

## Post-Communism's Prehistories

(chap. 20). Thus, the inability to satisfy our definition of democracy was not overdetermined in Estonia. The major problem Estonia (and even more, as we shall see, Latvia) had on its transition agenda was how to handle its large Russian-speaking population. The Baltic Republics thus present us with a particularly interesting area in which to explore, in demoi that are actually multinational, the possibilities of transcending (and the costs of not transcending) the sometimes conflicting logics of nation-state-building and democracy-building.

We conclude the book with a broad-ranging and necessarily tentative analysis of the democratic prospects of post-Communist Europe from the perspective of modern democratic theory and practice. In chapter 21 we include in the analysis all of the states of post-Communist Europe, both to document and to begin to explain their variations in terms of democratic efficacy and legitimacy.

ANY SERIOUS comparative political analysis of the inter-regional differences between democratization in southern Europe, South America, and post-Communist Europe and the great intraregional differences within post-Communist Europe must pay special attention to the stateness issues we discussed in chapter 2. In addition, comparativists must consider carefully how three of the variables that we discussed in part 1 inter-relate. These variables are international influences, the political economy of coercion and legitimacy, and the special legacies of totalitarian and post-totalitarian regimes.

### INTERNATIONAL INFLUENCES AND TRANSITION

When we place in comparative perspective the transitions in the Soviet Union and the ex-Warsaw Pact countries of East Central Europe (Poland, Hungary, Czechoslovakia, the German Democratic Republic, Romania, and Bulgaria), one of their most distinctive qualities concerns the variable we call *international influence*. One of the editors of the classic four-volume study of the transitions in southern Europe and South America, Laurence Whitehead, argued that "in all the peacetime cases considered here internal forces were of primary importance in determining the course and outcome of the transition attempt, and international factors played only a secondary role."<sup>1</sup> Clearly, such a judgment would obviously be unwarranted for East Central Europe, given the speed with which Communism collapsed in 1989 and the fact that Czechoslovakia, Romania, and Bulgaria began their transitions almost *before* any significant domestic changes had occurred.<sup>2</sup> Many scholars have documented the prolonged economic stagnation and legitimacy problems of most of the region. However, economic stagnation and weak legitimacy alone (which had existed for a long time before 1989) cannot explain the rapidity of the domino-like collapse of the countries. For this we need

1. Laurence Whitehead, "International Aspects of Democratization," in O'Donnell, Schmitter, and Whitehead, *Transitions from Authoritarian Rule: Comparative Perspectives*, 4.

2. Adam Przeworski captures how these regimes were swept away as if by a dam breaking in *Democracy and the Market: Political and Economic Reforms in Eastern Europe and Latin America* (Cambridge: Cambridge University Press, 1991), 4–6. See also Samuel P. Huntington's discussion of "snow-balling" in *The Third Wave: Democratization in the Late Twentieth Century* (Norman: University of Oklahoma Press, 1991), 33.

to explore the special linkage in the region between international and domestic politics.

Indeed, in Eastern Europe between 1948 and 1989, the very use of the words independent, sovereign, and domestic to describe politics is strained, given the ideological, political, military, and economic linkages between the Soviet hegemon and its East Central European "outer empire."<sup>3</sup> The nature of these linkages in turn reduced the normal international influence of major democratic and market politics of the sort that were significant, though not determinative, in southern Europe and South America. Here we must pause, therefore, to discuss how comparativists should and should not approach the question of the international influence of the Soviet Union.

Much of the pre-1989 literature of the countries of the region suffered from two analytic problems. Initially, a major strand of the literature began with such an exclusive focus on the region's shared status as "satellites" that the significant heterogeneity of the pre-Communist and Communist state-society relations of each country was played down. Later, many scholars, in a reaction against Cold War excesses, began to emphasize the uniqueness of the countries on which they specialized. In the process important commonalities in the economies, politics, and societies of the entire region were understressed. However, as comparativists interested in problems of democratic transition and the tasks that must be faced before democracy can be consolidated, our conceptual endeavor must be to show how, why, and with what consequences elements of commonality and elements of difference can be simultaneously present.

The Soviet Union was not just a system or the center of an empire, but the emanating source of a major utopian vision. During the post-World War II phase of Soviet expansion in Eastern Europe, there were important military and economic gains for the Soviet Union. However, power relations within the bloc were reinforced, during the period of "high Stalinism," by the claims of ideology. Indeed, the 1968 Brezhnev Doctrine of limited sovereignty, which was used to justify the repression of the Prague Spring experiment, was explicitly based on such claims: "The sovereignty of independent socialist countries can not be set against the interests of world socialism and the world revolutionary movement."<sup>4</sup>

Limited sovereignty was reinforced by a regionwide trading, planning, and investment network (the Council for Mutual Economic Assistance, CMEA) centered around Moscow and a regionwide military alliance (the Soviet-led Warsaw Pact). In addition, the Soviet Politburo's strong involvement in leadership

3. See, for example, the use made of the concept *outer empire* in Alex Pravda, ed., *The End of the Outer Empire: Soviet-East European Relations in Transition, 1985-90* (London: Royal Institute of International Affairs and Sage Publications, 1992). The term *inner empire* is now increasingly used to describe relations between the USSR and the fifteen former soviet republics.

4. For this quotation and a discussion, see Mark Kramer, "Beyond the Brezhnev Doctrine: A New Era in Soviet-East European Relations?" *International Security* (Winter 1989-90): 25.

changes in Eastern Europe and their external monitoring of ideological frameworks and party-state administrative structures gave the Eastern European Warsaw Pact countries an unusually high degree of regional commonality and dependence on a common hegemon.<sup>5</sup>

Furthermore, Soviet military presence was a clear and determinative factor in beating back the impressive range of heterogeneous resistance these "satellites" still managed to generate. Soviet troops were garrisoned in four of the seven Warsaw Pact countries, namely Poland, Czechoslovakia, Hungary, and the German Democratic Republic. In three of the four, during the GDR riots in 1953, during Hungary's Revolution in 1956, and after the Prague Spring of Czechoslovakia in 1968, Soviet troops were used to alter the course of domestic politics. In Poland in 1981 the perceived threat of the use of Soviet troops played a critical role in the regime's ability to impose martial law and to repress Solidarity forces, which in a Gramscian sense had become hegemonic within Polish civil society. If we consider these countries independent, then the "irreversibility of Communism" much proclaimed by thinkers such as Jeanne Kirkpatrick was obviously wrong. Hungary in 1956 was, as Joseph Rothschild correctly says, a "victorious revolution [that] was defeated only by overwhelming foreign force."<sup>6</sup> If Hungary had been located in a geopolitical space analogous to Spain or Brazil, Communism would have almost certainly stayed reversed and a democratic transition might have begun in 1956. Likewise, if the Prague Spring of 1968 had occurred in such a space, Czechoslovakia might have evolved from a post-totalitarian to an authoritarian regime with the wider range of transition options such a regime type represents.<sup>7</sup>

5. On the embeddedness of Eastern Europe in such structures, see Robert L. Hutchings, *Soviet-East European Relations: Consolidation and Conflict* (Madison: University of Wisconsin Press, 1983), and Christopher D. Jones, *Soviet Influence in Eastern Europe: Political Autonomy and the Warsaw Pact* (New York: Praeger Publishers, 1981). Western democracies, especially the United States, certainly played a covert or even overt role in the subversion or overthrow of democracies in such countries as Brazil (1964) or Chile (1973). However, Western support for Pinochet in Chile and for the military in Brazil was never unequivocal because the coups were rationalized in the name of democracy even by coup defendants and were opposed in the name of democracy and human rights by sectors of opinion and some powerful political leaders. Even more importantly, the democratic opposition to rulers such as Pinochet normally could mobilize extensive political alliances in Italy, Germany, and even the United States that had a major influence inside countries such as Chile. The domestic democratic opposition had no such comparable networks inside the Soviet empire.

