

DEFECTIVE DEMOCRACIES

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Foreword

DEFECTIVE DEMOCRACIES

Since the collapse of communism and communist states from 1989-1992, the twenty-eight states that currently comprise postcommunist Europe and Eurasia have evolved to different political directions. Some regimes in this region have completed a transition to democracy; others have been arrested at some point on the path to democracy and became a sort of 'defective democracies'; and still others have yet to break with the communist past. This issue focuses on this middle-ground category: countries where elections are regularly held, but the behavior of political actors, notably the government, but not only, is not always democratic. Albania, Moldova, Belarus, Ukraine, Russia, the Caucasus countries present a great variation among themselves, but have also something in common: they do not fit well the classic patterns of either democracy or authoritarianism. The regional trend, particularly noticeable over the past decade, showed hybrid regimes resisting to political change—either in the direction of becoming authentic democracies or reverting back to dictatorship.

The purpose of this issue is to explore the lessons for democratization that can be drawn from the postcommunist experience over the past seventeen years. First, what explains defective democracies? Second, what can and cannot be transferred from successful Central Europe to the rest of countries? Finally, is there still a future for democracy promotion in postcommunist Europe?

POLSCI FOCUS

Administrative and Political Corruption in Bulgaria: Status and Dynamics (1998-2006)

Alexander Stoyanov*

Abstract:

Corruption, particularly in the high echelons of power, is one of the most serious problems faced by Bulgaria on the eve of its accession to the European Union. The problem has remained on the monitoring agenda for Bulgaria and extensively commented by the EC in its monitoring and evaluation reports in the last 2-3 years. In a period of three years subsequent to EU membership the government and the European Commission will report on the progress in countering administrative and political corruption in the country.

Keywords:

Bulgaria, European Union, administrative corruption, political corruption, countering corruption, EU monitoring agenda, CMS

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It is always difficult to say how much (or how little) corrupt the administration of a country is unless a proper operational definition of corruption is used. There are two ways of dealing with the more general approach towards corruption. First, the denial-of-everything approach which claims that corruption is too complex, too vague and too difficult to define and eventually measure and/or analyze. Many reports and analyses of corruption adopting this approach usually begin with the notion that corruption is a complex social phenomenon that is practically immeasurable and difficult to define. In addition corruption (as most social phenomena) is system dependent, i.e. its forms and involvement in different societies varies. Respectively, perceptions of corruption in different countries and governments differ substantially. Most often this approach is politically biased and is used to reject findings on corruption at all levels. The rationale is that one cannot measure something that could not be defined.

Secondly, the positivist approach, which includes the attempt to compose and decompose corruption to its different forms and mechanisms and to construct a system of measures which aim to account for the levels of corruption in societies, social sectors, or among different population groups. The logic of this approach is that the function of science is to measure the immeasurable, i.e. to step by step create preconditions (theory) that would make it possible to asymptotically get closer to the true understanding of a given phenomenon.

In Bulgaria, a well-known and systematic approach to analyze and counteract corruption has been adopted by Coalition 2000¹. One of the instruments used by Coalition 2000 has been its Corruption Monitoring System (CMS)². The basic methodological assumptions and concepts on which the CMS is based are:

Administrative corruption. This concept refers to the corruption transactions in which lower and middle level officials receive kickbacks (money, gifts, favors) from citizens either to provide a better service or to violate existing rules and laws. This type of corruption has been found to be characteristic for all post-socialist countries and is manifested in forms and sectors that seem fairly unlikely for developed countries. The main systemic reason for the existence of this type of corruption is the character of transition processes in these countries. More specifically this is the dynamically shifting balance between the public and the private spheres within a short period of time. Administrative corruption seems to be the negative byproduct of systemic adjustment to the new public-private balance in society.

Political corruption. This concept refers to corruption

of high level officials in the executive, the legislative and the judiciary. In principle corruption transactions of this type involve manipulation of substantial resources and more complicated corruption schemes (including political party financing).

Perception based measures. Perception based measures of corruption include accounts for the perceived spread of corruption in different social sectors (also institutions, professional groups, etc.). CMS research findings and other international research has shown that perception based measures reflect attitudes of different target groups towards corruption are not precise estimates of the actual level of corruption. In this respect perception based measures are dependent on situational factors and are strongly politically biased. However they proved a fair account of public tolerance or intolerance of corruption practices in society.

Experience based measures. Experience based measures account for incidences of personal experience with corruption transactions. These measures are based on anonymously provided reports. The same approach is used in crime victimization research and experience accumulated since the 1960-ies has proved that obtained results are fairly accurate. The CMS includes both perception and experience-based indicators. Collecting of information started in mid 1998 and the last monitoring survey was conducted in November 2005. The main target groups addressed in CMS surveys are 1) general population (18+); 2) business sector representatives (managers of small, medium and large companies). CMS monitoring surveys address mainly administrative corruption. While this is the most widespread form of corruption observed in Bulgaria, another important form of corruption - political corruption - remains out of the scope of the CMS. However, many aspects of political corruption have also been analyzed.

Corruption: Issues of Contemporary Social History

The forms and mechanisms of political and administrative corruption in Bulgaria are essentially something new for the country. They emerged in the beginning of the 1990-ies are closely linked to the specific driving forces of political and economic transformations. In the period 1990-2005 the structure of property in the country changed dramatically. The ratio between state v/s private property of industrial assets changed from 96:4 (1989) to 20:80 (2005). In the context of an evolving legal system, the transformation of property did not always follow the legitimate rules. Political power and influence have been decisive in the first years of the privatization of the state. At later stages mechanisms have become more

¹ Coalition 2000 is a coalition of NGOs aimed and countering corruption in Bulgarian society [www.anticorruption.bg].

² The first description of CMS methodology, as well as the first results of its implementation, were published in CLEAN FUTURE. Anti-Corruption Action Plan. Monitoring. Corruption Assessment Indexes., 1998.

sophisticated and this has led to the involvement of various levels of the administration into the process of privatization of the state.

The mechanism that has “facilitated” privatization and the establishment of the new property structure in the country has often been corruption. Now that privatization is practically completed, corruption mechanisms that have been used to control privatization are being utilized to gain comparative advantages in the functioning of the new structure of the economy under the new rules (market economy). Corruption mechanisms are targeted to “benefit” from resources in several principle areas:

1. Violation of rules with imposed payments in favor of the state. Such rules are – taxes, VAT, customs fees, social benefit payments, excise payments, etc. These are contributions to the budget enforced by the state; their violation through corruption brings substantial advantages to social actors.

2. Control over public procurement spending. This type of corruption transactions very often combine administrative and political corruption and substantially modify specific markets.

3. Control over spending of EU funds. This corruption area is relatively new and its importance is most likely going to increase, as the amount of funds will substantially grow after the EU membership of the country.

4. Control of law enforcement mechanisms. This type of control through corruption has proved to be important for the perpetuation of more complicated corruption schemes (involving various actors and operating for a longer period of time). The intensification of government anticorruption policies and practical measures in 2006 has shown that a disturbing number of high level law enforcement officials have been involved in corruption schemes ensuring protection for violations of the law.

5. Political party financing. Party funding is the crucial intersection of different corruption schemes, which ensures political lobbying. One of the basic preconditions for that (except economic interest of the political class) is the under-funding of parties by the budget. Financial needs, especially in election years, do normally exceed state subsidies. According to expert estimates the latter account for 10-20% of actual party spending.

6. Protection of “black businesses” (organized crime activities). For many reasons organized crime has been one of the elements of transition. At the very early stages of transition criminal groups have (through

corruption) managed to create relationships with institutions important for their sphere of activity.

These principle fields of corruption transactions generate both administrative and political corruption. Depending on the specific corruption transaction one or more levels of the administration and forms of corruption could be involved.

For example large-scale customs fraud (cigarette smuggling) for a longer period of time necessarily involves officials from the customs administration, tax administration, border police, investigation and prosecution officials, “private law enforcement”, and political protection combined with party financing. Lower level customs officials get paid to close their eyes when necessary, their superiors get paid to tolerate the violation of agency rules and higher-level politicians get paid (personally and/or their parties) to tolerate the existence of such a situation. Law enforcement officials get paid not to act, if something goes wrong in smuggling operations and bank or financial institutions get paid to process the revenues³. Evidence that accounts for the existence of cigarette smuggling is relatively easy to find. It is just necessary to compare consumer spending of imported cigarettes (market research information) with aggregate customs information about official (legitimate) import. For specific periods of time the share of legitimately imported cigarettes on the Bulgarian market has been down to 15-20%.

The above example and issues elaborated make it possible to deduce several important assumptions about corruption assessment:

1. Administrative and political corruption are closely linked. It is practically not possible to observe high levels of administrative corruption without assuming that the higher political levels are not involved. If administrative corruption levels are high and political corruption level are low, this would mean that the higher levels of the administration do not have any control over their officials.

2. The existence and evolution of corruption over a longer period of time links different political parties and get to one and the same corruption scheme. In this way parties practically block each other in any attempt to counter corruption (more than one political actor is involved). The longer a given corruption scheme operates the greater is the risk for a domino effect when attempting to stop it. This is why there practically are no high level officials charged with corruption in the country despite the fact, that all parties accuse each other of corruption.

³ Corruption schemes of similar type might be organized and initiated from top to bottom (by higher level officials) or from bottom to top (initiated by lower officials).

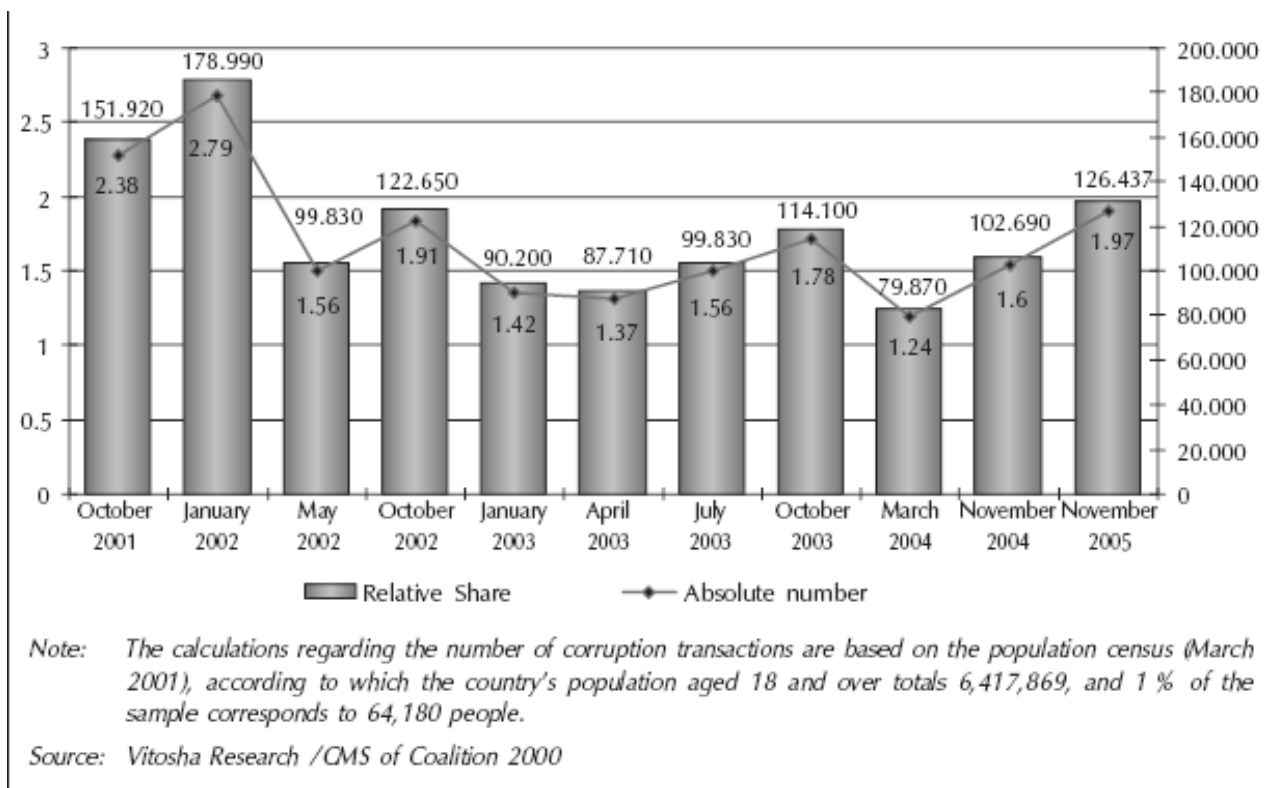
Level of Administrative Corruption

The period between mid April 2004 and the end of November 2005 was marked by an increase of the level of administrative corruption. This increase goes parallel to the increase of the number of corruption pressure cases (public sector employees exert pressure on citizens in order to engage them in corruption transactions). In 1998-1999, the average monthly frequency of self-reported involvement in corruption transactions was fairly high; it ranged between 180,000-200,000 cases a month. In the period July 2003-March 2004 it reached its lowest

level, dropping to 80,000-90,000 transactions per month (Chart 1). The lowest frequency of cases of corruption pressure by public officials was registered in March 2004.

In 2005, however, the pressure and the number of concluded corruption transactions reverted to the higher average values characteristic of the 1999-2001 period. Compared to March 2004, the number of corruption transactions has increased from about 80,000 per month to about 130,000 per month. Whether this will prove to be a lasting negative tendency or a short-term fluctuation resulting from temporary factors (for instance, the recurrent increase in

Chart 1. Average monthly number and relative share of concluded corruption transactions



corruption by the end of each electoral cycle) remains unclear.

The level of administrative corruption shows the number of corruption transactions which citizens admit to have been involved in over a certain period of time. Corruption transactions, which for the most part constitute criminal acts, are commonly referred to as corruption victimization. The possibility of using sampling methods to gauge crime levels (in particular, the number of administrative corruption transactions) is based on the assumption that the incidence of such phenomena is sufficiently high; this allows a random sample to identify an adequate number of victims who can be subject to statistical analysis. Such a method however is not applicable to political corrup-

tion which cannot be studied with statistical research methods and instruments. The existence of political corruption is deduced largely based on indirect evidence: 1) high rates of administrative corruption usually exist, if they are implicitly or explicitly tolerated by the higher ranks of government; 2) the state of a number of socio-political and economic processes in the country (grey economy, organized crime, customs violations, VAT fraud schemes, drug traffic, controversial privatization transactions, political party financing, etc.) is impossible without the involvement of representatives of the senior state officials (legislature, the executive, and the judiciary); 3) statements by numerous politicians and magistrates openly refer to a multitude of corruption transactions.

Table 1. Indicators and indexes measuring the level of administrative corruption

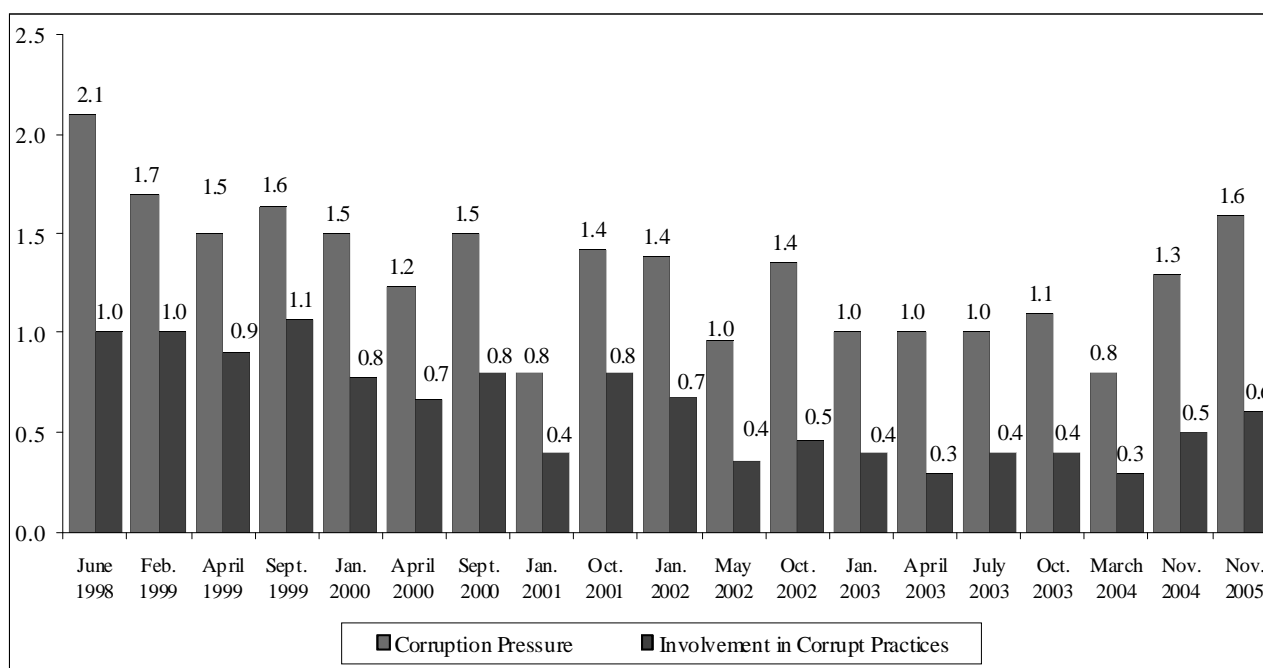
	<i>Indicators</i>	<i>Indexes</i>
Corruption victimization	Potential corruption	Corruption pressure
	Actual corruption	Corruption transactions

CMS methodology differentiates between actual and potential corruption. Each corruption transaction goes through at least two stages. First, negotiating the conditions (potential corruption) and second, conducting the transaction (actual corruption). Measuring the incidence rates in both stages of the corruption transactions is essential since even the presence of the first stage (offering/soliciting a bribe or other type of unlawful gain) constitutes a violation

of the law. The indexes measuring the dynamics of potential and real corruption victimization are, respectively, "corruption transactions" and "corruption pressure". The corruption transactions index accounts for the frequency of self-reported cases when citizens and business organizations provided money, gifts, or favors in order to have a problem solved. The index reflects the level of actual corruption based on a period of one month. The corruption pressure index records the frequency of cases when citizens and businesses were asked for money, gifts or favors in order to have a problem of theirs solved. It reflects the level of potential corruption.

There was the gradual decline in both actual and potential corruption in the period 1998-2004 (Chart 2). Over the past year and a half, however, alarming indications of increased numbers of corruption transactions have been identified.

Chart 2. Index dynamics of corruption transactions and corruption pressure



Notes: The two indexes register actual and potential corruption, respectively. Their minimum value is 0 when no corruption transactions at all have been concluded and 10, if all citizen interactions with the administration involve a corruption element.
Source: Vitosha Research/CMS

The levels of corruption victimization and corruption pressure are unevenly distributed among the various occupational groups. Some of them are characterized by a stable downward trend; others, by a rise; and still others show little change (Table 2). For some occupational groups (e.g. university teachers, customs officers, local government representatives), substantial fluctuations have been identified depending on the time of the survey. On the whole, corrup-

tion pressure has been on the decline in the judicial system over the past year. It has dropped for the magistrates (judges, prosecutors, investigators) and for the judiciary's administrative staff. The change is due mainly to the reforms (even if only partial) in the judiciary and to internal anti-corruption measures. However, the prevailing opinion of citizens that corruption in the judiciary is unacceptably high has not changed (Table 2).

Table 2. Corruption pressure by occupational groups* (%)

	October 2002	October 2003	October 2004	October 2005
Police officers	22.3	13.9	22.2	27.7
Doctors	20.3	16.6	22.5	26.2
Customs officers	19.4	15.3	13.8	22.1
Lawyers	26.5	13.8	16.5	22.0
University teachers	11.9	16.6	12.6	15.3
University employees	5.6	9.0	9.0	10.1
Municipal officials	10.9	6.4	10.3	9.5
Ministry officials	5.6	8.2	6.3	8.2
Tax officials	4.2	5.9	5.1	8.1
Mayors and municipal councilors	5.3	3.3	6.6	6.5
Teachers	7.4	5.6	6.2	6.0
Judges	16.6	8.5	5.8	3.4
Politicians and political party leaders	7.1	4.1	5.0	2.5
NGO representatives	5.0	1.4	1.3	1.5
Investigators	8.3	9.6	5.0	1.3
Prosecutors	12.3	4.2	5.1	1.2

Note: (*) Proportion of those who have interacted with the respective group in the past year and have been asked for money, gifts, or favors.

Source: Vitosha Research/CMS

When assessing the corruption pressure exerted by magistrates, it is important to take into account the role of attorneys-at-law as intermediaries between their clients and the institutions of the judiciary. Data indicate that potential corruption levels for this group are high and decrease slowly. This is due to the fact that a number of attorneys-at-law act as corruption mediators under pressure from the magistrates or on the initiative of their clients. There is also reason to assume that, in some cases, attorneys-at-law take advantage of being better informed than their clients to secure immediate gains for themselves. In terms of the public visibility of judiciary corruption the focus tends to shift towards attorneys-at-law, rather than towards magistrates. It is however difficult to separate the actual amount of corruption pressure exerted by the magistrates and the judiciary's administrative staff through attorneys-at-law from pressure initiated by attorneys-at-law themselves. Often the judiciary also comes under political pressure. Regardless of how successful such attempts are, it is a process that generates speculations, undermines the independence of the judiciary, and adversely affects public trust.

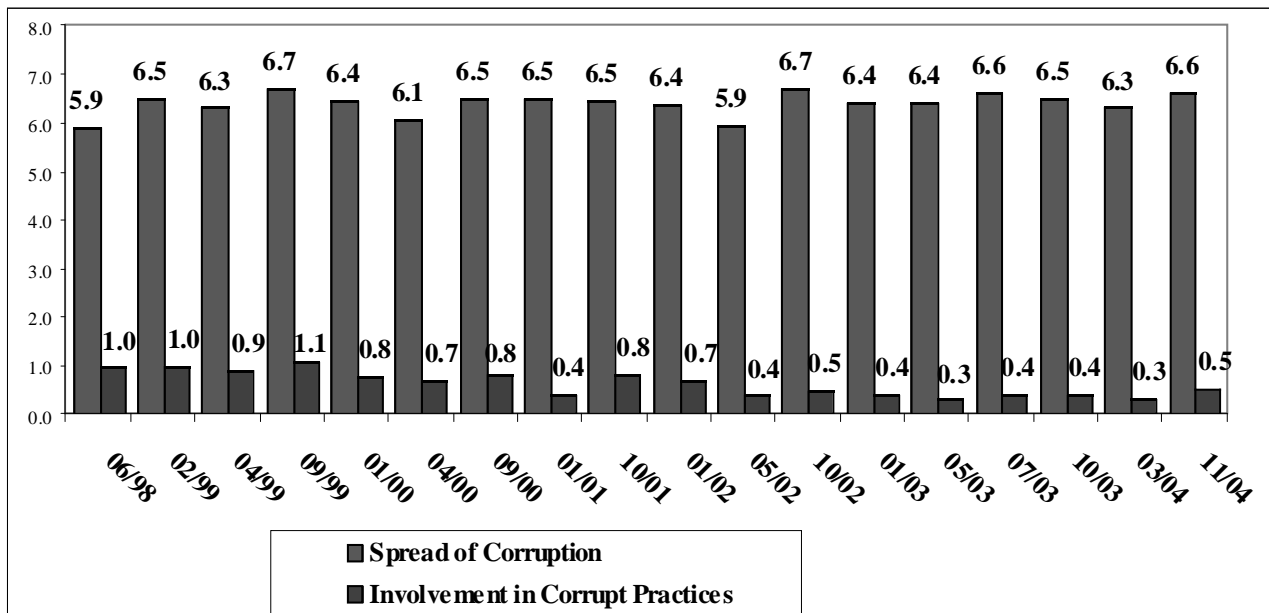
In the 2004-2005, police officers and doctors have topped the administrative corruption pressure

ranking (Table 2). The fact that potential corruption for both groups is on the rise is alarming. Increased corruption pressure has also been registered for ministry officials, tax administration officials, university teachers and employees.

Perceptions of the Spread of Corruption

Regardless of the fact that the overall level of corruption victimization in 2005 dropped nearly by half compared to 1998, public perceptions of the level of corruption in society practically have not improved (Chart 3).

Chart 3. Level of corruption victimization and assessments of the spread of corruption



Source: Vitosha Research/CMS

The data since 1998 shows that perceived spread of corruption by far exceeds the level of actual corruption victimization. This means that the subjective perceptions reflect people's moral assessment of the observed levels of corruption, showing whether observed corruption levels are perceived as too high or normal; i.e. perceptions are a qualitative assessment of the social and moral acceptability of the corruption situation in the country and not a measure of the number of corruption transactions.

When citizens believe they live in a highly corrupt environment where corruption not only remains unpunished, but is also perceived as an effective means of solving problems, their own inclination to engage in corrupt practices increases. In Bulgaria, the predominant public perception is that corruption is widespread in all spheres of public life, at all levels of state governance, and among the various occupational groups (Table 3).

Perceptions of the spread of corruption among different occupational groups differ substantially from the data about actual acts of corruption and corruption pressure exerted. For instance, despite the registered drop in corruption pressure exerted by magistrates and judiciary administrative staff this fails to find confirmation in citizens' subjective perceptions of the spread of corruption in those groups. Politicians, MPs, ministers, and tax officials are perceived to be far more corrupt than data on corruption transactions and direct corruption pressure they exert actually show. In terms of perceptions, the stable negative attitudes about these groups tend to intensify - perceptions of the spread of corruption marked a

slight increase in late 2005.

The possible reasons for the divergence between registered levels of corruption victimization and the predominant negative public perceptions of the spread of corruption may be sought in several directions:

Firstly, as already noted, the data on real corruption and citizens' subjective assessments refer to different social phenomena. Perceptions of the spread of corruption are strongly influenced by moral, ideological, and political factors. They rather reflect citizens' trust in the institutions of the state and citizens' overall assessments of the effectiveness of governance. Low levels of confidence in state institutions make citizens' perceptions of the corruption situation more negative.

Secondly, the public exposure of corruption scandals without any tangible results (consequences) affects adversely public perceptions of the will of the government to counteract corruption. The lack of political will does not influence corruption victimization but has direct impact on the growing public mistrust in high-rank state officials and politicians. That is why, even while the corrupt practices registered among MPs, members of government, top state officials, and political leaders are relatively few, the population's perceptions of the spread of corruption in the high ranks of state power and among the representatives of the political class are disturbingly unfavorable.

