.

2. For discussions of the dynamic power struggles of concession and conquest between the Communists and the Catholic Church, see Ronald C. Monticone, *The Catholic Church in Communist Poland, 1945–1985: Forty Years of Church-State Relations* (New York: Columbia University Press, 1986), esp. 26–130. Another analysis of "conflicts and co-existence" between the Polish church and state and of the political role of the church in Poland since 1945 is Bogdan Szajkowski, *Next to God . . . Poland: Politics and Religion in Contemporary Poland* (New York: St. Martin's Press, 1983). For a comparative perspective of the Polish Catholic Church in an authoritarian-government/opposition dynamic, see the essay by Hank Johnston, "Toward an Explanation of Church Opposition to Authoritarian Regimes: Religio-oppositional Subcultures in Poland and Catalonia," *Journal for the Scientific Study of Religion* 28, no. 4 (1989): 493–508.

3. Communist Poland had substantially more priests per capita than did Catholic Latin America. For example, in 1968 Poland had 52 priests per 100,000 population. The highest ratio of priests per capita of the twenty Latin American countires that year was in Chile, with 27. Brazil had only 13 priests per 100,000 population, and Cuba had 3. See Luigi Einaudi, Richard Maullin, Alfred Stepan, and Michael Fleet, *Latin American Institutional Development: The Changing Catholic Church* (Santa Monica: Rand Corp., 1969), 18.

4. See *A Freedom Within: The Prison Notes of Stefan Cardinal Wyszyński* (San Diego: Harcourt Brace Jo-

vanovich, 1982), in which the Cardinal documents the fluctuations in state policies toward the church at the time of, during, and after his internment. Also see Andrzej Micewski, *Cardinal Wyszyński* (San Diego: Harcourt Brace Jovanovich, 1984). In addition to this symblic gesture of Communist control over the church hierarchy in 1953, "Patriotic priests acceptable to the state were pushed into key church positions, and the PAX movement of progressive Catholics was supported by the authorities." However, this policy failed when it was opposed by the church. See Dieter Bingen, "The Catholic Church as a Political Actor," in Jack Bielasiak and Maurice D. Simon, eds., *Polish Politics: Edge of the Abyss* (New York: Praeger Press, 1984), 213. Also see M. K. Dziewanowski, *The Communist Party of Poland: An Outline of History* (Cambridge: Harvard University Press, 1976), esp. 241–51.

5. Joseph Rothchild, *Return to Diversity* (New York: Oxford University Press, 1989), 87.

6. For the specifics of allowing religious education in Polish public schools, see Monticone, *The Catholic Church in Communist Poland,* esp. 26–28. Monticone discusses the Joint Commission of Representatives of the Government and the Episcopate, which was established in 1956 to address the "many unresolved problems in mutual relations." The discourse of the joint commission's communiqué, issued on December 8, suggested that both the government and the church hierarchy would assume a policy of full, mutual understanding. Monticone contends that "the most important part of the agreement pertained to the teaching of religion after school hours in all schools where the majority of parents favored it. . . . As a result . . . religious instruction was given in the vast majority of schools throughout Poland" (pp. 27–28). Gomulka's liberalization policy toward the church, including the release of Cardinal Wyszyński from house arrest, was part of his "Spring in October," a period of Polish liberalization accompanying the de-Stalinization process occurring in the Soviet Union. As Nicholas Bethell argues, "In 1956 he [Gomulka] and the Cardinal were on good terms . . . to secure the Cardinal's release from detention was one of Gomulka's first political acts. In return the Cardinal helped Gomulka to consolidate his rule and to restrain irresponsible elements." Nicholas Bethell, *Gomulka, His Poland and His Communism* (London: Longmans Press, 1969), 248–49. See also Lawrence Weschler, *The Passion of Poland* (New York: Pantheon Books, 1982), esp. 211–18 for a chronology of Polish events during de-Stalinization.

whelming majority, never dipping below 70 percent of Poland's agricultural hold-ings.[7] Once again, this is a mark of incomplete state penetration and a sign of so-cial power and autonomy outside the grip of the totalitarian state.

Finally, the overall reversals of policy and ideology that marked the shifts of leadership from the mini-Stalinism of Boleslaw Bierut, to the relative tolerance and Polish nationalism of Gomulka (1956–70), to the experiment with massive foreign borrowing of Gierek (1971–80), to the repression of the military-led regime of Jaruzelski (1981–89) is a pattern of policy alternation and changing leadership styles more consistent with an authoritarian regime than a totalitarian regime. In fact, during the period of the greatest effort to impose totalitarianism in Poland (1949–53), President and First Secretary Boleslaw Bierut was *primus inter pares* in a triumvirate including the ideologist, Jakub Berman, and the economist, Hilary Minc. This collegial power-sharing exemplifies another of Poland's differ-entiations from extreme totalitarianism, the dictator and the cult of personality.

Why did this peculiar pattern of authoritarian Communism emerge in Po-land? Specifically, how did the unique Polish quality of resistance by civil society contribute to this pattern and to the fact that Poland became the first country in the world to force a ruling Communist Party to enter into a power dyarchy with a democratic opposition?

The stateness variable has particular importance in Poland, but in a pro-foundly different way than in the Soviet Union. The extermination of Poland's Jews, the expulsion of the ethnic Germans, and the incorporation of Byelorussian and Ukrainian populations into the Soviet Union in the aftermath of World War II left the overwhelming majority of Poland's citizens ethnically Polish and Roman Catholic. This was the first true nation-state in Polish history.[8]

Moreover, the Polish people's support for the nation was one of the most emo-tionally and historically intense in Europe. Poland had gone from being one of the major European powers to being "stateless" from 1795 to 1918 owing to conquest and partition at the hands of Russia, Prussia, and Austria. In this period of state-lessness the Catholic Church became a particularly strong and beloved cultural

and institutional expression of Polish nationality. The Polish state again formally disappeared when Germany and the Soviet Union partitioned the country after the German-Soviet Pact of August 23, 1939. The new division of Poland led to re-pressive rule of Poles, deportation into the Soviet Union of the Polish Army, deliberate destruction of much of the Polish intelligentsia, and mass murder in Kathyn, which was blamed on the Germans but was later recognized as a Soviet act. [9] However, along with Yugoslavia, Polish society developed the strongest re-sistance movement in Europe. Unlike Yugoslavia, however, in Poland the resis-tance movement and the government in exile were unified and in close contact. The Red Army stood by and did nothing while Polish resistance fighters struggled against the Nazis in the Warsaw uprising. Complete Soviet military domination in Poland was established only after the defeat of Polish resistance forces in the civil war of 1945–47.[10] Because Poland had been part of the victorious Allied coalition in World War II, the Soviet Union (unlike in East Germany, Hungary, or Slovakia) could not attempt to legitimate their occupation by the claim that they represented Allied occupation over Nazi collaborators.[11] Thus, from the begin-ning, Polish stateness was a source of nationalist antagonism against the Soviet hegemon and provided a deep reservoir of sources of resistance.

This leads us to the question of totalitarianism and its control of the coercive apparatus. A completely totalitarian regime, since it relies so much on societal penetration and control by the state, must have total organizational and ideolog-ical control of the security apparatus, especially the military. More than any other country in Eastern Europe, Poland conducted a civil war in 1945–47 against Soviet and Communist forces. This left a paradoxical legacy in civil-military relations. Polish military unreliability was recognized by the fact that it was the only coun-try in Eastern Europe where a Russian citizen, indeed a Soviet marshal and a deputy minister of defense, Konstantin Rokossovsky (admittedly of Polish ex-traction), was made commander-in-chief. This only made more transparent the "foreign," illegitimate status of the Communist government.[12] The Soviet Union

7. See Andrzej Korbonski, *Politics of Socialist Agriculture in Poland: 1945–1960* (New York: Columbia University Press, 1965), 212–312, and "Peasant Agriculture in Socialist Poland since 1956: An Alternative to Collectivization," in Jerzy F. Karcz, ed., *Soviet and East European Agriculture* (Berkeley: University of Cali-fornia Press, 1967), 411–31. See also Janine Wedel, *The Private Poland* (New York: Facts on File Publications, 1986), 54, for data on the relatively substantial, informal, nonagricultural private sector in Poland in the late 1970s and early 1980s.

8. As late as 1939, Poles (92 percent of whom were Roman Catholic) only "constituted about 90 percent of the population in the western vojevodships . . . about 80 percent in the central . . . and 60 percent in the southern." See Jan Tomasz Gross, *Polish Society under German Occupation, The Generalgouvernement, 1939–1944* (Princeton: Princeton University Press, 1979), 12. K. A. Jelenski argues that, "paradoxically, the communist Poland that emerged from the Yalta agreements corresponded to an old dream of the most ex-treme kind. . . . It is—for the first time in its history—a country of one ethnic group and one religion, with all faiths other than Catholicism accounting for only a tiny percentage of the population." See his essay, "Paradoxes of Polish Nationalism," in Leopold Labedz, ed., *Poland under Jaruzelski: A Comprehensive Sourcebook on Poland during and after Martial Law* (New York: Scribner's Sons, 1983), 391.

9. See the two outstanding studies by Jan T. Gross, *Revolution from Abroad: The Soviet Conquest of Poland's Western Ukraine and Western Belorussia* (Princeton: Princeton University Press, 1988), and Gross, *Polish Society under German Occupation.*

10. For example, it was only "between 1948 and 1955, [that] the Polish armed forces underwent a major transformation conforming them to the then current Soviet model." Paul C. Latawski, "The Polish Military and Politics," in Jack Bielasiak and Maurice D. Simon, eds., *Polish Politics: Edge of the Abyss* (New York: Praeger Press, 1984), 271.

11. This point was stressed repeatedly to Stepan in October 1989 and July 1990 by a variety of Polish of-ficials and analysts coming from the Communist Party or the military.

12. For the Soviet background of most of the Polish high command from 1949 to 1956, see George San-ford, *Military Rule in Poland: The Rebuilding of Communist Power, 1981–1983* (London: Crown Helm, 1986), 57. Latawski, a student of Polish foreign policy and history, asserts that, after 1949, "the most significant change for the army was the importation of Soviet Officers, who eventually made up half the entire officer corps." Latawski, "The Polish Military and Politics," 271, 288 n. 12. See also Dale Herspring, "The Polish Mil-itary and the Policy Process," in Maurice D. Simon and Roger E. Kanet, eds., *Background to Crisis: Policy and Politics in Poland* (Boulder, Colo.: Westview Press, 1980), esp. 222–24.

made some effort to make a link with Polish national tradition by allowing Poland to be the only country in Eastern Europe in which officers retained much of their prewar uniform. But, at critical moments, the army, by their ambivalence and slowness to act, de facto checked the possibility of totalitarian state power. An important early example of this is that the army did not fire upon the Poznan strikers in June 1956.[13] At other times the army played a key role in party struggles. Wiatr argues that "in October 1956 when the USSR tried to blackmail the Polish leaders to slow down the process of de-Stalinization, the Polish military threw its support to the new Party leadership headed by Wladyslaw Gomulka, showing also its determination to resist Soviet intervention."[14]

Before we conclude these comments on totalitarianism, we would like to make a general observation about political pluralism and the Roman Catholic Church. There have, of course, been numerous periods throughout history of the Roman Catholic Church's collaboration with conservative and corporatist authoritarian regimes, most notably in Spain and to a lesser extent in Portugal.[15] However, it is our contention that, sociologically and politically, the existence of a strong Roman Catholic Church in a totalitarian country is *always* a latent source of pluralism, precisely because it is a formal organization with a transnational base. The papacy can be a source of spiritual and material support for groups that want to resist monist absorption or extinction. The papacy can also impose sanctions and withdraw recognition from local bishops who might under pressure agree to co-operate with totalitarian governments. In the Polish case, for example, once or twice some Polish priests came close to accepting agreements with Communist governments, but the authority of these agreements was explicitly disowned and rejected by the pope.

This source of higher international power is of course not available in a political system (such as Bulgaria, Romania, or most of the former Soviet Union) which has Orthodox churches that are national but not transnational in scope and that historically have accepted a form of "caesaropapism" in which the emperor or head of state was the supreme temporal and spiritual authority.[16] It is also not available in a predominantly Islamic society because Islam as a religion is

a community of believers in which all believers can be preachers and where there is no formal transnational hierarchy. This excursus on Catholicism as a transnational actor is of course especially appropriate for our analysis of Poland because on October 16, 1978, Cardinal Karol Wojtyla, the archbishop of Poland's second most important city, Kraków, became Pope John Paul II, and even greater antiregime resources were mobilized with consequences we explain later.