6. Joseph Rothschild, *Return to Diversity: A Political History of East Central Europe since World War II* (Oxford: Oxford University Press, 1989), 160.

7. For speculation on how Czechoslovakia might have evolved, see H. Gordon Skilling, *Czechoslovakia's Interrupted Revolution* (Princeton: Princeton University Press, 1976). Skilling argues that "there was a powerful dynamic at work, within the party and in society at large, which suggested that, barring outside intervention, the process of change would have been accelerated rather than slowed down or blocked, and would eventually have produced a thoroughly revised socialism, democratic in form, and national in content. . . . The Prague experiment seemed doomed to failure for external reasons rather than inherent domestic ones" (pp. 842-43). However, as comparativists we believe that there is no evidence to suggest that Alexander Dubček wanted a Western-style democracy. Dubček never proposed multiparty politics. He did, however, clearly favor liberalization. Given Prague's history and setting, we believe that this liberalization might well have created a context in which other forces could have been energized and could have pushed for a democratic transition.

Instead, as Timothy Garton Ash, writing in 1986 observed, "one spring was followed by fifteen winters."<sup>8</sup>

The outcomes in the GDR in 1953, in Poland in 1956 and 1981, in Czechoslovakia in 1968, and even more emphatically in Hungary in 1956 did not illustrate the irreversibility of Communist-style regimes. The outcomes did reveal, however, that the presence of foreign combat troops, controlled by a Communist hegemon that was ideologically confident and geopolitically willing to use force, could thwart potential transitions to democracy.

Why was the Soviet hegemon willing, again and again, to use force? Partly because, from the Soviet perspective, the use of force had so few costs. Given the balance of nuclear terror in existence, the West allowed the Soviets to use force to repress Hungary in 1956 and to build the Berlin Wall in 1961. Until Gorbachev, the Soviet Union did not want Western direct investment, so negative Western reaction to the Soviet use of force did not raise any significant perceived opportunity costs for the Soviet Union. The Soviet leaders also still believed (or at least articulated the belief) in the inevitable global victory of their socioeconomic and doctrinal system. In this East-West calculus of interests, the costs of Soviet repression of Eastern Europe did not exceed the costs of toleration.

The international embeddedness of the Warsaw Pact countries of Central and Eastern Europe and their dependence on a hegemon were thus unlike anything center-periphery theorists encountered in the politics of the peripheral states of Spain, Portugal, or Greece or what dependency theorists could document for Argentina, Chile, Uruguay, or Brazil.<sup>9</sup> In this context, without a domestic change in the hegemon—and here domestic factors in the USSR were crucial—it was extremely difficult for either Central and East European elites (dependent on Soviet political control) or Central and East European masses (coercible by domestic elites credibly supported by the hegemon) to initiate new political processes that might have led to democratic transitions.

Yugoslavia was not in the Soviet bloc, but Tito's "straddling" between East and West weakened international pressures toward democracy as we have defined it. United States foreign policy-makers, largely for "divide and rule" reasons, accorded Yugoslavia a de facto "most favored Communist" status. Likewise, democratic theorists put Yugoslavia in a different category from all other Communist systems because they believed that worker self-management was a form of democracy and could evolve positively. A widely used external "exit" option, particularly to Germany, also released some pressures for democratization. The significant degree of liberalization—especially concerning travel and many university freedoms—lessened Western criticism of Yugoslavia's still considerable "democratic deficit."

8. Timothy Garton Ash, "Czechoslovakia under the Ice" in *The Uses of Adversity: Essays on the Fate of Central Europe* (New York: Random House, 1989), 62.

9. However, U.S. use of force in the Caribbean and in Central America under the ideological guise of first the Monroe Doctrine and later counterinsurgency and low-intensity warfare is another matter.

When 1989 arrived, many of those holding power in the different republics could resist full democratization and liberal values on the basis of their nationalist stand vis-à-vis their neighbors and internal minorities. Thus, the independence of majoritarian ethnocratic "nation-states" increasingly became privileged over liberal democratic values and democratization as we have defined them.<sup>10</sup>

#### THE ALTERED POLITICAL ECONOMY OF COERCION AND LEGITIMACY IN THE SOVIET UNION AND ITS INTERNATIONAL CONSEQUENCES

What led to domestic changes in the hegemon, and what effect did these changes have vis-à-vis the West and vis-à-vis the cost of maintenance of the outer empire in Central and Eastern Europe? Hundreds of articles and books, by scholars better qualified than we, have been and are being written on this question. However, as comparativists interested in shifting power relationships, we maintain that some changes seem to be fundamental.

The initial change occurred within the ideology and power structure of the hegemon. In 1985 the new leader of the Communist Party, Mikhail Gorbachev, and his core supporters were convinced that the Soviet Union was in a state of dangerous stagnation requiring far-reaching restructuring.<sup>11</sup> Gorbachev's vehicle for change was perestroika and later glasnost. But both strategies fundamentally altered the place of Eastern Europe, the West, and the political economy of coercion in his calculations. To be successful, perestroika needed to enhance flows of investment and technology and indeed to build a much closer network of relations with the public and private sectors of the United States and the European Community. This network of relations and resource flows could be accomplished much better in a post-cold war environment than in a cold war environment.

Furthermore, the greatest single source of potential savings to be used for new investment in the Soviet Union was decreased military expenditures. Indeed, early in the Gorbachev period his advisers came to the conclusion that the size of the Soviet GNP was smaller than previously estimated and that military expenditures were greater.<sup>12</sup> In a spirited defense of Gorbachev's reforms against party hardliners, Foreign Minister Shevardnadze at the 1990 Party Congress defiantly

10. For the emergent ethnic nationalist dictatorships in parts of the former Yugoslavia, see George Soros, "Nationalist Dictatorships versus Open Society" (New York: Soros Foundation, January 1993, pamphlet).

11. Three basic sources for their widespread perception of stagnation and their strategies to overcome this predicament are Mikhail Gorbachev, *Perestroika: New Thinking for Our Country and the World* (New York: Harper and Row, 1987); Edward Wilkes Walker, "Structural Pressures, Political Choice and Institutional Change: Bureaucratic Totalitarianism and the Origins of Perestroika" (Ph. D. diss., Department of Political Science, Columbia University, 1992); and the magisterial book by Archie Brown, *The Gorbachev Factor* (Oxford: Oxford University Press, 1996).

12. This point was stressed in an interview with Stepan by one of Gorbachev's key advisors, Aleksandr Yakovlev, in Moscow, October 24, 1989.

asked the congress whether the members really thought it was possible or indeed in the Soviet Union's interest to continue its extremely heavy defense expenditures, which in his judgment had led to the "economic and social ruin" of the Soviet Union.