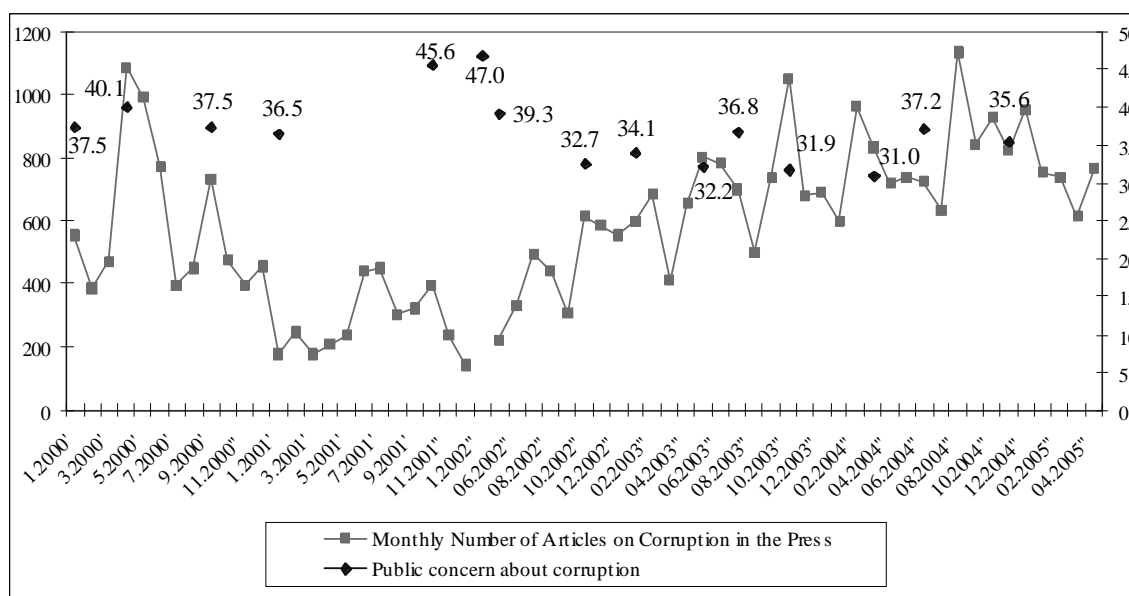
Thirdly, the ranking of corruption among public concerns is not influenced by the intensity of media exposure (number of corruption-related publi-

Table 3. Perceptions of the spread of corruption among occupational groups* (%)

Relative share of those who answered "Nearly all, or most, are involved in corruption"				
	October 2002	October 2003	November 2004	November 2005
Customs officers	79.2	74.5	70.3	71.8
Judges	63.0	57.3	56.1	59.3
Prosecutors	63.0	55.7	55.3	57.1
Police officers	59.6	59.2	58.8	56.1
Lawyers	62.3	55.8	54.9	54.7
Doctors	54.9	52.9	55.4	54.5
Tax officials	58.0	49.3	49.9	53.5
MPs	56.2	54.5	50.7	53.4
Politicians and political party leaders	54.0	47.6	50.5	51.6
Ministers	50.8	52.6	45.4	51.1
Investigators	57.5	49.2	51.7	50.5
Mayors and municipal councilors	48.3	43.4	47.0	47.5
Ministry officials	48.3	40.1	42.6	44.4
Municipal officials	49.1	36.5	44.3	43.4
University teachers	33.4	36.5	33.1	29.9
NGO representatives	21.4	22.3	23.7	26.6
Teachers	13.9	11.0	14.0	14.4

Source: Vitosha Research/CMS

Chart 4. Intensity of media coverage of corruption and public concern about corruption



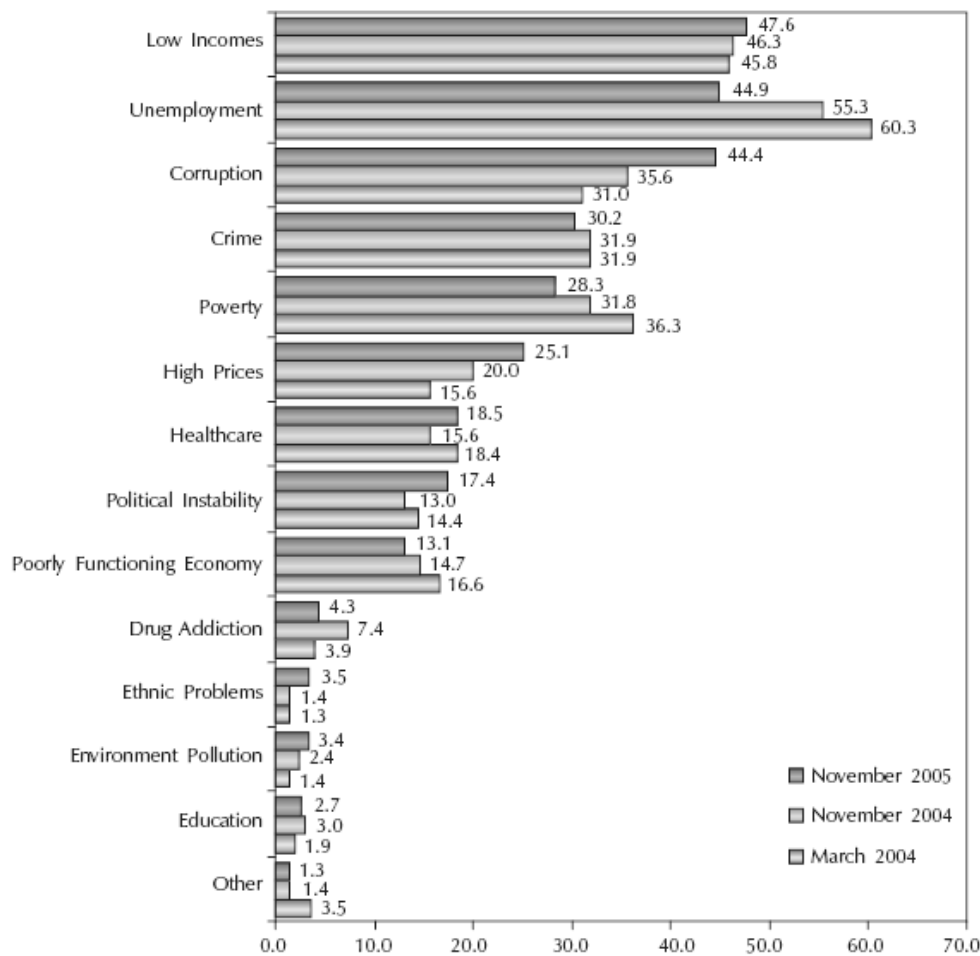
Source: Vitosha Research/ CMS

cations in the media). More intensive media coverage of corruption neither increases its perceived spread nor heightens concerns about corruption (Chart 4). The dynamics of this indicator is rather associated with changes in society's political agenda as set by the political class. Corruption tends to be high on people's minds not when the level of corruption victimization is high, but when public expectations about resolving of this problem are high.

Public Values and Attitudes to Corruption

In the period since 1998, corruption has persistently been perceived as one of the most serious problems of Bulgaria. It is always among the top five social problems, usually taking up the fourth or fifth position. In 2004-2005, it rose making it the third most important problem. The overriding concerns of the Bulgarian population were low incomes (first place) and unemployment (second place).

Chart 5. Ranking of corruption among public concerns (%)



Note: The chart presents the ranking (relative shares) of the three major problems faced by Bulgarian society.

Source: Vitosha Research/CMS

The dynamics of these rankings clearly shows that Bulgarian society considers corruption one of the most important elements of the country's political agenda. Expectations related to the countering of corruption tend to rise in the periods of transition from one government to another. A new government usually heightens the priority of the problem and raises the performance standards for the political class.

Overall, the data covering the 1998-2005 period suggest that public expectations remain unmet. Set against the rising expectations for good governance, realities have been rather disappointing. The discontent stems from the actual status of the problem (the level of corruption victimization) and from the performance of the political class and the administration. In this sense, there is reason to believe that the public

considers the tendency towards decline of the level of corruption victimization as not radical enough and the government policies as failing to meet public expectations and standards. In addition, these actions are not considered effective enough.

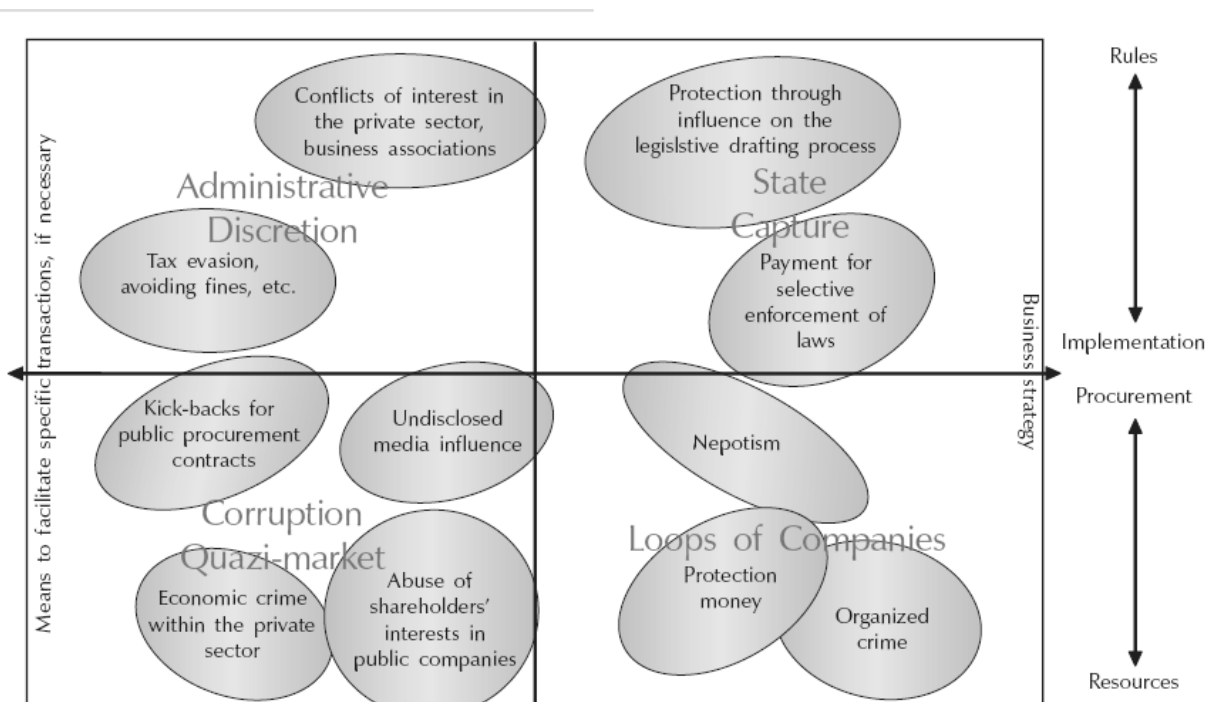
The significance of subjective perceptions of corruption is often downplayed with the argument that they do not provide an accurate view of the level of corruption. While this is essentially true, it is also true that public perceptions relatively closely follow the actual achievements and failures in various sectors of society. Thus, for instance, the actual progress in countering unemployment and poverty runs parallel to the decline in their perceived social importance. The dynamics of the corresponding indicator concerning corruption, however, follows clearly the dynamics of political will to deal with the problem: the rank of corruption among major concerns is high in the periods before and after the coming into office of a new government and tends to decline when its actions fall short of public expectations. In this sense, to Bulgarian society, late 2005 was a period of heightened expectations with respect to countering corruption – both in terms of the presence of political will and its effective practical realization in the policies of the administration.

Main Areas of Political Corruption

The involvement of the government in the economy generates a number of points of potential conflicts of public and private interests in the business sphere. The legal and institutional deficits in the beginning of the transition, coupled with the lack of traditions for openness and transparency and the unstable situation in Southeastern Europe, created broad opportunities for corruption in Bulgaria. Conversely, the progress of the country in the EU accession process and the related legal and administrative harmonization restrict and narrow the available channels for corruption and crime.

As the delivery of administrative services gradually improves and the income level of Bulgarian citizens grows, administrative corruption in the business sphere connected with regulatory inefficiency tends to decrease. However, opportunities for political corruption related to the economy remain. The main forms/areas of political corruption in this respect are: rings of companies and state capture, procurement contracts, VAT fraud.

Chart 6. Forms of corruption



Source: Center for the Study of Democracy

Political Corruption: Rings (Loops) of Companies and State Capture

The informal political and economic networks which evolved over the years in Bulgaria (commonly referred to as “friendly circles” and/or “rings of companies”) and the existing criminal networks and capital will seek to continue their economic and/or political monopoly under the new conditions of EU membership. This is particularly relevant to the sphere of political corruption. In the beginning of Bulgaria’s transition, political and economic corruption networks had numerous opportunities to redistribute national wealth, by siphoning state-owned enterprises and banks, bogus privatization, tapping into smuggling channels, etc. As these channels are gradually drying off, the efforts of these networks currently refocus on control over public procurement, concessions, EU funds, VAT fraud and appointments to the executive and the judiciary intended to facilitate corruption schemes and to ensure their impunity from prosecution.

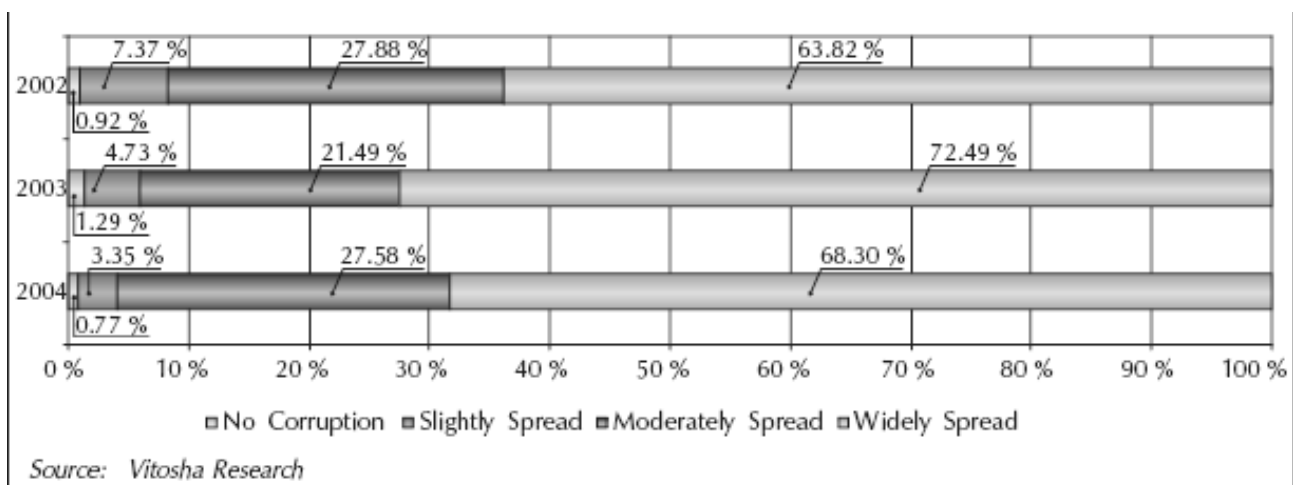
Politically favored companies and organizations in Bulgaria are typically financed through public procurement contracts and lease agreements. In return, they reward their patrons through direct or indirect financing of party activities, hiring of party functionaries or their associates, payment of scholarships for overseas studies to children of senior party leaders, etc. The fact that on the eve of the 2005 parliamentary elections the leader of one of the governing political parties admitted that such practices are commonplace corroborated the multitude of journalist investigations and NGO analyses of their existence

and reinforced the Bulgarian public’s conviction that political corruption and impunity were rampant. However, it is difficult to make an accurate assessment of the operations of the rings of companies in the absence of judicial prosecution and punishment of their actions; moreover, the transfer of resources between the public and private sector within such rings is typically carried out through perfectly legitimate channels.

According to expert assessments (based on available data on parties’ election campaign spending, survey research and official statistics) the rent (i.e. the resources deviated from the public procurement process by all parties’ rings of companies), ranges between 320 million and 370 million Bulgarian leva⁴ in 2005. The total direct rent is much greater, taking into account also other possible payment channels such as concession agreements. Considerably larger, much more negative and difficult to calculate are the indirect effects on the Bulgarian economy of the existence of the clientele companies – unfair competition, disheartening of entrepreneurship, brain-drain of the best and brightest young people, low corporate citizenship standards, etc.

The phase of the political cycle in Bulgaria and the nature of the government majority determine the time and amount of rent received and the number of rings of companies in operation. For instance, the 2003 local elections were accompanied by a substantial increase of the number of companies which believed that corruption in party financing was widely spread. That growth was likely to be partially generated by the real pressure exerted on businesses by newly emerged local political interests.

Chart 7. Spread of corruption in the financing of election campaigns

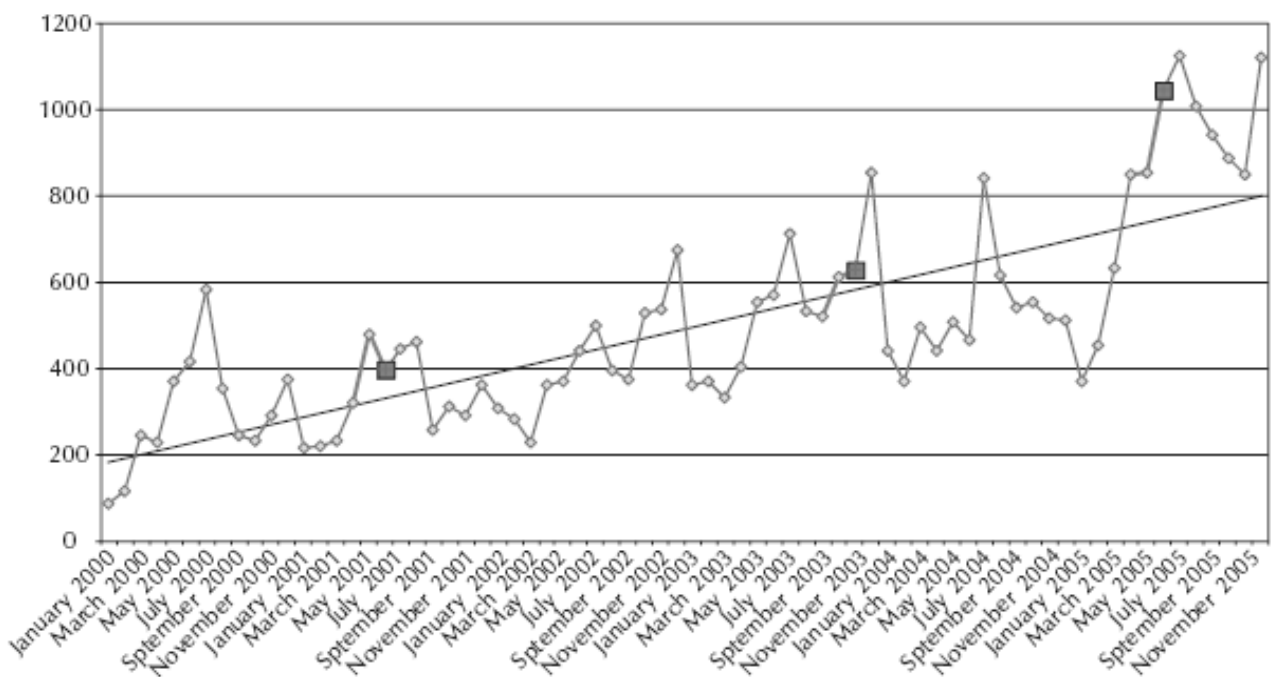


⁴ 164 mln and 190 mln respectively.

The linkage between the political cycle and the distribution of rents among the party rings of companies is confirmed also by the statistically significant correlation between the peaks in awarding public procurement contracts and elections in Bulgaria in 2001, 2003 and 2005. It was particularly pronounced in 2005 when the number of public procurement contracts signed by state institutions rose disproportionately high on a year-to-year basis without any specific underlying reasons. The ostentatious government discretion in the allocation of a part of the substantial

budget surplus accumulated in 2004 and 2005 without prior endorsement of the Bulgarian Parliament and in violation of the existing fiscal policy agreements with the International Monetary Fund creates a favorable environment for the nourishment of party rings of companies. Examples to this effect are the establishment of the state-owned Public Investment Projects company, the election raffles intended to boost voter participation, the non-transparent functioning of the Agricultural Fund and the Tobacco Fund, the national grain reserve, etc.

Chart 8. Dynamics of public procurement contracts and elections in Bulgaria



Source: Public Procurement Agency

Whereas the formation of rings of companies is seen primarily as a strategy of politicians, the second manifestation of political corruption - state capture - is a strategy of the business. Generally, it takes three forms:

First, lobbying for the adoption of laws and enforcement of specific regulations to the benefit of certain market players, in which neither lobbyists nor Members of Parliament disclose their interests;

Second, leaving deliberate loopholes in the legislation to benefit certain businesses whose lobbyists have taken part in the legislative drafting process; and

Third, "purchase" of selective application of certain laws to the detriment of competitors. The third type (although almost invariably complemented

with the first two types) is often characteristic of the strategies of organized crime and is particularly difficult to counter.

Examples of such practices can be found in many grey sectors of the Bulgarian economy like the import of and trade in excise goods (oil products, cigarettes, etc.), the trade in antiques, gambling, etc. They are also employed by organized crime to gain political protection for continuing its illicit operations. In this sense, the rings of companies create opportunities for legitimization of criminal business activities and for "cleansing" of the public image of persons associated with corruption and crime. These are some of the services, which politicians provide in return for the financing they get. In fact, criminal business can-

not thrive in Bulgaria without political protection and organizational and technical support coming from legitimate business structures and public administration officials. Thus racketeering groups, which sprung to life in the beginning of Bulgarian transition, have gradually merged or transformed into political and economic networks.

Both experts and politicians have repeatedly stated that duty-free shops at the land border crossing points of Bulgaria are an effective tax evasion instrument, which is a key component of the smuggling channels for oil products, cigarettes and alcohol worth hundreds of millions of *leva* annually. Nevertheless, practical measures for shutting them down have always been blocked by top politicians, Members of Parliament, and senior government officials. As part of the government package of measures to reduce hidden economy and corruption, the Council of Ministers approved an amendment to the Law on Excise Goods in July 2003 whereby 44 duty-free shops at the land borders of Bulgaria were scheduled for closure. However, after the Movement for Rights and Freedoms party blocked the amendments in the Bulgarian Parliament, the Minister of Finance was compelled to issue an order to renew the licenses of 14 companies.

Another widely spread practice in Bulgaria, which is closely related to political corruption and state capture is the "migrations" of senior administrative and political appointees (ministers, deputy ministers, chairs of independent regulatory committees, etc.) to businesses in the private sector directly or immediately after they have taken important decisions concerning the development of these companies. This prac-

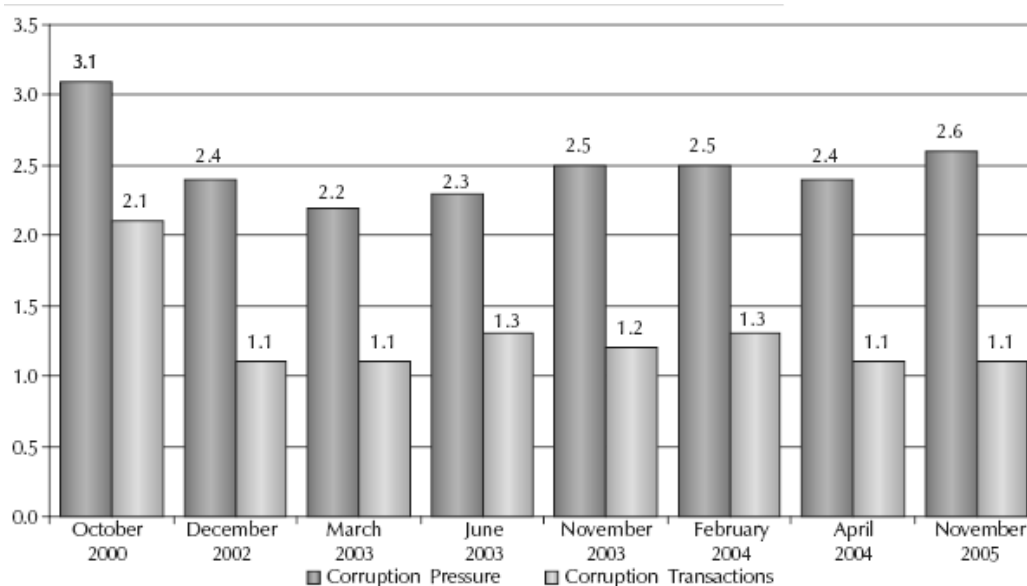
tice is most common in telecommunications, the energy and defense sectors in Bulgaria. In advanced democracies, such practices invariably attract the attention of the prosecution and the conflict of interests is strictly regulated in the legislation.

It is extremely difficult to counter political corruption because it requires active measures to be undertaken precisely by representatives of those political elites which benefit from it. EU membership and the related pressure for political and economic reforms make it easier to move against political corruption. Undoubtedly, the most important first step in this direction should be to unveil at least one "ring of companies" and to hold the politicians and senior government officials involved in its establishment and functioning criminally liable. This would be almost impossible at present because the methods used to redistribute resources and influence from the public to the private sector within the rings are legal.

Administrative Corruption in the Economy

Political corruption nourishes the development of administrative corruption in the economy, especially where their channels coincide, for instance, in public procurement and the administering of tax revenues. The spread of corruption in the economy continues to be a major problem of the business and investment environment in Bulgaria. As a whole, actual corruption and corruption pressure experienced by the business are twice higher than the one experienced by the public and they have been sustained for the last five years.

Chart 9. Dynamics of the indexes of corruption in the business sector (October 2000 – November 2005)⁵



Source: CMS, Vitosha Research

⁵ The 2005 corruption transactions index has been drawn up by preserving one of the aggregate data inputs from the survey conducted in April 2004.

There are some positive signs of a reduction of the share of businesses paying bribes in comparison to 2004. This is most tangible in the avoidance of customs duties and in the private sector and, more specifically, the access to financing. However, the growing share of bribes associated with the issuance (or renewal) of permits and licenses is alarming. A deeper analysis shows that these are predominantly

cases of companies in the construction sector and the overall process of obtaining (or being refused) permits pending the completion of construction works. In the public procurement sphere the level of corruption practices has remained flat but this has been accompanied by a negative trend of a concentration of bidding companies, i.e. only companies that enjoy certain level of political support bid for public tenders.

Table 4. Changes in the share of companies which paid bribes

Area	Change (2005 compared to 2004)
To obtain permits	▲
To avoid fines/penalties	▼
To reduce tax/customs duties	▼▼
To win public procurement contracts	≈
In the private sector	▼▼
In relations with the judiciary	▼
Total number of companies which have paid bribes	▼

Note: ▲ increase, ≈ - no change, ▼ average decline, ▼▼ more substantial decline than the average

Source: Vitosha Research

What brings all these types of corruption together is the unpunished violation of rules or the preferential treatment, i.e. the obtaining of illegal or undue benefit in the administrative services and the enforcement of the legislation by the public administration. The objective is to gain time or money or to avoid losses, while the reasons lie in the poor rules and excessive regulation, the corporate aspirations for profiteering, or the quality of competition.

Public Procurement and Corruption

As the process of harmonization of the Bulgarian legislation with the *acquis communautaire* is progressing, some substantial corruption channels of the past like smuggling and privatization have been discontinued while there is increasing corruption pressure and risks in other areas such as public procurement and concessions. The use of the latter for political pay-backs makes them highly vulnerable to administrative corruption, too. This is confirmed also by the latest report on the economies in transition of the European Bank for Reconstruction and Development which pointed out that corruption payments for awarding public procurement contracts were the only type of corruption in the business sphere in Bulgaria which worsened in 2005 in comparison to 2002⁶. In fact, Bulgaria is the only South-eastern European country which reports deterioration in comparison to the previous survey.

The public procurement market has grown substantially over the last five years both in terms of number of contracts and total value of contracts. Experts estimate public procurement contracts at 1.5

billion leva in 2003 (19.6 % of the consolidated state budget) and double that amount and number of contracts in 2005, at 3.3 billion leva (31.3 % of the consolidated state budget). Since 2003, the public procurement tenders are won by a decreasing number of companies. On the one hand, this is a natural consequence of market specialization of certain companies in working with the central and local administration. On the other, companies do not consider bidding for public procurement contracts if they do not have any form of political protection beforehand.

Thus, the share of companies paying bribes to win a public procurement contract decreased from 54 % in 2003 to 35 % in 2005. However, their level remained alarmingly high and even increased slightly in 2005. Corruption in public procurement might be defined as a quasi-market, on which the quasi-price (the kickback) goes to political entrepreneurs from the central and local government administration. Although real competition might exist on such markets and the contract might be awarded to the most efficient bidder, the losses to the budget and the illegal benefit remain. The quasi-price in administrative corruption in public procurement in Bulgaria accounted for an average of 7 % of the total value of the contract in 2005, i.e. some 55 million leva worth of public resources were siphoned to private benefit in 2005. This amount does not include the far more excessive losses of market efficiency and the potential risks of poor procurement performance (e.g. the quality of construction works and the risks in the case of an earthquake, the quality of infrastructure, etc.).

⁶ Transition Report 2005, Business in Transition, European Bank for Reconstruction and Development. The EBRD data are based on Business Environment and Enterprise Performance Surveys of 2002 and 2005.