We do not want to overstress our point. The effort to impose a totalitarian regime in Poland definitely left some legacies in post-Communist Poland not found in a typical postauthoritarian regime. The most important legacy was that, despite the important degree of private agricultural holdings, the state played the commanding role in the economy, whose industrial and service sectors were overwhelmingly socialized. Even if Poland was never fully totalitarian, Poland's "really existing socialism" of 1945–89 left numerous structures of group interests in post-Communist Poland.[17] The reality of Communist authoritarianism also meant that resistance, if it was to be effective, had to be based in civil society because oppositional parties as an expression of political society were never either formally permitted or informally tolerated.

The Emergence of Oppositional Hegemony and the Erosion of the Communist Party

With Gomulka's agreement in 1956 to allow the church to teach religion in public schools, the church was never again mortally threatened.[18] After 1956 Polish universities and researchers developed, along with Yugoslavia, by far the greatest degree of autonomy and creativity in Eastern Europe in such politically relevant areas as political sociology, philosophy, history, and economics.[19] Polish intellectuals and citizens, despite a degree of regime constraints and surveillance, had a significant degree of freedom for international travel.

13. For Poznan events, see A. Ross Johnson, Robert W. Dean, and Alexander Alexiev, *East European Military Establishments: The Warsaw Pact Northern Tier* (Santa Monica: RAND, 1982), 60. For a discussion by Khrushchev of how the "Poles had vilified us in 1956" and the movement of Soviet troops toward Warsaw, as well as the editor's comment about the possibility of armed resistance by the Polish troops, see Jerrold L. Schecter with Vyacheslav V. Luchkov, eds., *Khrushchev Remembers: The Glasnost Tapes* (Boston: Little, Brown and Co., 1990), 113–20.

14. Jerzy J. Wiatr, *Four Essays on East European Democratic Transformation* (Warsaw: Scholar Agency, 1992), 62. For a similar judgment, also see Andrzej Korbonski "The Dilemmas of Civil-Military Relations in Contemporary Poland: 1945–1981," *Armed Forces and Society* 8, no. 1 (1981): 3–20, esp. 10.

15. But even in Spain the church eventually contributed to the delegitimation of the authoritarian model. Juan J. Linz, "Church and State in Spain from the Civil War to the Return of Democracy," *Daedalus* 120, no. 3 (1991): 159–78.

16. For *caesaropapism* and orthodox churches, see Max Weber, *Economy and Society*, ed. Guenther Roth and Claus Wittich (Berkeley: University of California Press, 1978), 2:1159–63.

17. See Edmund Mokrzycki, "The Legacy of Real Socialism, Group Interests, and the Search for a New Utopia," in W. C. Connor and P. Ploszajski, eds., *Escape from Socialism: The Polish Route* (Warsaw: IFiS Publishers, 1992), 269–81.

18. The German scholar of the Polish church and Solidarity, Dieter Bingen, notes that, "in May 1957, Gomulka explained that he saw a need for coexistence between believers and nonbelievers and between the church and socialism." Although tensions between church and state—inherent in many regime concession/societal conquest dynamics—did continue after this period, the church was never again threatened seriously. It remained, in Bingen's terms, "the stable anchor of Poland's political system." Dieter Bingen, "The Catholic Church as a Political Actor," 213, 236.

19. In the 1970s, a group of intellectuals from Warsaw started a series of independent lectures devoted to the social sciences and history. The effort, attended mainly by university students, "known colloquially as 'The Flying University,' proved to be popular. . . . In January, 1978, some sixty prominent intellectuals and academics signed a declaration calling into being the Society for Academic Courses. . . . In its first year, 120 lectures were offered by the Flying University to at least 5,000 people in major towns countrywide." See Janusz Bugajski and Maxine Pollack, *East European Fault Lines: Dissent, Opposition and Social Activism* (Boulder, Colo.: Westview Press, 1989), 226. See also Karol H. Borowski, "Secular and Religious Education in Poland," *Religious Education* 70, no 1 (1975): 70–76.

From a comparative and theoretical perspective, the moral and organizational style of Polish opposition put Poland in the vanguard of Eastern Europe. A crucial difference between Poland and all the other East European Communist states was the extraordinary "horizontal relationship of civil society with itself."[20] This degree of "self-organization" of Polish civil society was possible in an authoritarian regime, but impossible in a totalitarian regime and beyond the bounds of anything we would want to call post-totalitarian. This relationship was crafted over time. In 1968 students and intellectuals protested but received little support from workers. Indeed, workers were recruited by the government into special gangs to break up demonstrations in an attempt to polarize workers and the intelligentsia. In late 1970 and early 1971, workers had mass demonstrations but intellectuals did not join them. In 1976, however, intellectuals formed an organization called KOR (Committee for the Defense of Workers) to help workers punished for strike activities. When the massive protests led by Lech Walesa and the workers broke out in 1980 at the Lenin Shipyard in Gdansk, other civil society groups, from intellectuals to the church, helped interweave the weft and warp of the tightly textured Polish resistance. At Solidarity's height, 10 million workers, representing the majority of employed workers in the country, were members. Solidarity's power position in the economy and the polity was so strong that in August 1980 any claim of the party-state to be the sole representative of the people was smashed when Solidarity became the first independent trade union in any Communist country to win legal recognition. Solidarity also was able to get the government to soften the nomenklatura system. The Polish government agreed that future appointments in factories would be "made on the basis of qualification and not on party membership."[21]

Poland has the largest and best tradition of public opinion survey research in Eastern Europe. These surveys repeatedly reveal a deep societal rejection of a totalitarian vision of state and society. A poll taken in November 1981 showed that "between 60–80 percent of the respondents declared themselves in favor of a polycentric power model—that is the principle of full autonomy of institutions, limited central planning, increased participation of the Church in social life, and curtailment of Party life . . . some 70% of the respondents said they were in favor of the activities of the independent self-governing trade-union Solidarity."[22]

Polish forms of self-organization of society against the state were in fact an inspiration to organizers of civil society in other parts of the world, particularly Latin America. In Poland's self-organized society, people dared to organize, act, think, and live, in the famous phrase of Adam Michnik, "as if they were free." Indeed, the power and legitimacy of Solidarity after one year of existence was such that Stefan Kania, first Secretary after Gierek and before Jaruzelski, took pains to deny that a situation of dual power existed in Poland (i.e., between the collapsing party and Solidarity).

In Gramscian terms, Solidarity in the fall of 1981 possessed hegemony in civil society, and the party maintained its power only to the extent that it controlled the coercive forces of the army and the security services and the shadow of the Soviet Union limited a challenge to the regime. It was against this increasingly self-organized society that a further sign of the weakness of the Polish Communist Party appeared. On December 13, 1981, General Jaruzelski, who did not mention the Communist Party or use the word *comrade,* and who defined himself simply as a "soldier and the head of the government of Poland," declared, "I hereby announce that today a Military Council for National Salvation has been constituted" and that Poland was under martial law.[23] The de facto loss of the leading role of the party was implicitly recognized by the fact that the leader of the government and almost all key ministers were not party officials as such, but Polish party-soldiers under the direction of General Jaruzelski. Unlike any Communist regime in history, the Polish Communist regime from 1981 until the assumption of office by Solidarity's first prime minister in August 1989 was directed by the military, who, while members of the Communist Party, were primarily military officers.

General Jaruzelski, simultaneously holding the positions of prime minister and minister of defense, appointed high-ranking military officers to several key ministries, state enterprises, and numerous local government offices. He created and ruled through the Military Council for National Salvation (*Wojskowa Rada Ocalenia Narodowego,* or WRON). All twenty-one members of this council held high military posts, and they emerged as the leading authority in the country. The Polish scholar Jadwiga Staniszkis describes the martial law regime as Jaruzelski's

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20. The concept of the "horizontal relationship of civil society with itself" is developed by Alfred Stepan, "State Power and Strength of Civil Society in the Southern Cone of Latin America," in Peter Evans, Dietrich Rueschemeyer, and Theda Skocpol, eds., *Bringing the State Back In* (Cambridge: Cambridge University Press, 1988), 317–43. The complex and extremely important process of the interweaving of civil society in Poland to form the fabric of opposition is similar to that of Brazil, where a fabric composed of "new unionism," base community groups, the "people's church," and intellectuals was crucial in democratizing, not just liberalizing, the regime. See the essays in Alfred Stepan's edited volume, *Democratizing Brazil: Problems of Transition and Consolidation* (Oxford: Oxford University Press, 1989), esp. 143–296.

21. Wlodzimierz Pankow, "The Solidarity Movement, Management and the Political System in Poland," in Jadwiga Koralewicz, Ireneusz Bialecki, and Margaret Watson, eds., *Crisis and Transition: Polish Society in the 1980s* (Oxford: Berg Publishers, 1987), 112–15. The political culture in which KOR and Solidarity emerged is studied in great depth in Andrzej W. Tymowski, *The Unwanted Revolution: From Moral Economy to Liberal Society in Poland (The Social Origins of Reform and Counter-Reform)* (Ph.D. diss. Department of Political Science, Yale University, 1995), esp. 126–241.

22. Ireneusz Bialecki, "What the Poles Thought in 1981," in Koralewicz, Bialecki, and Watson, eds., *Crisis and Transition,* 30.

23. As a document, the declaration of martial law is strikingly similar to many documents issued by leaders of hierarchical military organizations in Latin America as justifications for their seizure of power. The document also lacks any of the ideological claims that one would find in totalitarian or even post-totalitarian discourse. Jaruzelski alludes to "interminable conflict" and "chaos" that have brought the country to the "edge of an abyss," which explains the "burden of responsibility which falls upon me." The complete document is reproduced in Robert Maxwell, ed., *Jaruzelski: Prime Minister of Poland* (Oxford: Pergamon Press, 1985), 28–30.

effort to redefine the institutional regime and to move from a party state toward an "authoritarian-bureaucratic, non-ideological army state."[24] The primary position of the military, a set of party-soldiers who at the same time formed an institution distinct from the Communist Party, made a difference to the regime's decisions to initiate liberalization and to recognize Solidarity as a legitimate, acceptable, and even necessary "player" with which the regime would negotiate. As Korbonski correctly states, the Polish military had been historically a "moderating" power in politics, occasionally exercising a veto over the domestic agenda and particularly over Communist policies. In 1981, however, this moderating power role broke down, the military became the government, and a unique five-way power relationship between the security services (headed by Minister of Interior General Czeslaw Kiszczak, who retained his post until the summer of 1990), the army, the Soviet-related party (led by a solid Warsaw Pact officer, General Jaruzelski), the Catholic Church, and Solidarity developed.[25] It is crucial to recognize that all five institutions then interacted to shape the timing and tempo of the eventual transition.

PACTED TRANSITION

When martial law was declared on December 13, 1981, the set of major power actors in Poland included on one side the Solidarity movement (much of organized labor and the intellectual and social movements associated with it) and the Catholic Church, and on the other side the hierarchically controlled military, the security services, and the remnants of the official party under their control. The message of the Solidarity movement was amplified by what Bronislaw Geremek called the "indestructible empire" of more than a thousand informal and formal publications. The Catholic Church, despite its identification with the opposition, was occasionally used by the regime as an unofficial mediator and moderator.

24. Jadwiga Staniszkis, *Poland: Self-limiting Revolution* (Princeton: Princeton University Press, 1986), 320.

25. See Cindy Skach, "Military Regimes and Negotiated Democratic Transitions: Poland and Brazil in Comparative Perspective" (1991, unpublished manuscript). There are several good analyses concerning the military dimension of authoritarianism in Poland. George C. Malcher, *Poland's Politicized Army: Communists in Uniform* (New York: Praeger, 1984), is one of the few authors to recognize and document the militarization of the Polish administration after 1981. Polish sociologist Jerzy Wiatr discusses the evolution of the party-soldier in *The Soldier and the Nation: The Role of the Military in Polish Politics, 1948–1985* (Boulder, Colo.: Westview Press, 1988). Andrew Michta's book, *Red Eagle: The Army in Polish Politics, 1944–1988* (Stanford, Calif.: Hoover Institution Press, 1990), contains less substantive analysis of military-authoritarianism but provides a good and recent historical account of the military institution.

Some of the best discussion and analysis of historical civil-military relations in Poland are found in Andrzej Korbonski's works. See in particular his article with Sarah M. Terry, "The Military as a Political Actor in Poland," in Andrzej Kolkowicz, ed., *Soldiers, Peasants and Bureaucrats: Civil-Military Relations in Communist and Modernizing Societies* (London: George Allen and Unwin Press, 1982), 159–80, and "The Dilemmas of Civil-Military Relations in Contemporary Poland: 1945–1981," in *Armed Forces and Society* 8, no. 1 (1981): 3–20.