Having come to the Ministry of Foreign Affairs and having obtained access to the appropriate information, I learned that in the past two decades alone ideological confrontation with the West added R700 trillion rubles as the cost of military confrontation. . . .

The prospects have opened up the possibilities to enter a new era, and to build completely new relations between the two superpowers. . . . But it is obvious that if we continue as we did before, comrades—I state this with all responsibility—to spend a quarter, I stress a quarter, of our budget on military spending—we have ruined the country—then we simply won't need defense, just as we won't need an army for a ruined country and poor people.

There is no sense in protecting a system that has led to economic and social ruin. There is just one way out: policy should take upon itself the task of creating a reserve of security with accompanying reductions in defense spending. . . .

Our calculations show that in the current five-year plan period, the total peace dividend resulting from the foreign policy line based on new thinking could amount to R240 to R250 billion. Our country does not have a future outside integration into the worldwide system of economic and financial institutions and ties. We need to get out of the self-isolation from the world, and from progress, into which we have driven ourselves.<sup>13</sup>

The Soviet Union's defense expenditures were even higher than Shevardnadze implied. From a comparative perspective the Soviet Union's security-related expenditures were more than three times as great as that of the United States, six times as great as the EEC average, and twenty times as great as that of Japan. Furthermore, in all these open, high-information market economies, there were greater spillovers between military technology and globally competitive export industries than in the USSR. In comparative economic terms, therefore, the country that stood to benefit most from the "end of the cold war" was the Soviet Union. See figure 15.1, which also shows that Soviet defense expenditures were also at least three times higher than any South European or South American case we have considered in this book.

When it came to Eastern Europe, influential Soviet analysts believed that the entire Council of Mutual Economic Assistance would benefit economically and politically from shifting in the direction of perestroika and glasnost.<sup>14</sup> In an important mid-1988 document, significantly written for a conference on "The Place and Role of Eastern Europe in the Relaxation of Tension between the U.S.A. and the U.S.S.R.," authoritative Soviet specialists advanced the argument that eco-

13. See Shevardnadze's speech on July 3, 1990, at the 28th Communist Party of the Soviet Union (CPSU) Party Congress, reprinted in *Foreign Broadcast Information Service, Daily Report, Soviet Union*, July 5, 1990, pp. 7–10. Note that he speaks not so much of military confrontation but ideological confrontation.

14. Well before Gorbachev, some important analysts in the Soviet Union and the United States had also argued that the "outer empire" in Eastern Europe had changed from an asset to a liability for the Soviet

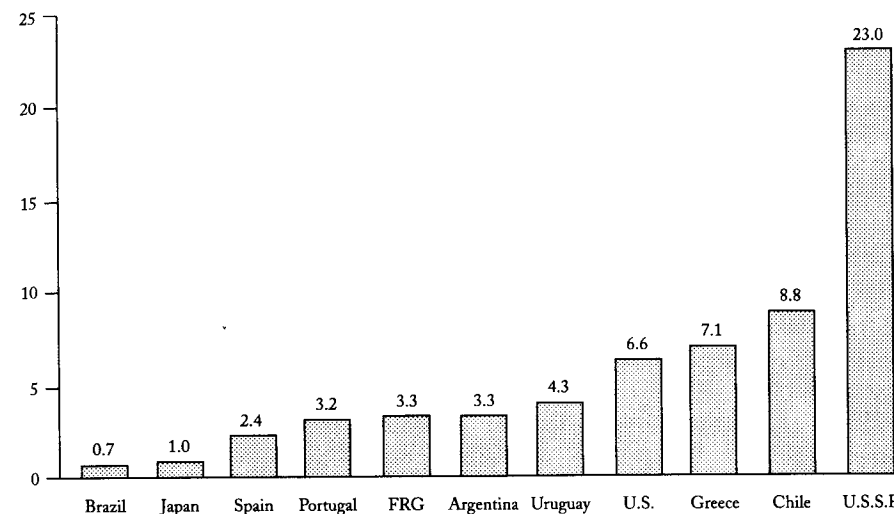


Fig. 15.1. Defense Expenditures as a Percentage of GDP/GNP, 1983–1989.

Sources: The 1989 data for the Soviet Union are from Dimitri Steinber, "The Soviet Defense Burden: Estimating Hidden Costs," *Soviet Studies* 44, no. 2 (1992): 258. All other data are for 1984 (except Uruguay, which is for 1983) and are drawn from Stockholm International Peace Research Institute, *World Armaments and Disarmament: SIPRI Yearbook, 1984* (Stockholm: SIPRI), 129–31, and 1986, pp. 243–47.

nomical and political liberalization would be a good thing for Eastern Europe and the Soviet Union. The document was clearly critical of the intense level of previous Soviet military and political intervention in Eastern Europe. We quote from this document at length because it was written *before* the momentous changes in Eastern Europe in 1989.

The administrative-state model of socialism, established in the majority of Eastern European countries during the 1950's under the influence of the Soviet Union, has not withstood the test of time, thereby showing its socio-political and economic inefficiency. . . . It was inadmissible to extend the postulate of the primary role of the Communist party of the Soviet Union to relationships among socialist states. . . . The model for the existing system was created in the Soviet Union during the 1930's and 1940's. . . . The process of *perestroika* is already shaping a new multifaceted political reality, one full of contradictions and conflicts. In terms of the scale and depth of integration processes and the intensity of the interweaving of economic, scientific and technological interests and relations, the CMEA countries turned out to be far behind the countries of the European Community. . . . Interest in preserving peace, a prerequisite for which is the positive development of relations between the two systems, necessitates that new politi-

Union. See, for example, the extremely high estimates of Soviet subsidies by M. Marrese and J. Vanous, *Soviet Subsidizing of Trade with Eastern Europe: A Soviet Perspective* (Berkeley: Institute of International Studies, University of California, Berkeley, 1983). For a review of the evidence and much lower estimates, see Charles Wolf, Jr., "The Costs and Benefits of the Soviet Empire," in Henry S. Rowen and Charles Wolf, Jr., eds., *The Future of the Soviet Empire* (New York: Institute for Contemporary Studies and St. Martin's Press, 1987), 121–142.

cal thinking guide the policies of the great powers with respect to crisis situations in the whole world, including those in the socialist countries of Eastern Europe. . . . It is inadmissible that *either side* interfere in the internal problems of a country finding itself in a difficult position. . . . Should crisis situations develop, they should under no circumstances be allowed to deter progress in East-West relations.<sup>15</sup>

Six months after that document was written, Gorbachev made his momentous announcement in December 1988 to the United Nations that, by the end of 1990, independent of Western action on arms reductions, the Soviet Union would withdraw some 240,000 men, 10,000 tanks, and 820 combat aircraft from Eastern Europe and from the Western military district of the Soviet Union closest to Eastern Europe. According to Charles Gati, "more than any other single event, that announcement set the stage for the dramatic developments of 1989. By suggesting that Moscow was prepared to remove Soviet forces from its East European dominion, Gorbachev put the region's Communist leaders on notice that Soviet tanks would no longer protect their rule. It did not take long for the people of Eastern Europe to understand that their leaders were therefore vulnerable—that some of them were, in effect, on the run."<sup>16</sup> When Gorbachev made this statement the Gang of Four, the Brezhnevite repressive leaders of Czechoslovakia, East Germany, Romania, and Bulgaria, were all resisting and often censuring his statements about glasnost, and only in Bulgaria had perestroika been approved even in theory.