Chart 10. Public procurement contracts and tenders

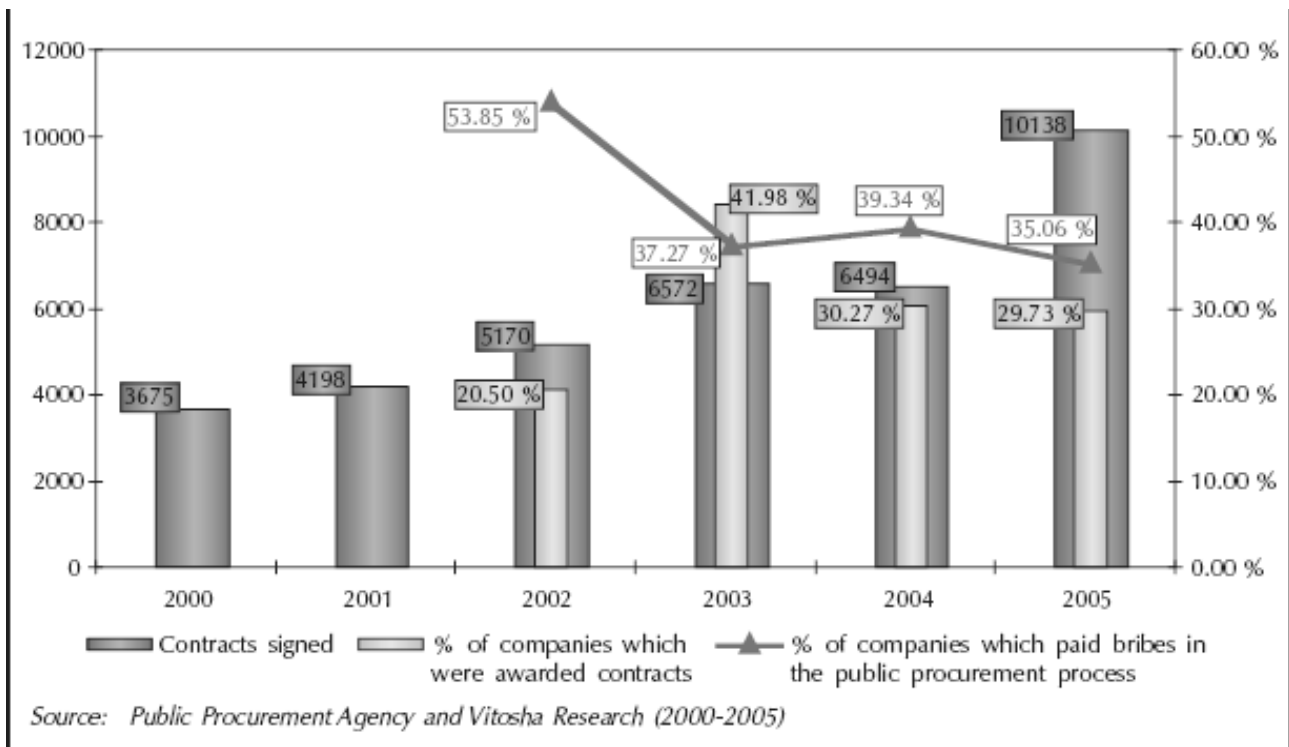
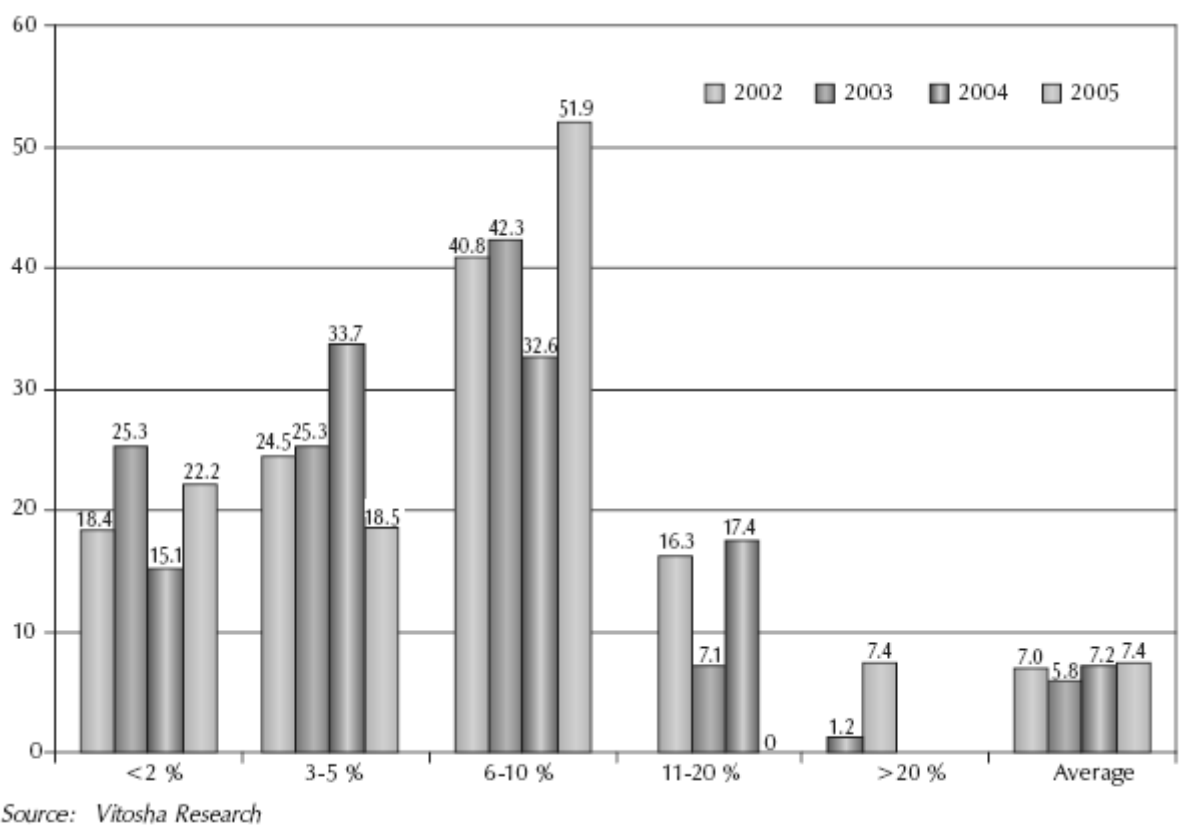


Chart 11. Portion of the tender worth paid for getting procurement contracts

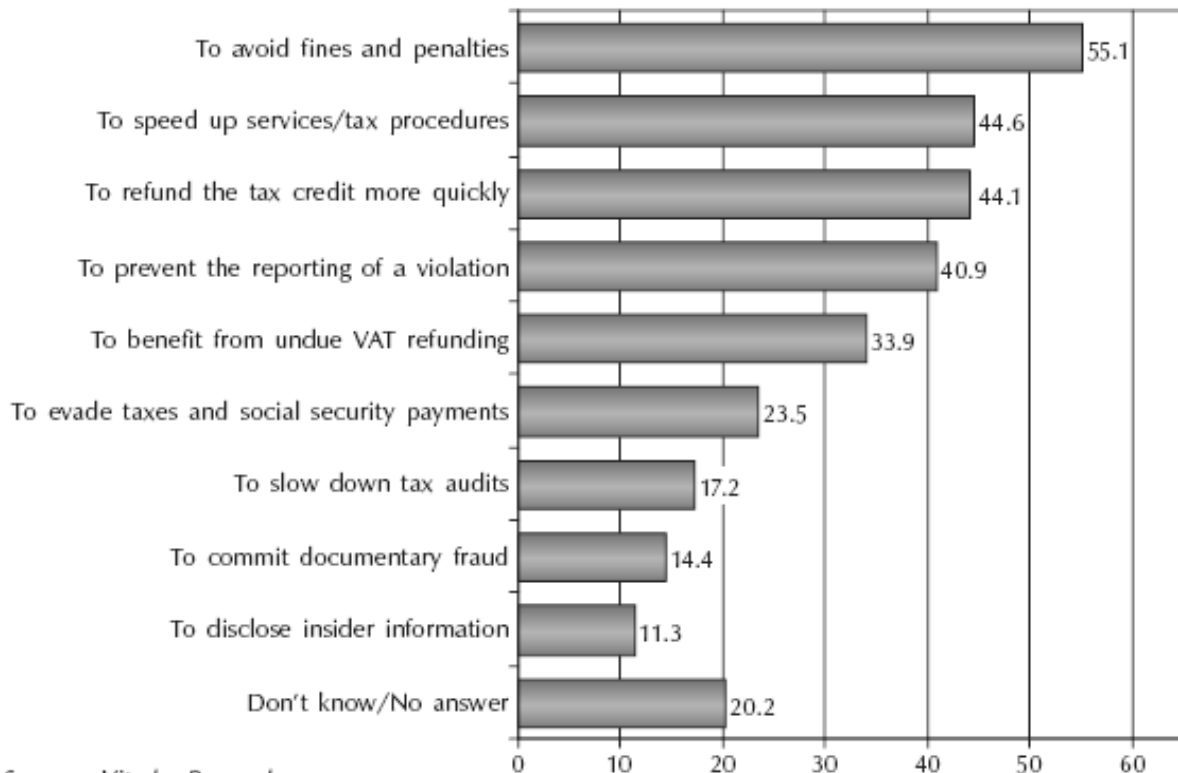


Corruption risks in the public procurement process in Bulgaria exist throughout its life cycle – from the stage of the call for tenders (e.g. artificial fragmentation of public procurement tender into several smaller bits to allow the application of less transparent procedures under the Law on Public Procurement (LPA)) through the preparation of the tender documentation (terms of reference, technical specifications, documents required, etc.) and the functioning of evaluation committees (e.g. appointment of preferred appraisers, information leaks, etc.) to actual contract changes in the implementation phase, re-negotiating elements, which were significant in winning the bid.

Tax and Administrative Services to Businesses and Corruption

More often than not, corruption related to administrative services and the enforcement of regulations is the result of administrative pressure. However, corrupt transactions based on the mutual benefit of the parties involved are also still common. In the latter cases, it is the competition, the budget or consumers that suffer rather than the specific company involved in bribery which usually gets in profits much more than it pays in bribes. Quite indicative in this respect are corruption practices in the revenue administration. The typical reasons for bribing tax officers are to avoid penalties and to evade taxes.

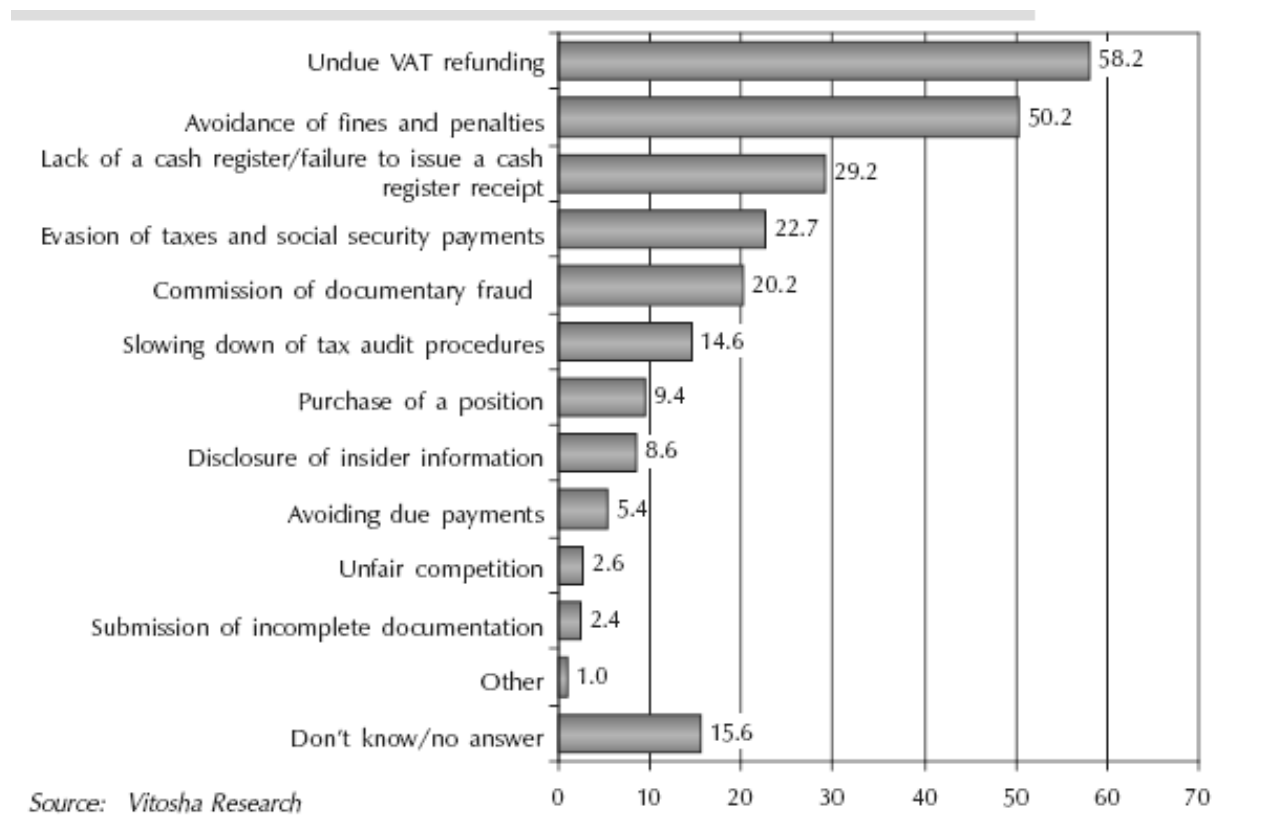
Chart 12. Reasons for corruption payments to the revenue administration (% of companies who gave the respective answer)



Source: Vitosha Research

The list of cases where tax fraud was made possible through a bribe includes mostly VAT fraud, avoidance of penalties, failure to register turnover, evasion of taxes and social security payments. Corruption is most widely spread in the Audit and Operational Control functional units of the revenue administration.

Chart 13. Tax violations and fraud for which typically bribes are paid (% of companies which gave that answer)



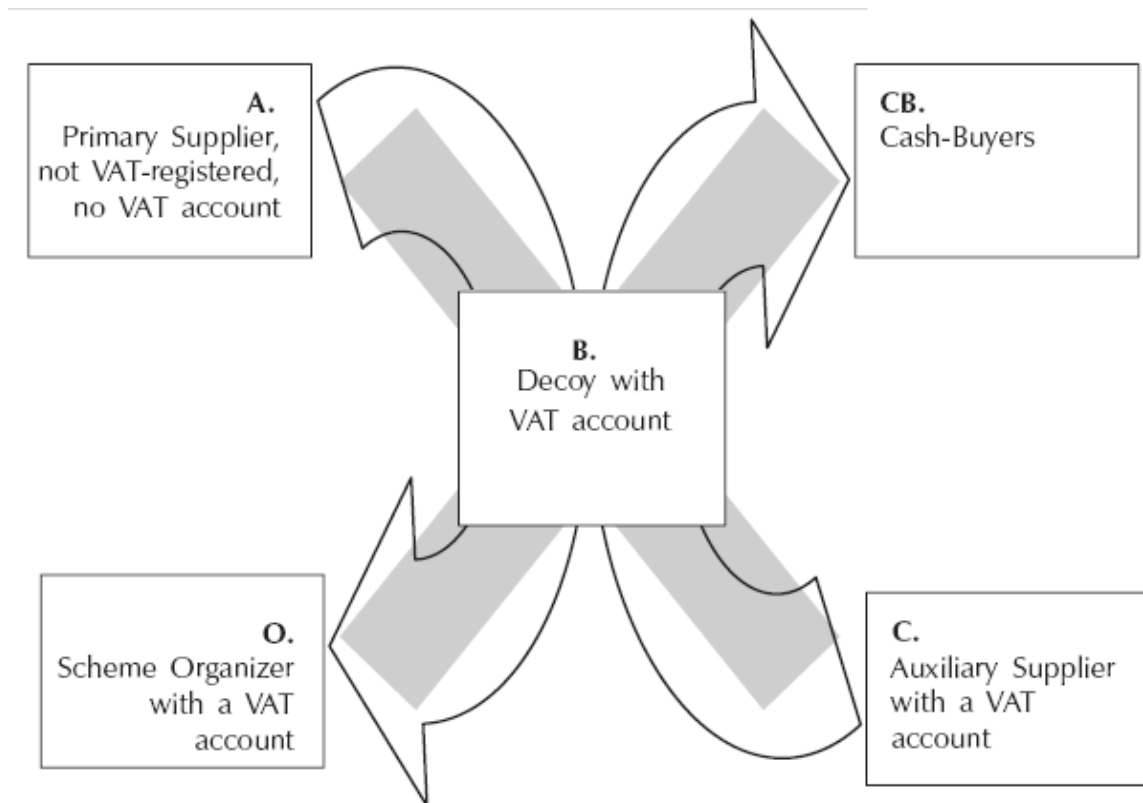
Bulgarian businesses not only suffer from unfair competition because of political corruption but also sustain considerable losses due to widespread corruption in administrative services and control in the business sphere. This is still a serious obstacle to market competition based on equality and clear and predictable business rules.

VAT fraud and related corruption will be some of the greatest challenges which the revenue administration in Bulgaria faces after EU accession.

The 'missing/insolvent trader' schemes⁷ and especially their cross-border version (carousel schemes) represent a serious problem in all European countries. The efforts to combat them are focused primarily on the optimal application of the joint liability principle and the close operational interaction between the tax administrations of the Member States in order to trace out the flows of goods and cash in the absence of customs checks within the European Union.

⁷ In its various modifications, this type of fraud relies on a chain of fictitious transactions which concentrate a large portion of the VAT liability in a phantom undertaking, thus making it uncollectible.

Chart 14. X-shaped VAT account fraud scheme in Bulgaria



Source: Center for the Study of Democracy

Bulgarian tax practice is characterized by an attempt to reduce VAT fraud through a specific solution introduced as an alternative to the joint liability principle - the VAT account. The VAT account, however, could not provide reliable protection against VAT fraud because it may be siphoned out rather easily without any credible threat of penalties. Thus, the VAT account arrangement increased the costs of compliant businesses, failing to restrict substantially the opportunities for VAT fraud from undue tax credit. For all practical purposes, it rather relieves fraudsters from the burden of the joint liability principle. Therefore the experience with the VAT account should be reviewed critically. If the cost and benefit analysis confirms that it generates more costs for compliant businesses than barriers to VAT fraud, this practice should be abandoned. Instead, more fair versions of the joint liability principle should be sought. More specifically, the opportunities to restrict VAT fraud could be identified along three main lines:

Restriction of the opportunities for registration or transfer of companies to fictitious or phantom owners;

Restriction of the opportunities for increased refundable tax credit through registration of transactions at prices deviating from market levels;

Restriction of the opportunities for the person receiving the tax credit to avoid liability.

Equally important is the introduction of criminal liability for VAT fraud. At present, the Bulgarian Criminal Code does not treat VAT schemes as a special type of tax or financial offence. In terms of its mechanisms and scale, it comes closer to the forms of organized crime rather than to conventional tax evasion. The pumping out of VAT, especially in big amounts, needs the involvement of organized criminal groups with the participation of senior tax officials. The small number of effectively convicted persons compared to the size of VAT fraud is indicative that these schemes often use political protection.

Conclusions

The analysis of anti-corruption efforts in Bulgaria in 2005 and 2006 leads to some conclusions about anti-corruption policies seen in the context the country's EU integration:

1. The potential of the "soft" measures against corruption is being exhausted (awareness campaigns, training public sector employees, codes of ethics, etc). These are appropriate and indispensable

for success in the early stages of an anti-corruption drive. Currently, there is a need for more effective and consistent political and institutional mechanisms to curb corruption. These should be complemented by a national system for monitoring and assessment covering not only the legislative and institutional measures adopted, but also the results achieved.

2. Reforms have thus far affected mostly administrative graft but not large-scale, political corruption. A particular challenge to anti-corruption policy in Bulgaria is posed by the institutionalization of political-cum-business networks which came to be popularly known as “friendly circles” or “loops of companies”. Their public flaunting by leaders of governing political parties further erode the already low public confidence in democratic institutions. The “circles” monopolize important markets in the Bulgarian economy and the opportunities arising from the country’s accession to the EU. With the advancement of the accession process, political corruption gradually shifts from privatization and illegal trafficking to the spheres of concessions, public procurement, and the use of EU funds. The economic cost of political corruption, i.e. misused public funds, is far greater than in the early stages of the transition although its relative proportion in the economy has been declining. Yet, the political and institutional checks against this type of corruption remain inadequate. Further, the institutionalization of political corruption makes it easier for criminal interests to capture state institutions thus allowing organized crime to enter the legal economy of Bulgaria and the EU with impunity.

3. An alarming trend over the past year has been the effort by government institutions to mask reluctance and incapability for coherent action against political corruption behind “high-visibility” operations. Such an approach risks, however, damaging the reputation of innocent people and organizations at the expense of continuing impunity of corruption. It does not allow the consistent and proper use of the enforcement and preventive potential of penal policy. The election of the new prosecutor general provides an opportunity for urgently needed reform in one of the weakest links in the enforcement of criminal justice – the prosecution. Reinforcing accountability, impartiality, and professionalism, as well as the will and resolve of prosecutors are indispensable for a breakthrough in the fight against corruption and crime. These developments would open up the way for further reforms in the remaining bodies of the judiciary and law-enforcement agencies and in the longer term, for greater transparency of the political process in general.

4. Bulgaria’s accession to the European Union will unquestionably step up the process of curbing corruption, the grey economy, and organized crime in the country, but it cannot be expected to automatically do away with the internal factors that bring them about. At the same time, membership in the fairly complex political and institutional structures

and procedures of the EU will bring the country up against new challenges.

5. The internal risks have already been identified by Bulgarian society and by European partners: political corruption and organized crime, and the impunity from criminal prosecution of the members of the corrupt political-cum-business networks. The influence of some external factors should, however, not be ignored as they are of key importance if the country is to make the most of the benefits associated with EU membership. Some of these factors include:

on-going reforms of the institutional dynamics of the EU and in particular, overcoming the constitutional crisis;

the absence of a comprehensive European anti-corruption policy;

the lack of tradition of collaboration of the European Commission with civil society in the member countries on developing and monitoring the policies aimed at improving democratic governance, enhancing transparency, and reducing corruption.

6. The European Union still does not have a comprehensive anti-corruption policy. Moreover, in its ambition to curb corruption the European Commission has adopted complicated bureaucratic procedures whose negative effect is commensurate with that of corruption. Priority is often given to “input” indicators (regulations, procedures, etc) rather than “output” indicators (actual impact), as done by a number of international financial institutions. An important element of the formulation and development of a co

sistent anti-corruption policy within United Europe, as well as domestically, is the active involvement of civil society and business, which have an equal stake in the adoption of clear-cut and transparent rules in the process of forging the new European identity of the countries in transition. These sectors need to play a stronger role in the implementation of modern standards of transparency and visibility, which include effective civic control over the public sector, and specifically, over the government agencies in charge of European funds’ distribution. The near future will show to what extent the European Union has the vision and political will to genuinely involve civil society in addressing these anti-corruption tasks.

Democratization in Eastern Europe: A viable model for the Middle East?

Gül M. Kurtoglu-Eskişar*

Abstract:

Almost a decade before the end of the 20th century, most parts of Eastern Europe were still under the communist rule and, with a few exceptions, the Middle East was checker squared with varying degrees of authoritarianism. Almost a decade into the 21st century and many East European countries are now regarded as democracies. The Middle East, however, continues to be dominated by authoritarian regimes. This study outlines some of the factors that can help to explain this contrasting outcome in a comparative framework.

Keywords:

Democratization, Eastern Europe, Middle East, MENA, islamization, terrorism

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Introduction

Following the end of the Cold War and the rapid democratization of Eastern Europe, expectations that the Middle East and North Africa (MENA) would soon follow suit ran high.¹ Due to the lack of any significant changes that could be interpreted as a sign towards democratization in that region, however, such expectations were gradually replaced with increasing pessimism. Numerous factors that emphasize the socio-cultural, economic and political characteristics of the region have since been offered to explain the persisting authoritarianism throughout the MENA. Meanwhile, however, any possible impact of the nearby East European transformation—or its absence—over the same region remains unexplored, and constitutes the starting point of this study.

The significance of this issue is self-evident, given the fact that almost a decade before the end of the 20th century, most parts of Eastern Europe were still under the communist rule and, with a few exceptions, the Middle East was checker squared with varying degrees of authoritarianism. Almost a decade into the 21st century and East European countries are now considered as democracies.² The Middle East, however, continues to be dominated by authoritarian regimes. What are some of the outstanding characteristics of the democratic transformation in Eastern Europe? What are some of the conditions that help prolong the lifespan of the current authoritarian regimes in the Middle East? In art, putting contrasting colours together intensifies their effect. Similarly, going over some of the basic points addressed by these questions in this comparative exercise can help to understand any problems identified with them better. It also constitutes the main goal of this simple study. While it does not offer an overarching theory that explains the success of the one and the failure of the other, overviewsome of the factors that have marked the political developments in both regions can provoke some ideas toward constructing such a theory in later stages. On a wider theoretical scale, if pursued further, a comparative overview of these two contrasting outcomes can contribute to the general theories on democratization. From a non-scholar view, it can also form a step in developing policies and measures that can promote international peace and security.

Although studies on the political reincarnation of Eastern Europe or the dearth of change in the MENA are plenty, they have not been conversant with one another. In a few studies that exist, this lacuna is attributed to two factors. One of them is the lack of any dramatic or immediate effects of the East

European experience on the MENA. According to Moore (1994), the relative lack of communication between two regions during the Cold War and certain key differences in the state and administrative structures, have engendered “the model of democratic transformation presented by Eastern Europe . . . generally useless as a strategy to those aspiring for such a transformation in the Arab World.”

The second reason, meanwhile, stems from mundane academic realities. Valerie Bunce (2000: 721) aptly describes it regarding regional studies as: most comparativists have spent their academic lives working on one area. Given the invested amount of intellectual capital, shifting to another area is very costly. Moreover, regional studies tend to develop their own concepts and their own research agendas. Both considerations carry one implication: Regional differences can arise, not because of empirical validity but because few studies cross regional divides and the divides themselves may very well manufacture interregional contrasts. This is a real version of an old problem, that is, case selection determining the conclusions drawn.

Nevertheless, at least two counter-points can be made to justify the necessity of a general comparison between these two regions. One of them is historic. At least some parts of current Eastern Europe, to some degree, share some history with the MENA, due to the Ottoman Empire. As Kreutz (1999) underlines, the southern tier of the former Soviet bloc countries such as Bulgaria, Romania, Moldavia and even parts of Hungary and Ukraine had for centuries been part of the Ottoman Empire, just as the Arab World had been. The historical Ottoman, and at least the partly Muslim background of countries such as Yugoslavia and Albania which were not Soviet allies but still socialist and anti-Western, was even stronger. Far from being a distant memory, the effects of the Ottoman rule on the contemporary political settings of various parts of Eastern Europe are still debated (Mungiu Pippidi 2006).

Second, on an ideological level, the collapse of communism and the fall of socialist ideas from grace worldwide has closely affected those Arab regimes, such as Syria, Iraq, Egypt, Libya, Tunisia, Algeria and South Yemen, which based their ideological *raison d'être* at least to some extent on a form of statist, socialist and/or nationalist ideologies at some point since their independence (Albrecht and Schlumberger, 2004: 377). Above all, the ongoing transformation of Eastern Europe since 1990s has alerted the existing political regimes in the MENA to

¹ "Eastern Europe" in this study is a general reference to the region consisting of Bulgaria, the former Czechoslovakia, the German Democratic Republic, Hungary, Poland and Romania, which are now also a part of the European Union.

² Democracy is a loaded term with a variety of definitions. Here, it simply refers to the general ability of all political groups to run in the pluralist elections that fulfil the following three criteria pointed out by Przeworski et al (2000: 16) as 1) the ability for incumbents to lose their offices, 2) if defeated, incumbents vacating their offices in favour of the winner promptly following the elections and 3) the validity and application of the first two rules under all conditions.

"[t]he apparent failure of viable alternatives to democracy around the world," as well as the globally emerging idea of spreading democracy as a desirable goal (Moore 1994). These challenges have further given the numerous authoritarian regimes in that region an incentive to seek new ways of prolonging their existence.

Nonetheless, making generalizations across regions does carry certain risks. Despite sharing a common communist past, Rose (2002: 39) warns that "[t]o lump all post-Communist states together is no more sensible than putting the United States, Canada, Brazil and Chile together because they are all in the Western Hemisphere." Referring to the post-Communist world, Kitschelt (2003: 49-50) also points out that "[m]easured in terms of the civic and political rights indexes developed by Freedom House, there is no region or set of countries on earth with a currently larger diversity of political regimes." Similar arguments can also be extended to the Middle East; which both harbors countries like Turkey, which is currently an EU candidate and a democracy, and Saudi Arabia, where whether to allow women to drive or not is still debated.

Differences notwithstanding, this study is based on the assumption that sufficient similarities exist to compare these two regions. This assumption is also supported by other observers, who refer to the "striking subregional similarities" while discussing the political evolution of postcommunist countries (Ekiert 2003: 91). It is consequently propelled by another simple observation that, despite all differences between the region's countries Eastern Europe has achieved something in common: democratization. And the Middle East has not. Any lessons that can be drawn from the successes of the former and the failures of the latter are pertinent to scholars and policy-makers alike. And exceptions, as always, do not break the rules.

Eastern Europe

When communist regimes began collapsing one after another in 1989, the world was prepared to see a politically uniform region with countries suffering from identical weaknesses and dysfunctions that would take cookie cutter steps toward their existing political and economic problems. The world was badly mistaken. The emerging collage from the ruins comprised

a highly diverse set of more than twenty-five sovereign polities with features that range from those of full-fledged competitive democracies with well-protected civic and political rights all the way to authoritarian, personalist, if not despotic, rule. Measured in terms of the civic and political rights indexes developed by Freedom House, there is no region or set of countries on earth with a currently larger diversity of political regimes (Kitschelt 2003: 49-50).

Nevertheless, within this wide diversity, East European countries have emerged with a number of characteristics that have marked their transition to democracy, which also set them aside from the previous reformers in Southern Europe and Latin America. To start with, as earlier mentioned, there is the rich political diversity of the region despite its communist past, which emerged shortly after 1989, and later also affected the progress and outcome of each country in the region. Ekiert (2003: 90) points out that the 'pacted' transitions that took place in Poland and Hungary, the displacement of the communist regime through 'popular upsurge' that occurred in Czechoslovakia and East Germany, or the transformation from above that took place in Bulgaria produced different transitional institutions and patterns of political conflicts. These distinctive modes of power transfer were in part engendered by specific conditions in each country and interacted with both domestic communist legacies and broader regional developments . . . [Consequently] In many countries former communists were able to retain political power; in others newly organized noncommunist oppositions emerged victorious.

Attempting to break clean with the past to an extent unseen by the earlier democratic transitions in Latin America and Southern Europe constitutes another significant characteristic of the East European transition. Bunce (2000: 717-18) argues that—unlike the earlier experiences in Southern Europe, such as Spain—this rejection has speeded up the democratic consolidation process in Eastern Europe, particularly in Poland, Hungary, the Czech Republic, Slovenia, and the Baltic states. In cases where "bridging"—that is, using various devices, including pacts, to tie the old regime with the new one—took place, however, "the consequence was at best many detours on the road to democracy and at worst either dedemocratization or the continuation of authoritarian rule" (ibid). According to Bunce (2008:32), breaking clean with the past in Eastern Europe (Bulgaria excepted) has provided "the political capital needed to move rapidly on the democratic and economic reform fronts. It is only through such electoral breaks with the past that we see both significant and sustained market reforms."

The third distinguishing factor of the East European democratic transition is its speed. As Linz and Stepan (1996: 235) note, many East European countries, "began their transitions almost *before* any significant domestic changes had occurred" in the region. Furthermore, [t]his postcommunist diversity came about in the short window about three years (1990-93). Since that time, new regime structures have been more or less 'locked in' in almost all polities. Countries that by 1994 were more democratic have stayed that way. Countries that were authoritarian have not reversed course and become democratic . . . In a similar vein, postcommunist countries that were leaders in economic market reform in 1992-93

are still in that position by the end of the millenium” (Kitschelt, 2003: 49-50).

Even a great number of those cases that initially fell in between these two categories have become easier to identify as clearly belonging to the one or the other in recent years (Bunce 2008: 26). In the case of the countries undertaking political and economic changes, a leading reason of this haste was related to the fear of failing to “take advantage of the political honeymoon,” which, subsequently, could jeopardize the path to democratization (Bunce 2000: 718).