This is a set of actors (even if we accept the transnational Soviet presence) closer to those found in authoritarian Brazil and Chile than to those in totalitarian or even post-totalitarian countries.

This analysis of power actors leads us directly to our argument that Poland, more than any other country in Eastern Europe, is an example of a pacted transition, where the opposition paid a price for the transition analogous to those we have analyzed in Brazil and even more in Chile. In both Chile and Poland, the pacted transitions meant that democracy started with the old regime's constitution and with the old regime still retaining strong positions in the legislature and in the state apparatus. Let us see how this paradoxical but very real pacted transition occurred.

In 1987–88 Poland was an authoritarian regime facing growing problems and growing opposition. In June 1987 Pope John Paul II made his third visit to Poland and called for the re-legalization of Solidarity. The regime realized the seriousness of its economic problems, but in November 1987 General Jaruzelski's proposal for a package of economic changes to be backed by society was defeated in a national referendum because it failed to obtain the required majority of those eligible to vote. The losing of a referendum (impossible in a totalitarian regime and unprecedented in pre–round table post-totalitarian regimes) is a unique event in Communist Europe and contributed to the further erosion of the regime.

In May 1988 a new round of Solidarity strikes, initiated by a new generation of younger and more militant trade unionists, began. To some extent both Jaruzelski as a regime moderate and Walesa as an opposition moderate were facing potential challenges from their radicals. Eventually, the classic four-player game of transition (regime radicals, regime moderates, opposition moderates, opposition radicals) had appeared.

In the early summer of 1988, General Kiszczak, the minister of the interior, through an interview asked Lech Walesa if he would like to begin exploratory talks. Walesa agreed in a letter of July 21, 1988. On August 26, during a second wave of Solidarity strikes General Jaruzelski, at a politburo meeting, proposed negotiation with Solidarity.[26] As the critical prenegotiation process advanced, it became clear that the government wanted some support for its economic policies from Solidarity. The government did not want to risk a total Solidarity boycott of the upcoming 1989 parliamentary elections. Solidarity in turn wanted legal recognition, which only the government could give.[27] We stress these points because we want to emphasize that the government wanted the negotiations but still acted as if it pos-

26. Our discussion of the Round Table owes much to the Polish legal constitutional theorist Wiktor Osiatynski, who observed the round-table talks and later carried out extensive archival and interview research. He reports his findings in "The Round Table Negotiations in Poland" (Center for the Study of Constitutionalism in Eastern Europe at the University of Chicago Law School in partnership with the Central European University, 1993, working paper no. 1). To be included in Jon Elster, ed., *The Roundtable Talks and the End of Communism* (Chicago: University of Chicago Press, forthcoming).

27. For the importance of the August–December 1988 prenegotiation talks (and an illustration of the four-player game dynamics), see Jadwiga Staniszkis, *The Dynamics of the Breakthrough in Eastern Europe:*

sessed significant coercive strength. As it turned out, both the government and the opposition overestimated the government's strength.[28] Indeed, even as Round Table talks evolved, they were always surrounded by a "Rawlsian veil of ignorance," in that both sides, not knowing what would happen in the future, made concessions they would not have made if they could have known what the results would be.[29]

Of course, the Polish Round Table talks set into motion the chain of extraordinary events of 1989 in Europe. As a result of the talks the first completely free election of one house, the Senate, occurred in Eastern Europe in forty years. Because of the unexpectedly overwhelming triumph of Solidarity in the elections in June 1989, in August the first non-Communist prime minister in Eastern Europe in forty years came to office after the Communists were unable to form a government when some of their former satellite Peasant Party allies defected. The installation of the first non-Communist prime minister was strongly conditioned by international power relationships. A Soviet intervention in Poland would have meant the death of Gorbachev's detente with the West, with deleterious consequences for his perestroika project. Gorbachev thus faced a stark choice he had not expected or desired: intervene in Poland or let a non-Communist government come to power. New power relationships in authoritarian Communist

Poland structured Gorbachev's decision.[30] But, once the decision was made, the Polish example in turn had an international demonstration effect that altered power relationships in all the other post-totalitarian, near-totalitarian, and even sultanistic regimes in Eastern Europe as well.

Poland's historic contribution to the fall of Communism in Eastern Europe is now widely and correctly understood. Less well understood, however, is the price Poland paid for being first. Poland's pacted transition delayed its own full transition, and, most importantly, the legacy of its path to transition had an unforeseen harmful effect on Poland's efforts to create the political institutions necessary for democratic consolidation. We concur with Jan T. Gross's assessment that "critical situations engineered within the logic of an epoch's closing days not only marked the end of the old order but, largely unbeknownst at the time, are also a legacy that the new epoch will have to control. . . . The source of today's political crisis in Poland is institutional."[31]

The Round Table Pact entailed three critical compromises. The party-soldiers around Jaruzelski were very intent on stopping Solidarity from boycotting the upcoming 1989 election. Solidarity mainly wanted legal recognition. To entice Solidarity to participate in the elections of 1989, the party-soldiers, against very strong nomenklatura opposition, agreed that 35 percent of the seats in what was then Poland's only chamber, the Sejm, would be open to free, competitive elections. Solidarity did not believe that a full transition to democracy was then possible, but they did believe that they could use elections to get Solidarity relegalized and to start the process of free political campaigning. Solidarity thus accepted an even more partial victory than the Brazilian, Uruguayan, or Chilean opposition had accepted in their own negotiations with regimes still directly managed by hierarchical militaries. The Polish compromise turned out to mean, however, that, from August 1989 until December 1991, the Communist Party and their allies had a majority in the lower house, although the satellite peasant party, as in the GDR and in Bulgaria, soon asserted some independence.[32]

The Polish Experience (Berkeley: University of California Press, 1991), 195–202, and Osiatynski, "Round Table Negotiations in Poland," 7–12. For a defense of why Solidarity entered the Round Table that emphasizes the costs of going first and the achievements attained, see Bronislaw Geremek, "Post-Communism and Democracy in Poland," *Washington Quarterly* 13, no. 3 (1990): 125–31.

28. A chief negotiator for the government (and later chairman of the successor to the Communist Party, the Union of Social Democracy), Aleksander Kwaśniewski, later told Osiatynski, "This illusion [of our strength] saved us from the Romanian experience. If the Party leadership realized how weak it was, there would never have been the Round Table and peaceful change" (p. 7). A chief negotiator for Solidarity, Zbigniew Bujak (who later became a co-founder of the ROAD Party) stressed to Osiantynski that Solidarity worked to "come close to the borderline between merely improving the existing system and real reforms that would set off an avalanche" (p. 47). Osiantynski goes on to say that "on April 5, 1989 almost no one believed that this line would be crossed almost immediately after the Round Table." Six years after the Round Table Pact, some of its agreements, such as the office of the presidency, still stand.

29. Indeed, as Adam Przeworski indicates in *Democracy and the Market: Political and Economic Reforms in Eastern Europe and Latin America* (Cambridge: Cambridge University Press, 1991), 87, "If everyone is behind the Rawlsian veil, that is, if they know little about their political strength under the eventual democratic institutions, all opt for a maximum solution: institutions that introduce checks and balances and maximize the political influence of minorities. . . . Hence constitutions that are written when the relation of forces are still unclear are likely to counteract increasing returns to power, provide insurance to the eventual losers, and reduce the stakes of competition." Consequently, "institutions adopted when the relation of forces is unknown or unclear are most likely to last across a variety of conditions." See also John Rawls, *A Theory of Justice* (Cambridge: Harvard University Press, 1971), 136–37, where he first elaborated theoretically his concept of the original position behind the veil of ignorance. "The idea of the original position is to set up a fair procedure so that any principles agreed to will be just. . . . Somehow we must nullify the effects of special contingencies which put men at odds and tempt them to exploit social and natural circumstances to their own advantage. Now, in order to do this I assume that the parties are situated behind a veil of ignorance. They do not know how the various alternatives will affect their own particular case and they are obliged to evaluate principles solely on the basis of general considerations."

In Algeria, the regime in 1991, without reaching any prior agreement with the opposition on institutions, allowed the FIS (Islamic Salvation Front) to win the first round of the elections; the regime then cancelled the second round and proclaimed martial law. Once the veil of ignorance was lifted by the election results, a negotiation on the conditions for the transition had become much more difficult.

30. Alex Pravda captures nicely this complex dialectic between Polish advances and Soviet reactive permissiveness: "As Poland pioneered the transition from 'defensive liberalization' to power sharing, so it prompted a shift in Soviet policy from liberalization to reactive permissiveness. Three critical junctures stand out in the transition of Polish politics and the evolution of Soviet policy: the legalization of Solidarity, its electoral victory, and the formation of the Mazowiecki government. In each case Poles determined the timing and nature of change, though with an eye to Moscow which in each instance placed its weight on the side of permissiveness rather than obstructionism in the hope of minimizing instability." Alex Pravda, "Soviet Policy towards Eastern Europe in Transition: The Means Justify the Ends," in Alex Pravda, ed., *The End of the Outer Empire: Soviet-East European Relations in Transition, 1985–1990* (London: Royal Institute of International Affairs and Sage Publications, 1993), 24.

31. See Jan T. Gross, "Poland: From Civil Society to Political Nation," in Ivo Banac, ed., *Eastern Europe in Revolution* (Ithaca: Cornell University Press, 1992), 57, 65.

32. This greatly complicated constitution making. It raised questions: Did Solidarity have the votes to get the constitution it wanted? Did the Communist majority in the Sejm have the legitimacy to co-author a new constitution?

The second and third major compromises involved the creation of the Senate and Presidency. These emerged as a complex trade-off. The party-soldiers and the nomenklatura both wanted to create a strong presidency that would ensure that "general interests" (e.g., the party) were guaranteed. The government first proposed that the Sejm and other bodies indirectly elect the president. Solidarity refused to accept this. To break the impasse, the government offered to create a Senate and to allow free elections for the Senate with the understanding that the Sejm and the Senate, by a simple majority which the government expected to win, would elect the president. After much discussion about the powers of the president, Solidarity agreed to the creation of the presidency and the creation of the Senate.[33]

The Round Table agreed to the following powers of the president, which were entered as amendments to Poland's constitution by the Polish Sejm within a week of the signing of the Round Table Pact. The first president was to be indirectly elected by the legislature for a six-year term. The president was ex officio made chairman of the Committee of National Defense and commander-in-chief. He was empowered to represent Poland in international affairs, to make nominations for the prime ministership to the Sejm, and to dismiss the prime minister under special circumstances. Important presidential acts required the countersignature of the prime minister except when they "concern matters reserved for the executive—i.e. foreign policy, defense, and national security. . . . The president is also empowered to declare a state of 'emergency' for a period of up to three months."[34]

From the perspective of transition theory, these agreements introduced two complicating legacies for Poland's efforts to complete its transition and to consolidate democracy. The fact that 65 percent of the Sejm would be elected in noncompetitive elections but given co-equal authority with the Senate meant that a body with nondemocratic origins was given an important role in the drafting of a democratic constitution. Also, an ambiguous office of the presidency (whose first incumbent was assumed to be and was General Jaruzelski), with special powers in the areas of internal security, defense, and foreign relations and some emergency powers, was written into the existing constitution. This concession took on added importance over time. Because it was so difficult to draft a constitution in the conditions created by the pacted transition, the constitutional "rights" of the president acquired a life of their own.

Solidarity began Poland's transitional government with great societal support because of its role in the opposition and its overwhelming triumph in those seats in the Parliament that were open to free contestation. This societal legitimacy also accounts for the great support initially given to Finance Minister Balcerowicz's

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33. Because of difficulty of approving a constitution, these amendments had, by mid-1992, acquired additional authority as the "constitutional rights" of the president. For details on the Senate-presidency trade-off in the Round Table, see Osiatynski, "Round Table Negotiations in Poland," 40–43.

34. Osiatynski, "Round Table Negotiations in Poland," 45–46.

stabilization plan, which was the most audacious in Eastern Europe and laid part of the groundwork for Poland having the fastest growing economy in all of Europe in 1993–94.[35] However, our basic point remains. Solidarity, like the democratic opponents in Brazil, Uruguay, and Chile, agreed to a pacted transition. In fact, no South American transition began with 65 percent of the lower house and a parallel executive in the hands of the previous nondemocratic regime.