We show, in following chapters, that in every single instance the regional hegemon (the Soviet Union) took some specific action to weaken each one of the Gang of Four. Unfortunately, we do not have data for East Germany, but we do have data from a public opinion poll administered in 1986–87 in Bulgaria, Romania, and Czechoslovakia that indicates that numerous citizens in these countries felt that glasnost and perestroika would be good for these countries (table 15.1).

Though Gorbachev's preference was for Central and Eastern Europe to embrace "within-system" Soviet-like changes, he gravely underestimated how illegitimate and unpopular many of the regimes were and how destabilizing the combination of his statements in *favor* of glasnost and perestroika and *against* Soviet military intervention would be.<sup>17</sup> Given the hegemonic relations that the Soviet Union had previously had in Eastern Europe, Gorbachev's endorsement of change altered power relationships everywhere in the Warsaw Pact countries. It weakened

15. "The Place and Role of Eastern Europe in the Relaxation of Tensions between the USA and the USSR" was written by the staff of the Institute of Economics of the World Socialist System (Moscow) for a conference in Alexandria, Virginia, and widely circulated because the Soviet authors allowed it to be published in its entirety in *Problems of Communism* 37, nos. 3–4 (May–August 1988): 55–70.

16. Charles Gati, *The Bloc That Failed: Soviet–East European Politics in Transformation* (Bloomington: Indiana University Press, 1990), 166–67. Alex Pravda offers some evidence that East European leaders were told, as early as November 1986, that the Soviet Union would not use force to uphold their rule. See "Soviet Policy towards Eastern Europe in Transition," in Pravda, *The End of Outer Empire*, esp. 17–18.

17. For evidence and arguments on this theme, see Pravda, *The End of Outer Empire*, 1–34, and Gati, *The Bloc That Failed*, 102–3.

Table 15.1. "Do you believe that Gorbachev's leadership is good or bad for [respondent's own country]?"

Reply	Percentage of Respondents		
	Bulgaria	Czechoslovakia	Romania
Good	64	53	40
Bad	8	8	10
Neither	24	34	38
Other/no answer	4	5	12
Number of cases	556	436	541

Source: *East European Perceptions of Gorbachev and Soviet Reforms* (Munich: Radio Free Europe, Audience and Public Opinion Research Department, July 1988). Reprinted in Gati, *The Bloc That Failed*, 68.

antiglasnost Communist Party leadership in Bulgaria, Romania, East Germany, and Czechoslovakia, it strengthened reform wings of the Communist Party in Hungary and Poland who wanted to establish a new relationship with the democratic opposition, and it emboldened the democratic opposition in all countries of Eastern Europe.

Two fields of force were felt by actors in mid-1989. First, the ideological self-confidence defined by the Brezhnev Doctrine, in the Soviet Union's right of intervention, had been steadily waning. This waning force was felt by the Soviet leadership, by East European heads of government, and by the opposition. But there remained a second countervailing force. Key democratic activists, especially in Poland and Hungary, insisted that they could not count on nonintervention by the USSR. They awaited, in effect, the proof of an actual case of Soviet nonintervention at the moment of regime change away from Communism. Among the reasons they cite for their caution and their reluctance to mobilize force was that there was always the possibility that Gorbachev would fall and that hard-liners and/or nationalists would assume power. As the coup attempt in the Soviet Union in August 1991 and the December 1993 election results in Russia showed, their apprehension was not unfounded.<sup>18</sup>

Whatever Gorbachev's initial calculations were, by the fall of 1989 Soviet policy had already profoundly changed relations of power in the bloc. Existing Communist governments were weaker and the democratic oppositions were stronger.<sup>19</sup> In

18. For informative studies of the Brezhnev Doctrine of "limited sovereignty" and how and why it was changed by Gorbachev, see Robert A. Jones, *The Soviet Concept of "Limited Sovereignty" from Lenin to Gorbachev* (New York: St. Martin's Press, 1990), and Mark Kramer, "Beyond the Brezhnev Doctrine: New Era in Soviet–East European Relations?" *International Security* (Winter 1989–90), 25–67.

19. However, some of the elites still believed in the ideology of socialism and in the possibility of economic and social reforms allowing them to stay in power and incorporate moderate oppositions as long as they did not need to use massive violence. This meant that, with the exception of Hungary, and in a unique way in Poland, Communist rulers in the Warsaw Pact did not initiate a reform type of transition to democracy, as in Spain or Brazil. The transition to democracy was forced on them: in Germany, not by the round

this context, Soviet use of armed force to crush change would have dramatically altered the course of perestroika in the Soviet Union. Economic and financial relations with the West would have experienced a grave setback. Gorbachev's hopes for reductions in military expenditure would have been cancelled. In the fall of 1989, to paraphrase Robert Dahl, the cost of intervention was greater than the costs of toleration.<sup>20</sup>

#### LEGACIES OF (COMMUNIST-STYLE) TOTALITARIAN AND POST-TOTALITARIAN REGIME TYPES FOR DEMOCRATIC CONSOLIDATION

Many analysts have correctly noted that a major difference between East European and post-Soviet transitions on the one hand and those in southern Europe and South America on the other is the "simultaneity problem." In Eastern Europe and in the Soviet Union, in addition to making a political transition to democracy, the countries have simultaneously had to make a transition to market economies.<sup>21</sup> We obviously agree that both of these profound changes are necessary. However, the analysis must go much further.

All of the regimes in the region, with the partial exception of Poland, which we will argue (controversially) was never a completely installed totalitarian regime, were at one time "totalitarian." Some later became "post-totalitarian." As we specified in table 1.1, there are five reinforcing arenas of a modern consolidated democratic polity concerning civil society, political society, rule of law, the state apparatus, and economic society. We further specified, in table 4.3, that, when a specific transition starts from a prior base that approximated our totalitarian or post-totalitarian ideal type, this *necessarily* implies a very distinctive and difficult set of tasks in *each* of the five arenas, tasks that must be accomplished before that polity can become a consolidated democracy.

Since none of the nondemocratic regimes we have considered thus far in southern Europe or South America was totalitarian or post-totalitarian, the challenges

table but by exit to West Germany and by voice in the streets of East Germany. In Czechoslovakia the events leading to regime collapse were even less expected. The fact that these regime leaders did not plan for a transition to democracy has contributed to the use of the word *revolution* (as in "velvet revolution"). The word *revolution* is not used to describe any of the southern European or South American transitions we have discussed except that of Portugal, which was a revolution unleashed after a nonhierarchical military coup.

20. Robert Dahl's famous axiom about the costs of toleration is found in his *Polyarchy: Participation and Opposition* (New Haven: Yale University Press, 1971), 15. In China, which is also in some ways an empire, the cost of repression in its periphery (such as Tibet and Sinkian) is not, as of this writing, higher than the cost of repression. This is partly due to Tibet's and Sinkian's great geographic and cultural distance from the West. Also, given the size and growth of the Chinese market, the cost of resistance by the West is perceived as too high by many powerful actors. In addition, there is latent ethnocentric feeling in much of the West that nondemocratic rule is "intolerable" in the West but "tolerable" in other parts of the world.