The fourth outstanding feature of the East European democratization process is its dual nature. Unlike the former transitions in Latin America and Southern Europe, these countries pursued the projects of democratization and transition into market economies simultaneously (Linz and Stepan, 1996: 244; Smith, 2001: 34). This was a risky enterprise, since the exact interaction of political and economic reforms on one another is still not fully understood. Meanwhile, in the case of economic reforms, rising unemployment only constitutes one of the unwanted side effects (Smith 2001: 34; Pravda 2001: 2-3). In some cases, economic reforms also produced ironic results. On the one hand, countries that tried different forms of economic reforms (e.g. Poland and Hungary) ended up exposing themselves to Western finances, and their political influences, which later contributed to their democratization process. On the other hand, they also ended up as one of the most indebted countries in the world, which negatively affected their democratization experience. Contrarily, countries like the former Czechoslovakia where such economic experiments did not occur, such external influences were far less. Yet the lack of foreign debts also eased their path to democracy in the long run (Linz and Stepan 1996: 295-96).

Finally, the impact of external factors has been frequently brought up as the most outstanding characteristic of the East European transition (Linz and Stepan 1996: 235-6; Kopecký and Mudde 2000: 531-32). The starting point is given as the dissolution of the USSR followed by the Eastern Bloc. However, it was quickly supplanted by a variety of actors commonly referred as the “West” in the literature. Putting their differences aside, “[t]o a striking extent, Western states have worked collectively through multilateral European organizations to support democratic consolidation in Eastern Europe” (Smith 2001: 32). This “Western project” involved a wide range of actors, including “governments, multilateral organizations, non-governmental organizations (NGOs), and foundations” (Smith, 2001: 31).

Yet, among these actors, the EU particularly stands out. While the general role of the EU in democracy promotion beyond its boundaries remains

debated³, scholars unite over its overall positive impact over the East European transformation. Among other things, they argue that the tangible benefits that the EU offered through membership have proved a potent propeller for many Eastern European to undertake the necessary reforms. Mungiu-Pippidi (2004: 15) points out that it certainly encouraged these countries to engage in what has since been called a ‘regatta’— a race to be the first country to join the EU. In the early 1990s, not only did the race precipitate the reforms that were indispensable for the transformation of these countries, but since it enjoyed large popular support it also enticed post-communist parties (the strongest in the region) into becoming genuinely pro-EU parties. Kopecký and Mudde (2000: 532) go further ahead and argue that a lot of the reforms undertaken by the East European states were done to ensure the EU membership, rather than a genuine interest to transform the political scene. Finally, the significance of positive EU gestures toward East European countries also stand out when compared with the ongoing candidacy of a country like Turkey, whose ‘European’ identity remains debated (Onis 2004: 4; Kurto?lu Eski?ar 2007).

Nevertheless, a significant proportion of the EU contribution to the ongoing democratization process in that region has been subtle, or indirect. For instance, Vachudova (2006: 2) points out that the EU factor helped to strengthen the hand of liberal forces against illiberal ones: not in a duel where good vanquishes evil, but in an iterated electoral game where sooner or later most political actors—especially political parties—saw the benefits of moving their own agenda toward compatibility with the state’s bid for EU membership.

In retrospect, scholars generally agree that these effects were intensified by some domestic factors. The willingness of the East European political elites to quickly embrace the values and norms promoted by the EU is one of them. Alex Pravda (2001: 3-4) explains it by their “proximity to core, in essence West European, values and traditions. Historical affinity with Europe . . . continues to resonate.” Mungiu-Pippidi (2004: 15) makes a similar remark, while pointing out to the impact of what she calls as “the ‘return to Europe’ myth, as shaped by intellectuals such as Milan Kundera, turned into a powerful anti-communist device . . . [which] was all the more powerful as it seemed to be about identity and not a counter-ideology.”⁴

The role of the EU has not gone unchallenged, however, and numerous arguments on the less than benign, idealistic or altruistic motives behind the zealous support for the democratic reforms in Eastern Europe also exist. Smith (2001: 32), for

³ The impact of external factors, particularly the role of the EU on democratization for various countries is already discussed elsewhere (Pridham 1995: 166-203; Müftüler-Baç 2000; Ayd?n and Keyman 2004: 11; Phillips 2004, Kurto?lu Eski?ar 2007).

⁴ See also Kaldor and Vejvoda (1997:60).

instance, argues that “[p]romoting democracy is not the only Western aim, nor is it even the primary one. Western actors have paid considerably more attention to aiding the economic transformation, and in certain countries, to maintaining stability.” Similarly, the tendency to gloss over the shortcomings of the newly established reforms and their possible long term effects on the quality of democracy exercised in the region have also received criticism (Mungiu-Pippidi 2004; Bunce 2000: 713-14).

Ironically, the positive signals the EU has sent to the political elites and the enthusiastic response of the latter, the impact of the EU may be so subtle as to be missed by the East European public altogether. Urbán (2003: 46), for instance, states that unlike their national governments, key opinion formers outside the capital cities were largely unaware of the immense financial gains that most regions in the accession countries will receive from EU regional support. Despite the fact that some of the regions covered had already received substantial EU aid, most local opinion-makers identified the economic and security dimensions of the Union as being important and ranked the structural funds and subsidiarity relatively low when asked what the EU meant to them.

Middle East and North Africa

Since mid-1970⁵, the “third wave of democratization” (a term coined by Samuel P. Huntington) has swept the world. It began with the transitions in various European countries, such as Portugal, Spain, and Greece, and then spread into Latin America, some parts of Asia, and from 1990s onward to former communist countries, including Eastern Europe. As the 20th century drew to an end, however, the “resistance” of the authoritarian regimes in the Muslim world, but particularly the MENA region to join this ‘wave’ started attracting increasing attention.⁵ Indeed, regardless of country-specific variations, as a subset “[a]ll Arab regimes are nondemocratic; no peaceful transfer of power has taken place in any Arab country for decades (except intergenerational such as in Jordan, Syria, Morocco, or Bahrain)” (Schlumberger 2006: 34). Many variables have consequently been brought up in the literature to explain the “Middle Eastern exceptionalism.”

While political scientists and regional experts were busy trying to understand the lack of widespread political protests similar to those experienced in Eastern Europe and elsewhere, the world was abruptly shaken by a string of terrorist events perpetrated by radical Islamists taking place in the heart of numerous western cities, ranging from New York to

Madrid. Many of the terrorists carried a Middle Eastern passport. What hitherto had been a more-or-less scholarly conundrum with regional consequences thus quickly became a Western concern. The rapid pace of democratization in many parts of the world, but especially in Eastern Europe had already alerted the scholars that something was going wrong in the Middle East. The terrorist attacks starting with September 11 have convinced many policymakers and scholars in the West, led by the USA, that spreading democracy is the most effective way of eradicating the rising security threat believed to emanate from the MENA. The EU has similarly stepped up its efforts in promoting stronger political and economic ties with the region through its strategically developed the European Neighbourhood Policy. In the meantime, catching up with the recent developments in the region, scholars have started to become more interested in reversing the earlier question of why democratization has not occurred to why authoritarianism has proved so persistent in the MENA. As a consequence, several new arguments, including the following, have been developed to explain the phenomenon.

Earlier studies had sought the roots of authoritarianism in the Middle East in its culture. According to this debate, Islam and/or the Middle Eastern culture—Arab culture in particular—is inherently averse to nurturing democratic values and institutions.⁶ Based on simple yet powerful assumptions (e.g. Islam’s inherent incompatibility with democratic institutions), such primordial explanations persist in popular imagination and nonacademic circles. Nevertheless, their validity has never been definitively proven in academic studies.⁷

This is not to reject the significance of cultural factors altogether, however. New research indicates that, unlike the political elites in Eastern Europe, moderate⁸ political Islamist movements in the MENA, which remain the most resilient strain of political opposition against the existing authoritarian regimes in that region, for instance, often explicitly express their misgivings about democracy as a style of political regime, especially as practiced in the west. The general Islamist tendency is to treat European democracies as a cultural artifact produced by the European civilization instead of a set of political institutions based on shared universal values and norms (Kurto?lu Eski?ar 2008). This view may be related to the emergence of political Islam as a counterparadigm . . . that offers an ideologically rich and inspiring alternative to the liberal democratic vision (in contrast to the experience of Eastern Europe after the fall of communism). Although Islamist

⁵ See Karatnycky 1999: 121.

⁶ The literature on the subject is too vast to discuss in detail here. Some of the prominent works include Huntington 1996; Ben-Dor 1996; Lewis 1993: 89-90; Kedourie 1994: 5-6.

⁷ See, for instance, Midlarsky 1998; Tessler 2002; Fox 2001; Fish 2002.

⁸ Moderate in the sense that they advocate peaceful means to reach their ultimate goal, i.e., building an Islamic state, as opposed to their radical counterparts, who advocate immediate and violent action to achieve the same result.

ideologies need not be posed as an alternative to liberal democratic world views, they often are developed in this way for reasons of political expedience (Bellin 2005:35).

Meanwhile, on a wider scale, for Islamists and nonreligious groups alike, unlike in Eastern Europe, political liberalization is often associated with the Western colonialism, which further diminishes the general willingness to mobilize for democratization in the region (ibid). More specifically, in countries like Egypt, "democracy is indeed associated with the colonizing West and its attempts to dehumanize Muslims, to take away their identity and authenticity" (Korany 2006: 88). The mistrust in the Western motives is exacerbated by the conflicting signals coming from the West itself, which bolster the hand of the existing authoritarian regimes in the Middle East (Smith 2001; Shahin 2005; Youngs 2005; Albrecht and Schlumberger 2004: 384).

While discussing the economic factors behind the persistence of authoritarianism in the MENA region, scholars also often underline the rentier structure of many Middle Eastern states, used as a device to sustain the existing authoritarian regimes for decades. Giacomo Luciani (1994: 131) defines a rentier state as one "whose government most or a substantial part of its revenue from rents accruing from the outside world." As such, they differ from the "production states" where the chief government revenue is accrued through taxation (ibid). Since the argument assumes that with taxation comes the demand for representation, its absence enables the ruling regimes to continue their authoritarian policies. Although the classic definition of rentier regimes is based on those states deriving their wealth from the export of hydrocarbon revenues, other types of rent incomes, especially in the form of foreign aid and borrowing also exist (Anderson 1987: 10). Rentier states are assumed as able to resist the pressures for democratization as long as the conditions that nurture the rent-based structure (i.e. hydrocarbon revenues or other rents and their distribution pattern) remain intact.

Nevertheless, the classic rentier system as a variable seems unable to explain the persistence of authoritarianism on its own. Data from 1950s to the mid-1980s indicate that in at least several Middle Eastern countries, where democratization or democratic consolidation remains a problem, taxation rates were quite above the expected levels (Henry 1996: 4-5; Heydemann 1993). Furthermore, while the oil crises that shook the rest of the world helped to consolidate the authoritarian regimes in the Middle East during 1970s, the conditions were reversed with the collapse of state-led economies and the rising unemployment fueled by the increasing birthrates throughout the region since 1980s (Albrecht and

Schlumberger 2004: 382-83). Bread riots began surfacing in countries like Algeria and Egypt. The conditions were getting ideal for a political transition. Contrary to Eastern Europe, however, the expected regime shifts never occurred. In fact, to this date "popular mobilization on behalf of political reform remains weak. Nowhere in the region do you see mammoth cross-class coalitions mobilizing on the streets to push for reform" (Bellin 2005: 35).⁹

Even so, the Islamist terrorist attacks worldwide have increased the Western inclination to support the spread of democracy in the MENA. Similarly, the mounting political opposition posed by the nonviolent and widely popular Islamist groups at home has increased the pressure on the existing authoritarian regimes to find alternate ways to maintain their grip over the political scene. Reinventing the classic 'rent' structure to disperse the current pressures on the authoritarian regimes has been a result of their quest. New research on the changing rentier structures outlines this process well. Gandhi and Przeworski (2006:13), for instance, argue that in our model 'rentier states,' which need little or no cooperation to generate rents, make substantial policy concessions whenever the power of the dictator is threatened. This conclusion goes against the vast rentier state literature, which typically claims that dictators in resource-rich countries counter political threats only by distributing rents.

Meanwhile Pripstein Posusney (2005:7) underlines that while decreasing rentier resources can eventually lead to some form of political pluralization, it may or may not lead to democratization in the long run. Indeed, a rising number of new studies refer to the ability for the existing authoritarian regimes in the Middle East "to make use of inconsistent Western interests in their struggle for regime maintenance [and] . . . successfully turned constraints into opportunities" (Albrecht and Schlumberger 2004: 384).

Thus, the Arab governments in particular have generally responded to the increasing Western pressures for democratization in recent years in three ways. One of them has been to use the democratization discourse to channel funds—a la rents—to promote or prolong their regime. Ironically, after September 11 attacks, the authoritarian regimes in the Middle East have discovered a new income—or rent—in the form of the rising Western interest and consequent aid in democratizing the Middle East (Menéndez and Youngs 2006; Shahin 2005). In fact, as Albrecht and Schlumberger (2004: 376) brilliantly summarize Arab incumbents quickly learned the lesson of what was expected internationally and adopted the 'democracy language'; talking the 'donor talk' became a prerequisite for political rent-seeking. 'Democracy-money' that results from the successful adoption of this language is extremely attractive to Arab regimes because it consists almost exclusively of

⁹ Such observations have even been made for Turkey; one of the few existing democracies in the region (Yalcin Mousseau 2006: 304).

nonrefundable grants and does not increase the state's financial burden as much as economic development assistance, where the share of loans is higher.

In cases where they have been unable to control the grants directly, the same regimes have attempted to infiltrate the existing non-governmental organizations and/or form their parallel 'grassroots' organizations. This is considered an extreme attempt to suffocate any kind of dissent among the public, claimed to even surpass the undemocratic methods employed by authoritarian governments elsewhere, including the former East European regimes (Albrecht and Schlumberger 2004: 383-386). Consequently, unlike in Eastern Europe, where the NGOs generally become mouthpieces of their societies' demand for change and democratization, those that exist in the Middle East have been moving in the exact opposite direction. Compared with the East European countries, the whole situation constitutes an irony, since "[c]ivil society in many countries was rightly considered the celebrity of democratic resistance and transition" (Linz and Stepan 1996: 9).¹⁰

Referring to the grassroots organizations established and maintained without any foreign support in the region, some observers offer a contradictory view, and argue that in countries like Egypt, "[t]he expansion of civil society . . . is best understood as a reflection and cause of local states' declining effectiveness and legitimacy. Civil society has served . . . as the base from which Islamist revolutionaries have launched an impressive challenge to the status quo" (Berman 2003:13). Pointing out to the vibrant civil society that existed during the Weimar Republic and its inability to prevent the later catastrophe, Bunce (2008:29) similarly warns against the "cliché to argue that the best investment in democracy is the expansion of civil society" and adds that in the Weimar case, "a large civil society could not compensate for . . . the anti-democratic agenda of many of these associations and the striking failure of civil society networks to bring diverse groups in German society in contact and collaboration with one another." Even if most grassroots organizations in the MENA region are indeed infiltrated and operated by the political opponents, the latter is mostly represented by political Islamists, whose attitude toward democracy and democratic institutions as understood by the west remain mixed, at best.

The second response of the Middle Eastern governments has revolved around creating new sources of rent in the form of foreign aid propelled by the existing fears on Islamist terrorism since September 11 attacks to exacerbate the existing suspicion between the West and their opponents. Internally, it has given them a new excuse for repressing political opposition. For instance, Shahin (2005:

126) argues that The Egyptian government has been exploiting this state of indecisiveness to pit domestic and external actors against each other. It has intimidated the pro-reform movements and the independent, nongovernmental organisations by raising issues of national sovereignty, violation of the country's independence and even treason.

Meanwhile, in Jordan the new measures enable the state to prosecute any movement that violates the "integrity of the state." The latter term is conveniently left without an explicit definition to fit into the needs of the existing regime (Bank and Schlumberger 2004: 53). The fact that many of the organized opposition movements throughout the Middle East also display varying shades of Islamism and anti-systemic characteristics has also played into the hands of the authoritarian governments.

Finally, there is the attempt of the authoritarian regimes to divert both the Western and domestic focus from democratization through controlled economic liberalization. Perthes (2004: 24) points out that in recent years the governments of Algeria, Egypt, Jordan, Morocco, Saudi Arabia, Syria, and Tunisia have all placed emphasis on securing the skills and knowledge of technocrats with economic expertise or have at least tried to incorporate business people and private sector representatives into formal decision making or consultative structures.

The underlying idea is to depoliticize the public sphere by emphasizing the necessity of implementing economic reforms before launching into the political realm. While propelled by a genuine concern to modernize the economic system of their countries to some degree, the authoritarian regimes in the Middle East nevertheless also seem devoted to circumscribe any sparks that can light the political field against themselves (Bank and Schlumberger 2004: 50-52).

Conclusion:

The recent political and economic transformation of Eastern Europe remains one of the most outstanding events of modern history. Meanwhile, the lack of wide-sweeping democratic transitions in the MENA is similarly noteworthy due to its increasingly alienated status in the face of the ongoing worldwide democratization trend. A subject awaiting further inquiry for scholars is the impact of the political transformation or democratization of the former Eastern bloc on the—now—neighboring the MENA region. An implicit—yet unexplored—hypothesis of this paper is that the successful political transformation of Eastern Europe has raised the stakes of the democratization attempts in the MENA. If nothing, it has increased the pressure over the authoritarian regimes there to find new ways of justifying their prolonged existence.

¹⁰ See also Berman 2003:13; Bunce 2008:30). Here the term "civil society" follows the definition of Linz and Stepan (1996:7), who describe it as "that arena of the polity where self-organizing groups, movements, and individuals, relatively autonomous from the state, attempt to articulate values, create associations and solidarities, and advance their interests."

In recent years, the EU has stepped up its efforts to promote democratization in the Middle East, most recently through the European Neighborhood Policy. Within the EU, such attempts are often spearheaded by the former colonizers who desire to foster stronger cultural and economic ties with the region (Attinà 2003: 191; Emerson et al 2005: 177; 217). However, its Eastern European members need not be a bystander in this process either. In fact, with its transition experiences still fresh, this region has more to offer than the consolidated democracies of the West. Meanwhile, for academicians, the remaining lacuna between these two bodies of literature remains real and requires bridging.

Bibliography

- Albrecht, Holger and Schlumberger, Oliver (2004). "‘Waiting for Godot’: Regime Change Without Democratization in the Middle East," *International Political Science Review*, v.25, no.4, pp.371-392.
- Anderson, Lisa (October 1987). "The State in the Middle East and North Africa," *Comparative Politics*, v.20, no.1, pp.1-18.
- Attinà, Fulvio (2003). "The Euro-Mediterranean Partnership Assessed: The Realist and Liberal Views," *European Foreign Affairs Review*, v.8, no.2, pp.181-200.
- Aydin, Senem and E. Fuat Keyman (August 2004). *European Integration and the Transformation of Turkish Democracy*. Center for European Policy Studies, EU-Turkey Working Papers, no.2, www.ceps.be.
- Bank, André and Oliver Schlumberger (2004). "Jordan: Between Regime Survival and Economic Reform," *Arab Elites: Negotiating the Politics of Change*. Volker Perthes, ed. Boulder: Lynne Rienner.
- Bellin, Eva (2005). "Coercive Institutions and Coercive Leaders," *Authoritarianism in the Middle East: Regimes and Resistance*, Marsha Pripstein Posusney and Michele Penner Angrist, eds., Boulder: Lynne Rienner.
- Ben-Dor, Gabriel (Summer 1996). "The Uniqueness of Islamic Fundamentalism," *Terrorism and Political Violence*, v.8, no.2, 239-252.
- Berman, Sheri (January 2007). "How Democracies Emerge: Lessons from Europe," *Journal of Democracy*, v.18, no.1, pp. 28-41.
- Berman, Sheri (June 2003). "Islamism, Revolution and Civil Society," <http://www.econ.barnard.columbia.edu/~polisci/faculty/berman/islamism.pdf>.
- Bunce, Valerie (Winter 2008). "The Tasks of Democratic Transition and Transferability," *Orbis* 52(1), pp.25-40.
- Bunce, Valerie (2000). "Comparative Democratization: Big and Bounded Generalizations," *Comparative Political Studies*, v.33, no.6-7, pp.703-734.
- Ekiert, Grzegorz (2003). "Patterns of Postcommunist Transformation in Central and Eastern Europe," *Capitalism and Democracy in Central and Eastern Europe: Assessing the Legacy of Communist Rule*, Grzegorz Ekiert and Stephen E. Hanson, eds, New York: Cambridge University Press.
- Fish, M. Steven (October 2002). "Islam and Authoritarianism," *World Politics*, v.55, no.1, 4-37.
- Fox, Jonathan (July 2001). "Two Civilizations and Ethnic Conflict: Islam and the West," *Journal of Peace Research*, v.38, no.4, 459-472.
- Gandhi, Jennifer and Adam Przeworski, "Cooperation, Cooptation, and Rebellion Under Dictatorships," *Economics and Politics* 18(1), March 2006, pp.1-26.
- Henry, M. Clement (1996). *The Mediterranean Debt Crescent: Money and Power in Algeria, Egypt, Morocco, Tunisia, and Turkey*. Gainesville: University Press of Florida.
- Heydemann, Steven. (1993). "Taxation Without Representation: Syria," *Rules and Rights in the Middle East: Democracy, Law and Society*, 69-101. Ellis Goldberg, Re?at Kasaba, and Joel Midgal, eds. Seattle: University of Washington Press.
- Huntington, Samuel P. (1996). *The Clash of Civilizations and the Remaking of World Order*. New York: Simon

and Schuster.

Kedourie, Elie (1994). *Democracy and Arab Political Culture*. London: Frank Cass.

Kitschelt, Herbert (2003). "Accounting for Postcommunist Regime Diversity: What Counts as a Good Cause?" *Capitalism and Democracy in Central and Eastern Europe*, Grzegorz Ekiert and Stephen E. Hanson, eds., New York: Cambridge University Press.

Kopecký, Petr and Cas Mudde (2000). "What has Eastern Europe taught us about the democratisation literature (and vice versa)?", *European Journal of Political Research* 37, pp.517-539.

Korany, Baghat (March 2006). "Egypt's Overdue Reform: A Prototype of the Middle East to Come?" *Mediterranean Politics*, v.11, no.1, pp.83-89.

Kreutz, Andrej (Spring 1999). "Post-communist Eastern Europe and the Middle East: the burden of history and new political realities," *Arab Studies Quarterly*.

Kurtoglu-Eskişar, Gül M. (2008). "Accounting for the 'moderation' of political Islam in the Middle East: domestic vs. external factors examined," Paper prepared for presentation at the 2008 International Studies Association Annual Convention during March 26-29, 2008 in San Francisco, USA.

Kurtoglu-Eskişar, Gül M. (December 2007). "Emulating the Turkish Experience through European Neighborhood Policy—Prospects for Democratization in the Arab and Muslim World Considered," *Journal of International and Area Studies*, v.14, no.2, pp.75-90.

Leca, Jean (1994). "Democratization in the Arab world: uncertainty, vulnerability and legitimacy. A tentative conceptualization and some hypotheses," *Democracy without Democrats? The Renewal of Politics in the Muslim World*, Ghassan Salamé, ed. London: I.B.Tauris.

Lewis, Bernard. (February 1993). "Islam and Liberal Democracy," *Atlantic monthly*, v.271, no.2, 89-98.

Linz, Juan J. and Stepan, Alfred (1996). *Problems of Democratic Transition and Consolidation: Southern Europe, South America, and Post-Communist Europe*. Baltimore: The Johns Hopkins University Press.

Luciani, Giacomo (1994). "The Oil Rent, the Fiscal Crisis of the State and Democratization," *Democracy Without Democrats? The Renewal of Politics in the Muslim World*, Ghassan Salamé, ed., London: I.B.Tauris.

Menéndez, Iréne, and Youngs, Richard (March 13, 2006). *The Euro-Mediterranean Partnership Turns Ten: Democracy's Halting Advance?* www.fride.org.

Midlarsky, Manus I. (September 1998). "Democracy and Islam: Implications for Civilizational Conflict and the Democratic Peace," *International Studies Quarterly*, v.42, no.3, 485-511.

Moore, Pete W. (Summer, 1994). "The international context of liberalization and democratization in the Arab world," *Arab Studies Quarterly*.

Mungiu-Pippidi, Alina (Fall 2006). "Democratization Without Decommunization in the Balkans," *Orbis* 50(4), pp.641-655.

Mungiu-Pippidi, Alina (2005). "EU Enlargement and Democracy Progress," *Democratisation in the European Neighbourhood*, Michael Emerson, editor, Brussels: Centre for European Policy Studies.

Müftüler-Baç, Meltem (2000). "The Impact of the European Union on Turkish Politics," *East European Quarterly*, v.34, 159-79.

Onis, Ziya (2004). "Diverse but Converging Paths to EU Membership: Poland and Turkey in Comparative Perspective," Paper presented at the ECPR Second Pan-European Conference *Standing Group on EU Politics*, Bologna, 24-26 June.

Perthes, Volker (2004). "Politics and Elite Change in the Arab World," *Arab Elites*. See Bank (2004).

Phillips, David L. (September/October 2004). "Turkey's Dreams of Accession," *Foreign Affairs*. www.foreignaffairs.org

Pravda, Alex (2001). "Introduction," *Democratic Consolidation in Eastern Europe: International and Transnational Factors*, v.2, Jan Zielonka and Alex Pravda, eds., 2001: Oxford University Press, <http://books.google.com>

Pridham, Geoffrey (1995). "The International Context of Democratic Consolidation: Southern Europe in Comparative Perspective," *The Politics of Democratic Consolidation: Southern Europe in Comparative Perspective*, Richard Gunther et al, eds. Baltimore: The Johns Hopkins University Press, pp.166-203.

Pripstein Posusney, Marsha (2005). "The Middle East's Democracy Deficit in Comparative Perspective," *Authoritarianism in the Middle East: Regimes and Resistance*, Marsha Pripstein Posusney and Michele Penner Angrist, eds., Boulder: Lynne Rienner.

Rose, Richard (2002). "Advancing into Europe? The Contrasting Goals of Post-Communist Countries," *Nations in Transit 2002: Civil Society, Democracy and Markets in East Central Europe and the Newly Independent States*, Adrian Karatnycky, Alexander Motyl, and Amanda Schnetzer, eds., np: Transaction Books.

Schlumberger, Oliver (2006). "Dancing with Wolves: Dilemmas of Democracy Promotion in Authoritarian Contexts," *Democratization and Development: New Political Strategies for the Middle East*, Dietrich Jung, ed., NY: Palgrave Macmillan.

Smith, Karen E. (2001). "Western Actors and the Promotion of Democracy," *Democratic Consolidation, Eastern Europe: International and Transnational Factors*. See, Pravda, Alex.

Shahin, Emad al Din (2005). "Egypt's Moment of Reform," *Democratization in the European Neighbourhood*, Michael Emerson, editor, Brussels: Centre for European Policy Studies.

Tessler, Mark (2002). "Do Islamic Orientations Influence Attitudes Toward Democracy in the Arab World? Evidence from Egypt, Jordan, Morocco, and Algeria," *International Journal of Comparative Sociology*, v.43, no.3-5, 229-249.

Urbán, Anna (2003). "EU Enlargement, EU Identity, Culture and National Identity in the Eastern Regions," *European Integration Studies*, Miskolc, v.2, no.2, pp.45-51.

Vachudova, Milada Anna (September 2006). *Democratization in Postcommunist Europe: Illiberal Regimes and the Leverage of International Actors*. Working Papers, no.69. Center on Democracy, Development, and The Rule of Law Freeman, Spogli Institute for International Studies. <http://cddrl.stanford.edu>.

Whitefield, Stephen and Evans, Geoffrey (2001). "Attitudes towards the West, Democracy, and the Market," *Democratic Consolidation in Eastern Europe: International and Transnational Factors*. See, Pravda, Alex.

Yalcin Mousseau, Demet (2006). "Democracy, Human Rights and Market Development in Turkey: Are They Related?" *Government and Opposition*, 41(2), pp.298-326.

Youngs, Richard (January 2005). *Ten Years of the Barcelona Process: A Model For Supporting Arab Reform?* Working Paper, downloaded at www.frife.org.

Transition as a Legacy

Maximilian Spinner^{*}

Abstract:

Almost two decades after their transition to democracy it is no longer questioned whether the new EU member states of Central and Eastern Europe (CEE) are democratic in the minimalist, procedural sense. Academic attention has turned to analysing various pathways of democratic development in the region and the consolidation of democracy (CoD). CoD in the broadest sense investigates the stability and survival of democratic regimes.¹ In opposition to transitologists (which focuses on the regime question), CoD addresses the question of what kind of democracy is actually developing in various countries.² Next to institutional and behavioural factors cultural or attitudinal variables are increasingly considered in this context. Elite commitment to the existing democratic system is seen as a crucial component of CoD.³

Keywords:

Democracy, transition, CEE countries, EU acquis, EU accession, consensualism

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¹ G Munck, 'The Regime Question - Theory Building in Democracy Studies', *World Politics*, Vol.54, October 2001, p.130.

² P Schmitter / N Guilhot, 'From Transition to Consolidation: Extending the Concept of Democratization and the Practice of Democracy', in: M. Dobry (ed.), *Democratic and Capitalist Transitions in Eastern Europe: Lessons for the Social Sciences*, Dordrecht: Kluwer, 2000, p.132.

³ J Higley / Gy Lengyel (eds.), *Elites after State Socialism - Theory and Analysis*, Lanham: Rowman & Littlefield, 2000.

In spite of the increasing differentiation between CEE democracies one striking commonality appears to be the fact that virtually all ended up having an institutional set-up with a high number of "veto players" in decision-making, or something Arend Lijphart would call consensus democracy.⁴ Most CEE systems are marked by the following factors: strongly proportional electoral systems, weak, short-lasting coalition governments, multi-party systems, rigid constitutions with a strong judicial review, independent Central Banks and an increasing degree of decentralisation. These features endow the democratic systems of these states with a high number of veto players and require much more negotiation and accommodation between participants in the political game than more majoritarian systems.