POLITICAL SOCIETY AND THE PROBLEMS OF DEMOCRATIC CONSOLIDATION

Let us now conclude this chapter with a tentative analysis of the legacies left by a democratic opposition anchored in civil society and a pacted transition with the party-soldiers. In chapter 1 we argued that a consolidated democracy requires, among other things, the crafting of agreements about the institutions for generating public policies. Such crafting requires a certain autonomy for political society, as well as the attitudinal belief by public opinion and key actors that these democratic institutions are more appropriate for their society than any other alternative arrangements. How has Poland progressed toward these necessary goals?

Taking political society first, a central characteristic of a democratic polity is that it represents a form of *conflict* that is carried out within agreed-upon procedures. A consolidated democracy is a polity that legitimizes and accepts as normal conflict within the democratic framework. A modern democratic polity also requires that parties aggregate and represent the organized interests of society. All post-Communist societies, even postauthoritarian Poland, will have special problems with the task of *representation*. In the "flattened" post-Communist landscape, independent capital and even labor and many other important social groups are still in the rudimentary process of self-definition. For capital, the dilemma of how to represent interests that are not yet organized or even in existence was captured succinctly in the confirmation hearings of the Polish Sejm, when a nominee to be minister of industry said, "I represent subjects that do not yet exist."[36] The function of representation is further complicated by the fact that, although the goal of most of the post-Communist regimes in Eastern Europe is to create market economies and societies, few people at the start of the transformation process have *actual material interests* (as opposed to potential theoretical interests) in such reforms. It is difficult, therefore, to represent material interests

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35. As Adam Przeworski argues, "If people trust the government, voters may opt for the 'horse therapy,' to use the Polish description of the Balcerowicz plan. . . . In Poland, an overwhelming proportion of the population (±90 percent) supported the Mazowiecki government in spite of the drastic deterioration in living conditions during the first months of the new economic program." See Przeworski, *Democracy and the Market*, 165.

36. Staniszkis, *The Dynamics of Breakthrough*, 184.

that do not yet exist.[37] Even in those cases where material interests did exist—industrial labor, for example—it was hard in 1989–90 to create a social-democratic party to represent the social-democratic *space* because of society's deeply ambivalent attitude toward the Communist Party that claimed to represent labor.[38] However, as privatization proceeded and management and capitalism were held responsible for problems, political parties, even post-Communist parties that claimed to represent the social-democratic space, did increasingly well by 1993–94.

This general problem of post-Communist representation and the authentication and legitimization of political society were compounded and given a distinctive specificity in Poland because of the length and ethos of the opposition campaign. *Civil society,* like many other key political words such as *democracy,* can be used by different theoreticians and different social movements in different ways.[39] In Poland and in a slightly different way in Brazil, the idea of civil society developed some very distinctive and politically powerful overtones. In Poland *civil society* referred to the sphere of uncoerced activity not created by the state and virtually independent of the state. We also believe that Poland was a particularly strong case of a "civil society against the state" dichotomy, which had strong cultural roots in the struggle of the nation against foreign-controlled state authority.[40] This was a politically useful concept in the opposition period because it allowed a sharp differentiation between "them" (the Moscow-dependent party-state) and "us" (Polish civil society).[41] The language associated with civil society further strengthened the opposition's position against the party-state because it

37. Ibid. 216. As Przeworski notes, even "in several capitalist countries in which private entrepreneurship was feeble—Brazil, France, Mexico, South Korea—the state not only led the accumulation of capital but in time created a local bourgeoisie. Eastern European countries have no local bourgeoisie, and the prevailing mood is so radically antistatist that the state cannot play the same role in the near future. . . . In Poland, private savings amounted to about one-third of GNP, or about 8 percent of the capital stock, by the end of 1989." Przeworksi, *Democracy and the Market,* 159, 156.

38. This is a major theme in the writing of Iván Szelényi. See his "Socialist Opposition in Eastern Europe: Dilemmas and Prospects," in Rudolf L. Tökés, ed., *Opposition in Eastern Europe* (Baltimore: Johns Hopkins University Press, 1979), 187–208, and "Social and Political Landscape, Central Europe, Fall 1990," in Banac, *Eastern Europe in Revolution,* where he says "most unsurprisingly the newly formed social democratic parties were humiliated by devastating defeats" (p. 227).

39. For a discussion of the different meanings of *civil society* in various philosophical approaches and how it began to be used in Eastern Europe, see Jean L. Cohen and Andrew Arato, *Civil Society and Political Theory* (Cambridge: MIT Press, 1992). For a selection of different approaches and for a good essay on how *civil society* became central to the theory, practice, and life of East European opposition movements, see John Keane, ed., *Civil Society and the State* (London: Verso, 1988). A revisionist critique of *civil society* is now emerging. See, for example, the chapter arguing that civil society was the "last ideology of the old intelligentsia," in Klaus von Beyme, *Systemwechsel in Osteuropa* (Frankfurt an Main: Suhrkamp, 1994), 100–123.

40. For an argument that the sharp "civil society versus the state" dichotomy is empirically a rare exception in Communist systems and that the norm is infiltration and manipulation of the party-state by counterforces or reformists within the state, see X. L. Deng, "Institutional Amphibiousness and the Transition from Communism: The Case of China," *British Journal of Political Science* 24 (July 1994): 293–318. We believe that Deng's critique is particularly useful to bear in mind when a country such as Hungary in the 1980s is evaluated.

41. By now there is an extensive literature on many aspects of Polish civil society. Some of the best works include Timothy Garton Ash, *The Polish Revolution: Solidarity* (New York: Charles Scribner's Sons, 1983);

was encoded in a moral discourse of "truth" and the existential claim of "living in truth." This discourse was particularly functional for what was in effect the national liberation movement, which was waged in Poland from 1976 to 1989. In any movement of liberation, an extremely high value is attached to "unity" within the struggle, and the ideas of *compromise* or *internal conflict* are spoken of pejoratively. Given the difficulties of the opposition's struggle against a highly organized state, there was an understandable tactical and strategic need for immediacy, spontaneity, and antiformal modes of operation. Imperceptibly, the instrumental aspects of immediacy, spontaneity, and antiformalism became ethical standards of personal and collective behavior. Taken as a whole, this language and behavior is what some Polish analysts call "ethical civil society," which no doubt was one of the most powerful and innovative features of the Polish opposition and, ultimately, of the Polish path to democratic transition.[42]

While the idea of "ethical civil society" contributed to a very powerful politics of opposition, many theorists and practitioners went even further. They were so eager to avoid becoming captured in the routines and lies of the party-state that they elevated the situational ethics of oppositional behavior into a general principle of the "politics of anti-politics."[43] This "politics of antipolitics" entailed the aspiration of creating a sphere of freedom independent of the state.

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Jadwiga Staniszkis, *Poland's Self-limiting Revolution,* ed. Jan T. Gross (Princeton: Princeton University Press, 1984); and Andrzej M. Tymowski, "The Unwanted Social Revolution: From Moral Economy to Liberal Society in Poland (The Social Origin of the Transformation of 1989) (Ph. D. diss., Yale University, 1995).

Rudolf L. Tökés' edited volume, *Opposition in Eastern Europe* (Baltimore: Johns Hopkins University Press, 1979), contains excellent essays on Poland, including that by Jacques Rupnik, "Dissent in Poland, 1968–78: The End of Revisionism and the Rebirth of Civil Society." Two essays in this volume, Iván Szelényi's "Socialist Opposition in Eastern Europe: Dilemmas and Prospects" and Alex Pravda's "Industrial Workers: Patterns of Dissent, Opposition and Accommodation," discuss Poland's civil society in comparative Central European perspective. For discussion of the self-organization of civil society, see Z. A. Pelczynski, "Solidarity and the 'Rebirth of Civil Society' in Poland, 1976–81," in John Keane, ed., *Civil Society and the State* (London: Verso, 1988), 361–80.

There are also numerous autobiographies by past and current leaders of Polish civil society. Memoirs of the historian Adam Michnik, one of the founders of the Committee for the Defense of Workers (KOR), are published in *Letters from Prison and Other Essays* (Berkeley: University of California Press, 1985).

In addition, the spring 1981 edition of *Telos,* volume 47, was dedicated to examining "Poland and the Future of Socialism." This volume contains numerous essays on civil society by Polish and East European intellectuals. That of the Hungarian scholar, Andrew Arato, "Civil Society against the State: Poland 1980–81," Adam Michnik's perspective in "What We Want to Do and What We Can Do," and the essay "Solidarity's Tasks" by Tadeusz Mazowiecki (the Solidarity expert invited to serve as president of the Committee of Experts for the All-Plants Strike Committee of Gdansk) not only exemplify the diversity of Poland's intellectual community, but also document the thoughts of civil society's leaders during the crucial and difficult 1980–81 period. An earlier essay on civil society by Michnik, "The New Evolutionism," is found in *Survey* 22 (1976): 267–77. See also *Survey* 17 (1971): 37–52, for Leszek Kolakowski's thoughtful essay, "Hope and Hopelessness."

42. The theme of "ethical civil society" is developed in Piotr Ogrodzinski, "The Four Faces of Civil Society" (Warsaw, 1991, unpublished manuscript).

43. David Ost argues that a significant part of the Polish opposition "rejected the state not just because it could not win there, but also because it did not want to win there. . . . This opposition did not want to possess power so much as to abolish it. . . . So 'anti-politics' is not just the necessary rejection of the state, but also the deliberate rejection of the state, the belief that what is essential to a just order is not a benign

Table 16.1. The Contrasting Language of "Ethical Civil Society in Opposition" and "Political Society in a Consolidated Democracy"

Value or Attitude	Ethical Civil Society in Opposition	Political Society in a Consolidated Democracy
Basis of action	Ethics of truth	Interests
Actors	The ethical nation	Groups
Attitude toward "internal differences"	Viewed pejoratively	Accepted as normal
Attitude toward "internal conflict" within democratic community	Effort to repress	Effort to organize, aggregate, and represent
Attitude toward "compromise"	Negative	Positive
Attitude toward routinized institutions	Negative	Positive
Attitude toward "antipolitics"	Positive	Negative
Attitude toward "state"	Operate outside it	Strive to direct it

Unfortunately, Poland's pioneering and heroic path to democratic transition via ethical civil society inevitably created discourses and practices that, until they can be transformed, will generate systemic problems for the creation of a democratic political society. Ethical civil society represents "truth," but political society in a consolidated democracy normally represents "interests." In political society the actor is only seldom the "nation," but more routinely "groups." "Internal differences" and "conflict" are no longer to be collectively suppressed, but organizationally represented in political society. Compromise and institutionalization are no longer negative but positive values. Antipolitics is dangerous for democratic politics. In new democracies, the effort should no longer be to live parallel to state power but to conquer and direct state power. In fact, most of the values and language of ethical civil society that were so functional to the tasks of opposition are dysfunctional for a political society in a consolidated democracy (table 16.1).

Under the best of circumstances it would have required excellent political leadership and sustained craftsmanship for Poland's new democracy to undergo the normative, discursive, and behavioral changes required in the shift from the ethical civil society of opposition to a political society of democratic consolidation. However, the legacy of Poland's pacted transition made such a transformation substantially more difficult. With 65 percent of the Sejm still in the hands of the Communist Party and their former minor party allies and with the office of

government and good people in power, but rather a vital, active, aware, self-governing and creative society." David Ost, *Solidarity and the Politics of Anti-Politics: Opposition and Reform in Poland since 1988* (Philadelphia: Temple University Press, 1990), 2.