21. Claus Offe goes further and speaks of the triple (political, economic, and socioterritorial) transformations that are necessary. See "Capitalism by Democratic Design? Democratic Theory Facing the Triple Transition in East Central Europe," translated by Pierre Adler, *Social Research* 58 (Winter 1991): 865-92.

for all the countries we consider here in part 4 (including Poland) are thus different in kind than those considered heretofore. While our argument has been laid out also in tables 1.1 and 4.3 (and we urge the reader to consult those tables again) and will be explored empirically in the chapters to follow, it might be useful to pause at this point to illustrate some of the generic problems that are particularly salient in each of the five polity arenas, given a totalitarian or post-totalitarian legacy.

#### Civil Society

The classic approach is to include in this term organizations and groups that are relatively independent of the state. If we use this definition, the key observation to make is that, with Poland being a partial exception, the overwhelming majority of unions, agrarian collectives, cultural societies, communications systems, and other organizations in Eastern Europe and the USSR existing at the time of transition were originally created in the totalitarian period and were maintained by the party state even in the post-totalitarian period. The hidden, but known and in some cases parallel, presence of intelligence agents further weakened these organizations and often compromised their leaders' capacity to play a role in the transition. This phenomenon was most important in the GDR, Czechoslovakia, Romania, Bulgaria, and the USSR. In contrast, in the authoritarian regimes of southern Europe and South America, though many of the trade union, entrepreneurial, and newspaper organizations were brutally repressed, they were not totally penetrated by an official party or even by police and intelligence agents.

Religion needs special discussion. In all societies religion is the social reality most difficult to control by those in power. Communism, with its commitment to atheism, was particularly committed to limit as much as possible the role of religion in civil society. There were, however, important differences between religions. Orthodox christianity, with its legacy of caesaropapism and therefore its tendency toward dependence on the state and toward being a national church, did not serve as a basis for oppositional activity. At best it was a small source of limited cultural dissidence. As a consequence, it has not, except for nationalism in the post-Communist countries, been a source for major new leadership or issue articulation. The presence of the internationally organized Roman Catholic Church (especially in Poland and Lithuania) and Protestant dissidents (especially in East Germany in the late 1980s) contributed to a different civil society.

In democratic societies, religion, the churches, and the voluntary groups linked with them play an important role in bringing people together, articulating moral positions (that often have political implications) and helping in organizing a variety of interests. In this respect massive secularization may weaken an active society. Communism made a deliberate effort to secularize societies, persecute religious organizations, control and infiltrate them, and bar from elite positions and education those loyal to the churches. The data collected by Richard Rose show

the effect of those policies, which failed only in some Catholic countries, like Poland. The percentage of respondents saying that they never or rarely went to church was 71.1 percent in Belorussia, 60 percent in Ukraine, 68 percent in the Czech Republic (where secularization was already advanced before Communism) 66 percent in Bulgaria, and 66 percent in Hungary, contrasting with 41 percent in Slovakia, 46 percent in Romania, 44 percent in Slovenia, and 16 percent in Poland.<sup>22</sup>

Not only were most organizations, normally considered in other settings part of civil society, integrated into the party-state in Communist Europe, but they had a material presence that was, and often still is, the beneficiary of a series of state subsidies. It is not necessarily therefore in the perceived interest of such potential actors in an autonomous civil society to *want* to become autonomous. In post-Communist Europe, many workers in Bulgarian collectives, Polish mines, and Russian factories; intellectuals in the massive Academy of Science systems in all the countries; or people in hundreds of other state-subsidized organizations worry that they will be voting against their material self-interest if they support the proposed utopian alternatives offered by most market-oriented democrats. It is important to stress that this legacy extends well beyond the nomenklatura. Many citizens in Eastern Europe live every day in some tension between their goals for the future and their present material interests.

One of the leading analysts of this legacy, the Polish sociologist Edmund Mokrzycki, argues that it is a mistake not to understand that “so-called real socialism—that is, the system that took shape in the Soviet Union and in European socialist countries—is a social system in the strong sense of the term; it has its own equilibrium mechanisms, its own dynamics, and the ability to reproduce its constitutive characteristics.”<sup>23</sup> The continued strong showing in two consecutive elections of groups associated with the old regime in Bulgaria and Romania and the return to power in 1992–94 of parties associated with the Communists in Lithuania, Poland, and Hungary, show how sociologically grounded in real interests are groups associated with “real socialism.” Elsewhere, Mokrzycki and a co-author take much of the “democratic transition” literatures to task for failing to incorporate this issue into their analyses:

In the process of rejecting “really existing socialism,” democracy was proclaimed the promised land. . . . A critical paradox, however, has emerged since 1989. Whereas in the West European and American experience, democracy was proclaimed and institutionalized by the same social groups, in Eastern Europe—most vividly demonstrated by the case of Poland—the social groups that articulated democracy are the very groups threatened by the institutionalization of

22. For church attendance data see Richard Rose and Christian Haerper, “Adapting to Transformation in Eastern Europe: New Democracies Barometer-11,” *Studies in Public Policy* no. 212 (1993): table 35.

23. See his thought-provoking “The Legacy of Real Socialism, Group Interests, and the Search for a New Utopia,” in Walter D. Connor and Piotr Ploszajski, eds., *Escape from Socialism: The Polish Route* (Warsaw: IFiS Publishers, 1992), 269.

democracy in its liberal capitalist form. . . . None of the existing approaches to transition has paid adequate attention to the socio-economic structures that evolved under Leninism and the impact they have on the processes of political democratization.<sup>24</sup>

### Political Society

When we turn to political society, the tension between future utopian desires and present material interests, in the context of the relatively flattened landscape left by post-totalitarianism, creates problems for political representation. Politicians frequently claimed in the founding elections to represent independent entrepreneurs and independent trade unions, groups that in most countries in Eastern Europe did not yet exist. Democratic political society, moreover, is not only about political representation; it is also about political parties. But forty-five years of party-state rule in Eastern Europe and more than seventy in the Soviet Union have given the very word *party* a negative connotation throughout the region. Indeed, almost none of the major political movements in Eastern Europe called themselves parties (viz. Solidarity in Poland, Civic Forum in Czechoslovakia, Hungarian Democratic Forum in Hungary, popular fronts in the Baltic countries, and Union of Democratic Forces in Bulgaria). Furthermore, the charismatic leaders in the region, Walesa in Poland, Havel in Czechoslovakia, and Yeltsin in Russia, refused to join and lead political parties.

Here a comparison between Communist Europe and other areas is useful. In sharp contrast to Eastern Europe and the Soviet Union, the opposition parties in Spain, Uruguay, and Chile struggled to create a more solid and autonomous civil society, but most of their energies were devoted to the articulation of an alternative political future, a future in which parties would play the leading role.<sup>25</sup> These parties, *before* the transition to democracy began, had developed competitive alternative political programs, spelling out what they intended to do when they came to power via democratic elections. In some countries the entire spectrum of political parties continued in existence underground, and thus an “a-legal” or “illegal” but real and visible political society existed even under the nondemocratic regime.<sup>26</sup>

24. Edmund Mokrzycki and Arista Maria Cirtantas, “The Articulation and Institutionalization of Democracy in Poland,” *Social Research*, 60, no. 4 (1993): 787–819.