However, both domestic and external observers find little signs of accommodative and consensual patterns of elite interaction in the region reaching the standards of established Western consensus democracies.⁵ Moreover, having successfully concluded EU accession some external incentives for enforcing consensualism on a narrower range of policies and institutions have diminished. Indeed, the first post-accession years saw a surge in electoral support for parties lacking commitment to both European integration and certain core values of liberal, Western style democracy (as seen in Poland or Slovakia). This included a startling revival of authoritarian, nationalist, xenophobic, and illiberal ideas as well as a questioning of certain constitutionally enshrined key elements of consensus democracy and the EU *acquis* (such as minority representation in parliament) by some political leaders.

In many instances it seems that institutions cannot regulate political conflict the way they are expected to do and conflicts are carried out beyond boundaries of the established institutions. Elster, Offe and Preuss see democracy consolidated when the rules according to which political and but also concerning distributional conflicts are carried out are no longer object of conflict themselves.⁶ According to this definition we cannot really talk about fully consolidated democracies in CEE: In some countries such as

Poland, Hungary, Slovakia or Romania political elites appear to be more and more separated by unbridgeable cultural-ideological divides impacting day-to-day politics and a lack of agreement on the functioning of basic political institutions. Hungary, a so far seemingly stable democracy experienced a partial breakdown of routinized democratic politics in favour of partly violent street politics. Conflicts touching upon the legitimacy of basic democratic institutions (parliament, presidency, justice) and their rights have been seen in Hungary, Romania or Poland. Populist, polarizing policies seem to be increasingly adopted by political leaders in a number of countries. More generally, these observations shed doubt on the expectation that institutional convergence with mainstream European institutions would also lead to a convergence in elite political culture in terms of commitment and adaptation to the values of the new democratic system. This paper therefore focuses on some of the sources of the (lack of) commitment by political elites to the existing democratic set-up, in particular their limited ability to interact in a consensus-democratic institutional setting. Finally, some consequences shall be discussed.

In this regard, I view institutions and institutional changes as following both rationalist and sociological dynamics. This means that actors aim at efficiently pursuing certain pre-existing preferences in picking institutions and interacting through them (i.e. the "logic of consequentialism"), and they also act according to the logic of "appropriateness" (i.e. in their behaviour they adapt to collective norms of "what is right," which are embodied in institutions).⁷ For the context of consensus democracy this means that institutional constraints, such as a high number of veto players in the democratic game, forces actors to some extent to co-operate, exchange information, and seek commonly acceptable solutions for pursuing their individual interests. On the other hand, institutional constraints themselves are not sufficient to consolidate consensus democracy. As Körösi points out: a power-sharing consensus-democratic set-up does not create consensus by itself, but makes it more difficult, if not impossible, to govern in a majoritarian,

⁴ In this place I will not discuss the merits and shortcomings of Lijphart's typology and just take the notion of consensus democracy and the concept of veto players as a broad characterization of CEE democracies. For a detailed critique of Lijphart and the application of his typology to CEE countries see M Spinner, *Compulsory Consensus? The Sources of Elite Political Culture and the Consolidation of Central and East European Democracies*, unpublished PhD thesis, Central European University Budapest, 2007.

⁵ E.g. A Körösi, *Government and Politics in Hungary*, Budapest: CEU Press, 1999, pp.292-5; R Tökés, 'Hungary: Elites and the Use and Abuse of Democratic Institutions', in: J Higley / Gy Lengyel (eds.), *Elites after State Socialism - Theory and Analysis*, Lanham: Rowman & Littlefield, 2000 for the case of Hungary.

⁶ J Elster, C Offe, U Preuss, *Institutional Design in Post-Communist Societies - Rebuilding the Ship at Sea*, Cambridge University Press, 1998, p.28.

⁷ J March, J Olsen, 'The New Institutionalism: Organizational Factors in Political Life', *American Political Science Review*, Vol.78, No.3, Sept.1984, pp.734-749; J March, J Olsen, 'The logic of appropriateness', *Centre for European Studies at the University of Oslo, ARENA Working Papers 04/09*, Oslo, 2004.

confrontational style.⁸ In fact, a consensus-democratic set-up with a high number of veto players actually offers actors the resources for both confrontational and co-operative strategies.⁹

Put differently, if the survival of a consensus-democratic system is only dependent on either continuously favourable output for all players or upon coercion, it is built upon shaky ground indeed. This is especially the case if democratic consolidation is to go along with the upheavals of economic reform or social change. Therefore, I do not regard mere instrumental support for the democratic system as a sufficient indicator for CoD. Instrumental support means that "actors follow the rules of the democratic game because they do not see a chance to, or advantage in, changing them".¹⁰ Yet if actors are only to pursue pre-defined, egoistic interests, they might not regularly prefer co-operative strategies over confrontational ones in the context of a consensualist institutional set-up (i.e. a democracy with many inbuilt veto-players). Thus, next to mere instrumental support for consensus democracy, we should also pay attention to the normative foundations of consensus democratic institutions and their reflection in political culture. Consequently, the persistence of consensus democracy becomes more likely if political elites not only regard consensus democracy as serving their interests best but also come to embrace its underlying norms and values. Here are six dimensions of elite political culture, which express the "spirit of accommodation" of consensus democracy:

1. the centrality of compromise and consensus (opposed to free-for-all competition only)
2. politicians as keepers of the common good (and not just representatives of particular inter-

ests)

3. an emphasis on established procedures (as opposed to a focus on outputs only)
4. support for preserving the institutional status quo
5. respect towards "the other".¹¹

In this paper I will discuss some hypotheses of why some of these dimensions are rather absent in CEE elite political cultures.

Around 1990, when the outcome of the transition processes was still unsure scholars theorized about various "modes of transition". They discussed the chances and pitfalls of installing democracy gradually or quickly, the various constellations between masses and elites, and between old and new leaders.¹² In the end, liberal democracies were rather quickly and successfully installed in all CEE countries. Later on, scholars of CoD turned to more long-term structural conditions as explanatory variables such as the level of economic development, the absence of deep-cutting cleavages, neighbourhood to other democratic countries etc.¹³ Therefore, most students of democracy basically agree to Dankward Rustow's insight that the factors that keep a democracy stable may not be the ones that brought it into existence in the first place. Differently from that, I argue in this paper that also the dynamics of transition do leave a legacy and keep impacting upon the stability and future development of an existing democracy.

Historically, consensus democracies are to be found in a number of West European countries as opposed to majoritarian forms predominantly found in the English-speaking world or South America.¹⁴ West European countries developed consensus

⁸ A Körösenyi, *Government and Politics in Hungary*, Budapest: CEU Press, 1999, p.293.

⁹ T Börzel, 'Demokratien im Wandel der Europäisierung', in: J Katzenbach, W Lamping (eds.), *Demokratien in Europa - Der Einfluß der europäischen Integration auf Institutionen und neue Kulturen des demokratischen Verfassungsstaates*, Opladen: Leske und Budrich, 2003, p.191; similarly Steiner et al. 2004.

¹⁰ C Schneider, *Patterns of Consolidated Democracies. Europe and Latin America Compared*, PhD dissertation, European University Institute, Florence, 2004, pp.53-54.

¹¹ M Spinner, *Compulsory Consensus? The Sources of Elite Political Culture and the Consolidation of Central and East European Democracies*, PhD thesis, Budapest, Central European University, 2007, online: www.ceu.hu/polsci/theses.html.

¹² T Karl, 'Dilemmas of Democratization in Latin America', *Comparative Politics*, Vol.23, No.1, Oct.1990, pp.1.-21. T Karl / P Schmitter, 'Modes of transition in Latin America, Southern and Eastern Europe', *International Social Science Journal*, No.128, May 1991, pp.269-284; O Encarnación, 'Do Political Pacts Freeze Democracy? Spanish and South American Lessons', *West European Politics*, Vol.28, No.1, January 2005; G Munck / C Skalnik Leff, 'Modes of Transition and Democratization: South America and Eastern Europe in Comparative Perspective', in: L Anderson (ed.), *Transitions to Democracy*, New York: Columbia UP, 1999, pp.193-216; J Higley / Gy Lengyel (eds.), *Elites after State Socialism - Theory and Analysis*, Lanham: Rowman & Littlefield, 2000; J Higley, J Pakulski and W Wesolowski (eds.), *Postcommunist Elites and Democracy in Eastern Europe*, London: Macmillan, 1998; S Huntington, *The Third Wave - Democratization in the late twentieth century*, Norman: University of Oklahoma Press, 1991.

¹³ J Linz / A Stepan, *Problems of democratic transition and consolidation: southern Europe, South America, and post-communist Europe*, Baltimore: Johns Hopkins UP, 1996; A Schedler, 'What is Democratic Consolidation?', *Journal of Democracy*, Vol. 9, No. 2, 1998, pp. 91-107; L Diamond, *Developing Democracy - Toward Consolidation*, Baltimore: John Hopkins UP, 1999.

¹⁴ A Lijphart, *Patterns of Democracy - Government Forms and Performance in Thirty-Six Countries*, New Haven: Yale UP, 1999; J Colomer, 'Strategies and Outcomes in Eastern Europe', *Journal of Democracy*, Vol.6, No.2, 1995, pp. 74-85; H Kitschelt/ Z Mansfeldova/ R Markovski/ G Tóka, *Post-Communist Party Systems - Competition, Representation and Inter-Party Cooperation*, Cambridge, CUP, 1999, pp. 345-346; A Roberts, 'What Type of Democracy Is Emerging in Eastern Europe?', paper presented at the American Political Science Association annual meeting, September 2004.

democracy with a power-sharing institutional set-up and utilized coalescent, co-operative elite strategies as an answer to the threats of deep societal cleavages (e.g. religion, language, class). CEE countries ended up with power-sharing institutions due to the contingent dynamics of the transition process, though largely lacking the differentiated cleavage structures and not featuring particularly consensus-oriented elite practices. A high number of veto players in the political system became an outcome almost by default, and thus a point of convergence among the different countries of the region. Institutional designers deliberately chose to insert power-sharing elements instead of opting for majoritarian solutions in response to a high degree of uncertainty and political volatility, which soon became visible in the rapid proliferation of multiple parties and rather instable party systems. Consensus institutions in the East were the outcome of short-term contingencies as transition took place in an 'underdetermined political situation'.¹⁵ In this context institutions were hardly the outcomes of endogenous structural or cultural conditions, but rather depended on contingent power constellations, individual agency, and exogenous factors (e.g. West European models).

Majoritarian solutions were preferred only by post-communist parties when they were clearly in a strong position assuming the popularity of their individual leaders.¹⁶ Later these arrangements were often reverted once the former opposition came to power. Consensus solutions from the beginning were usually the result of a balance of power between the old elite and the opposition during transition. Cases with the dominance of opposition groups in the transition also mostly ended up with consensus set-ups as an insurance against a potential return of communists into power.

Also, the motivation to strengthen the rule of law supported the development of consensus institutions as it led to rather rigid constitutions and a strong judicial review in deliberate opposition to the communist dead-letter constitutions. Once installed, consensus systems also have the tendency to reinforce them-

selves due to their inherent brakes on constitutional change.¹⁷ Finally (and quite importantly), the process of Europeanization with its focus on subsidiarity, minority representation, civil society involvement, regionalization, decentralisation and monetary stability constrained the choices of aspiring EU member states in CEE and supported the development of more consensual institutions. In fact, EU conditionality for accession put a particular focus on "getting the institutions right". The existence of prescribed formal institutions is, of course, much easier to ascertain and to monitor than their subsequent operation. Nevertheless, by this approach the EU seems to follow Lijphart's and others' somewhat optimistic assumption that the existence of a specific formal institutional set-up will transform political culture (as well as bureaucratic, business, and legal cultures).

CEE countries in their constitutional features thus increasingly resemble West European consensus democracies but lack the differentiated social landscape of Western European societies in the mid-20th century. Save for re-emerging ethnic cleavages in some countries, the post-communist social landscape is rather flat, unstructured, and de-mobilised.¹⁸ Therefore, there are no deep cleavages posing an immediate danger to democratic stability which would require power-sharing approaches. Moreover, in the West European context, political leaders and parties can organize political conflict and still represent more or less stable and homogeneous groups of voters. This is much less true for the much more volatile and socially disconnected party systems in CEE.¹⁹

Consequently, one might wonder which factors might actually condition elites' support for consensus democracy if domestic pressure from below is absent. In terms of historical factors, pre-transition legacies are rather mixed and ambiguous in terms of carrying consensual elite political cultures in the region. Unlike the West European tradition, most CEE political elites do not have a long experience of successful, consensual cooperation in democratic settings.²⁰ Rather than bridging internal divisions through domestic demands one could argue that CEE

¹⁵ P Schmitter / N Guilhot, 'From Transition to Consolidation: Extending the Concept of Democratization and the Practice of Democracy', in: M. Dobry (ed.), *Democratic and Capitalist Transitions in Eastern Europe: Lessons for the Social Sciences*, Dordrecht: Kluwer, 2000, p.134.

¹⁶ H Kitschelt/ Z Mansfeldova/ R Markovski/ G Tóka, *Post-Communist Party Systems - Competition, Representation and Inter-Party Cooperation*, Cambridge, CUP, 1999, p.32.

¹⁷ J Colomer, 'Strategies and Outcomes in Eastern Europe', *Journal of Democracy*, Vol.6, No.2, 1995, pp. 74-85; A Roberts, 'What Type of Democracy Is Emerging in Eastern Europe?', paper presented at the American Political Science Association annual meeting, September 2004.

¹⁸ Zs Enyedi, 'The role of agency in cleavage formation', *European Journal of Political Research*, Vol.44, No.3, 2005, p.697.

¹⁹ I van Biezen, 'On the theory and practice of party formation and adaptation in new democracies', *European Journal of Political Research*, Vol.44, 2005, pp.147-174; K Armingeon, 'Forms of government in post-communist countries', paper prepared for the ECPR Joint Workshops, Granada, Spain, April 2005.

²⁰ A Seleny, 'Old Political Rationalities and New Democracies - Compromise and Confrontation in Hungary and Poland', *World Politics*, Vol.51, July 1999, pp.481-519; H Kitschelt/ Z Mansfeldova/ R Markovski/ G Tóka, *Post-Communist Party Systems - Competition, Representation and Inter-Party Cooperation*, Cambridge, CUP, 1999.

elites, throughout the last century, were actually forced into mutual cooperation through external pressures by neighbouring great powers. Thus, exogenous factors rather than domestic developments enforced elite unity and covered deep divisions, if only temporarily and under non-democratic circumstances. Collaboration with Nazi Germany, Sovietization and later endeavours to appease Moscow against interfering with certain national variations of socialism not only determined the outlook of the respective political elites but surely had a lasting and formative impact on national collective memories until today.

The history of externally constrained or even imposed choices goes on with the countries' integration into the European Union or, more generally, CEE integration into global capitalism and international competition for access to markets and investment. Lack of adaptation to the European mainstream now threatens economic marginalization and replaces the threat of aggression from hegemonic neighbours as in the past. Unlike other small, capitalist economies such as the Netherlands or Denmark after the World War II, CEE countries are facing a much more narrowly constrained choice of institutions and policies which need to be employed in order to be accepted into the European or global capitalist mainstream. At the same time, they have much less opportunity to contribute to determine these policies on the supra-national level.²¹

This makes it even more difficult to establish in how far institutional choices such as consensus democracy might not just be another external model which is somewhat ritualistically and opportunistically backed for lack of leeway. Geoffrey Pridham's claim that CEE political elites seemingly "hardly developed their own ideas about democratic development" or "were too busy" for elaborating alternative concepts therefore has to be seen in the light of the overriding priority of EU accession.²² He concedes that EU accession resulted in removing institutional uncertainty following transition, but did not necessarily lead to a remaking of political culture or the dissemination and internalisation of the principles and norms underlying the new institutions.²³ Hughes, Sasse and Gordon argue that there was an underlying assumption that EU conditionality would have a "normative power"; that actors would be socialized into their underlying

values, along with the power of hard economic incentives and bureaucratic leverage. However, investigating regionalization policy the authors show that the EU Commission was not so much concerned with the normative content of "capacity-building," but primarily with organizational and technical issues. The authors conclude that actually little socialization of (sub-national) elites had taken place and that Europeanization had much weaker effects than expected. They also find path dependent factors in domestic political settings to be more important than external conditionality.²⁴

When it comes to explain the lack of adaptation to the existing consensus democratic system area specialists often advance deep historical, cultural explanations e.g. by pointing to "eternal" cultural cleavages. These explanations often imply a deterministic or tautological causality and have little explanatory power in themselves. However, I think we should not dismiss pre-democratic historical legacies at once but rather try to introduce them in systematic fashion. In this paper I claim that the dynamics of elite-driven transitions in 1989 still leave a mark on contemporary political culture and impede the development of a "spirit of accommodation". The relaxation of externally enforced elite unity with successful EU accession these unsolved legacies have come to the fore again. In this regard I also try to propose a non-reductionist, non-tautological concept of political culture.

In order to operationalize the above-mentioned five dimensions of a consensus-oriented political culture our theoretical understanding of political culture needs to be clarified. In my dissertation I discuss extensively the advantages and disadvantages of the classical understanding of political culture in the tradition of Almond and Verba and based on my criticism propose a different conceptualization.²⁵ Most approaches to political culture use the socio-psychological, attitude-based approach. Basically, according to these approaches, individually internalised values in the form of attitudes contribute to shape people's behaviour by prescribing or prohibiting ways of action (without contextual factors). For political elites specific approaches along the lines of this model were developed in which politicians are seen as being influenced by an "operational code", i.e. certain cognitive predispositions, ideals about the world and profes-

²¹ S Rose-Ackerman, *From Elections to Democracy - Building Accountable Government in Hungary and Poland*, New York: Cambridge University Press, 2005, pp.37-54.

²² G Pridham, 'EU Accession and Democratisation in Central and Eastern Europe: Lessons from the Enlargement of 2004', in: R Di Quirico (ed.), *Europeanization and Democratisation - Institutional Adaptation, Conditionality and Democratisation in the EU's Neighbour Countries*, Florence: European Press Academic Publishing, 2005, pp.67-68.

²³ G Pridham, 2005, p.78.

²⁴ J Hughes, G Sasse, C Gordon, *Europeanization and Regionalization in the EU's Enlargement to Central and Eastern Europe - The Myth of Conditionality*, Basingstoke: Palgrave Macmillan, 2004.

²⁵ G Almond & S Verba, *The Civic Culture - Political Attitudes and Democracy in Five Nations*, Princeton UP, 1963.

sional values implicitly guide action.²⁶ Unlike the mass population, political leaders, according to the classical model of political culture, are claimed to hold more coherent beliefs which are more intensely held and relatively stable as compared to those of the general population.²⁷ According to Almond & Verba and their followers, an appropriate political culture in a modern democracy (“civic culture”) is developed over time by becoming socialised into the system. Socio-economic background factors (e.g. origin, education) are seen to mediate this process. Thus, ultimately, according to this approach political elites in CEE democracies should over time become increasingly socialised into consensus democracy by practicing it, internalise its underlying values (as embodied in the above-mentioned five dimensions) and act accordingly.

My approach to political culture diverges from the above-outlined as it focuses on explicit rather than implicit values and orientations. Moreover, I do not regard political culture as reducible to individual attitudes. Thus, rather than inferring individually internalised attitudes I focus on collectively shared discourses among political leaders about the existing democratic system. By focusing on explicit discourses rather than implicit attitudes also the problem of honesty in reporting (e.g. as in traditional survey-based research) is circumvented. This problem is particularly evident with political elites, who may conceal their individual opinion behind rhetoric while being skilful at finding the right messages appealing to the public. Rather than expose their inner self, they know what kind of beliefs they *should* advocate (what is appropriate, expected, or seen as politically correct etc.) in a given context.

Thus, rather than a “strong” socialisation into the values of consensus democracy, i.e. internalisation and subsequent compliance with them, I will focus on expressions of a “weak” socialisation which means that actors must come to publicly acknowledge certain statements or claims as true (repeatedly and over time), but not necessarily alter their individual ways of cognition and private normative appraisal of these

values. As a result, political culture is both constraining and enabling by informing or precluding certain kinds of action through the availability of certain discourses, which are both descriptive and prescriptive.²⁸ Therefore, in the given context of the discursive field, actors do make choices and act ‘rationally’. Discourses define the boundaries of the possible; they contribute to shape expectations and create incentives.²⁹ As a consequence, political elites have to submit to a certain degree of consistency in applying these discourses when interacting among themselves or when competing for voters’ support.³⁰ However, we cannot expect them to fully submit their behaviour to these expressed values.

The expectation of traditional approaches is that deeply internalised values should turn into conforming behaviour. The focus on discourses rather than attitudes relaxes the assumption that values only influence action as long as they are internalized and sincerely believed. Discourses shared in the social space have a power on their own to evoke cooperation and conflict, or to give a certain meaning to particular situations or actions.³¹ For example, actors can “rhetorically entrap” or “shame” other actors by publicly exposing behaviour that contradicts the shared values of the community to which also the shamed actor has publicly committed. This way, actors who publicly pledge to certain ideals are either disciplined by other actors into conforming behaviour, or face possible electoral punishment and/or marginalization within the elites for “breaking the rules”. For this to happen, neither the shamer nor the shamed need to have individually accepted and internalised the validity of the truth claims on which the shaming takes place. In fact, the shamer can use commonly upheld values in an instrumental way to advance his own interests, while the shamed has left the commonly declared values once they stood in the way of his egoistic interests.³² Still, these values constrain and indirectly regulate behaviour.

Not only political leaders approach reality rhetorically by making use of these common discursive resources.³³ Yet, being the major actors in a coun-

²⁵ G Almond & S Verba, *The Civic Culture - Political Attitudes and Democracy in Five Nations*, Princeton UP, 1963.

²⁶ R Putnam, *The Beliefs of Politicians - Ideology, Conflict and Democracy in Britain and Italy*, New Haven: Yale University Press, 1973; R Rohrschneider, *Learning Democracy - Democratic and Economic Values in Unified Germany*, Oxford UP, 1999.

²⁷ R Putnam, *The Comparative Study of Political Elites*, Eaglewood Cliffs: Prentice Hall, 1976, p.116.

²⁸ C. Cruz, 'Identity and Persuasion - How Nations Remember Their Pasts and Make Their Futures', *World Politics*, Vol. 52, April 2000, p.278.

²⁹ C Cruz, 2000, p.279.

³⁰ S Neckel, 1995, p.665; C Cruz, *Political Culture and Institutional Development in Costa Rica and Nicaragua - World Making in the Tropics*, New York: Cambridge UP, 2005, p.29.

³¹ A Seleny, 'The Foundations of Post-Socialist Legitimacy', in: A Braun, Z Barany (eds.), *Dilemmas of Transition - The Hungarian Experience*, Lanham: Rowman & Littlefield, 1999, p.135.

³² F Schimmelfennig, 'The Community Trap: Liberal Norms, Rhetorical Action, and the Eastern Enlargement of the European Union', *International Organization*, Vol.55, No.1., winter 2001, pp.47-80.

³³ F Schimmelfennig, 'The Community Trap: Liberal Norms, Rhetorical Action, and the Eastern Enlargement of the European Union', *International Organization*, Vol.55, No.1., winter 2001, pp.47-80.

try's political discourse, contrary to other types of elites (academics and artists, for instance), political elites are constantly required to publicly justify their actions in order to gain the support of their electorates and constituencies.³⁴ Similar to a "tool-kit,"³⁵ actors apply particular discourses in order to legitimise certain institutional designs or actions, or in order to exclude other arguments from the "field of the imaginable". They engage in "normative scheming," as Consuelo Cruz calls it.³⁶ Thus, they are not fully determined by fixed value orientations, but do have a limited choice among a number of existing idioms. This concept of political culture does not require people to put faith in certain values or ideologies, but to *respect* them through their way of talking and behaving.³⁷

Thus, we can conceptualize commitment to a set of certain values (e.g. those of consensus democracy) as a continuum leading from mere rhetorical "lip-service" to deeply internalized beliefs and a change in identity that incorporates these values. Depending on the position on this continuum, behaviour is constrained to a lower or higher degree or, in the unrealistic and extreme case of full internalisation, it is virtually fixed along the lines of these values. "Weakly" socialised actors rhetorically uphold the values of the community which, however, do not override or replace their egoistic material interests at all times. Moreover, as mentioned, this approach does not exclude the possibility that actors use community values in an instrumental way to pursue preferences in line with, but not necessarily inspired by, the standard of legitimacy.³⁸ Thus, this concept of political culture subscribes to the logic of appropriateness, but in a less rigid way by accepting that (weak) socialization into certain values does not necessitate a change of interests. Subsequent internalisation of these values through arguing, collective deliberation or individual reflection (or through psychological mechanisms such as cognitive dissonance) is nevertheless possible. In epistemological and methodological terms, however, strong socialization (with the full internalization of these values) can only be inferred. Explicit rhetorical commitment is much easier operationalized as we can

investigate the extent to which a discourse is shared, but we cannot establish directly as to how deeply it is anchored in individual mind-sets. This we can only infer by relating pronounced values to real behaviour.

Separating implicit normative support for a given system from explicit respect for certain rules consequently leads to an ontologically different understanding of the consolidation of democracy, too. Consolidated democracy is not a material thing "out there"; it is not an object, but an inference, or even just an argument.³⁹ Andreas Schedler rightly points out that the notion of democratic consolidation resembles the concept of legitimacy. Legitimacy is not an *objective* feature of a system, but it is attributed to it by individuals on a *subjective* basis: no regime is intrinsically legitimate but it is *perceived or assigned* to be so. The same can be argued for democratic consolidation. As Max Weber spoke about belief in legitimacy (*Legitimitätsglaube*) consolidation means a "belief in stability" or an "expectation of persistence". It is expressed by domestic actors, or by external observers such as students of democratisation.⁴⁰ Linz and Stepan (i.e. two of the most prominent students of democratisation) view (attitudinal) consolidation of democracy as being achieved "when, even in the face of severe political and economic crises, the overwhelming majority of the people believe that any further change *must* emerge from within the parameters of the democratic game."⁴¹ Instead, Schedler argues, the concept should rest on the claim that actors in the democratic game believe that "further change *will* emerge from within the parameters of the democratic game."⁴²

For this, actors must share a similar understanding of the desirability of the existing system, and the legitimate way to operate it, i.e. a similar kind of commitment. Therefore, students of democracy in their judgement concerning democratic consolidation (i.e. their expectations concerning the persistence of the existing system) should rely not so much on exogenously imposed measurements, but on the "indicators" and yardsticks used by the actors themselves. Legitimacy, being a subjective attribution as

³³ C Cruz, 2000, p.275.

³⁴ M Marcussen, Thomas Risse, Daniela Engelmann-Martin, Hans Joachim Knopf and Klaus Roscher, 'Constructing Europe? The evolution of French, British and German nation state identities', *Journal of European Public Policy*, Vol.6, No.4 (Special Issue), 1999, pp.614-633.

³⁵ A Swidler, 'Culture in Action: Symbols and Strategies', *American Sociological Review*, Vol. 51, April 1986, pp. 273-286.

³⁶ C Cruz, *Political Culture and Institutional Development in Costa Rica and Nicaragua - World Making in the Tropics*, New York: Cambridge UP, 2005, p.6.

³⁷ J Schull, 1992, pp. 728-741.

³⁸ F Schimmelfennig, 'The Community Trap: Liberal Norms, Rhetorical Action, and the Eastern Enlargement of the European Union', *International Organization*, Vol.55, No.1., winter 2001, pp.62-77.

³⁹ A Schedler, 'Measuring Democratic Consolidation', *Studies in Comparative International Development*, Vol. 36, No. 1, 2001, p.67.

⁴⁰ A Schedler, 'How Should We Study Democratic Consolidation', *Democratization*, Vol.5, No.4, winter 1998, p.11; M Weber, *Wirtschaft und Gesellschaft*, (Economy and Society, English translation by G Roth and C Wittich, eds.), Berkeley: University of California Press, 1978, p.37.

⁴¹ J Linz / A Stepan, *Problems of democratic transition and consolidation: southern Europe, South America, and post-communist Europe*, Baltimore: Johns Hopkins UP, 1996, p.6.

⁴² Schedler, 2001, p. 67.

mentioned above, is established “by showing that the decisions accomplish appropriate objectives or intentions, or by showing that they are made in appropriate ways”.⁴³ A *habitus* shared by the political elite of a polity embodies this concept of appropriateness. Therefore, consensus democracy is consolidated if actors treat it as legitimate based on similar collective representations (in turn, reflecting the spirit of accommodation in their shared *habitus*). This *verstehende* perspective also avoids a normative bias for or against particular democratic systems through exogenously assigned, often arbitrary or highly demanding indicators of CoD.