Some of the more influential statements with a strong antipolitics overtone are the Hungarian, George Konrad's, *Anti-Politics* (San Diego: Harcourt Brace Jovanovich, 1984), and Václav Havel's *The Power of the Powerless* (London: Hutchinson, 1985). Havel claims, "It is of great importance that the main thing—the everyday, thankless and never-ending struggle of human beings to live more freely ... never imposes any limits on itself, never be half-hearted, inconsistent, never trap itself in political tactics, speculating on the outcome of its actions or entertaining fantasies about the future" (p. 88). Also see the essay by the Czech journalist and former dissident, Jiří Ruml, "Who Really Is Isolated?" in Havel, *The Power of the Powerless*, 178–97.

the presidency and, by extension, key parts of the state's coercive apparatus in the hands of the creator of martial law, General Jaruzelski, and the minister of the interior who had been in office continuously since the start of martial law, General Kiszczak, the Solidarity leaders continued to place a great stress on the "us" versus "them" dichotomy. They spent an inordinate amount of energy and emotion trying to maintain the unity of Solidarity as a national movement. They also wanted to use this unity as a key resource with which to advance their audacious plan for radical economic reforms. This meant that within the "us" there was a continued pejorative connotation attached to internal dissent, group conflict, and any organizational efforts outside the Solidarity umbrella aimed at creating normal interest-based political parties. Solidarity's "nonparty bloc" in Parliament, in cooperation with the government, attempted, according to the Polish social scientist Jadwiga Staniszkis, to implement a virtual blockade against the articulation and representation of different interests.[44]

Even when Solidarity did break into two major party groups (Ruch Alternatywny Akcja Demokratyczna [ROAD] and Center Alliance) in mid-1990, one commentator remarked that both groups still sought "to maintain their ties to the ethos and values of Solidarity.... What is distinctive about ROAD and Center Alliance, at least until now, is their refusal to define themselves as political parties and provide a clear programmatic self-definition. Both movements prefer to appeal to society as a reflection of Solidarity's legacy, its consensus norm and collective stance."[45]

The problems of Polish political society were further compounded by the choices made by Lech Walesa. In retrospect the apolitical style of Solidarity seems to have directly contributed to its fragmentation into many small parties, its waning power as a political force in 1990–92, to the surprisingly strong victory of the former communists and their Peasant Party allies in the September 1993 parliamentary election, and to the election of a former Communist, Aleksander Kwaśniewski, as President in 1995.

The first apolitical choice that had deleterious implications for political society was made by the leader of the ethical civil society, Lech Walesa, the most charismatic leader in Eastern Europe. He chose not to direct his great influence and energy to running for a political office, creating a political party in the Sejm, or insisting upon becoming the first prime minister. Instead, he chose to stay outside of Poland's incipient political society and to remain a moral tribune of civil society. When he eventually did decide to run for an office, he ran as a nonparty candidate for the office of president.

The Solidarity government rapidly compounded this initial problem by choosing to use the moral capital of the Solidarity movement to rule in a techni-

44. Staniszkis is particularly strong in her criticism of the antipolitics of the first Solidarity government in *The Dynamics of Breakthrough*, 203–6.

45. Jack Bielasiak, "The Dilemma of Political Interests in the Postcommunist Transition," in Connor and Ploszajski, *Escape from Socialism*, 209.

cal, apolitical way. This technical, antipolitical focus led, among other things, to the failure of the prime minister, Tadeusz Mazowiecki, even to consult Lech Walesa in the formation of his cabinet.[46] This oversight or slight set into motion the distancing of Solidarity as a movement, led by Walesa, from Solidarity as government, led by Mazowiecki.

The next fatal antipolitical choice made by Solidarity leaders in Parliament and government was not to press for new and completely free parliamentary elections in early 1990. Solidarity's Round Table partner, the official Communist Party (PZPR), dissolved itself in January 1990. Lech Walesa in April 1990 informally announced his presidential ambition.[47] Given Solidarity's overwhelming moral triumph in the 1989 elections, the inability of the Communists to form a government after the elections, the dissolution of the Communist Party and the expressed desire of Lech Walesa to wage a battle for early elections, simultaneous parliamentary and presidential elections in the fall of 1990 seem to us to have been a historical possibility. However, Solidarity leaders in Parliament and the government wanted to postpone parliamentary elections. This led to the famous split in Solidarity in which the Solidarity leader of political society, Mazowiecki, and the Solidarity leader of civil society, Lech Walesa, competed against each other in a direct presidential campaign.[48] The Solidarity prime minister was not only defeated by Lech Walesa but by a populist, apolitical expatriate unknown, Stan Tyminski. In his campaign for the presidency, Walesa deepened divisions within Solidarity and continued his antipolitical stance. He ran as a nonparty candidate for the office of president. As a candidate he articulated the need to maintain the value of spontaneity and antiformal politics, not of institutionalization. Where democratic consolidation in Poland would have required the authentication of parties and the routinized empowerment of Parliament and the prime minister, Lech Walesa campaigned as an interventionist president who would be "running around with an ax."[49]

Let us turn now to the question of political parties and their role in political society. A consolidated democracy requires that a range of political parties not only *represent* interests but seek by coherent programs and organizational activity to *aggregate* interests. Poland held its first completely competitive elections to both houses of Parliament in October 1991, twenty-six months after the formation of the first Solidarity government. One of the instruments of modern political society to help a few parliamentary parties aggregate interests is to set a minimum threshold of over 3 to 5 percent of the total national vote before parties can

be represented in Parliament. In Poland it was decided, after a bitter struggle, that no minimum threshold should be established.[50] A further factor that hindered aggregation was that, while Lech Walesa maintained his no-party stance, he gave ambivalent signs to numerous political groupings that he looked upon them with some favor. For their part, the fragmenting ex-Solidarity groups, by maintaining their claim to be the heirs of the consensual mystique of Solidarity's era, did not articulate programmatic alternatives or seek to become interest-based parties. Ethical discussions of non-negotiable values persisted as the dominant discourse. Nonparties with an organizational style of antipolitics proliferated. As one commentator stated,

during the early phase of the transition ... interest groups certainly have been quite weak. Sectorial interests are virtually non-existent in the political scene.... Besides their mini-party status, the significant element about the vast majority of the new organizations is the reliance on normative, often exclusionary values, as the basis of their political activism. The mini-parties operate, in general, along a dimension of values, traditions and norms.[51]

Twenty-nine parties ended up being represented in the Sejm. No party received even 14 percent of the vote. The four largest parties were strongly polarized and controlled less than 50 percent of the seats (table 16.2).[52]

When we apply the standard Laakso/Taagepera weighted formula for constructing an index of "effective" political parties in Parliament, Poland emerges with an index of 10.8 political parties. As table 16.3 makes clear, this is substantially more parties than any existing democracy in the world with ten years' duration.

In this context the first freely elected parliament of Poland's new democracy found it extremely difficult to form a government. When the government was finally formed after a crisis of almost two months, it still had great difficulty creating a coalition for a program.[53] In the first seven months there were three different prime ministers, none of whom commanded a stable coalitional majority. Relations between the prime minister and the directly elected president became dangerously conflictual, with charges and countercharges of nondemocratic intentions and even actions.

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46. This point was initially brought to our attention in private communication by Timothy Garton Ash and was later confirmed by a leading intellectual of Solidarity.

47. Timothy Garton Ash reviews some important Polish-language books by major participants in this period in his excellent "Poland after Solidarity," *New York Review of Books* (June 13, 1991): 46–58.

48. On the missed opportunity for earlier parliamentary elections, see ibid., 54.

49. Quoted in Gross, "Poland: From Civil Society to Nation," 63.

50. Lech Walesa promoted either a higher threshold or a first-past-the-post electoral system to encourage larger parties. The former Communists wanted proportional representation because they were worried that they would be eliminated with a first-past-the-post electoral system. Many of Walesa's former Solidarity allies voted against him to limit his power. See David McQuaid, "The 'War' over the Election Law," *Report on Eastern Europe* 2, no. 3 (1991): 11–28.

51. Bielasiak, "Dilemma of Political Interests in Postcommunist Transition," 211, 210.

52. David McQuaid, "The Parliamentary Elections: A Postmortem," *Report on Eastern Europe* (Nov. 8, 1991): 15–21.

53. For details, see Louisa Vinton, "Impasse Reached on Talks on New Government," *Report on Eastern Europe* (Nov. 29, 1991): 19–25; idem, "Poland: Government Crisis Ends, Budget Crisis Begins," *RFE/RE Research Report* (Jan. 17, 1992): 15–21; and idem, "The Polish Government in Search of a Program," *Report on Eastern Europe* (March 27, 1992): 5–12.

Table 16.2. Effective Number of Political Parties in Poland's Sejm after the October 1991 Elections

Party	Number of Seats
Democratic Union	62
Democratic Left Alliance	60
Catholic Electoral Action	49
Polish Peasant Party—Programmatic Alliance	48
Confederation for an Independent Poland	46
Centre Citizens' Alliance	44
Liberal Democratic Congress	37
Peasant Accord	28
Solidarity	27
Beer Lovers' Party	16
German Minority	7
Christian Democracy	5
Party of Christian Democrats	4
Polish Western Union (labor minority)	4
Janusz Korwin-Mikke (Union of Realpolitik) Solidarity	4
Party X	3
Union of Real Politics	3
Silesian Autonomy Movement	2
Democratic Party	1
Orthodox Believers	1
Union of Wielkopolska and Lubuski Region Inhabitants	1
Peasant Electoral Alliance Piast	1
Union of Podhale Region Inhabitants	1
Bydgoszcz List of Peasant Unity	1
Party for Wielkopolska and Poland	1
Cracow Coalition "In Solidarity with the President"	1
Women's Alliance against Adversity	1
Democratic Social Movement	1
Solidarity 80	1
Total Seats Held	460
'Effective' Number of Parties	10.8

Source: Polish election results from "New Digest for October, 1991," *Kessings Record of World Events.* The formula for calculating the "effective" number of parties is found in Markku Laakso and Rein Taagepera, "'Effective' Number of Parties: A Measure with Application to West Europe," *Comparative Political Studies* 12, no. 1 (1979): 3–27.

Semipresidentialism without a Constitution

The subject of directly elected presidents and prime ministers responsible to parliament is so important that it requires a brief excursus. As both of us have independently argued elsewhere, there are strong theoretical grounds for worry about potential problems within a democratic government that has a dual executive with two independent sources of legitimacy.[54] Maurice Duverger, in his pioneering

54. See Juan J. Linz, "Presidential or Parliamentary Democracy: Does It Make a Difference?" in Juan J. Linz and Arturo Valenzuela, eds., *The Failure of Presidential Democracy: Comparative Perspectives* (Baltimore:

Table 16.3. A Laakso/Taagepera Index of "Effective" Political Parties in the Polish Legislature (1991) Contrasted with the Legislatures of Parliamentary, Semipresidential, and Presidential Continuous Democracies in the World (1979–1989)

Parliamentary		Semipresidential		Presidential	
3.0 or More Parties	Fewer than 3.0 Parties	3.0 or More Parties	Fewer than 3.0 Parties	3.0 or More Parties	Fewer than 3.0 Parties
	Kiribati[a]				
	Nauru[a]				
	Tuvalu[a]				
	Botswana 1.3				
	St.Vincent 1.4				
	Dominica 1.5				
	Jamaica 1.5				
	Bahamas 1.6				
	Trin&Tob 1.6				
	Barbados 1.7				
	St.Lucia 1.7				
	NewZeal.2.0				USA 1.9
	Canada 2.0				
	UK 2.1				
	India 2.1				
	Greece 2.2				
	Austria 2.4				Dom. Rep. 2.3
	Australia 2.5				Cost.Ric. 2.3
	Solomons 2.5				
	Mauritius 2.5				
	Ireland 2.7				Venez. 2.6
	Spain 2.7				
	Japan 2.9				
W.Germ.3.2		France 3.2			
Norway 3.2					
Sweden 3.4					
Luxemb. 3.4					
Israel 3.6		Portugal 3.6			
Nether. 3.8					
Italy 3.9					
PapNeGu 4.0					
Iceland 4.3					
Denmark 5.2					
Belgium 7.0					
Poland 10.8					

[a] Given the absence of formal parties, there are fewer than two "political groupings."
Note: Switzerland and Finland are "mixed" systems with 5.4 and 5.1 effective parties, respectively.
Source: This table is reproduced from Alfred Stepan and Cindy Skach, "Constitutional Frameworks and Democratic Consolidation: Parliamentarism versus Presidentialism," *World Politics* 46, no. 1 (1993): 8–9. See also Markku Laakso and Rein Taagepera, "'Effective' Number of Parties: A Measure with Application to West Europe," *Comparative Political Studies* 12, no. 1 (1979): 3–27.

analysis, labels governments "semipresidential" if they meet three conditions: the president is directly elected, the office of the president has significant de jure and de facto powers, and the prime minister enjoys the confidence of the directly elected parliament.[55] Only two of the thirty-seven countries that were continuous democracies during the 1980–89 decade met Duverger's definition, namely France and Portugal.[56] Austria, Iceland, and Ireland have directly elected presidents and prime ministers responsible to a directly elected Parliament, but, Duverger argues and we concur, that they are not semipresidential because the president does not have significant de facto powers.[57] Finland is often called semipresidential because the president has significant de jure and de facto powers, but the president until 1988 was not directly elected but was indirectly chosen by party blocks.[58] One of the surprising results of the Central European transformations was that the only countries to select for all their free elections a classic parliamentary system, where the prime minister is the chief executive and the president is indirectly elected, were Hungary and Czechoslovakia. Most of the post-communist countries have chosen semipresidential systems, presumably inspired by the French Fifth Republic.