25. As we have seen, the major exception to this was Brazil, where civil society was the celebrity of the transition and parties, while they existed and played a significant role, were constantly changing their identity.

26. See Juan J. Linz's discussion of *tolerated, illegal*, but especially *a-legal* opposition in Spain in the late Franco period, “Opposition to and under an Authoritarian Regime: The Case of Spain,” in Robert A. Dahl, ed., *Regimes and Oppositions* (New Haven: Yale University Press, 1973), 171–260, esp. 216–30. In Chile and Uruguay a foreign political analyst in the course of a two-week visit could, and normally would in the decade before the transition, meet with representatives of virtually every political party that later emerged as politically meaningful (either by themselves or as a member of a multiparty coalition) in the founding elections. As we shall see, in all of Eastern Europe only Hungary (after December 1988) approximated anything like this degree of development of political society in the period that preceded the transition.



## The Rule of Law

We next turn to the arena of rule of law and its primary organizing principle, constitutionalism. There is, of course, no consolidated democracy without a relatively autonomous rule of law. Some of the legal traditions and norms that help create and sustain the relative autonomy of law are that legal codes are developed to a significant degree on the basis of precedent or their own internal logic. Furthermore, an independent judiciary plays a crucial role in interpreting old laws, the constitutionality of new laws, and the state's implementation of law.

Under high Stalinism, the conception of law was totally different. Indeed, the first president of the USSR Supreme Court wrote in 1927 that "Communism means not the victory of socialist laws, but a victory of socialism over any law."<sup>27</sup> Under Stalin, the leading legal theorist of the regime, E. B. Pashukanis, advanced principles that were totally dependent on the revolutionary mission of Communism.<sup>28</sup> One of Pashukanis's central tenets in effect was that "under developed socialism, policy and plan would replace law."<sup>29</sup> For our analytic purposes, since the leader and party-state create both policy and plan, there is no space for a legal system to constrain or bind the leader or the party-state. This, of course, is consistent with the ideal type of totalitarianism, in which one of the four defining characteristics is that a leader "rules with undefined limits."

A system in which the leader rules with "undefined limits" is the conceptual opposite of modern democratic constitutionalism, which entails that elected political leaders, the state, and even the sovereign citizenry have agreed to a complex series of "self-binding" mechanisms.<sup>30</sup> Part of this self-binding quality of a law-bound democratic polity is that there is a clear hierarchy of laws, with pre-established and relatively rigid norms and procedures for their change.<sup>31</sup>

To be sure, in those countries in which politics evolved in a post-totalitarian

27. For an analysis of law in the totalitarian period, see Harold J. Berman, *Justice in the USSR* (New York: Vintage, 1963); quotation is from p. 26. Berman's book was originally published by Harvard University Press in 1950.

28. In this respect Hitler's and Stalin's legal codes were similar in their disdain for precedent or the internal principles of legal logic. Article 1 of the Nazi-drafted *Volksgesetzbuch* (*People's Code*), which was to replace the nineteenth-century civil code *Bürgerliches Gesetzbuch*, stated the following: "The highest law is the welfare of the German People." (article 1) "German blood, German honor and hereditary health are to be kept pure and to be defended. These are the basic forces of the German People's Law." (article 2) "The Judge in his decision is not subject to any instruction. He dictates law out of free conviction derived from the total factual situation and according to an interpretation of law supported by the National Socialist world view." (article 20) *Volksgesetzbuch: Grundregeln und Buch I. Entwurf und Erläuterungen*, presented by Justus Wilhelm Hedemann, Dr. Heinrich Lehrmann, and Dr. Wolfgang Siebert (Munich: C. H. Beck, 1942).

29. See the entry under law in Tom Bottomore, ed., *A Dictionary of Marxist Thought* (Cambridge: Harvard University Press, 1983), 276.

30. For a rich discussion of the "self-binding" dimension of democratic constitutionalism, see Jon Elster and Rune Slagstad, eds., *Constitutionalism and Democracy* (Cambridge: Cambridge University Press, 1988), esp. the introduction by Jon Elster, pp. 1–18.

31. For example, all long-standing continental European democracies have virtually the same fourfold hierarchy of laws which is supported by the judiciary and, if it exists, by the constitutional court. In de-

direction, socialist legality became somewhat constraining on the state apparatus. However, the "leading role" of the party in the party-state still rendered most laws instrumental and heavily dependent on the party's initiative and interpretation. The distinguished Australian scholar, T. H. Rigby, writing in 1980, underscored the weakness of "self-binding" in post-totalitarian socialist legality: "The Soviet Constitution, even in its latest variant, is a notoriously misleading and incomplete guide to the distribution of power in the system. . . . [The] core aspect of the Soviet system, the party-state relationship, is regulated, as it always has been, by discretion and not by law. . . . The Soviet regime . . . has never been prepared to limit itself within the rules which it itself prescribes."<sup>32</sup>

Some of the most important new norms to emerge in the post-Stalinist period were aimed less at creating a generic rule of law for all the citizenry than at creating specific procedures to limit the leaders' freedom to control other party elites. Important generic binding procedures occurred only in mature post-totalitarian regimes concerning specific issue areas where the party had made a prior decision in favor of extending legal rights (e.g., private property rights in Hungary after 1983). The central point is that legal culture, especially a "self-binding" democratic constitutional culture embedded in a hierarchy of laws, must be the creation of the new democracies.

Once again, in comparison to post-Communist Europe, some of the long-standing authoritarian dictatorships we have considered in Franco's Spain, Salazar's Portugal, and Pinochet's Chile left more to build on in the way of a constitutional culture. In all these countries the law schools maintained their traditional approaches and students were exposed to the legal scholarship of other countries—including the democracies. In all three cases most of the principles of Western democratic law, while abused or put in abeyance in practice, were not fundamentally challenged normatively or theoretically by a completely new system of law and legal thinking.<sup>33</sup>

## Usable State

The next task relates to a usable state bureaucracy. What does a totalitarian or a post-totalitarian legacy imply about the availability of a usable state bureau-

scending hierarchical order they are (1) the constitution, which can be changed only by pre-established, relatively rigid rules that call for special majorities; (2) laws passed by the parliament but that cannot violate the constitution; (3) decree laws issued by the cabinet which normally have a limited duration and, to remain valid, have to be ratified actively or passively by the parliament; and (4) administrative orders, which can be issued by ministries but which cannot violate any of the above.

32. T. H. Rigby, "A Conceptual Approach to Authority, Power and Policy in the Soviet Union," in T.H. Rigby, Archie Brown, and Peter Reddaway, eds., *Authority, Power and Policy in the USSR* (New York: St. Martin's Press, 1980), 12.