Using the concept of *habitus* CoD then means that actors share similar conventions, interpretations and justifications for the existing democratic system employing a limited set of collective discourses. For the cases of consensus democratic settings this means that actors share common discourses based on the above-mentioned, interlinked five ideational dimensions of consensus democracy. In line with Bourdieu we could therefore define the stability and persistence of the democratic set-up of CoD as a the creation of a common-sense, self-evident “consensus on the meaning of the [democratic] practices [...], the harmonization of agents’ experiences and the constant reinforcement each of them receives from expression [...] leading to durable dispositions to recognize and comply with the immanent demands”.⁴⁴ Already Gaetano Mosca, one of the earliest elite theorists in social science, emphasises the need for a close correspondence between the political system and the so-called “political formula” (i.e. the moral and legal principles which are used to justify any political regime).⁴⁵ Similarly, Vilfredo Pareto argues that similar values define the identity of any elite.⁴⁶ Even Joseph Schumpeter (who is often credited with having defined a “minimalist” understanding of democracy based on peaceful elite circulation via elections) laid down a number of key preconditions for its proper functioning: a well-established political elite should be fit to govern, hold a professional code of conduct and a common fund of views. Members of parliament should exercise self-control and resist selfish temptations.⁴⁷

Unlike other notions of CoD, this approach applies a descriptive rather than a prescriptive perspective. Thus, it does not imply a normative preference for the democratic *status quo* put in place by transition, the persistence of a particular kind of democracy (e.g. consensus democracy), or the stability of certain institutional arrangements as such. Rather, it tries to situate political culture in the historical context. Moreover, it aims at outlining some of the implications for the future of democracy based on the relationship between the institutional setting and elite commitment embodied in the *habitus* (as the latter “tries to create favourable conditions for its own survival”).⁴⁸ According to Leonardo Morlino, political leaders, in the case of a mismatch between institutions and political culture, might consequently either opt for strategies of (institutional) adaptation or (behavioural) appropriateness.⁴⁹ Thus, explicit political culture is also offering a limited set of interpretations and options for “reasonable” political change. In case of widely shared discourses, it is more likely that endogenous political change will go along the lines prescribed by political elites’ collective representations of democracy rather than in a different way.

So, how do collectively shared discourses develop in the first place, and how do they change? In order to be widely adopted, a discourse must draw on empirical experience of a given group. It must “make sense” or “ring true” (i.e. be based on the familiar). The same way as attitude-base political culture is not just a psychological syndrome, discursive political culture cannot be reduced to some kind of semiotic “superstructure” either. Thus, it cannot just be ‘constructed’ *ex nihilo*, but rather it has to be rooted in historical experience as reflected in collective memories. This limits the leeway for newly “invented traditions” or “imagined communities” by political entrepreneurs.⁵⁰

Changing a dominant discourse is difficult and costly. This, however, does not exclude the possibility of behaviour outside of the rhetorical boundaries of the permissible. Yet this behaviour cannot be easily justified with the dominant discourse. It is viewed as being illegitimate, or it undermines a dominant discourse and thus the power of its advocates.

⁴³ J March, J Olsen, *Rediscovering Institutions - The Organizational Basis of Politics*, New York: Free Press, 1989, p.49.

⁴⁴ P Bourdieu, 1992, p.58.

⁴⁵ G Mosca, *The Ruling Class*, (ed. and rev. A Livingston), New York: McGraw-Hill, 1939, p. 71, quoted in R Putnam, *The Beliefs of Politicians - Ideology, Conflict and Democracy in Britain and Italy*, New Haven: Yale University Press, 1973, pp. 232-233.

⁴⁶ V Pareto, *Allgemeine Soziologie* (transl. by C Brinkmann), Tübingen, 1955.

⁴⁷ J Schumpeter, *Capitalism, Socialism and Democracy*, New York: Harper Torchbooks, 1950, pp.290-295.

⁴⁸ P Bourdieu, 1992, p.61.

⁴⁹ L Morlino, *Constitutional Design and Problems of Implementation in Southern and Eastern Europe*, in: J Zielonka (ed.), *Democratic Consolidation in Eastern Europe - Volume I: Institutional Engineering*, New York: Oxford UP, 2001, pp.48-108.

⁵⁰ C Cruz, *Political Culture and Institutional Development in Costa Rica and Nicaragua - World Making in the Tropics*, New York: Cambridge UP, 2005, pp.29-32; E Hobsbawm / T Ranger, *The Invention of Tradition*, New York: Cambridge UP, 1992; B Anderson, *Imagined Communities - Reflections on the Origins and Spread of Nationalism*, revised edition, London: Verso, 1991.

Therefore, consistency of discourses is an important criterion for validation next to its capability to draw on empirical evidence. Furthermore, the producers of “true discourses” (such as intellectuals, and political entrepreneurs in particular) are also subject to the truth claims of these community values. They cannot escape the logic of their own discourses without losing credibility and legitimacy within the polity.⁵¹

The ‘life course’ of a discourse (i.e. its persistence and reproduction over time), is often determined by exogenous factors: contingent circumstances, the

social standing of its protagonists, resonance with the public influence the reproduction, or replacement of a collectively shared discourse.⁵² Particularly “successful” discourses are those which resonate well with the public and which are convincingly “confirmed” by empirical experience. They might very well outlive their original promoters, and be further reproduced by future generations of politicians. Protagonists of a discourse might not even have experienced the initial historical impetus for the emergence of a certain discourse, but are still able to credibly reproduce it by

Tabel 1

	<i>Implicit political culture (operational code)</i>	<i>Explicit political culture (collective representations of democracy)</i>
Units of analysis	Attitudes	Discourses
Level of analysis	Individual	Group
Extent of socialization	Strong (i.e. internalisation), “taken-for-grantedness”	Weak (i.e. explicit acceptance of values)
Ways of appropriation of culture	Social learning, individual reflection, collective deliberation, “logic of arguing”	Practice, discursive reproduction
Change	Gradual	1. Gradual (adoption of new practices) 2. Sudden (breakdown of <i>doxa</i> due to external crisis – historical juncture)
Relationship with behaviour	Impacts directly upon behaviour	Mutual constitution – legitimises behaviour, enables and constrains it
Conditions for persistence of democracy	Positive attitudes towards system, congruence between attitudes, behaviour and institutions	Embeddedness of institutions in <i>habitus</i> (shared interpretation and <u>legitimation</u> for practices)
Concept of CoD	Prescriptive	Descriptive
	Normative	Analytical
	Static (preservation of status quo)	Dynamic (allowing for change)
Epistemological perspective	Objective; expert knowledge	Intersubjective: “ <i>verstehende</i> ”, participant knowledge
Predominant methodology	Survey research	Discourse analysis

referring to well known symbols and themes. This again stresses the relevance of the national collective memory (i.e. the way history is publicly remembered and the repertoire of discourses it offers to politicians).⁵³ An extreme example is the obvious success of populist politicians in some post-communist countries in presenting their nations as the eternal victims of greater powers. This is done by discursively relating current conflicts (e.g. the question of Kosovo’s politi-

cal status) to medieval history (e.g. the battle of Kosovo Polje in 1389) in a way which obviously resonates convincingly with many voters (but not necessarily with external observers).⁵⁴

According to Ann Swidler new systems of meaning develop during unsettled times. Thus, historical junctures and structural change requires people to reorganize their “cultural tool kit” in order to develop

⁵¹ G Eyal, *The Origins of Post-Communist Elites - From Prague Spring to the Break-Up of Czechoslovakia*, Minneapolis: University of Minnesota Press, 2003, p.21.

⁵² S Roßteutscher, 'Competing Narratives and the Social Construction of Reality - The GDR in Transition', *German Politics*, Vol.9, No.1, April 2000, p.63; Neckel, 1995, p.665.

⁵³ "Most of the time when I remember it is others who spur me on, their memory comes to the aid of mine and mine relies on theirs. [...] There is no point in seeking where they [i.e. the memories, MS] are preserved in my brain or in some nook of my mind to which I alone have access: for they are recalled to me externally, and the groups of which I am part at any time give me the means to reconstruct them, upon condition, to be sure, that I turn towards them and adopt, at least for the moment, their way of thinking. It is in this sense that there exists a collective memory and social frameworks for memory; it is to the degree that our individual thought places itself in these frameworks and participates in this memory that is capable of the act of recollection." M Halbwachs (ed. and transl. by L Coser), *On Collective Memory*, Chicago: University of Chicago Press, 1992, pp.38-39.

⁵⁴ Bar-Tal uses this example in a similar way to explain his (socio-psychological) model of societal beliefs (D Bar-Tal, *Shared Beliefs in a Society*, London: Sage, 2000, pp.xiv-xv).

new ways of relating to their environment.⁵⁵ Moscovici calls these events "points of cleavage".⁵⁶ According to Consuelo Cruz, who applies and partly modifies Swidler's approach, endogenous change of discursive frames becomes possible by way of constant contestation (i.e. internal interpretive conflicts within one dominant frame) which then leads to historical junctures. Consequently, this opens the discursive field for other frames to compete with the dominant ones.⁵⁷ This contestation is mostly done by political entrepreneurs (i.e. the political elite) while most of the time most people are passive "users" of political culture. For political change to occur, political entrepreneurs must either advance their competing political visions and agendas within a dominant rhetorical frame, or alternatively "adjust reality" by changing the boundaries of the field of the permissible. According to Cruz, this happens simultaneously with a reconfiguration of power relations. Political conflict and political change is thus a struggle over meaning.⁵⁸ This struggle, according to Jan Kubik, also takes place by the deliberate, selective transmission of certain historical discourses while suppressing others.⁵⁹ Again, a key role is played by political elites. For the economic sphere, Yoshiko Herrera shows how the fluidity of political and economic categories during *perestroika* opened the way to heterodox challenges to the orthodox mainstream, Leninist discourse. New understandings of the economy, some of which local elites used to make demands for more autonomy, replaced the previous categories.⁶⁰ For the cases of CEE democracies I therefore hypothesize a lasting legacy of the historical juncture of the 1989/90 transition to democracy on (elite) political culture.

I differentiate between two ideal types of transition. The first type, which I call multilateral transition, is characterized by an equal distribution of contending factions in the transition process. Owing to this there is a stronger need to accommodate and

negotiate a compromise, and a higher degree in elite continuity between old and new system. Transition is, therefore, more gradual, cautious and aiming for a balance between different groups. There is more emphasis on a legalist approach and "backward legitimacy" as Huntington calls it (i.e. changes are made through the established procedures of the undemocratic regime).⁶¹ Moreover, there is less emphasis on explicit policy goals for which it is harder to find common ground. This makes the process rather lengthy; in the beginning it is more vulnerable to reversion and less certain in terms of its substantial objectives. Moreover, legal continuity appears to be a higher objective than popular legitimacy (i.e. there is a less clear "new beginning"). Thus, competing claims of historical legitimacy for the new democracy live on in the polity, and protagonists of the old regime remaining in the new polity are vulnerable to questioning of their legitimacy.⁶²

The second transition type, unilateral transition, is characterized by the domination of the process by the opposition, who holds sway over politics for some time after the first free elections. There is less need and pressure to negotiate with the post-communists, who are weakened and/or soon marginalized. This constellation allows more leeway to the opposition to push through substantial policies, implementing far-reaching political and socio-economic changes (thus being closer to the *tabula rasa* approach). Transition is therefore rapid, has a set goal and appears rather irreversible from an early point in time. It also involves a higher degree of elite turnover. This way, the break with the past regime becomes more visible as the new regime seeks to build itself on a new legitimacy, not legal continuity. Thus, the winning former opposition also imposes a historical closure and a condemnation of the old regime.

According to the outlined model, which views critical junctures such as the transition period as

⁵⁵ Swidler 278-279.

⁵⁶ S Moscovici (ed. by G Duveen), *Social Representations - Explorations in Social Psychology*, Cambridge: Polity Press, 2000, p.8.

⁵⁷ Cruz, 2000.

⁵⁸ For the case of Spain see L Edles, *Symbol and Ritual in the new Spain - The transition to democracy after Franco*, Cambridge UK: Cambridge University Press, 1998.

⁵⁹ J Kubik, 'Cultural Legacies of State Socialism: History Making and Cultural-Political Entrepreneurship in Postcommunist Poland and Russia', in: G Ekiert / S Hanson, *Capitalism and Democracy in Central and Eastern Europe: Assessing the Legacy of Communist Rule*, Cambridge UK: Cambridge University Press, 2003, p. 319.

⁶⁰ Y Herrera, *Imagined Economies - The Sources of Russian Regionalism*, Cambridge: Cambridge UP, 2005.

⁶¹ S Huntington, *The Third Wave - Democratization in the late twentieth century*, Norman: University of Oklahoma Press, 1991, p.141.

⁶² H Arendt, *On Revolution*, Hamondsworth: Penguin Books, 1973; János Kis on "radical reformism", Jacek Kuron on "self-limitation", Adam Michnik on "new evolutionism" etc. (B Falk, *The Dilemmas of Dissidence in East-Central Europe*, Budapest: CEU Press, 2003.); J Kis, 'Between Reform and Revolution', *East European Politics and Societies*, Vol.12, No.2, s Spring 1998, pp.300-383.

For a similar typology - differentiating three types of transition, i.e. transformation, replacement and transplacement see Huntington, 1991, pp.124-174. Huntington puts more emphasis on the major players and agents of change in the transition process, i.e. reformers and stand-patters (WHAT'S A STANDPATTER?) in the old regime, as well as moderates and radicals in the opposition whereas my typology is more concerned with the overall dynamics of the process. In the end, his three types of transition (transformation, transplacement and replacements) are quite close to mine with an added intermediate type.

being crucial for offering political elites collective representations of democracy, we should expect to find some systematic differences through the impact of these basic differences in the transition process. Moreover, if these collective representations are durable and relevant we should expect to find at least parts of them in this noticeable constellation up to today. Therefore, the basic approaches to political change and the dominant ways of interaction in the two ideal types of transition are expected to have left their mark on collective representations of the new democracy. At least partly, they are expected to be reproduced until today. Following from that we can formulate the following hypotheses:

Hypothesis 1: Political elites' collective representations in countries with the experience of unilateral transition promote a more competitive understanding of democratic practice than countries with a multilateral transition, where we expect to find a more consensus-oriented outlook in elite discourses on democracy in which compromise and consensus are presented as a value in itself.

This hypothesis rests on the premise that, during transition, political elites came to develop a kind of collective identity by reconfiguring their way of interaction according to the above-developed model of political culture. In the rather unstructured and empty public realm of collapsed communism new ways of organizing politics had to be found. Due to the described very different constellations between opposition and post-communists in the two ideal types of transition, very different practices and forms of interaction were newly developed (or were revived from earlier periods). In multi-lateral transitions, both opposition groups and former communists are more likely to have developed a common notion of responsibility for the new system. This required them to temporarily leave aside deep differences of opinion and to develop an inclusive, coalescent approach (if only until a basic agreement about the terms of regime change was found and the first free elections held). At later points the legacy of peaceful and co-operative political change would be revived in order to achieve further decisive reform steps (e.g. constitutional reform, economic adjustment etc.) even if only rhetorically, or ultimately unsuccessfully in terms of substantive results. In unilateral transitions we would expect this common identification with the system and consensual decisionmaking to be less strong (at least with

those players who were marginalized from the process) and therefore to find less emphasis on consensus-seeking positions. Instead, differences between government and opposition were fully played out, and concluded with the opposition winning their way when establishing the new system.

Hypothesis 2: Formal and predictable procedures should have a much stronger weight in the elite political culture of countries with a multilateral transition. Politicians in countries with a more unilateral legacy of transition would rather emphasise the achievement of concrete policy results rather than valuing procedures for their own sake.

Through the experience of transition as a highly formalized and legalistic approach, politicians in countries of multilateral transition have at their hand discourses presenting democracy as embodied in predictable, formal procedures and balanced participation of all groups. New mechanisms of negotiation, accommodation, and inclusive decision-making had to be developed *before* substantive reforms were started. In countries with unilateral transition, regime change and later reforms had to be pushed through by some (opposition) groups against the uncompromising communists and without an inclusive negotiating process. The quick and irreversible achievement of precise goals stood in the foreground. These substantive goals (i.e. creating a liberal democracy and a market economy), which were mostly supported by a majority of the (mobilized) people, can be presented by them as being more important than particular procedures to reach these goals.

In unilateral transitions, while acting as a unified group in overcoming communist rule and preparing free elections, very soon competition started between increasingly differentiated parties which developed out of the former opposition while the (unreformed) post-communists would remain ostracised. In multilateral transitions, the post-communists remained strong political players and (after a few years) became a serious contender for power.⁶³

Hypothesis 3: In societies with the legacy of unilateral transition, collective representations of democracy contrast quite strongly between the post-communists on the one side and parties developed out of former opposition groups on the other side. In this regard, they differ from the cases of multilateral transitions, where both sides have a common stake and share

⁶³ Kitschelt et al. point out that in democracies following "national-accommodative" communism the regime cleavage is less pronounced than in democracies after "bureaucratic authoritarianism". Assuming a strong connection between previous regime types and transition dynamics my hypotheses to some extent mirror Kitschelt's. However, my focus is slightly different as I am not concerned with comparing party systems but political culture and the way political elites relate to the democratic system (H Kitschelt/ Z Mansfeldova/ R Markovski/ G Tóka, *Post-Communist Party Systems - Competition, Representation and Inter-Party Cooperation*, Cambridge, CUP, 1999, p.306).

rather similar rhetorical frames concerning the system).

Countries with a legacy of unilateral transition should therefore feature a more competitive, outcome-oriented approach to politics which is presented as the ideal in elite discursive frames (at least from the side of the former opposition), as opposed to the consensual and more procedure-oriented approach of multilateral transitions. Collective representations of democracy might therefore also feature a very different role model for politicians.

Hypothesis 4: In countries of multilateral transition, political elites share a collective representation of politicians as playing the central role in the democratic process in being rather aloof of particularistic interests and collectively finding the best solution for the country, the "common good" (i.e. closer to the utilitarian model of democracy). Political elites in countries with unilateral transitions should present their own role as being representative of competing interests in the first place.

Political elites (with the legacy of multilateral transition) should thus find their collective representations of democracy embodied best in the consensus institutional set-up, whereas political elites from unilateral backgrounds might present the requirements of consensus institutions as being in the way of decisive, efficient and outcome-oriented politics.

Hypothesis 5: Political elites in societies with a unilateral transition background advocate changes to the political system more strongly/extensively than political elites from multilateral transitions.

Political elites from countries with multilateral transitions do not share a societal consensus on how to evaluate the past as opposed to those from countries with the legacy of a unilateral transition. The latter involved not only a "new beginning" in terms of political legitimacy, but also the (at least temporal) expulsion of the protagonists of the old regime, and generally a more forceful (sometimes imposed) "coming to terms with the past" resulting in a predominant condemnation and public de-legitimation of the old regime. Multilateral transitions allowed for the per-

sistence of competing concepts of legitimacy of the new polity, or at least did not require actors to fully dissociate themselves from the communist (or any other previous) regime(s). Therefore, the absence of an (imposed) condemnation of the old regime(s) may lead to clashing definitions of legitimate leadership in countries with the legacy of multilateral transition, and consequently result in a lack of mutual acceptance and respect as legitimate players in the democratic system.

Hypothesis 6: Political elites in democracies developed out of multilateral transition will be found to be more explicitly aiming at demarcating themselves culturally and ideologically from political opponents than in unilateral transitions.

For the cases of Romania and Bulgaria one might have to introduce a third type of transition which started as a pre-emptive reform-attempt by the old elites with only moderate contributions from a weak opposition in the beginning. In my thesis I did not consider these cases but one can surely construct similar hypotheses for these cases. For example, one could hypothesize the continued absence of common understanding of historical legitimacy among the political leaders in these countries leading to a lack of respect for political opponents as in the cases of multilateral transitions. Yet, similarly as in cases of unilateral transitions one would not find consensus on the preservation of the institutional status quo.

From a theoretical perspective the observation of strongly non-consensual politics in CEE questions traditional understandings of political culture and its underlying factors. Mainstream political culture research in the tradition of Almond and Verba in general, and elite political culture in particular basically postulates a causality between institutions and political culture in the form of attitudes over time. This adaptation process is supposed to be mediated by socio-economic background factors such as age/generation, education or ethnic/geographic origin.⁶⁴ The assumption of an adaptation of political culture to institutions also seems to be reflected in many mainstream studies on CoD.⁶⁵

⁶⁴ G Almond & S Verba, *The Civic Culture - Political Attitudes and Democracy in Five Nations*, Princeton UP, 1963; L Pye / S Verba (eds.), *Political Culture and Political Development*, Princeton University Press, 1965; N Leites, *The Operational Code of the Politburo*, New York: McGraw-Hill, 1951; A George, 'The "Operational Code": A Neglected Approach to the Study of Political Leaders and Decision-Making,' *International Studies Quarterly*, Vol. 13 No. 2, 1969, pp. 190-222; R Putnam, *The Comparative Study of Political Elites*, Eaglewood Cliffs: Prentice Hall, 1976; D Easton, 'A Re-Assessment of the Concept of Political Support', *British Journal of Political Science*, Vol.5, No.4, 1975, pp.435-457; R Putnam, *The Beliefs of Politicians - Ideology, Conflict and Democracy in Britain and Italy*, New Haven: Yale University Press, 1973; R Rose / W Mishler / C Haerpfer, *Democracy and its Alternatives - Understanding Post-Communist Societies*, Cambridge: Polity Press, 1998; R Rohrschneider, *Learning Democracy - Democratic and Economic Values in Unified Germany*, Oxford UP, 1999; D Pollack / J Jacobs / O Müller / G Pickel (eds.), *Political Culture in post-communist Europe*, Aldershot: Ashgate, 2003;

⁶⁵ J Linz / A Stepan, *Problems of democratic transition and consolidation : southern Europe, South America, and post-communist Europe*, Baltimore: Johns Hopkins UP, 1996; L Diamond, *Developing Democracy Toward Consolidation*, Baltimore: John Hopkins UP, 1999; A Schedler, 'Measuring Democratic Consolidation', *Studies in Comparative International Development*, Vol. 36, No. 1, 2001, pp. 67-68.

In my own research on Hungarian and East German MPs (with a West German control sample)⁶⁶ I employed content analysis of a representative sample of MPs' speeches over two parliamentary cycles. I took Hungary as the case closest to the ideal type of multilateral transition, East Germany as the case closest to the ideal type of unilateral transition (with the unification process even further speeding up transition). Coding for an either consensus or competitive positions in the mentioned five dimensions I found Hungarian MPs sharing an expressed preference for consensus as a practice (1). They present democratic politics predominantly as an undertaking which should aim at finding the common good rather than considering particular interests (2). They emphasise the value of formalised democratic procedures and the interplay between constitutional bodies (3) and basically present the current political and socio-economic system as the best possible solution denying the need for far-reaching changes (4). However, Hungarian MPs are not respectful towards each other, according to the last indicator (5).

East German MPs in turn (with the notable exception of the PDS) seem not to be designating a particular value to consensus solutions in politics (1). They present democratic politics as being about the competition of different interests with politicians representing them rather than the quest for the common good (2). They do not assign any particular value to formalized procedures (3), or the existing institutional status quo (4). Still, they are more respectful towards each other than Hungarian MPs. Only the PDS promotes a partially consensual outlook on democracy by emphasising procedures over outcomes (3) and, interestingly, by arguing for the perseverance of the status quo of the existing (West German) system (4). I found neither a development towards more consensus-orientation over time, nor a plausible relationship between consensualism and socio-economic or positional background variables (party membership, time in office etc). Neither did I find support for an explanation based on "deep" national political cultures in this regard since East and West Germany showed markedly different patterns. (The numerical differences in the five dimensions were actually much larger between East and West Germany, than between Hungary and West Germany). In short, explicit, rhetorical commitment of political elites to consensus democracy (without knowing how strongly it is internalised individually) in the two cases appears to follow more the logic of collective rather than individual socialization as expected by my approach.

Consequently, a medium-term legacy-based explanation on the aggregate level as proposed in the discursive model of political culture appears much more reasonable.

The quantitative patterns established through content analysis of parliamentary speeches are further supported by a discourse analysis conducted with the transcripts of around 30 interviews with MPs from the two cases. Basically, neither type of transition offers a discursive repertoire fully supportive of consensus democracy. For the case of Hungary (and I would argue for cases of multilateral transition in general) due to the persistence of competing notions of historical legitimacy, political entrepreneurs are able to establish sharp cultural-ideological divisions and deprive each other of recognition as equal participants in the democratic game. East Germany, as a case closer to the ideal type of unilateral transition, experienced an abrupt, imposed regime change with the complete initial exclusion of the protagonists of the old regime. This marked a "new beginning" with little legal or historical continuity. As a consequence, East Germany was found to lack a common elite discourse with regards to the democratic system connecting the other parties with the post-communist PDS, as well as connecting East and West German MPs (even within the same parties).

Using Bourdieu's concept of *habitus* I then illustrate how these shared discourses might constrain or enable political behaviour by demarcating legitimate avenues for change and persistence and thus impact upon the persistence of the democratic system, i.e. the consolidation of democracy. Thus, for the Hungarian case I discuss how the expressed preference for consensualist decision-making delegitimizes and impedes fully legal majoritarian decisions, while on the other hand the lack of respect for "the other" undermines co-operation by rhetorically externalising political opponents from the system.

For the East German case, the rather anti-consensualist discourses of non-PDS MPs clash with the established traditions of West German "quasi-consociationalism". This way, East German MPs fail to develop a commonly shared supportive *habitus* for the existing system, with PDS MPs (in line with West German MPs) mostly supporting conservation or furthering of the consensualist system, and the other East German MPs arguing for change.

Following from this differentiated perspective, the conclusions about CoD must also be differentiated between the CEE countries. In countries with the legacy of a multilateral transition the absence of a

⁶⁶ I picked East and West German MPs from the Bundestag based on the geographical location of their constituency, not their origin or place of birth. Nevertheless, 95% of East German MPs and 100% of West German MPs were born and grew up in East and West Germany respectively.

comprehensive debate about the past makes the new polity vulnerable to potential usurpation by both left and right with mutually exclusive understandings of historical legitimacy. Unlike in unilateral transitions, there was no “new beginning” in the Arendtian sense (i.e. the building of the new polity on a clear break with the old regime). Next to a higher degree of personal continuity in politics there are, in these countries, a higher number of members of the old regime’s political elites that have benefited from “spontaneous” or insider privatisation and moved from political into economic leadership positions.⁶⁷ This fact offers a target for attacks from the right against post-communist parties accusing the latter as illegitimately still profiting from their former position, or even as conspiring against the new system. As the old regime, or any previous regimes prior to communism, are not univocally delegitimized and can be taken up again by political entrepreneurs to promote alternative visions of modernization and democracy (e.g. corporatist-clerical and ethnocentric authoritarianism or some kind of reform socialism) in order to deny equal legitimacy to political opponents as demonstrated in the Hungarian case. This danger stands particularly high in the post-EU-accession context and the disaffection connected to it with some groups in society.

Thus, while promoting an otherwise consensus-oriented political culture and commitment to the institutional status quo, the lack of mutual respect and acceptance as equal players in the democratic game can severely undermine the daily working and the credibility of consensus democracy. The consolidation of democracy in the case of multilateral transitions therefore depends on the ability of political elites to mutually accept each other and engage in a constructive dialogue over the past.

If the confrontational style between the different parties in countries such as Hungary, Poland but also Romania continues, it will further undermine the working and the popular acceptance of the democratic system, in particular given the high expectations raised by political elites themselves. Political leaders from different parties or camps who do not accept each other as legitimate opponents but rather regard each other as enemies cannot make a consensus (and actually not even a majoritarian) democracy run well. Moreover, if democratic politics is presented as being based in defining the common good, in

avoiding disagreement or conflict, and in assuming a morally superior, truthful position it becomes vulnerable to be overtaken by disappointed expectations. This might be particularly the case if consensus democracy is associated with elitist, non-transparent and sometimes anti-participatory discourses and practises. A lack of pragmatism by political elites and a de-politicization of the masses are blamed for the failure of consensus or consociational democracy in the past (e.g. in the case of France).⁶⁸

As Manfred Schmidt notes, consociationalism presupposes the existence of autonomous segments in society while consensualism furthers their development.⁶⁹ In this regard, the consolidation of consensus democracy in CEE appears problematic due to the conspicuous absence of well-defined and rather stable social groups. Therefore, political parties might engage in “cultural engineering” from above and try to achieve social embeddedness. As mentioned above, in the Hungarian case this is one of the strategies pursued by the right who lack organisational embeddedness more than the post-communist left. The left can still rely on relatively extensive local party organisations. Moreover, managers affiliated with the old regime enjoyed a head-start in the privatisation process, as well as a continuous presence in other organizations (media, trade unions etc.). Historically, the establishment of clear ideological boundaries has often increased political stability. Perhaps we are already observing new cleavages in the making as some authors argue that parties in countries such as Hungary and Poland attempt to turn political differences into primary ones.⁷⁰ This could result in two (or more) relatively stable camps which have their own definitions of basic values, modern society and the common good and in which voters only elect their camp’s leaders (but also where consensus is required for the highest national offices and policies). As one MP put it: “Hungarian politicians are unable to compromise because they do not know their positions. When you do not have a position, a standpoint or a goal you are unable to compromise.”⁷¹ Therefore, consensus democracy might work better once political parties have developed clear-cut, stable socio-cultural profiles and at the same time have established the boundaries of acceptable discourse.

Cases with the legacy of unilateral transition are, in turn, are less vulnerable to competing concepts

⁶⁷ G Eyal, I Szelényi, E Townsend, *Making Capitalism Without Capitalists - Class Formation and Elite Struggles in Post-Communist Central Europe*, London: Verso, 1998; D Stark / L Bruszt, *Post-Socialist Pathways - Transforming Politics and Property in East Central Europe*, Cambridge University Press, 1998.

⁶⁸ A Lijphart, ‘Consociational democracy’, *World Politics*, Vol.21, No.2, 1969, pp.222-224.

⁶⁹ M Schmidt, *Demokratietheorien*, Opladen: Leske+Budrich, 3rd ed., 2000, p.340.

⁷⁰ Zs Enyedi, ‘The role of agency in cleavage formation’, *European Journal of Political Research*, Vol.44, No.3, 2005, pp.697-720

⁷¹ MDF #2.

of democracy and modernization since the previous regime(s) alongside with its claim to historical legitimacy was fully discarded during the revolutionary transition to democracy. Also, a higher extent of *Vergangenheitsbewältigung* was imposed upon society e.g. through far-reaching and systematic lustration campaigns, the opening of secret service and state archives, public commemorations, teaching at schools etc.⁷² However, the initial exclusion of protagonists of the former regime and the imposition of the new system by the former opposition furthers a rather majoritarian democratic discourse, prevents all players from developing of a common stake in the system resulting in a lack of understanding for the worth of consensus-democratic arrangements.