Often, given the turmoil of the post-Communist transitions and the relatively weak legal and historical traditions of constitutionalism, the de jure definition and the de facto expectation is that the most important executive office is the presidency.[59] However, these presidents often encountered opposition in the legislature leading to deadlocks, conflicts, and occasionally even armed struggle, as in Russia and Georgia.

When we say that there are strong theoretical grounds to be wary about a "dual

Johns Hopkins University Press, 1994), 3–87, esp. 58–69. See also Alfred Stepan and Ezra Suleiman, "The French Fifth Republic: A Model for Import? Reflections on Poland and Brazil," in H. E. Chehabi and Alfred Stepan, eds., *Politics, Society and Democracy: Comparative Studies* (Boulder, Colo.: Westview Press, 1995), 393–407.

55. See the classic article by Maurice Duverger, "A New Political System Model: Semi-presidential Government," in *European Journal of Political Research* 8 (1980): 165–87. Such a political system is called *premier-presidentialism* in Matthew Soberg Shugart and John M. Carey, *Presidents and Assemblies: Constitutional Design and Electoral Dynamics* (Cambridge: Cambridge University Press, 1992), 53–57.

56. See Alfred Stepan and Cindy Skach, "Constitutional Frameworks and Democratic Consolidation: Parliamentarianism versus Presidentialism," *World Politics* 46, no. 1 (1993): 1–22.

57. "The constitutions of Austria, Ireland and Iceland are semi-presidential. Political practice is parliamentary." See Duverger, "A New Political System Model," 167.

58. Until 1988 in Finland, citizens elected an electoral college by proportional representation and this body in turn chose, by a three-tiered vote, the president. Ibid. 166. Under the current system, the president is directly elected by the population unless any candidate fails to secure a majority of the popular votes, in which case the president is chosen by an electoral college. For a discussion of presidential elections in Finland, see Shugart and Carey, *Presidents and Assemblies*, esp. 266–69. On the semipresidential nature of Finland's constitution and the power relationships between the dual executive offices until 1988, see Jaakko Nousiainen, "Bureaucratic Tradition, Semi-presidential Rule and Parliamentary Government: The Case of Finland," *European Journal of Political Research* 16, no. 2 (1988): 229–49.

59. See, for example, Russia, Georgia, Croatia, Romania, and Serbia. For the evolving role of the presidency in post-Communist Europe, see the special double issue of *East European Constitutional Review* 2, no. 4, 3, no. 1 (1993–94). Also see Ray Taras, ed. *Presidential Systems in Post-Communist States: A Comparative Analysis*, a book-length volume in progress. The title is tentative.

executive," we mean that, if the president is directly elected and the prime minister is responsible to a directly elected parliament, there is a possibility for deadlock and constitutional conflict. A deadlock can become particularly dangerous if the president has special authority over the security forces and some emergency powers. Theoretically we can posit only two positions wherein this potential for dual executive deadlock and conflict is minimized. If the president is the leader of a party or a party coalition and this coalition wins a clear majority in Parliament, there should be no deadlock or crisis because the power relationship can become one of clear constitutional presidential superiority. The only other possible steady state we can posit is one where the prime minister is a party leader and has a single or multiparty majority and the system can operate in a parliamentary fashion notwithstanding the president's special prerogatives in the area of defense, internal security, and foreign affairs.

Since the French Fifth Republic is often held up as the example to be emulated, not only in Poland but in Eastern Europe and the new states of the former Soviet Union, it might be useful to point out some underanalyzed conditions that have helped French semipresidentialism avoid the potential theoretical problems we believe are intrinsic to the semipresidential formula. The Fifth Republic began in 1958, but only a 1962 referendum introduced a direct election for the president, which was held for the first time in 1965. For the first twenty-six years of French semipresidentialism, the president was a party leader and he was able to lead a party or party coalition that commanded a clear majority in Parliament. This yielded the constitutionally sanctioned primacy of the president. There were thus no deadlocks or constitutional conflicts between the prime minister and the president. For twenty-seven months during 1988–90, the president did not control a majority. However, in this period the prime minister did control a majority. The system thus functioned as one where the prime minister was de facto the chief executive. During these twenty-seven months, called *co-habitation*, there was no deadlock or constitutional conflict. After the 1990 parliamentary election the president's party coalition won a majority and the system shifted back to one where the president was dominant. The key point is that at no time in the first thirty years of French semipresidentialism did either the president or the prime minister fail to control a majority.[60]

This excursus made, it should be clear that the initial model of Polish semipresidentialism did not have any of the supportive conditions found in France. Lech Walesa was not a party leader. He did not direct a coalitional majority in the Sejm. Likewise, due to Poland's extreme party fragmentation, none of Poland's

60. Other important changes in France that were made to help generate these majorities were an electoral law with a high de facto threshold, a first-past-the-post runoff, and party regulations (unlike Poland's) that encouraged party institutionalization. See Stepan and Suleiman, "The Fifth Republic: A Model for Import?" in Chehabi and Stepan, eds., *Politics, Society and Democracy*, 396–98.

prime ministers in the first freely elected lower house ever commanded a clear majority.

The Polish case was further complicated by the fact that the respective powers of the office of the president and the Parliament were not clearly defined by a constitution before the political actors confronted each other.[61] As we have seen, the office of the president derived from the demands of the Communist government during the Round Table Pact. This office has poorly defined but potentially major powers. Furthermore, many political actors in the democratic Sejm perceive the powers of the president as de facto in origin, rather than democratically chosen.

Walesa, in the first round of the 1990 presidential election, running mainly against the Solidarity prime minister, Tadeusz Mazowiecki, and a previously unknown Polish businessman from Canada, Stan Tyminski, won only 39.9 percent of the vote. Tyminski received 21.1 percent, Mazowiecki 18.0 percent, and the next three candidates combined received 18.8 percent. These percentages were certainly not the results expected for Solidarity's historic and charismatic leader. On the second runoff ballot against Tyminski, Walesa received 74.3 percent of the vote, but voter participation was a disappointingly low 53.4 percent. [62]

Despite these less than overwhelming electoral results, Walesa continued to see himself as a charismatic leader, as tribune of the people, and with more legitimacy than the parties and Parliament. This belief was not shattered by fluctuating but low and tendentially lower support in public opinion polls during the following five years. This contrast between popular support and self-image within an already risk-prone governing formula of semipresidentialism explains much of the institutional conflict that plagued Poland, to which we now turn.

In chapter 5 we said that the most unencumbered constitution-making process would be one in which the constituent assembly, without a directly elected sitting president, is free to discuss and chose what form of constitutional government is most appropriate for their country. Lech Walesa was directly elected as president *before* the first democratically elected Parliament began its discussions. This fact complicated the constitution-making process in general and exacerbated the conflicts between minority prime ministers and the no-party president in particular.

A few examples will illustrate the complexity and dangerousness of Poland's constitutional conflict. Soon after the first freely elected Parliament met, its members received an eight-page document from President Lech Walesa, which proposed a "little constitution" that Walesa hoped would be ratified quickly and eventually incorporated into the new constitution. Walesa proposed, in essence, to increase the power of the president over that of the prime minister by giving the president the right to name the prime minister and the right to dismiss the prime minister and the cabinet at his own initiative. The Parliament's countervailing right to dismiss a prime minister by a majority vote, on the other hand, would be subject to a presidential veto that could be over-ridden only by a two-thirds majority.[63]

The Parliament was critical of the proposal and Walesa eventually withdrew it. However, in numerous forums he indicated that he would use the presidential mandate to fight for his policy views. For example, shortly after he withdrew his "little constitution," he went to his original base at Gdansk and proclaimed, "I will make demands in the name of the masses who elected me. I am returning to the masses. I will not accept responsibility for what the government does, but I will be with you."[64] In April, after a series of conflicts with the prime minister over who had the right to appoint key officials in the defense ministry, Walesa went on national television to say that he would petition the Sejm "for greater rights for the president, whereby the Prime Minister would be subordinate to the president, just like in the French system. . . . After the experience we have been through, we probably all agree that the only situation for Poland is an above-party government, a government we will form out of specialists."[65]

Two of his previously close supporters voiced worries about a breakdown of democracy initiated by actions from Belvedere, the presidential palace. Jadwiga Staniszkis, who had worked for Walesa's election as president, wrote about the problem of combining presidential bonapartism and executive dualism: "Poland does not yet see the breakdown of democracy, but it may be on the brink of it. . . . There is mounting evidence of a coming executive coup (against the politicians)."[66] Jaroslaw Kaczynski, chairman of the Center Alliance, had been Walesa's presidential chief of staff. However, in answer to a reporter's question, "Does the

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61. If such a system is to work it is particularly important that the powers of the president and the legislature are clearly defined in a legitimate constitution.

62. Krzysztof Jasiewicz in his study of the 1990 election remarked that Walesa's vote "was for many of his supporters, as well as for himself, a most unpleasant surprise." See his "Polish Elections of 1990: Beyond the 'Pospolite Ruszenie,'" in Conner and Ploszajski, *Escape from Socialism*, 194. Frances Millard agrees: "The results of the first round on 25 November came as a shock. Walesa had failed to achieve the first round victory he had sought," and Tyminski, whom she describes as an "unknown Polish expatriate businessman," not Mazowiecki, had come in second. Frances Millard, *The Anatomy of the New Poland: Postcommunist Politics in Its First Phase* (Aldershot, U.K.: Edward Elgar Publishing Co., 1994), 115–32, quotations from pp. 129 and 128. One of the arguments for presidential or semipresidential systems was that a charismatic president can help to overcome the apoliticism seemingly endemic to post-Communist societies. The low participation rate in the Polish presidential election and the low support for the charismatic Walesa both in his election and particularly in recent public opinion polls do not seem to support that expectation.

63. Walesa's five-page proposal is contained in a December 3, 1991, letter to the president of the Sejm, Wieslaw Chrzanowski. A copy of the letter and the proposal is now available in the library of the Sejm. For some details of the letter, see Louisa Vinton, "Five-Party Coalition Gains Strength, Walesa Proposes 'Little Constitution,'" *Report on Eastern Europe* (Dec. 6, 1991): 7–8.

64. Cited in *Radio Free Europe* (Jan. 17, 1992): 15. For an extremely interesting interview with Lech Walesa that yields important insights into Walesa's conception of his role as president, see Wiktor Osiatynski, "A Profile of President Lech Walesa," *East European Constitutional Review* 2, no. 4, 3, no. 1 (1993–94): 47–50. In the same issue on pp. 47–50 Osiatynski also has an interview with Walesa's predecessor, General Wojciech Jaruzelski.

65. Quoted in *FBIS-EEU* (April 30, 1992): 14.

66. See Jadwiga Staniszkis, "Continuity and Change in Post-Communist Europe" (The Hague: Netherlands Institute of International Relations, June 1992), 27.

Belvedere really constitute the worst threat to democracy?" he answered, "It is the political arrangement by which one of the power centers remains practically outside any control but itself controls all the others which constitutes a threat. After all, by sending his draft constitution to the Sejm, the president showed his hand. He wanted all power for himself."[67]

In fact, President Walesa did not control all the other power centers, and he did not attempt an executive coup. But, at the very least, we argue that Polish semipresidentialism contributed to great constitutional and intragovernmental conflicts that impeded rather than helped democratic consolidation.

For his part the first prime minister appointed by the newly elected Parliament, Jan Olszewski, waged a series of campaigns against the president. To defend his government and to embarrass the president, who advocated a cautious policy toward Communist collaborators and agents, the prime minister, in violation of a prior resolution of the Sejm, released a list of sixty-four supposed collaborators of the past Communist regime. The minister of the interior at the same time allegedly mobilized a special police unit to intimidate (and possibly arrest) the president and his key staff. For these acts the minister of the interior was voted out of office and a Senate committee recommended criminal investigation.[68]

By August 1992, a still-divided Sejm selected Poland's third prime minister in four months. The new prime minister, Hanna Suchocka, argued that it was impossible to govern if the president and prime minister were at odds, so the coalition she formed accelerated work on a new version of the "short constitution." She said that the president's "constitutional rights" should be respected. She thus gave her support to the normalization of the special powers of the president that had their origins in the Round Table Pact. The Sejm accepted her recommendation, without any of the special conditions that allowed semipresidentialism to work well in France, and Poland went a step further toward making "executive-dualism" a permanent part of Poland's fragile democracy.[69] Because of party fragmentation and its dualistic deadlock, Poland's effort to advance toward a balanced budget and a mixed economy stalled. As *The Economist Intelligence Unit* reported, "though the real economy proved surprisingly resilient to the lack of political steer, key developments were seriously delayed. Perhaps most important here was the sheer immobility of the mass privatisation programme where

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67. Interview in *East European Reporter* (March–April 1992): 51.