33. In Spain the Franco regime paid at least formal respect to article 3 of the 1889 Spanish Civil Code, which established the legal hierarchy of norms complemented by the general principles of law. In addition, particularly in the late years of the regime, the subjection of the administration to legal controls and administrative courts was expanded in comparison to the pre-Franco past. The last dictator of Portugal was



cracy at the beginning of a possible democratic transition? We believe, with Joseph A. Schumpeter, that modern democracies are best served when elected politicians (often amateurs) are supported by a strata of professional bureaucrats. Per se, bureaucrats are not democratic, but they have a function in making democracies efficacious.<sup>34</sup> However, to the extent that the bureaucracy of the previous nondemocratic regime has been recruited by political criteria defined by the old regime and to the extent that the political leadership of the old regime has deeply colonized the bureaucracy, the bureaucracy presents problems of serviceability to a new regime. Among the potential problems that will be present at the beginning of the transition from a totalitarian or post-totalitarian ideal type of regime are the following: (1) The lack of a clear distinction between the party and the state (indeed, the party generally dominates the state)<sup>35</sup> means that the collapse, disintegration, or massive rejection of the party can also disrupt much of the normal functioning of the state bureaucracy.<sup>36</sup> (2) Efficacy is damaged when many

the law professor Marcello Caetano. In the standard legal text he wrote, he paid extensive homage to western principles of jurisprudence.

34. While we do not necessarily subscribe to everything he says, the classic observations by Joseph A. Schumpeter are worth quoting at length: "Democratic government in modern industrial society must be able to command . . . the services of a well-trained bureaucracy of good standing and tradition, endowed with a strong sense of duty and a no less strong *esprit de corps*. Such a bureaucracy is the main answer to the argument about government by amateurs. Potentially it is the only answer to the question so often heard in this country: democratic politics has proved itself unable to produce decent city government. . . .

It is not enough that the bureaucracy should be efficient in current administration and competent to give advice. It must also be strong enough to guide and, if need be, to instruct the politicians who head the ministries. In order to be able to do this it must be in a position to evolve principles of its own and sufficiently independent to assert them. It must be a power in its own right." From Joseph A. Schumpeter, *Capitalism, Socialism and Democracy* (New York: Harper and Row, 1975), 293.

35. The most copiously documented case is East Germany. Especially telling and authoritative self-descriptions may be found in the two-volume handbook of the GDR published by the regime itself in 1985 as the *DDR Handbuch*. Particularly revealing are the entries under S.E.D. (the official party, the Socialist Unity Party of Germany) and the "Staatsapparat" (state apparatus). Top state officials sat in the Parteileitung (party-leadership), and top party officials attended Sitzungen (meetings) of state bodies. Politburo and Central Committee decisions were completely binding on the state. The handbook of the GDR regime explicitly stated that "leading functions in the state are exercised by members of the S.E.D. which de facto perform state functions as commissioners of the party" (2: 1274). Indeed, the state apparatus is accorded no professional bureaucratic autonomy at all and is depicted explicitly in the handbook as an instrument of the party. "The party apparatus [of the S.E.D.] shall lead the state as the most important instrument of the party" (2: 1275). Party structures inside the state and the secret police completed the control mechanisms (2:1188–89). In the state apparatus, 2,125,054 East Germans worked directly for their government, [Klaus König, "Bureaucratic Integration by Elite Transfer," *Governance* 6, no. 3 (1933): 386–96], of whom approximately 500,000 were vetted by the party as nomenklatura appointments, [Gerd Meyer, *Die DDR Machtelite in der Ära Honecker* (Tübingen: Francke, 1991), 89]. Research on the GDR before the 1989 regime change concluded that the nomenklatura covered all middle- and top-level jobs, a small number of which were reserved for members of the non-SED parties in the National Front [Gero Neugebauer, "Die führende Rolle der SED," in Ilse Spittmann, ed., *Die SED in Geschichte und Gegenwart* (Deutschland Archiv, 1987), 70]. More than 99 percent of army officers belonged to the SED (*ibid.*, 69). The *Kleines Politisches Wörterbuch* (Berlin: Dietz, 1973) defines *Kaderpolitik* (cadre policy), therefore, quite broadly as the "selection, education, qualification, as well as deployment of capable cadres devoted to the task of the working class and its Marxist-Leninist party in all realms of societal life" (p. 390).

36. The most extreme examples of the implosion of the party occurred in the former Soviet Union and Yugoslavia. We discuss the fragmentation of the party-state in the USSR in chapter 19.

potentially loyal and effective civil servants are fired due to guilt by association or when administrative positions are immediately "colonized" by antiregime (but possibly incompetent) forces. Both massive purging (as in East Germany) or the absence of any significant change (as in Romania) will create problems for democracy. (3) The informer legacy causes problems. Regimes that approximate totalitarianism or even early post-totalitarianism have all-encompassing ideologies and organizational schemes. There is thus the tendency in such regimes to induce ordinary citizens (and not only intelligence specialists) to inform and spy on other citizens.<sup>37</sup> This legacy of the informer presents inevitable problems for the new regime, most prominent of which is the demand on the part of many citizens for "lustration" [purification] of the state apparatus, even if this violates due process and civil rights and creates legitimacy problems.<sup>38</sup> If new democracies engage in large-scale lustration policies, another consequence might be that those threatened by lustration and their families might turn to vote for the successor, reformed Communist parties as a pressure group for their interests.

These totalitarian or early post-totalitarian legacies contrast sharply with the legacies of the authoritarian regimes of the sort we considered in parts 2 and 3.<sup>39</sup> The informer legacy (and thus the lustration demand) was less severe because most of the spying on citizens was done by members of the state intelligence or coercive apparatus and not by ordinary citizens. To be sure, many authoritarian regimes leave a difficult legacy of human rights abuses by the military, police, and intelligence agencies. And, as we have documented, the new democratic governments in Argentina, Uruguay, and Chile have had little success in imprison-

37. For example, in East Germany, out of a population of not more than eighteen million people, Stasi intelligence files were maintained on six million subjects, of whom four million were GDR residents. Stasi full-time employees (*Hauptamtliche Mitarbeiter*) were capped at 85,000; the precise figure for 1982 was 81,487, according to the Gauck Behörde, which occasionally cites the higher figure of 99,000. David Gill and Ulrich Schröter, *Das Ministerium für Staatssicherheit: Anatomie des Mielke-Imperiums* (Berlin: Rohwolt, 1991), 34, 37. Total informants (*Informelle Mitarbeiter*) numbered at least 109,000, most of whom signed written statements of collaboration, but there could have been more, since many documents were destroyed during the regime change. Gauck cited 150,000 in a television appearance. He also cites 100,000 *Gehaltsempfänger* (salaried persons) in his own book, Joachim Gauck, *Die Stasi-Akten* (Hamburg: Rohwolt Taschenbuch, 1991), 27.

38. These problems were most severe in Czechoslovakia, Bulgaria, and East Germany (all three of which in 1989 approximated our description of "early" or "frozen" post-totalitarianism). In Czechoslovakia, the parliament passed a lustration law that violated many basic tenets of democratic law and civil liberties (see chapter 17). In Bulgaria the lustration issue split the Union of Democratic Forces between "revolutionary democrats" and "procedural democrats." Germany's ready-made "inheritor state" of West Germany has addressed this legacy by purging of a sort that would be extremely difficult (and democratically dangerous) in most new democracies. For example, 27 percent of all administrative-level employees in the ministries of the new Bundesländer were imported from the West, and 51 percent of the highest level appointments were filled by such imports. In the Justice Department of Brandenburg, West German imports topped 70 percent. The GDR data were supplied to us by Daniel V. Friedheim from his forthcoming Yale University doctoral dissertation on the GDR regime change. Also see König, "Bureaucratic Integration by Elite Transfer."