In countries with the legacy of unilateral transition, political elites might therefore come to find their understanding of democracy to be better served by more competitive, majoritarian institutions. Thus, institutional adaptation towards diminishing the number of veto players might be a possibility to increase the acceptance of the system (e.g. as attempted by the two major Czech parties in the 1998 "opposition agreement").⁷³ This might increase their effectiveness and output-orientation, which is a major pillar of their political leaders' yardsticks for democratic legitimacy. At the same time destructive polarization (as in the cases of multilateral transitions) appears less likely. Therefore, there is also little reason to fear from more competition. In these polities, danger looms rather from the fringes of the political spectrum if consensus politics remains unchanged.

Conclusion

I am convinced this approach can be employed with some modifications to other CEE countries and the construction of another type of transition dynamics as mentioned above is feasible. Thus, similarly as in the cases of multilateral transitions the absence of a comprehensive break with the past still impedes mutual acceptance by different parties. At the same time, there appears to be a lack of agreement on preserving the existing set of institutions as in the cases of unilateral transitions.

However, there are also differences between the South East European countries and the Central and East European countries upon which I focused in my thesis. As Higley and Burton I would differentiate between the cases of Hungary, Poland and Slovenia (which basically upheld their elite settlements throughout the upheavals of post-transition politics), the Czech Republic and Slovakia (where political elites only converged in the late 1990s) and countries such as Romania, Bulgaria or Albania which are characterized as still lacking a lasting elite pact or full post-transition elite convergence.⁷⁴ In this regard, also elite political culture might still be more fluid and changeable. Also, for SEE countries the transition of 1989/90 was followed by other critical junctures such as the 1996 elections in Romania with the first electoral turnover of power which might have left lasting marks on political culture.

⁷² *Vergangenheitsbewältigung* has surely also taken place in countries such as Hungary and Poland yet with largely competing interpretations of the past and without a serious dialogue between the opposing camps. In Hungary different symbols have been used and even major national holidays are celebrated separately by left and right parties. Different versions of history have been promoted by various governments and were subsequently institutionalised through competing museums, memorials or historical institutes. Lustration and transparency about the old regime's archives has been initiated in a more selective and opportunistic fashion (e.g. the campaign by the Oleksy government in Poland in the early 1990s).

⁷³ A Roberts, 'Demythologising the Czech Opposition Agreement', *Europe-Asia Studies*, Vol.55, No.8, December 2003, pp.1273-1303; M Novák, 'The Relevance of Small Parties - From a "General Framework" to the Czech Opposition Agreement', *Czech Sociological Review*, 2000, Vol.36, No.1, pp.27-47; S Saxonberg, 'A New Phase in Czech Politics', *Journal of Democracy*, Vol.10, No.1, 1999, pp.96-111; J Higley, M Burton, *Elite Foundations of Liberal Democracy*, Lanham: Rowman & Littlefield, 2006, pp.168-170.

⁷⁴ J Higley, M Burton, *Elite Foundations of Liberal Democracy*, Lanham: Rowman & Littlefield, 2006, pp.84-89, 168-173.

From Sofia to Brussels – Corrupt Democratization in the Context of European Integration

*Gergana Bulanova**

Abstract:

This paper examines the correlation between corruption, democracy and transformation. It is designed as a study of the quality of the established model of democracy, focusing on the governance capacities of one of the newest EU-member states – *Bulgaria* to effectively counter political corruption. Taking into account the levels of corruption spread in Bulgaria since 1989, I address the following question: *why does Bulgaria fail to effectively counter political corruption, notwithstanding the large scale anticorruption campaign, launched in the course of the democratization and Europeanization processes of the last years?* I suggest that the state failure in anticorruption is tightly connected to the quality of the established (achieved) democratic model. Furthermore, I argue that this state weakness refers to profound institutional shortcomings, which in turn cause the contamination of the exchange of wealth and power. Respectively the study's main goal is to offer an analyse of the influence of the level of attainment of a balanced, liberal democracy over the state capacities to effectively counter political corruption, while taking into account the role played by particular context factors.

Keywords:

political corruption, transformation, democratization, Europeanization, Bulgaria, CEE countries

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Defining the problem

The phenomenon of corruption enjoys an increasing amount of attention worldwide at least since the political change of 1989. The growing number of corruption surveys commissioned by different international organizations and research institutes, as well as the almost daily press releases about corruption affairs within local and national administrations, political parties, multinational companies, even in international organizations¹ demonstrates firstly that the topic of corruption is undoubtedly on the rise, and secondly that the phenomenon obviously affects all societies, social systems, institutions and states. It is undisputable however, that in some countries, and especially in times of intensive developmental periods corruption can have a devastating impact on society, politics and economy.

Concerning the corruption spread in the "third world" countries for about 40 years the „modernists" suggested that corruption is the outcome of the modernization. It is perceived to be most prevalent during the most intense phases of transformation from traditionalism to modernity. Thus the phenomenon of corruption can be seen as a signifier of deep social changes. In the most "third wave" democratization countries corruption appears to a barely manageable extent, affects all socio-political levels and infiltrates the every day life.

This article examines the correlation between corruption, democracy and transformation. The study deals with the societal accumulation, use and exchange of wealth and power in the context of a substantive transformation and seeks to assess the ways a transformation society and its economy are governed. It is designed as a study of the quality of the established model of democracy, focusing on the governance capacities of the newest EU-member state – *Bulgaria* to effectively counter corruption.

The collapse of the *ancient regime* in November 1989 and the nature of the Bulgarian transformation to a liberal, "western" democracy opened up many institutional and judicial deficiencies that were loaded with tremendous corruption potential. Corruption however, began to be perceived as one of the major societal problems in democratically governed Bulgaria, only after the stabilization following the economic breakdown in 1997, when the people's worries about their immediate survival were alleviated. According to opinion polls since 1997 corrup-

tion was normally placed, after the low incomes and the unemployment, on the third place of the worst hardships of democracy. More shocking was the result of the last corruption monitoring report, carried out by the nongovernmental organisation "*Center for the Study of Democracy*", showing that as of January 2007, 54% of the respondents perceive corruption, for the first time in the last 10 years as the most important societal problem.² Bribery scandals at all political levels, imperfect jurisdiction and internal security bottlenecks brought so much importance to the issue of corruption that in the fall of 2006 it still seemed like Bulgaria's accession to the EU would be delayed, precisely because of the widespread corruption.

Notwithstanding the problems, Bulgaria succeeded to join the union on the 1st of January 2007 as planned, whereas the Commission installed monitoring measures, unprecedented for its enlargement history. The mechanism for verification of the progress of Bulgaria to address specific benchmarks was established to assure further control over the pace of the judicial reforms and the fight against corruption and organized crime.

The scope of corruption in Bulgaria

Despite the difficulties to diagnose corruption and its impact, I will try to draft a snap-shot of the actual volume of corruption in Bulgaria, relying on the findings of international (the *EU-Commission* and *Transparency International*) and local (*Center for the Study of Democracy*, statistics of the *Ministry of Interior*) observers.

Since the late 90es corruption was one of the most criticized issues in the regular reports of the EU-Commission on Bulgaria's progress towards accession. The report from 2005 was perceived as a sensation, because for the first time Bulgaria's performance was judged worse than that of the other EU-accession candidate - Romania. Besides, also for the first time, the Commission identified the "*week results*" in the investigation and prosecution of corruption on the "*highest political levels*" as the "*main problem*" in anticorruption.³ The assessment of the report from September 2006 was even more negative, requesting the presentation of "*clear evidence of results*" in investigating and prosecuting cases of high-level corruption, as a condition for the accession in January 2006.⁴ Bulgaria entered the union as planned, but the

¹ There are plenty of examples for corruption in international organisations. Here are just some of them: the latest corruption scandal from March 2007 concerning EU-Commission-staff; the resignation of the entire EU-Commission under the Commission President *Jacques Santer* in November 2000, because of allegations of fraud, mismanagement and nepotism; the investigations of corruption transactions within the "Oil for Food Program" of the UN; the latest World-Bank scandal concerning the promotion of Paul Wolfowitz's girlfriend etc.

² Center for the Study of Democracy, *Anti-Corruption Reforms in Bulgaria: Key Results and Risks* Sofia, 2007, <http://www.csd.bg/fileSrc.php?id=2152>, p. 19.

³ European Commission, *Bulgaria 2005 Comprehensive Monitoring Report*, Brussels, 25 October 2005, SEC (2005) 1352, 2005, http://ec.europa.eu/enlargement/archives/pdf/key_documents/2005/sec1352_cmr_master_bg_college_en.pdf, p. 11.

⁴ European Commission, *Communication from the Commission: Monitoring Report on the State of Preparedness for Eu Membership of Bulgaria and Romania*, Brussels, 26.9.2006, COM(2006) 549 final, 2006 http://ec.europa.eu/enlargement/pdf/key_documents/2006/sept/report_bg_ro_2006_en.pdf, p.5-6.

Commission established a grave mechanism for verification of Bulgaria's progress to address six specific benchmarks in the areas of judicial reform and the fight against corruption and organized crime.

According to the 2006 *Corruption Perception Index (CPI)* issued annually by *Transparency International*, Bulgaria turned back to its corruption level from 2002.⁵ With 4.0 points and place 57 in the international comparative corruption scale the level of the perceived corruption spread in 2006 is better than that of Poland, Turkey, Croatia, Romania, Serbia, Bosnia and Herzegovina and Macedonia. However, a rating of around 3 points is assumed as indication of deeply rooted, systemic corruption. Thus the 2006 CPI lines up Bulgaria next to countries like El Salvador and Columbia, where corruption is perceived to be the "rule". This means that the problem of the effective fight against corruption is essential for Bulgaria.

The national assessments of the spread of the phenomenon show similar results. In 1997 the non-governmental organisation "*Center for the Study of Democracy*" developed an excellent *Corruption Monitoring System (CMS)* for annual assessment of the spread of corruption in the country. The results from 2007 on administrative corruption reveal positive trends. The most alarming tendency, however, is that both the business and the citizenry perceive the so called "grand corruption"⁶ (amongst members of the government, members of the parliament, mayors) as growing and becoming better institutionalized through the so called "*loops of companies*", or "*party rings*".⁷ The study's assessment is that "*given the current environment of virtual impunity for political corruption, there is a real threat that the opportunities of the EU membership will be hijacked by private inter-*

ests."⁸ The annual loss through corrupt transactions is estimated to the amount of 2 Billion Levs per year, which exceeds the expected annual EU-allocation.⁹

The statistics of the *Ministry of Interior*, as reported by the media show that in 2006 a total of 188¹⁰ criminals were judged on grounds of corruption crimes. At the same time the research of the *Center for the Study of Democracy* measures more than 110 000 – 115 000¹¹ corrupt transactions per month. According to a study of the *Ministry of Justice* on the corruption sentences issued, the majority of convicted are financial auditors or accountants, with usual amounts abused ranging from 250 to 300 US \$ and only in 4,2% of the cases – from 5 000 to 10 000 US \$.¹²

Another alarming tendency is the number of the commissioned murders – 173 for the period 1992-2005¹³. None of them has been disclosed, respectively no effective sentence has been issued. With regard to the grand-corruption, in its report to the EU-Commission from June 2006 the government reported to have launched investigations against two high-level officials, one from the *Ministry of Agriculture* and another from the *Ministry of Interior*.¹⁴ In addition, seven MPs lost their immunity on grounds of corruption allegations.¹⁵ Yet, up to now there is no evidence of effectively prosecuted and judged grand-corruption crimes.

The state seems powerless in the face of "grand corruption". At the same time, Bulgaria is perceived to be a democratic country with functioning institutions, which have met the political criteria for EU-membership as far back as in the year 1997. The values of the international democracy indexes also sig-

⁵ The CPI is based on the estimations of international experts and businessmen about the corruption spread and arrays the countries on a scale from 10 (free from corruption) to 0 (extremely corrupt): The 2006 CPI contains estimations for the spread of corruption in 163 countries; for more information see: http://www.transparency.org/policy_research/surveys_indices/cpi.

⁶ Political corruption (the so called "grand" or "high-level" corruption) means corruption that affects the high political and societal levels, and comprises in its core, the misuse of entrusted power for private gain, committed by political decision-makers. The decisive characteristic here is that the misuse on the part of politicians implies the evasion of the public interests in order to achieve personal benefit. The definition of corruption will be discussed further in detail. (The notions of grand/ high-level and petty/low-level are broadly accepted, see for example: Center for the Study of Democracy, *On the Eve of EU Accession: Anti-Corruption Reforms in Bulgaria* Sofia, 2006, http://www.csd.bg/files/CAR-III_Eng.pdf, Huntington, Samuel *Modernization and Corruption, Political Order in Changing Societies*, 1968 in *Political Corruption, a Handbook*, ed. Arnold J. Johnston Heidenheimer, Michael, Le Vine, Victor T (New Brunswick (USA) and London (UK), : Transaction Publishers, Third printing 1993).

⁷ Center for the Study of Democracy, *Anti-Corruption Reforms in Bulgaria: Key Results and Risks*, p.6.

⁸ *Ibid.* p.7.

⁹ Cited from: Angarev, Panaiot, "Attention political Corruption", in *Dnevnik*, 23.04.2007, available at: www.dnevnik.bg/show?storyid=333695

¹⁰ *Ibid.*

¹¹ These statistics differ from the statistics of the police, which are perceived as inexact, because of the fact that only few of the corruption crimes are officially reported. The survey of the *Center for the Study of Democracy* is measuring the level of corruption, registering the number of corruption transactions which citizens admit to have been involved in over a certain period of time. Center for the Study of Democracy, *Anti-Corruption Reforms in Bulgaria: Key Results and Risks*, p.12.

¹² Cited from: Resume of the criminological report: "Court practices concerning the implementation of the rules of the chapter "Bribe" – art. 301-307 of the Penalty Code in the transformation years (1989-2003)", available at: www.mjeli.government.bg/%5Cstructure_files%55Docs5404122006_izsledvane_mj.doc.

¹³ Jansen, Klaus, Peer Review: Justice and Home Affairs, Focus Area: Fight against Organized Crime Rheinbach, Germany March 2006, www.europe.bg/htmls/page.php?lang=en&category=82&id=5050

¹⁴ Cited from: „Sofia reports the fire department and the state reserve as red points in front of Brussels“, Portal Evropa, 25.07.2006, available at: www.europe.bg/htmls/page.php?id=5971&category=223.

¹⁵ Bolzen, Stefanie, Die Katze muss Mäuse fangen. Das Parlament, Nr.21-22/ 22.05.2006, www.bundestag.de/cgi-bin/druck.pl?N=parlament.

nify the positive development of the democracy in Bulgaria. This evidence creates the impression that Bulgaria is a well developed country in political and economic terms, on its best way to establish sound and sustainable democracy. Against the background of the outlined statistics on corruption spread in the recent years of transformation, the daily reports on corruption scandals that flood the media and the high number of unsolved commissioned killings, the question about the actual preparedness of Bulgaria, now as an EU-member state, to effectively and in foreseeable future counter political corruption gains crucial importance.

Main questions

Conditions, impact and consequences of corruption over Bulgaria's politics are the main research areas of my study, while the notion of sustainable democracy will be used as a fundamental point of reference. Further, the research is focused on the exploration of the topic of political corruption and does not deal with other forms of the phenomenon such as low-level or administrative corruption, corruption in the business sector, in the education system, in the customs etc.¹⁶

Taking into account the levels of corruption spread in Bulgaria since 1989, measured by international and local observers and the considerable volume of high-level corruption, I mainly address the following question: *Why does Bulgaria fail to effectively counter political corruption, despite the large scale anticorruption campaign, launched in the course of the democratization and Europeanization processes of the last years?*

I suggest that the state failure in anticorruption corresponds directly to the quality of the established (achieved) democratic model. Furthermore, I argue that this state weakness refers to profound institutional shortcomings, which in turn cause the contamination of the exchange of wealth and power. Therefore corruption has to be seen as a signal for insufficient political and administrative capacities and thus as a symptom of "bad governance".

Accordingly I further raise the question: *what is wrong with the Bulgarian democracy, or more notably – what are the actual shortcomings in the capacities of the national governance to effectively fight corruption?*¹⁷ Since I also suggest that the study will identify a particular imbalance between the distribution of power, economic resources and private interests, the question about the depth of the liaison between politics and organized crime (respectively mafia structures) in Bulgaria will be also addressed.

The main goal of the project is to create a comprehensive analysis of the quality of political governance, while focusing on the assessment of the nation-state capacities to successfully counter political corruption. The study however, is not designed as an overall evaluation of the democracy established. It is rather intended to explore the dimensions and the impact of the *state weaknesses* concerning Bulgarian anticorruption policy.

However, the research of the phenomenon of corruption, as a highly sensitive, yet "explosive" political issue, is in fact extremely difficult. It is not only the vague definition of corruption, with all its various forms and complicated criminalization. The very nature of the corrupt deal, one from which both sides are profiteering and therefore sharing an interest to keep it hidden, is turning any attempt to gather reliable information and to analyse it scientifically into a vital challenge. A corrupt transaction is normally not documented and according to the current experience, becomes illuminated only when, one of the sides is not satisfied with the deal, when somebody gets injured or even killed, or, more rarely – by accident. The research on corruption in Bulgaria is additionally hindered as there are still no successful investigations on high-level corruption cases, which means – no convictions and dissuasive sentences against politicians. For that reason as of May 2007, there is no judicially proven evidence to clearly disclose the relations and processes at work within a corrupt network. Thus my only alternative is to use the media as main resource for the corruption scandals occurring. Of course only information that has been confirmed by representatives of the investigation and prosecution institutions is going to find place as empirical material in the study.

Relation between the quality of democracy and the anticorruption capacities

There is a strong correlation between the democratization and the corruption spread in the Eastern European countries, whereas the transformation to a liberal democracy was rather expected to effect a crucial reduction of the corruption volume. Instead in many postsocialist countries the opposite process occurred, while depriving the countries from any protection and reaction capacities for effective anticorruption. I argue that this could be explained by the nature of the democratization process, associated with tremendous loss of statehood in all three fields – leadership, security and affluence. Namely the way the transformation reforms were implemented, determined the low grade of resistance against corruption,

¹⁶ While further writing "corruption", I mean – "political corruption".

¹⁷ I define governance capacities as administrative (the state's ability to law enforcement, resulting from the sum of its judicial competences, financial, military and human resources) and political capacities (the state's autonomy in decision making) and follow thus the definition of: Börzel, Tanja, Allgemeine Angaben Zum Teilprojekt B2: Gutes Regieren Ohne Den Schatten Der Hierarchie? Korruptionsbekämpfung Im Südlichen Kaukasus Im Rahmen Der Eu-Nachbarschaftspolitik, Projektbeschreibung, FU Berlin, Otto-Suhr-Institut für Politikwissenschaft Berlin November, 2005, http://www.sfb-governance.de/teilprojekte/projektbereich_b/b2/sfb700_b2.pdf, p.12.

which on its part is an indicator for bad governance and consequently – for low quality of the democracy established (“something resembling liberal democracy”¹⁸).

Correlation between particular contextual factors and the state capacities for effective anticorruption fight

As in the most postsocialist countries, the democratization in Bulgaria occurred in two main phases. Firstly there was a relatively short, but dramatic transformation on the top of the state, followed by a long and extremely hard consolidation period, marked by the legitimization of the new state elites. In contrast to most postsocialist countries, the transformation in Bulgaria was a kind of “velvet revolution”, or “controlled transition”¹⁹ of the state power, led by the regime’s elites themselves, since there was neither a powerful economic diaspora, nor a potent dissenter scene. Thus a perpetuation of the clientelistic governance was secured, which implied the “natural” spread of political corruption.

Another specific feature of the transformation in Bulgaria is the failed simultaneity of the political and economic reforms. The actual, country-wide economic liberalization was introduced by the “Kostov-government” after the economic collapse in 1997. Hence, privatization was carried out extremely slowly and is only now in 2007, more than 15 years after the fall of communism, perceived to be concluded.

There is a further contextual characteristic, related to one of the most important structural legacies of state socialism that has to be added to complete the picture of postsocialist Bulgaria. The over-centralized state with its centrally planned economy left huge resources, which had to be transformed from state owned to private. This process triggered the rise of a qualitatively new dominant elite project – the so called “extraction from the state”.²⁰ The elites, capable to manipulate the flow of resources within the existing state edifice, and of course fully indifferent in building sound democratic institutions, extract-

ed the state owned resources. As a consequence the young Bulgarian democracy lost very soon its “logistic” capabilities to organize and control the political and economic processes occurring.

In this sense, another legacy of state socialism also played a crucial role for the creation of a fertile corruption environment in postsocialist Bulgaria, namely the good structured social networks. Some of the “networked people”, for example that part of the *nomenklatura*, with the “better survivor skills”²¹, orientated themselves and adapted relatively quickly in the new situation and transformed their own influence into wealth, by relying on the old, valuable connections.²²

The analysis of the overall corruption environment in postsocialist Bulgaria shouldn’t ignore one more characteristic of the young Bulgarian democracy, which I see as fundamental with regard to the state capacity to adequately address corruption. That is the appearance of organized, violent groups, established mainly by the former heavyweight wrestlers (“borci”), which characterized to a crucial extent the processes of accumulation, use and exchange of wealth and power, especially till the late 90es. Due to their economic power and extensive network these groupings succeeded to establish their position as important player, while acting more efficiently than the state in the field of security supply. This way, they established their power as a kind of functioning illegal institution, which also contributed to the further “deinstitutionalization of the infrastructure of governance”.²³

Parameters of the imbalance of the Bulgarian democracy

In the ideal case the modern model of liberal democracy comprises not only pluralistic party system, free elections, market economy, and influential civil society. It also suggests the existence of two types of balance – a balance between political and economic opportunities for participation and a balance between the accessibility and autonomy of political elites.²⁴ So

¹⁸ Johnston, Michael, Public Officials, Private Interests, and Sustainable Democracy: Connections between Politics and Corruption June 1996 http://www.iie.com/publications/chapters_preview/12/3iie2334.pdf, p. 26.

¹⁹ Beichelt, Timm *Demokratische Konsolidierung Im Postsozialistischen Europa. Die Rolle Der Politischen Institutionen* Leske Budrich, Opladen 2001., p. 70-71.

²⁰ More on the theory of the postsocialist extraction from the state in: Ganev, Venelin, I., Post-Communism as an Episode of State Building: A Reversed Tillyan Perspective *Communist and Post-Communist Studies*, 38 2005: 425-45, available at: www.sceincedirect.com

²¹ Mungiu-Pippidi, Alina (pref), A Quest for Political Integrity, with an Introductory Essay by Alina Mungiu-Pippidi, Romanian coalition for a Clean Parliament 2005, www.polirom.ro, p. 13.

²² More on the theme of „networked people” in postsocialism, culture of privilege and particularism as communism legacies in: Ibid., Mungiu-Pippidi, Alina., Corruption: Diagnosis and Treatment, *Journal of Democracy, National Endowment for Democracy and The Johns Hopkins University Press*, Volume 17, Number 3, July 2006: 86-99,

²³ Ganev, Post-Communism as an Episode of State Building: A Reversed Tillyan Perspective ,p. 436.

²⁴ More on the theory of the ideal democratic balance in: Johnston, Michael, Corruption and Democracy: Threats to Development, Opportunities for Reform, October 1999, <http://anti-corr.ru/archive/Corruption%20and%20Democracy.pdf>, Johnston, Michael, Corruption and Democratic Consolidation, prepared for a Conference on “Democracy and Corruption”, Shelby Cullom Davis Center for Historical Studies, Princeton University <http://people.colgate.edu/mjohnston/MJ%20papers%2001/Princeton.pdf>, Johnston, Michael, Public Officials, Private Interests, and Sustainable Democracy: Connections between Politics and Corruption, Johnston, Michael, *Syndromes of Corruption: Wealth, Power and Democracy* Hamilton, New York, 2005.

the ideal liberal democracy implies the existence of open, but structured competition within the economic and political arenas, and institutionalized boundaries of access between them.²⁵

I assume that my research on Bulgaria's anti-corruption capacities will diagnose a particular deviation from the ideal case of liberal democracy, characterized by: relatively open and easy accessible elites (semi-independent politics) and narrow, still state controlled economic possibilities; a situation of asymmetric decay of the old governance structures, accompanied by tedious, difficult and inconsistent building of the new, democratic institutional and regulative systems, embedded in a context of substantive, deep economic crises and poverty; a situation, in which the best way to secure the own capital (eventually that of the family or the adherents) is to become a politician („*politics becomes the road to wealth*”²⁶).

Thus there exists an enormous drive to get a place in the politics, which additionally aggravates the situation by endorsing frequent changes of political elites, or at least by bringing more insecurity for the incumbent. The high level of uncertainty, on its part, induces the so called “*hand over-fist*”²⁷ corruption, which means that the office holders are strongly interested in capturing as much as possible, as quickly as possible, in order to secure the existence of the family, the followers, or the party. Under such conditions it is almost impossible for broad supported political parties to rise. Instead, personal followings around the political leaders emerge, who are awarded with material inducements and spoils. Hence political leaders need access to more and more resources in order to assure enough support for themselves, which consequently makes politics more costly.

Therefore, I argue that as long as such “*imbalanced*” setting exists with no sound institutions to support the competitive participation and to prevent its excesses, politics will continue to be the best way to acquire wealth. This means that the main purpose of politics will not be the pursuit of public goals but the promotion of individual interests.²⁸ Accordingly the establishment of institutionalized and clear boundaries between state and society, public and private interests is crucial in order to effectively reduce the particularistic mode of allocation. However, maintaining the balance is complicated enough even for the evolutionary, western democracies. For the “*third wave*” democratization countries the building of functioning rules of access between the political and economic arenas seems to be a fun-

damental challenge.²⁹

Definitions and relevant theoretical concepts

Corruption as an embedded problem: In the narrow sense of the word I define corruption as “*the abuse of public power for private benefit*” and thus follow the definition of Transparency International and the World Bank. However, it is important to underline, that the notions of “*abuse*”, “*public*”, “*private*” and even “*benefit*” are not easy to define precisely, which in its turn contributes to a rather contested definition of the phenomenon.³⁰ However, I am focusing not on corruption as a dimension of abnormal behaviour, but on its systemic characteristics.

The political, or the so-called – “*high-level*”, or “*grand corruption*” – is, as already outlined, the center of the study. In general, the political corruption is seen as a subtype of corruption, which differs according to the persons involved (namely office/mandate holders) and its forms (not only bribe, but also vote buying, extortion, influence-peddling, clientelism etc.).

The political corruption takes place at the decision-making end of the political process, where the rules concerning the distribution of public goods and the access paths to power and wealth are being taken. By positioning corruption within the political cycle it is easier to detect the difference with the administrative, or the so called “*low-level*” or “*petty corruption*”, which occurs at the implementation end of the political process and involves the public administration.³¹

The classical approach for defining corruption, used mostly by the economists, is the so-called “*principal – agent*” model, where corruption is explained through institutional determinants of the citizenry's (the principal) ability to monitor and hold the politician (i.e. the entrusted agent) accountable.³² However, the postsocialist experience showed that the mere change of the incumbent in the course of a free, electoral process, is by far not enough to make politicians more accountable, and in no case – to make them fight political corruption. Accordingly, political corruption has to be seen as a phenomenon deeply rooted and signifying substantive shortcomings in the exercise of political governance.

Therefore I am defining corruption as an indicator of complex problems concerning the exchange of financial resources for political power, and vice versa, that harm the open and fair functioning of the

²⁵ Johnston, *Corruption and Democratic Consolidation*, , p. 9.

²⁶ Huntington, *Modernization and Corruption, Political Order in Changing Societies*, 1968 ,p.383.

²⁷ Johnston, *Public Officials, Private Interests, and Sustainable Democracy: Connections between Politics and Corruption* , p. 11.

²⁸ Huntington, *Modernization and Corruption, Political Order in Changing Societies*, 1968 , p. 384.

²⁹ Johnston, *Syndromes of Corruption: Wealth, Power and Democracy.*, p. 9

³⁰ *Ibid.* , p. 12.

³¹ Fjelde, Hanne, Hegre, Havard, *Democracy Depraved. Corruption and Institutional Change 1985 - 2004*, the 48th Annual Meeting of the International Studies Association, Chicago, USA 28 February - 3 March 2007, http://www.prio.no/files/file49375_corr_stab_isa.pdf?PHPSES-SID=b8a30ac p. 4.

³² The model is based on the research of Susan Rose-Ackermann, Robert Klitgard a.o., cited :*ibid.*

political and economic institutions. From this point of view corruption is, particularly in the postsocialist countries, a symptom of important developmental difficulties, and at the same time – it is their supporting cause.³³ Thus, corruption – especially where it occurs in an enormous volume – has to be seen as “embedded” within the state’s broader political and economic developmental situation.³⁴ So corruption represents then no isolated societal phenomenon, but it can be linked to a variety of deeper problems, ranging for example from a lack of legitimacy to the inability of the state to pay the wages of the public servants.³⁵

Theoretical framework: From a theoretical point of view the study is based on the so called “modernization theory” of the corruption studies, more precisely – on the theory, developed in the late 60es by *Samuel Huntington*, describing the correlation between corruption spread and transformation phases. This approach suggests that corruption, seen as the secret exchange of political action for economic wealth, becomes serious during phases of rapid, political and economic development and is a signal of weak and unstable institutions. Accordingly, the easy of accessibility to wealth, and to political power defines the form and scale of corruption. This means that in societies with numerous opportunities for accumulation of wealth and few positions of political power, the available capital will be used to buy political influence (“wealth seeks power”).³⁶ On the contrary, in societies (especially transformation ones), where the opportunities for accumulation of wealth through private activity are limited, the politics is the only way to acquire money (“power seeks wealth”).³⁷

At the begging of the 90es *Michael Johnston* expanded this approach and created four different corruption syndromes, while using combinations of the political and economic opportunities just outlined. Furthermore on the basis of *Dahl’s* democracy theory he concretized the ideal of the liberal democratic system as a comprehensive balance between the political and economic opportunities for participation (balance of opportunities) and the institutional guarantees (state/society balance). The different deviations from the ideal type democratic system, based on the combinations of strong/weak institutions and multiple/few

opportunities, shape the scope and the incidence of corruption and create the four syndromes mentioned.