68. See "Reversal of Fortunes," *Warsaw Voice: Polish and Central European Review* (July 26, 1992): 5.

69. This paragraph is based on discussions of Stepan with members of the Sejm's Constitutional Commission (July 22–26, 1992) in Warsaw.

70. *The Economist Intelligence Unit* (EIU) confirmed that the political stalemate constituted a major obstacle to economic policy formulation and implementation in 1992. To the extent that the economy remained modestly robust and inflation was controlled, it did so "despite the politics" in the country, managing to "withstand the policy vacuum of the past six months." EIU's prediction for the second half of 1992 suggested that "after six wasted months the quality of economic policy making may improve." See *The Economist Intelligence Unit Country Report: Poland* (3d quarter, 1992): 6, 4, 8, respectively.

Table 16.4. Party Identification in Five Eastern European Countries: 1990–1991
Question: "Among the political parties and political movements in our country, is there any that you feel closer to?"

Country	Percentage		
	Yes	No	Don't Know
Poland	17%	72%	11%
Bulgaria	67%	28%	5%
Czechoslovakia	53%	46%	1%
Hungary	51%	47%	3%
Romania	64%	30%	5%

Source: László Bruszt and János Simon, *Political Culture, Political and Economic Orientations in Central and Eastern Europe during the Transition to Democracy: The Codebook of the International Survey of 10 Countries* (Budapest: Institute of Political Science of the Hungarian Academy of Sciences, 1992).

nothing happened for a good six months, so further eroding Poland's credibility in the West."[70]

Public Opinion, Elections, and Polish Democracy

Three years after the assumption of power of the first post-Communist government, was Polish public opinion strongly supportive of a democratic political society? Or, as some analysts feared, was Polish public opinion actually dangerously ambivalent about some of the principles and practices of democracy?

Let us look at a series of indictors that would help us explore this question. Let us start with the least worrisome indicator, Poland's extremely low party identification, not surprising given the high index of party fragmentation. Between November 1990 and August 1991, two well-trained Hungarian political sociologists, László Bruszt and János Simon, coordinated a comparative public opinion survey in seven East European countries and three republics of what is now the former Soviet Union. A finding from that study reinforces our historical-structural analysis about Poland's low political definition. Of the five Eastern European countries in the poll, Poland had by far the lowest percentage of respondents expressing closeness to any political party or even political movement (table 16.4).

In the same survey Poland also had, by a less strong margin, the lowest percentage of respondents who expressed a clear preference for a multiparty system. Even more troublesome, at the height of the conflict between the president, the prime minister, and the Sejm in May 1992, Polish public opinion had a more disfavorable opinion toward these three key components of political society than they did toward any other major organization in Poland. Indeed, there was a popular Polish saying to the effect that anyone who got caught in the "Bermuda Triangle" between the warring president, prime minister, and Sejm would be in-

Table 16.5. Disapproval Rate of Major Political Institutions: February 1990, October 1991, May 1992

	Disapproval Rate		
Institution	Februrary 1990	October 1991	May 1992
Lower chamber of legislature	14%	54%	60%
Government and ministries	14%	48%	53%
President	N/A	43%	52%
Catholic Church	12%	25%	44%
Local authorities	N/A	33%	33%
Police	N/A	21%	21%
Armed forces	15%	10%	12%
Ombudsman	N/A	9%	10%

Source: Centrum Badania Opinii Spolecznej (Public Opinion Research Center, CBOS, Warsaw). Data and translation provided by the director, Lena Kolarska-Bobińska.

Table 16.6. Support for a Range of Emergency Measures in Poland, May 1–3, 1992

	Percentage				
Measure	Strongly Approving	Rather Approving	Rather Disapproving	Strongly Disapproving	Difficult to Say
"Law of strong hand and ban on democracy"	11%	19%	19%	37%	14%
"Government can rule by decree."	10%	35%	16%	15%	24%
"President can rule by decree."	9%	24%	17%	30%	20%
"Significant limitations on right to strike"	14%	29%	21%	21%	15%
"Creation of new government with president as prime minister"	14%	18%	14%	29%	25%
"Call for general strike"	7%	20%	21%	41%	11%

Source: Same as for Table 16.5.

jured. In contrast, the three most popular institutions were the relatively neutral powers: the armed forces, police, and ombudsman, which were seen as giving service to the citizens and were not involved in the Bermuda Triangle conflict. Interestingly, the church, which had emerged as a strongly partisan antiabortion advocate, was viewed with growing disapproval (table 16.5).

The Public Opinion Research Center in Warsaw, directed by the distinguished Polish sociologist Lena Kolarska-Bobińska, did not design any questions to explore explicitly antidemocratic sentiment in 1989–91. However, in the midst of the political crisis of May 1992, the Center conducted a poll to determine whether emergency measures, ranging from the right of the government (or the president) to rule by decree to a ban on democracy, were acceptable (table 16.6).

The results are open to various interpretations. However, if we call antidemocratic those who would approve of a "law of strong hand and ban on democracy," then 30 percent of those polled were antidemocratic. If we call those who answered "difficult to say" ambivalent democrats, 44 percent of the Polish popu-

Table 16.7. Percentage of Respondents Approving Authoritarian Antipolitical Options in Poland, the Czech Republic, Slovakia, Hungary, and Austria: 1991–1993

	Percentage of Respondents		
Country	"Approve dissolution of parties and Parliament" (1992)	"Prefer a one-party system" (1992)	"Approve rule by a strong man" (1993)
Poland	40%	31%	39%
Hungary	24%	22%	26%
Slovakia	20%	14%	19%
Czech Republic	19%	8%	22%
Austria	8%	N.D.	22%

Source: Fritz Plasser and Peter A. Ulram, "Zum Stand der Demokatisierung in Ost-Mitteleuropa," in Fritz Plasser and Peter A. Ulram, eds., Transformation oder Stagnation? Aktuelle Politische Trends in Osteuropa (Vienna: Schriftenreihe des Zentrums für angewandte Politikforschung, 1993), 2:46–47.

lation polled in May 1992 expressed antidemocratic or ambivalent democratic opinions. In late July 1992, however, when a more consensual prime minister was appointed and there were signs that the conflict within the Bermuda Triangle had diminished, antidemocrats dropped from 30 percent to 25 percent.

We ask the readers to look again at table 16.1. In our judgment the core attitudes of ethical civil society are not authoritarian, but they are fundamentally different from a Lockean concept of a liberal democracy. More importantly, the set of core attitudes depicted in table 16.1 is close to apolitical communitarianism in that they seem to be opposed to the institutionalization of conflict in democratic politics. In fact, on three of the classic indicators of authoritarian antipolitics (the willingness to approve the dissolution of parties and Parliament, the preference for a one-party system, and the approval of rule by a strong man), Poland in different public opinion polls between 1991 and 1993 was much more antipolitical than was the Czech Republic, Slovakia, Hungary, or Austria (table 16.7). A final piece of evidence that Poland had at best ambivalent attitudes toward democratic political society is obtained when we compare the political attitudes in Poland (and Brazil) with the political attitudes in the four consolidated democracies we have studied (Spain, Portugal, Greece, and Uruguay) (table 16.8).

We are not exactly sure to what we would attribute this ambivalent attitude toward democratic institutions, although we certainly think that the apolitical legacy of ethical civil society has played a role. Many analysts will argue that the primary explanation has to do with economic decline and disruption with the transition to the market. However, from a comparative perspective, we should point out that objectively Poland had by far the strongest positive growth in GNP in the 1992–94 period in post-Communist Europe.[71] Subjectively, in a poll administered between 1993 and October 1994 in the Czech Republic, Slovakia, Hun-

71. See Table 21.1 in this book.

Table 16.8. Comparison of Attitudinal Support for Democracy in Poland and Brazil versus the Four Consolidated Democracies of Uruguay, Spain, Portugal, and Greece

	Percentage of Respondents					
Opinion about Preferred Polity	Poland	Brazil	Uruguay	Spain	Portugal	Greece
"Democracy is preferable to any other form of government."	31	42	73	70	61	87
"For people like me, a democratic and a nondemocratic regime are the same."	40	24	8	9	7	6
"In some cases, a nondemocratic government could be preferable to a democracy."	13	22	10	10	9	5
DK/NA[a]	16	12	9	11	23	2

Source: For Poland, same as table 16.5, survey taken November 1992. For Uruguay, same as table 10.1. For Spain, Portugal, and Greece, same as table 8.2. For Brazil,"Avaliação do Governo Collor apos dois años de mandato," *Datafolha* (São Paulo: Feb. 1992): national sample of 2,500.
[a] DK/NA, don't know or no answer.

Table 16.9. Respondents' Approval Rating of the Economic System and Their Level of Trust in the Government and the President: Six Countries of East Central Europe, November 1993 to March 1994

	Percentage of Respondents			
		Trust in Executive of Political System		
Country	Approval of Economic System	Government	President	Total Combined Trust
Poland	50%	25%	20%	(45%)
Bulgaria	14%	13%	40%	(53%)
Hungary	27%	21%	65%	(86%)
Romania	35%	27%	48%	(75%)
Slovakia	31%	32%	62%	(94%)
Czech Republic	67%	57%	67%	(124%)

Source: Richard Rose and Christian Haerpfer, "New Democracies Barometer III: Learning from What Is Happening," *Studies in Public Policy*, no. 230 (1994): tables 23, 52, 58.

gary, Poland, Romania, and Bulgaria, Poland had the second highest evaluation of the economy but by far the lowest overall trust in the two sources of executive power, the government and the president (table 16.9).

For some insights into table 16.9 let us return to our discussion of the possible perils of semipresidentialism with a dual executive. In general theoretical terms, a conflict between the president and the legislature, and the government emerging from them, is not necessarily detrimental to democracy when both sides respect each other and do not intend to eliminate the other. However, when supporters of one or the other component of semipresidentialism feel that the country would be better off if one branch of the democratically legitimated structure of rule would disappear or be closed, the democratic system is endangered and suffers an overall loss of legitimacy, since those questioning one or the other will tend to consider the political system undesirable as long as the side they favor does not

prevail. In a pure parliamentary system there is not a dual executive so this source of delegitimation of the democratic institutional framework does not exist. There is of course conflict in a democratic parliament, but it tends to be between parties over policies. However, in a semipresidential system, policy conflicts often express themselves as a conflict between two branches of democracy.

Table 16.9 shows the mutual delegitimation of the government and the president that occurred in Poland despite comparative economic robustness. A particularly dangerous round of this conflict occurred in January and February 1995. The president wanted the existing government to step down and, in private conversation with key actors and occasionally publicly in complex language, implied that, if the government did not step down, he would unilaterally dissolve Parliament and call for new elections even though he had no clear consitutional right to do so. President Walesa addressed Congress with a clear sense of his moral legitimacy to act (despite the fact that he had the lowest presidential approval rating of the six countries polled in table 16.9) because he believed in his charismatic mission, shored up by the fact that he was directly elected. Guillermo O'Donnell would of course classify Walesa's speech as the archetypal discourse of "delegated democracy."[72] Walesa spent some time decrying the slowness of Parliament and the government:

The decisions that are most important for the country are postponed. The only quick decisions are those that serve personal and party interests. . . . Poland does not have the time to sit at a yellow light. For that reason, if there is nothing more that the government and the parliament can do, if there is nothing that can be done for the good of Poland, then I ask you to step down because history will not forgive you or us all. And if you do not have any other ideas or other people [to offer], and only have this simple will to survive, then I will make the decision, in the full conviction that it is in Poland's interests. . . . In democratic elections, the nation entrusted me with responsibility for the state. . . . I am trying to change things using democratic and peaceful methods. But to achieve these results, I will do as I see fit.[73]

The ruling coalition changed the prime minister. But the spectacle of the president ridiculing and threatening Parliament did little to increase the democratic legitimacy of the two democratically legitimated sources of authority.