39. However, regimes that approximate the sultanistic ideal type predictably will present grave problems of the serviceability of the old bureaucracy because by definition the sultan did not respect any bureaucratic norms. As we (and Weber) argued, there are no "state careers" in a sultanistic regime, only members of the "household staff" of the sultan.

ing human rights offenders. However, because the scope of these hierarchically led military regimes was less extensive than in the totalitarian or even early post-totalitarian regimes and because there were no official state parties in Argentina, Uruguay, or Chile (and only a relatively weak official party in Brazil), many members of the state apparatus were left in place, or positions were not completely politicized in the authoritarian period, or both. In this respect, much more of the state apparatus was "available" and usable by the new democratic forces during and after the transition.<sup>40</sup> In this regard, the contrast between the degree to which the state apparatus was politicized in the period before the transition in East Germany and Spain is particularly dramatic. In East Germany there were 500,000 nomenklatura jobs; in Spain there were almost none. In the decade before Franco's death, entrance to the civil service was by a competitive exam in which candidates were identified only by number. Indeed, by the 1960s the only position in the Spanish government that required membership in the official party, the Movimiento Nacional, was the post of provincial governor because the incumbent of this post was also the head of the provincial Movimiento organization.<sup>41</sup>

### Economic Society

We conclude with a brief discussion here of the last of our five tasks of consolidation, which concerns economic society. We will not say much about what a totalitarian regime of the Communist type implies about markets because this subject has been written about extensively. However, we note here that, in our judgment, most commentaries fail to highlight the crucial social, political, and state requisites of modern market economies. Advanced market economies are neither mechanistic nor spontaneous. The economic societies of the advanced democracies, in their great diversity, have all been socially constructed by economic incentives *and* a complex interplay of societal norms, governmental policies, and state-sanctioned rules that regulate (among other things) contracts, the rights and privileges of private (and public) property, and banking and credit systems.

In a totalitarian regime of the Communist type, *none* of the above-listed (minimal) components of an effective, socially constructed, economic society exist.

40. For example, though the military in Uruguay banned elections when they assumed power in 1973, they did nothing to alter the traditional system of electoral registers or districts. They also left in place Uruguay's highly proficient and neutral electoral court. Therefore, when the military decided to hold a constitutional referendum in 1980, the professional bureaucrats implemented Uruguay's traditional and virtually tamper-proof democratic voting procedures. In these circumstances, the democratic opposition were able to profit by this "usable state" and defeat the military's proposal for a semiauthoritarian constitution.

41. Significantly, even in this one nomenklatura position, most appointees became party members only *after* being nominated to the post of governor. Indeed, in one celebrated case in the early 1960s, the nominee to Sevilla refused to join the party but was allowed to assume his position anyway. For the increasing professionalization and independence of the Spanish civil service, see Miguel Beltrán Villalva, "Política y administración bajo el Franquismo: La reforma administrativa y los planes de desarrollo" in Raymond Carr, ed., *La época de Franco* (Madrid: Espasa Calpe, forthcoming).

The easiest component to create and the one that normally appears first is a degree of market incentives. However, there are innumerable other problems that must be addressed before an effective economic society is consolidated. There is first and foremost the problem of an effective state.<sup>42</sup> A revolutionary upheaval can do away with a command economy, but if the party-state also implodes and there is no effective political power, how will the new regulatory framework of economic society be constructed? Witness Russia. There is also the problem of property. If the right of private property is introduced, inevitably there are questions of how the new rights of private ownership should be established. By restitution? From what date? Before the Communists? Before the Nazis? How should public companies be sold? By auction? Who has enough capital? Are there enough effective buyers? Should foreign capital be assigned a fixed quota? Should there be manager buy-outs? Will these be seen as nomenklatura buy-outs? Should spontaneous privatization be permitted? Is this actually theft of public property? These and a hundred other questions are predictably on the agenda in the aftermath of a Communist totalitarian or post-totalitarian regime, and similar problems will be the legacy in different ways of most sultanistic regimes. However, in an authoritarian regime of the Chilean or Spanish sort, very few of these questions will be found.

### POST-COMMUNISM'S DIVERSE PATHS

In this chapter, we have sought to evaluate important Russian and especially Central and East European commonalities because of their coexistence within the coercive system of Soviet dominance and the fact that the Soviet Union attempted to impose a similar social, political, ideological, and economic regime type on them all. However, our primary task in the chapters that follow is to take this common heritage as an important background factor and to explore the under-analyzed variation within the region in democratic (or nondemocratic) transition *paths*. We also want to explore the substantial variation in the *tasks* that polities must accomplish if they are ever to become democratically consolidated. A significant part of this within-region variation comes from their pre-Communist histories and their geopolitical location. But an important part of this variation is also explicable in terms of their distinctive regime types (or subtypes) and/or the severity of their stateness problem.

The erosion of the Soviet Union's ideological confidence and geopolitical will to use coercion to manage its outer and inner empires changed power relations

42. The role of the state in the transformation of post-Communist economies is a major research vacuum. Indeed, when we asked a leading North American economist researching post-Communist Europe for academic references on the subject, he commented that "neglect of the role of the state in the transformation by economists borders on the criminal."

throughout the region. However, the consequences of this new international environment varied greatly and comparative *path-dependent* analysis is called for. For example, since the late 1970s Poland, by our criteria, approximated an authoritarian (not a totalitarian or post-totalitarian) regime. Given the changed Soviet political economy of coercion, a democratic opposition in Poland that had been *blocked* became unblocked. In mature post-totalitarian Hungary, a four-player game of democratic opposition that would not have even started in the past was allowed to play out to the end. In "frozen" post-totalitarian polities (e.g., the G.D.R. and Czechoslovakia), old guard Brezhnev era leaders who needed external support to make their coercive threats credible *collapsed* when their middle-level cadres either no longer believed in the regime's utopian ideological claims or at least were unwilling to use large-scale violence against protesting crowds. Regimes that had experienced virtually no domestic changes, such as sultanistic-totalitarian Romania and barely post-totalitarian Bulgaria, were *reconstituted* by nondemocratic elites after they divested themselves of their long-standing leaders.

In most of the southern part of the Soviet Union's near totalitarian inner empire, the stateness crisis of the Soviet Union allowed nondemocratic elites, who were close to the levers of power in the republics, to shift from a party-state to an ethnic state discourse without tolerating pluralism, respecting minority rights, or building a democratic civil society. Such changes certainly relate to the literature on post-Communist politics, but ethnoauthoritarianism, ethnic conflict, and state erosion are more dominant features of many of these polities than is democratization or even full liberalization. In fact, as we document in chapter 19, the discourse of "national liberation" was privileged over democratization and the discourse of collective rights of "titular nationalities" was privileged over individual rights. As our contribution to the new comparative politics of post-Communist regimes, we will explore the sources and consequences of such major variations.