Poland's political society took an unexpected turn in 1993. Parliamentarians who were aware that the legislature's extreme party fragmentation made the question of creating enduring coalitional majorities difficult passed a new electoral law on May 28, 1993. This electoral law, supported by all seven parties in the then ruling pro-Solidarity coalition and eventually by some opposition parties, mandated that a party could not be represented in the lower house in the Sejm unless it received more than 5 percent of the valid national vote. For a coalition of par-

72. Guillermo O'Donnell, "Delegative Democracy," *Journal of Democracy* 5, no. 1 (1994): 55–69, esp. 64.
73. President Walesa's address to the Sejm leadership on February 6, 1995, was reported on February 7, 1995, in *Gazeta Wyborcza*, and excerpts were translated and reprinted as "Walesa: Trying to Make Repairs," *Transition*, 1, no. 4 (1995), 56–57.

ties to get into the Sejm, an even higher threshold of 8 percent was established. To further reward the largest parties, only those who received at least 7 percent of the vote would be eligible for redistribution of the national remainder for proportional representation votes that went to parties above the threshold.

The electoral law contained two other provisions that the literature on electoral systems shows have a strong tendency to strengthen the one or two largest parties in the system. First, the Polish electoral law opted for the d'Hondt formula for calculating the distribution of seats within the overall proportional representation system. Arend Lijphart in his magisterial empirical and theoretical review of electoral systems is categorical on the effect of the d'Hondt formula. "Among the highest averages formulas, the d'Hondt method ... is the least proportional and systematically favors the larger parties."[74] Finally, some electoral districts were split, thus reducing their "district magnitude," defining that phrase as meaning the number of representatives elected in a district. The recurrent finding of electoral studies is that the smaller the overall district magnitudes, the fewer the parties in the legislature, and the more disproportionate a proportional representative system will become.[75]

Shortly before this electoral law—which included four vectors all in the direction of rewarding the first and second largest parties—was formally passed in the Sejm, the majority of parliamentarians in the Solidarity splinter party helped bring down the pro-Solidarity government of Prime Minister Hanna Suchocka. To the surprise of many parliamentarians, the historical leader of Solidarity, Lech Walesa, called for early general elections to be held by September 1993.

"Rational choices" do not always lead to the preferred "rational outcomes." The new incentives of the electoral law would have produced the desired outcome sought by its principal framers only if they had calibrated their behavior so as to win within the new rules they had created. They did not.

Four Catholic parties considered a coalition but in the end only two entered the coalition, just before the deadline, and they polled only 6.4 percent of the vote. In Catholic Poland none of the principal four Catholic parties crossed the threshold.[76] The Liberal Democratic Congress, which despite differences had been major advocates of the post-1989 reform economic plan, could not arrive at a coalition with the other major former Solidarity party which also supported the

74. Arend Lijphart, *Electoral Systems and Party Systems: A Study of Twenty-Seven Democracies, 1945–1990* (Oxford: Oxford University Press, 1994), 23.

75. This was a major argument in Douglas W. Rae's classic, *The Political Consequences of Electoral Laws* (New Haven: Yale University Press, 1967), 114–25, and was supported by comparative studies of Rein Taagepera and Matthew S. Shugart, *Seats and Votes: The Effects and Determinants of Electoral Systems* (New Haven: Yale University Press, 1989), 112, and Lijphart, *Electoral Systems and Party Systems,* 10–14. For other details of the election law, see Louisa Viron, "Poland's New Election Law: Fewer Parties, Same Impasse," *RFE/RL Research Report* 28 (July 12, 1993): 7–17. The threshold principles did not apply to ethnic minorities.

76. See Anna Sabbot-Swidlicka, "The Political Elections: The Church, the Right and the Left," *RFE/RL Research Report* 40 (October 8, 1993): 24–31, esp. 25.

Table 16.10. Votes versus Seats: Parties That Crossed and Did Not Cross Poland's Electoral Threshold in the September 1993 Parliamentary Elections to the Sejm (Lower House)

Electoral Threshold	Party	Percentage of Popular Vote	Percentage of Seats
Above the threshold	SLD (Democratic Left Alliance)	20.41%	37.10%
	PSL (Polish Peasant Party)	15.40%	28.60%
	UD (Democratic Union)	10.59%	16.08%
	UP (Union of Labor)	7.28%	8.90%
	KPN (Confederation of Independent Poland)	5.77%	4.70%
	BBWR (Non-Party Bloc for Support of the Reforms)	5.41%	3.40%
	German Minority (not subject to threshold rules)	0.70%	0.80%
Subtotal		65.56%	100%
Below the threshold	Fatherland Catholic Election Committee	6.37%	0
	Solidarity Trade Union	4.90%	0
	Center Alliance	4.42%	0
	Liberal Democratic Caucus	3.99%	0
	Union of Real Politics	3.18%	0
	Self-defense	2.78%	0
	Party X	2.74%	0
	Coalition for Republic	2.70%	0
	Peoples' Alliance	2.37%	0
	Political Party of Beer Lovers	0.10%	0
	Others	0.89%	0
Subtotal		34.44%	0

Source: Compiled from data in Edmund Wnuk-Lipinski, "Left Turn in Poland: A Sociological and Political Analysis," Institute of Political Studies, Polish Academy of Sciences, Warsaw (Nov. 1993), and "Bulletin of Electoral Statistics and Public Opinion Research Data," *East European Politics and Societies* 8, no. 2 (1994): 371.

reform, the Democratic Union (UD), because of a dispute over the share of seats they would be allocated in the coalition. The Liberal Democratic Party did not cross the threshold. In fact, six of the seven parties in the Suchocka coalition that helped formulate the electoral law did not cross the thresholds they devised.

President Walesa refused to support any party, but he did create a Non-Party Bloc of Support of the Reform (BBWR), which crossed the threshold with 5.4 percent of the vote but was not eligible for the distribution of the remainder because of the requirements of the 7 percent clause. In the end, an extremely high 34.4 percent of the total votes went to parties that did not cross the thresholds (table 16.10).[77]

77. For an analysis of the 1993 election, see Edmund Wnuk-Lipinski, "Left Turn in Poland: A Sociological and Political Analysis" (Institute of Political Studies, Polish Academy of Sciences, Warsaw, Nov. 1993); "Bulletin of Electoral Statistics and Public Opinion Research Data," *East European Politics and Societies* 8, no. 2 (1994): 369–73; Louisa Virton, "Poland Goes Left," *RFE/RL Research Report* 40 (October 8, 1993): 21–23; and Voytek Zubek, "The Reassertion of the Left in Post-Communist Poland," *Europe-Asia Studies* 46, no. 2 (1994): 801–37.

Table 16.11. Lijphart Index of Disproportionality for Polish Election to the Sejm (Lower House) in September 1993 and the Average for the Twenty-one Continuous Democracies in the World, Classified by Electoral System, 1945–1980

Electoral System	Country	Index of Disproportionality
Proportional representation	Poland	35.1
	Luxembourg	3.2
	Norway	3.1
	Iceland	3.0
	France IV	2.8
	Ireland	2.4
	Italy	2.2
	Germany	2.1
	Austria	2.0
	Finland	1.6
	Switzerland	1.5
	Sweden	1.2
	Israel	1.1
	Netherlands	1.1
	Denmark	0.9
Single nontransferable vote	Japan	4.2
Plurality and majority	France V	12.3
	Canada	8.1
	New Zealand	6.3
	United Kingdom	6.2
	Australia	5.6
	United States	5.6

Source: For Poland, same as table 16.8. For all other countries, Arend Lijphart, *Democracies: Patterns of Majoritarian and Consensus Government in Twenty-One Countries* (New Haven: Yale University Press, 1984), 160.

Specialists on electoral laws have compiled a variety of formulas to measure what Douglas Rae calls "manufactured majorities" or what Arend Lijphart calls "vote/seat disproportionality." Lijphart has analyzed elections via a simple index of disproportionality that measures the deviation between the total votes received by the two largest parties versus the total seats they received.[78] He has calculated the average "index of disproportionality" for all twenty-one continuous democracies in the world between 1945 and 1980. The highest average index of disproportionality in a democracy that used a plurality and majority electoral system is the French Fifth Republic with 12.3 percent. The highest average index of dispro-

78. For a review of the strengths and weaknesses of various formulas that measure vote/seat disproportionality such as the Rae index, the Loosemore-Hanby index, the Lijphart index, and Michael Gallagher's least-squares index, see the excellent chapter, "Disproportionality, Multipartism, and Majority Victories," in Lijphart, *Electoral Systems and Party Systems,* 57–77. Lijphart discusses his index on pp. 61–62. Douglas Rae has constructed a different formula to measure "manufactured majorities," a phrase he uses to indicate a party or a coalition that did not receive a majority of votes in the election but nonetheless was allocated a majority of seats in the legislature.

portionality for any of the fifteen continuous democracies that used a proportional representation electoral system is Luxembourg with 3.2 percent. The 1993 Polish elections to the Sejm used proportional representation. The two largest parties received 35.8 percent of the vote and 65.9 percent of the seats, thus producing according to Lijphart's formula, an index of disproportionality of 35.1 percent (table 16.11).

The point of this excursus has been that key players in Poland's political society did not "rationally" adjust their behavior to operate within the incentives created by new election rules they themselves created.[79] Their behavior gave the reform Communist Party and their pre-1988 ally, the Peasant Party, not only an absolute majority in the Parliament, but the theoretical capacity to unilaterally draft and pass the constitution in the Parliament. As we shall see in the concluding chapter of this book, most of the dire predictions concerning the "return of communism" or the "end of democracy" did not actually develop, partly because both the former ruling parties in the Communist era and most social groups and parties outside of the Parliament after the 1993 elections seem to have accepted democracy as "the only game in town." Nonetheless, Poland's recent electoral history of an unprecedented score on the Laakso-Taagepera index that measures party fragmentation in 1991 and an unprecedented score, in the opposite direction, on the Lijphart index of disproportionality in 1993 shows how far Poland still had to go before it produced party attitudes and behaviors that would allow political society to make its necessary contribution to democratic consolidation in Poland.

Having made these critical analytic points about political society, we do not want to end this chapter without calling attention to some of Poland's extraordinary achievements. More than any other country in post-Communist Europe, Poland contributed to making the possibility of the 1989 regime changes a reality. The constant pressure of Polish civil society and Solidarity helped to broaden the parameters of the game which Gorbachev and the Soviet Union were playing vis-à-vis the rest of Eastern Europe. This concrete fact is an important historical achievement that helps ratchet Poland forward toward democratic consolidation.

Another important achievement is that Poland had a higher GNP growth rate than any country in Western Europe in 1993 and 1994. This achievement helped bolster domestic and international confidence in Poland. Although the rate of privatization of the state sector did not proceed anywhere near as quickly as in the Czech Republic, the dynamism of the new small and middle-sized private enterprises meant that possibly more than half the economically active population were working in the private sector by the start of 1995.

79. As one Polish analyst observed, the "KLD could have joined the Democratic Union, PL could have joined with KKW, and had KdR not split from PC, all these groups would now have representation in the Lower House. Especially since there is no significant difference between KLD and Democratic Union, PC and KdR, and also between KKW and PL. Political leaders . . . ignored the implications of the new electoral law and had to pay the price." Wnuck-Lipinski, "Left Turn in Poland," 16.

Just as Poland's economy exhibits a healthy robustness, so too do parts of Poland's society. While we have been concerned with the ability of Poland's civil society to work productively with political society, we do not want to seem pessimistic about Polish civil society in general. With a tradition starting much before the historic changes of 1989, Poland's civil society in some areas continues to produce some strong achievements. For example, two former Solidarity leaders, Adam Michnik and Helena Luczywo, have created one of Europe's most dynamic newspapers, *Gazeta Wyborcza*, which circulates seventeen different metropolitan editions daily.

Because of these and many other achievements, as well as its critical geopolitical position, many observers inside and outside of Poland believe that Poland's chances of entering the European Union by the end of the 1990s are good. The very fact that this is an option for Poland creates incentives for Polish political actors to act in a responsible, democratic manner.[80] This usable future as well as elements of its usable past will contribute significantly to hindering democratic breakdown and assisting democratic consolidation.

80. As we discuss in chapter 21, for many countries with severe stateness problems and intense ethnic strife, entry into the European Union is not even a distant possibility. Thus, the set of European Union-related incentives and disincentives that we showed playing a positive role in Southern Europe and a comparable role in Poland are simply not present. In November 1995, Aleksander Kwaśniewski, the former leader of the reform Communist Party, was elected President of Poland. During and after the campaign, Kwaśniewski (unlike Communist Party leaders in Russia) argued that joining the European Union and NATO were two of Poland's highest priorities. As long as these priorities are maintained, Poland will continue to be subject to European Union pressures to conform to liberal and democratic standards.