Crucial for the study are also the premises of the democratization theories, in their part suggesting, that corruption is negatively correlated with democracy and *good governance*, because corruption subverts the open and free participation, threatens the transparency of the decision making process, and hinders the opportunities for accountable and legitimate governance.³⁸ At this stage, it is important to underline that the definition of democracy is also highly contested, and the term is indeed at least as difficult to define as corruption.

It is undisputable, as the evidence from the postsocialist countries clearly demonstrated, that the “minimalist concept of democracy”, including the introduction and the implementation of free elections, is not enough in order to establish a functioning, sustainable democracy. In Bulgaria it is indeed easier to change the government, than to influence the politics through effective collection and representation of the public interests. Therefore I am adopting a broad concept of democracy, which goes beyond the key democratic condition – regular and free elections, and takes into account those context factors, which are responsible to ensure accountable and transparent governance.

At the heart of this understanding are the principles of civil freedom, political equality and at the same time – effective and responsible governance in the fields of affluence, security and legitimacy, accountable before the civil society.³⁹ Democracy in this view is to a lesser extent a matter of institutional settings, than of the relation between government and society.⁴⁰ Democracy does not only mean that people can vote in free and fair elections, but that they can influence public policy as well.⁴¹

Therefore I approach democratization not only as establishment of democratic institutions and commitment to market economy, but also as movement towards the ideal democratic system, through balanced reforms, including the pursuit of more open, yet structured participation in the political and economic arenas, guaranteed and controlled through accountable, democratic institutions.⁴² Accordingly my understanding of democracy includes both key concepts – participation and institutions, the balance

³³ Johnston, *Syndromes of Corruption: Wealth, Power and Democracy*.p.12.

³⁴ Johnston, *Corruption and Democracy: Threats to Development, Opportunities for Reform*, ,p. 4, 5.

³⁵ *Ibid.*

³⁶ Huntington, *Modernization and Corruption, Political Order in Changing Societies*, 1968

³⁷ *Ibid.* .

³⁸ Lauth, Hans-Joachim, *Informelle Institutionen politischer Partizipation und ihre demokratische Bedeutung: Klientelismus, Korruption, Putschdrohung und ziviler Widerstand*, in Lauth, Hans-Joachim, Liebert, Ulrike, (Hg.), *Im Schatten demokratischer Legitimität*, Opladen 1999, Warren, Mark, *What Does Corruption Mean in a Democracy?* In: *American Journal of Political Science*, 2/2004, S. 328-334.

³⁹ Offe, Claus, *Reformbedarf Und Reformoptionen Der Demokratie in Demokratisierung Der Demokratie: Diagnosen Und Reformvorschläge* ed. Claus Offe (Frankfurt/ New York Campus Verlag 2003).p. 12

⁴⁰ More on democracy as a matter of the relation between government and society in: Krastev, Ivan, *The Balkans, Democracy without Choices*, , *Journal of Democracy, National Endowment for Democracy and The Johns Hopkins University Press*, 13, 3, 2002: 39-53, , p. 45.

⁴¹ *Ibid.*

⁴² Johnston, *Public Officials, Private Interests, and Sustainable Democracy: Connections between Politics and Corruption* , p.10.

of which embodies the ideal liberal democratic system.⁴³ The reference to that balance provides a direct connection to corruption, as far as in its core the corrupt deal entails the hidden exchange of political power for economic benefit. Accordingly the combinations of the different participation and/or institutional imbalances imply the existence of a fruitful ground for extensive corruption spread.

Corruption and democratization: The liberal democracy argument suggests that corruption and democratization are negatively correlated. So here the question has to be: Can democratization hinder corruption in the postsocialist countries? Numerous studies provide statistical and descriptive evidence proving this negative correlation.⁴⁴ But apparently corruption spread can not be addressed merely as the consequence of low political and democratic development, because the western "model democracies" are in no case free of corruption. On the other hand we cannot deny the argument that corruption stifles democratic institutions, eliminates the fair economic competition, facilitates the establishment of "grey economy", creates linkages between politics and organized crime and damages further democratic development.

The scandals with illegal party donations, tax evasions of extra high amounts, the notorious „black exchequer“⁴⁵ of the international companies, that permanently shake western democracies (Germany, France, Italy, the USA) are undoubtedly grave crimes, but they are not threatening the viability of the whole system. The contrary trend is characterizing the most postsocialist countries, where corruption turned into a common instrument for distribution of resources at all public levels and has been established as daily routine.

It is obvious that corruption in the former socialist world exhibits features different to those observed in the western democracies. In the latter, corruption occurs more as an infringement of the rule, which is normally prosecuted and punished by means of the entire severity of the state apparatus. In the former on the contrary, corruption thrives as a mode of social organization, characterized by the distribution of public goods, not in a universal, but in a particularistic manner.⁴⁶ That means corruption in those societies is the norm and actually the common

way for exchange of wealth and power. This argument supports my view outlined above that corruption is not only a matter of developmental difficulties but is also a matter of the quality of state governance as well.

However, I do not argue that the implementation of further reforms to strictly follow the principles of the western evolution democracies is to be a panacea for corruption, at least because we see that the "example" societies are also not free of corruption and have their own "imbalances". My point is rather that the achievement of a more stable, transparent and accountable governance would effectively address corruption by establishing viable mechanisms able to squeeze its "daily routine" character. Of course the additional reforms needed in Bulgaria have to be "balanced" as well, because the further transformation of the economy in the context of the existing chaos and defective law enforcement would only reinforce the already established corrupt linkages between political parties and economic interests.

Empirical parameters of the Bulgarian imbalance

What happened actually in postsocialist Bulgaria? What made it possible for corruption to explode? What role did the external pressure and the integration process play on the development of democracy and institutions? Here I will present a sketch of some initial thoughts that address my main question – why did the state fail to effectively counter corruption?

Since the late 90s the external pressure on Bulgaria to reduce the volume of corruption has been growing and getting more vigorous. Under the regular control and thanks to the expert help on the part of the EU, Bulgaria succeeded to adjust the judicial system and to adapt the *acquis communautaire*. In accordance with this process numerous law amendments were carried out (plus four constitutional amendments), new laws and sets of regulations were adopted and an impressive institutional building took place (respectively is still taking place).

At the same time Bulgaria is in possession of a good legislative and institutional anticorruption

⁴³ According to: Dahl, Robert, A, *Polyarchy, Participation and Opposition* New Haven and London, Yale University Press, 1971. and Johnston, Public Officials, Private Interests, and Sustainable Democracy: Connections between Politics and Corruption, Johnston, *Syndromes of Corruption: Wealth, Power and Democracy*.

⁴⁴ In order to prove the correlation of economical and political development M. Johnston constructs a comparative scale based on a combination between the Human Development Index (HDI) issued of the United Nations Development Program and the Corruption Perception Index (CPI) of Transparency International. He refers to the HDI, not only because of its GDP per capita indicators, but factors like "human wellbeing", alphabetization and access to education as well. Therefore, he suggests, the HDI entails not only affluence information, but also data on the efficiency of public institutions and politics. See: Johnston, *Syndromes of Corruption: Wealth, Power and Democracy*.p. 32-35. More evidence on the correlation between democracy and corruption in: Fjelde, Democracy Depraved. Corruption and Institutional Change 1985 - 2004, .

⁴⁵ The notion of "black exchequer/ cash boxes" became entrenched in the course of the big misappropriation scandals within European companies as Elf Aquitaine, VW, Siemens a.o. and means in the regular case - cash flows paid as bribes for receiving contracts.

⁴⁶ More on corruption as a mode of social organization for distribution of public goods on a nonuniversalistic basis in: Mungiu-Pippidi, A Quest for Political Integrity, with an Introductory Essay by Alina Mungiu-Pippidi, , Mungiu-Pippidi, Alina, Deconstructing Balkan Particularism: The Ambiguous Social Capital of Southeastern Europe, *Southeast European and Black Sea Studies* Volume 5, January 2005: 49-68, www.eliamep.gr/eliamep/files/Deconstructing-Balkan-Particularism.pdf , Mungiu-Pippidi, Corruption: Diagnosis and Treatment,

infrastructure. Almost all crimes related to corruption (active and passive bribery; abuse of public office; tax evasion; conflict of interests, money laundering, influence-peddling etc.) are criminalized. New anticorruption laws were adopted in the last 2-3 years, such as the *Law for the Protection of Witnesses in Corruption Investigations*, the *Law on Political Parties*, the *Law for the Forfeiture to the State of Property Acquired through Criminal Activity*, to name just three. In addition, a new *Penal Code* was adopted last year. The current coalition government is already implementing the second "*Strategy for Transparent Governance, Prevention and Counteraction against Corruption*", the main focus of which is the fight against high-level corruption. Each state authority disposes of an own anticorruption commission.

A positive signal of Bulgaria's determination to finally start a more firm fight against corruption at all societal levels was the choice and the consequent engagement of the new chief prosecutor in March 2006 – *Boris Velchev*. Because of his professionalism he has already become one of the most trusted and popular personalities in Bulgaria and what is more – the EU-Commission also expressed its content with the new appointment. Since he is in charge on the top of the prosecution office in Sofia the notorious reputation of that institution is clearly improving. Journalists and correspondents from all media do have access to information about the running investigations and about the situation inside the prosecution office itself, something, which was a taboo before.

The number of investigations on corruption connected crimes is indeed rising. Even in the "own rows" there are unprecedented (for the Bulgarian setting) inspections over the past work of prosecutors in the whole country. In the meantime there are four high magistrates, who are under investigation on accusations of illegally stopped proceedings, or connections to scandalous businessmen.⁴⁷ The immunity of ten members of the parliament is supposed to be lifted by the parliament on request by the prosecutor's office, on grounds of corruption accusations. These measures for improvement of the law enforcement and the prosecution are indeed unprecedented in Bulgaria.

Regarding the ways the current government addresses corruption cases concerning politicians themselves, one positive step could be noted. It is connected to the latest and biggest in scope corruption scandal up to now, one that unveiled tight and

hard to comprehend liaisons between the *National Investigative Service*, the *Ministry of Economy and Energy*, the district *Heating Service* of the municipality of Sofia and the biggest, still not privatized tobacco producer "*Bulgartabak*". The reaction of the prime minister *Stanishev* who dismissed from office two deputy ministers one from the *Ministry of Economy and Energy*, and another from the *Ministry of Disaster and Management Policy* and temporarily removed from office the *Minister of Economy and Energy* – *Rumen Ovcharov* (member of the same party as the PM – Bulgarian Socialist Party), is actually without a precedent in Bulgaria, where such "rigorous steps" were up to now only undertaken, if the situation gets completely hopeless. Surprising reaction also came from the Chief prosecutor and the Minister of Interior, who officially invited a European expert to monitor the investigation process of the scandal. However, this is in no case an evaluation of the strength of the state capacities effectively, and moreover - by own means, to enforce the law. I am assessing here the expressed willingness to open the state apparatus for external control.

A huge step forward is the gradual progress towards a better cooperation with civil society organizations, engaged in anticorruption. Exemplary is the admission of the nongovernmental organization *Center for the Study of Democracy* to monitor and assess the process of implementation of the anticorruption strategy of the government. The first results of that monitoring were included in the last governmental report on Bulgaria's progress from March 2007. The document was prepared in accordance to the six anticorruption benchmarks, which were identified by the EU-Commission as the areas in which additional anticorruption efforts are urgently need.

Searching for the weak points

Referring back to the country's specific context, these tendencies have to be interpreted as steps in the right direction. Nevertheless, there is a "mafia wind" blowing in Sofia and on the territory of the entire country. "*The feeling of corruption is everywhere*" stated the head of the EC-Representation in Sofia *Michael Humphreys*.⁴⁸ The flow of breathtaking corruptions scandals in the daily news, the frequent commissioned murders on the streets of the country,

⁴⁷ Here an absurd occurrence has to be mentioned. These magistrates, who get into rumor, denounce their contracts prior to the official initiation of the investigations. Thus, there is no legal way to carry out the discipline procedure against them and they withdraw their office without being punished, and receive the legally designated compensation (20 monthly wages) for the time being in office. As of 11.04.2007 the media reported four such cases; cited from: Zeleva, Pavlina, „The euro-inspection over the prosecution office starts.“, *Dnevnik*, 11.04.2007, available at: <http://evropa.dnevnik.bg/show?storyid=329814>.

⁴⁸ Cited from: Zeleva, Pavlina, „Stanishev and the EU-Commission are not at the same opinion about the anticorruption successes.“, *Dnevnik*, 12.04.2007, available at: <http://evropa.dnevnik.bg/show?storyid=330219>.

⁴⁹ There is almost no politician, and no government since 1989 who were not involved in allegations for being connected in corrupt deals.

the expensive vehicles in front of the parliament's building.⁴⁹ All that creates a climate of uncertainty and feeling of impunity in Bulgaria.

The very facts that Bulgaria is the crossroad of the east-west drugs' channels,⁵⁰ and that there are more than 150 uncovered commissioned killings in the last years confirm the assumption that all this happens, just because it is possible, because the state is tolerating it, because "the risk to get injured in a car accident is much greater, than to get caught while offering, or accepting a bribe".⁵¹ Therefore the questions to be raised are, why does the state fail in anti-corruption, which are the weak points of the achieved democratic model, why the law enforcement and prosecution mechanisms do not function?

The clear and objective identification of the entrenched weaknesses of the state to undertake adequate action against political corruption is an almost impossible task. A number of approaches are thinkable. Therefore I am launching an attempt to bunch the numerous interpretations in a comprehensive systemic study on the quality of political governance, while combining political, institutional, historical and individual factors. What follows below is the first draft of an initial effort to assess some of the most obvious capacity bottlenecks, which I am generalizing here in the following three areas: justice and internal security; institutional weaknesses within the state/society balance; political determination.

Weaknesses in the fields of justice and internal security

Internal security and counteraction against organized crime: Some important instruments for an effective fight against high-level corruption and organized crime (e.g. instruments of witness protection, fulltime undercover agents, wire tapping), which were adjusted by the new *Penalty Procedure Code*, enacted in 2006, are not new and could be used since 1997.⁵² Because of the fact, that these instruments were obviously not being used adequately, a lot of time has been lost and a vital chance was given to the organized crime structures to rise and establish their networks in a setting of guaranteed impunity. This is one of the main conclusions made by the criminal expert *Klaus Jansen*, sent by the EU-Commission to

Bulgaria in February 2006 to assess the capacities in the field of fighting organized crime. However, the new *Penalty Procedure Code* is providing some facilitation for the Police through the allowance for information, gathered by agents undercover to be directly introduced to the case and so to be presented as evidence in court.⁵³ Still one of the major weaknesses of the current legislation is that a conviction can not be based only on the testimony of an anonymous witness or undercover agent.

Uncoordinated and inadequate investigative procedures, no coherent method for a simultaneous investigation of crimes, connected to drugs' smuggling and money laundering are some of the further weaknesses detected by the expert. The *National Service for Fighting Organized Crime* is being assessed as a "reactive" structure, waiting for signals in order to react. Therefore, according to Jansen it would be useful to develop approaches and structures for effective information gathering, which have to be able to assure the independent and responsible initiation and conduct of investigations against the 233 identified organized crime groups in Bulgaria.⁵⁴

Almost all of the experts, I talked to during my field work expressed the opinion that the poor financial resources and insufficient technical equipment are also crucial for the unequal fight of the national security services against the powerful organized crime groups. This fact, combined with the permanent lack of qualified specialists on the one hand, and the wide spread nepotism, which became the rule by recruitment and promotion procedures within the police and intelligence organs, on the other, aggravates furthermore the state's potency to counter organised crime and high-level corruption. However, one of the gravest difficulties in this field undoubtedly is the lack of motivation among civil servants, which is certainly due not only to the poor wages, but mostly to the overall reality of impunity for corruption crimes. Accordingly, the missing investigatory and prosecution practice of high-level corruption, money laundering, influence-peddling, vote buying etc. contributes further to the poor results in the anti-corruption fight.

Judicial system: The entire judicial system was perceived up till quite recently as extremely secluded

The examples are numerous: the cabinet of *Jan Videnov*, changed prior to the end of his mandate in course of the gravest financial crises since the democratic change, not at the last place because of corruption allegations; the reformation government of prime-minister *Ivan Kostov*, who was also forced to dismiss from office 11 of his ministers, on grounds of heavy corruption accusations; the succeeding government of *Simeon von Sachsen Coburg-Gotha*, which reputation was also shacked by corruption scandals, involving the prime-minister himself, and of course the current coalition government, which is also experiencing tense turmoil under the newest scandal including the Minister of Economy and Energy *Rumen Ovcharov*.

⁴⁹ As noticed even in the report of the EU-expert Klaus Jansen: Jansen, Peer Review: Justice and Home Affaires, Focus Area: Fight against Organized Crime .

⁵¹ This is one of the conclusions made on the basis of the last corruption survey of the *Center for the Study of Democracy*: Cited from: Angarev, Pamajot, „Attention, political Corruption!“, 23.04.2007, *Dnevnik*, el. ed., available at: <http://www.dnevnik.bg/show/?storyid=333695>.

⁵² Jansen, Peer Review: Justice and Home Affaires, Focus Area: Fight against Organized Crime .

⁵³ *Ibid*.

⁵⁴ The amount of the identified organized groups in Bulgaria is cited from the report of the EU-Commission controller Klaus Jansen: Jansen, Peer Review: Justice and Home Affaires, Focus Area: Fight against Organized Crime

and nontransparent.⁵⁵ Notwithstanding some new, positive trends, it remains highly hierarchical. This can be exemplified by the fact that without the co-operation of the court president it is almost impossible to launch disciplinary proceedings against a magistrate. There are still no mechanisms for external control, no clear regulations for recruiting, promoting and punishment of the magistrates. Besides, the extensive immunity the magistrates enjoyed was restricted to a "functional immunity" only as of January 2007 when the fourth constitutional amendment came into force. A great amount of new laws with the respective institutions were enacted. Most of them do not have a clear mandate, financial and human resources. All that points to a hectic reform process, with no structure and vision for implementing a coherent legal reform strategy, which on its part raises doubts on the seriousness of the reforms. Both EU-experts that were sent in February 2006 to Bulgaria expressed the opinion that they encountered a "it might just be a paper in order to please the Europeans" attitude.

In general the court proceedings could be assessed as arduous, bureaucratic and hardly transparent. Regarding the number of 10 000 cases, which became void by prescription, doubts arise concerning the capacity to prosecute effectively not only corruption crimes.⁵⁶ Out of the total 10 000 cases, 3700 are against identified offenders, and 800 of them were related to particularly grave crimes, such as homicide, corrupt dealing or even money laundering.⁵⁷ This means that hundreds of criminals are receiving amnesty because of incompetence, or reluctance to execute duties.

Another important weak point is the insufficient and actually missing transparency in the recruitment and appointment procedures not only within the judicial system. Exactly because of the "open nepotism"⁵⁸ detected by both EU-experts in their peer reviews in February 2006, they concluded, this was a clear sign of low professional standards even of high ranking magistrates.⁵⁹

There is still a lot to be desired in the field of anti-corruption in the sphere of Judiciary. Exemplary in this case is the confusing fourth amendment of the constitution which is going to be contested by the *Constitution Court*, as it grants the Minister of Justice with exclusive competence over the entire budget of the judiciary. Besides, the new judiciary law is still under discussion, there is no law on lobbying. The chaotic and fast law reforms,⁶⁰ the slow and obscured process of institutions' building, the vague formulations in the new laws, all this is an indication of the overall confusion with which the reform process is being implemented. All in all the new laws and regulations are still not sufficiently operationable. At the same time these laws are already in force, which in practical terms means the implementation is hindered at the very begging. Thus it seems that in the name of a successful integration, Bulgaria dedicated itself to an ambitious project, which brought barely achievable tasks.⁶¹

Institutional weaknesses within the state/society balance

As outlined above, because of the belated and chaotic carrying out of the economic and judicial reforms, much of precious time was lost. The corrupt connections between magistrates, politicians and private interests were given enough time to get established and are already functioning at a new level. Now, following the completion of the privatization and the decrease of the discretionary customs control zones since the 1st of January 2007, the management of state assets (including land, public buildings and other assets) together with public procurement and concession granting mechanisms are becoming the key areas of political corruption risks.⁶² In addition, the institutionalization of the so-called "friendly circles", or "party rings" is certainly one of the most alarming appearances of political corruption, and still one of the major ways for privatization of the public inter-

⁵⁵ This observation was shared with me in the course of the interviews carried out up till now, mainly with experts from the former Anticorruption commission, and experts from the European Commission, observing the judicial reforms.

⁵⁶ Cited according to the interview with the member of the Supreme Judicial Council – Kamen Sitlinski in Standart News from March 2007: Dimitrov, Bozidar, „The criminals change the paddle for internet.“ in Standart News, 23.03.2007, <http://standartnews.com/bg/article.php?article=183051>.

⁵⁷ *Ibid.*

⁵⁸ Schuster, Susette, Report, 4th Peer Review, Justice, Düsseldorf, Germany February 2006, [www.http://www.europe.bg/htmls/print_page.php?lang=en&category=82&id=5050](http://www.europe.bg/htmls/print_page.php?lang=en&category=82&id=5050).

⁵⁹ The nepotism is one of the biggest problems in Bulgaria, explaining the law professionalism of large segments of the state apparatus and at the same time assuring the building of loyal followings of civil servants, which normally lose their jobs as a result of eventual political change. In the daily press releases there is a lot of information about the nepotistic appointments even on the top positions, e.g.: Baleva, Mariela, "Equation with Wolfowitz in the Bulgarian way", *Trud*, 17.04.2007, LXXII, issue 105/20140; el. ed. Capital, "Who doesn't know Delian Peevski?", issue 17, 20.04.2007, available at: <http://www.capital.bg/show.php?storyid=335044>.

⁶⁰ According to information of the Minister of Justice, *Georgi Petkanov*, up till January 2007 20 Laws were being enacted, within the last 15 months, in: Tomova, Juliana, "Within one year the Ministry of Justice worked out 20 law drafts.", Interview, 18.01.2007, available at: www.diplomatic-bg.com/c2/component/option.com_frontpage/Itemid.1/lang.bg/.

⁶¹ This conclusion is based on the report of Susette Schuster, the EU-observer over the judicial reform. Schuster, Report, 4th Peer Review, Justice.

⁶² An observation originally summarized by the Center for the Study of Democracy in the report of January 2007. Center for the Study of Democracy, *Anti-Corruption Reforms in Bulgaria: Key Results and Risks*, p. 6.

est.⁶³ Particular market segments of the Bulgarian economy, as well as huge financial flows, coming from the EU structural funds, were monopolized through the "rings". According to the report of the *Center for the Study of Democracy* the cost of political corruption, this means the amount of abused public resources for 2006 exceed the money the country is supposed to receive from the EU per year.⁶⁴

One of the classical forms of political corruption, the irregular party financing, is also "well" presented in Bulgaria. The national *Audit Office*, as well as the civil society organizations report particular "irregularities" by the party financing. According to the results of the annual party finance revision of the *Audit Office* announced in November 2006, the Bulgarian Socialist Party received donations from companies with more than the allowed 5% state share.⁶⁵ But this finding underlines no penalty firstly because this is categorized as "law infringement" and not as "law offence", and secondly, because a year long infringements can not be prosecuted.⁶⁶

Another manifestation of the virtual impunity for some echelons of power is also the fact, that the party leader of the ethnical Turks (the Movement for Rights and Freedoms) *Ahmed Dogan*, spoke quite open in a TV interview in 2005, before the national parliament elections, that in Bulgaria there are rings, or "loops of companies" around each political party, and that during the last 15 years the above-average businessmen in Bulgaria grew up, due to his support, or at least, thanks to "his smile".⁶⁷ Moreover, he himself is in possession of possibilities equal to these of a banker, and if somebody is not aware of that, so he/she doesn't understand the real potential of a politician in Bulgaria.⁶⁸

Another weak point, which is commonly (mis)used by the political elites in order to pursue their own interests, are the slackly rules in the field of the conflicts of interests. Unlike the binding rules (enacted by the *Civil Servants Law*) for compulsory declaration of eventual conflicts of interests and obligatory disclosure of incomes and assets concerning the public servants,

politicians (members of the parliament, ministers and the office holders of the highest political positions) are bound to disclosure of assets only by ethical codes. However, with the amendments of the "*Law on Disclosure of the Property of Individuals, Occupying high-level State Positions*" that came into force on January 1st, 2007 nearly 7000 representatives of the political power have been legally obliged to annually reveal their incomes before the national *Audit Office*. The *Bulgarian National Audit Office*, together with the National Agency for Revenues received broader competences to control the submitted financial declarations.⁶⁹ Notwithstanding the new rules on the disclosure, the regulations concerning the declaring of conflict of interests remains on the "ethic level".⁷⁰

The fact of wide-spread corruption in the field of public procurement generates further concerns.⁷¹ This does not only spoil the free competition and channel a huge amount of money in the hands of particular politicians and loyal businessmen, but represents an actual threat for privatizing the financial flows coming from the EU that have to be distributed by the Bulgarian government. The huge corruption risks related to the quick and substantial increase of the public finances (in the period 2007 and 2013 the EU-resources for Bulgaria might reach more than 600 million Lev) might be aggravated by the law absorption capacities of the administration on the one hand, and by the problematic monitoring and control mechanisms over the granting and distribution of the structural help, on the other.⁷²

Concerning the state/society balance, there is another weak point within the Bulgarian democracy model, which is important to underline. That is the weak, yet missing "*soft control*" over the government by the civil society.⁷³ Since the free elections are an indispensable and established part of the democratic system, there is no possibility to make the government responsible to the articulated interests of the society, especially between elections. As outlined above, in Bulgaria it is easier to change the government, than to effectively influence the politics implemented.

⁶³ Ibid.

⁶⁴ Center for the Study of Democracy, *On the Eve of Eu Accession: Anti-Corruption Reforms in Bulgaria*, S. 6.

⁶⁵ Cited from: BSP, NDSV, SDS and DSB are receiving donations from companies, implementing public procurement contracts. "6.11.2006, available at: www.btv.bg/news/newssave.php?story=53809.

⁶⁶ Ibid.

⁶⁷ Cited from: Obretenov, Luben, "Ahmed Dogan conceded his business in Devin.", *Sega*, 12.04.2007, available at: <http://www.segabg.com/online/article.asp?issueid=2614§ionid=16&id=0000101>.

⁶⁸ Ibid.

⁶⁹ Information as of the last governmental report to the EU-Commission from March 2006, available at: http://www.mvr.bg/EUIntegration/doklad_13.12.2006.htm, p. 15.

⁷⁰ Just two examples: the private interests of two members of the Parliament – Borislav Velikov, and Dolores Arsenova, both from National Movement Simeon II. According to press releases both of them are either directly or through family relatives connected to the pharmaceutical business. Although they voted by the passing laws in their field of interests without declaring the obvious conflicts. Besides, there is information, that the companies, near to both MPs are receiving contracts from the Ministry of Healthcare. More in: „Members of the Parliament conceal connections to the pharmacological business“, *Sega*, 02.03.2007, available at: <http://www.segabg.com/online/article.asp?issueid=2576§ionid=16&id=0000101>

⁷¹ The fiscal costs of the corruption in the sphere of public procurement are perceived to amount in 2006 1, 2 Milliard Leva; Estimation of the *Center for the Study of Democracy*, presented on May, 16th 2007, Information at: <http://www.csd.bg/bg/artShow.php?id=8611>.

⁷² Center for the Study of Democracy, *Anti-Corruption Reforms in Bulgaria: Key Results and Risks* p. 57 f.

⁷³ The notion of "soft control" is adopted from: Merkel, Wolfgang, "Eingebettete" Und Defekte Demokratien: Theorie Und Empirie, in *Demokratisierung Der Demokratie: Diagnosen Und Reformvorschläge*, ed. Claus Offe (Campus Verlag, Frankfurt/ New York, 2003).p.52.

In the context of the corruption issue, this assumption could be endorsed as follows: the public pressure and disgust towards the above-average living standards of almost all representatives of the political elites lead only to the dismissal of some of the most infamous ministers within the *Kostov* government (1997-2001), as well as within the next government of *Simeon von Sachsen Coburg-Gotha* (2001-2005). The resignations of some "black sheep" could solve the mandates of both governments. Nevertheless nobody was made accountable for abusing public office. The remarkable efforts of the media and the civil society to light up the most obvious corruption affairs are playing only their original role – to inform, but nothing more. Corruption scandals erupt quickly and are being perceived by the wide public as shocking. However, as a rule they remain short lived and are soon forgotten.

Political will to counter corruption

While searching for appropriate way to consistently approach and analyse the political will for coherent anticorruption action, I refer initially to the two, already mentioned governmental reports on Bulgaria's progress in anticorruption to the EU-Commission. Both of them report prevalingly the implementation of the so-called "soft measures" – like training, workshops, educational material (CDs and brochures), the installation of corruption hotlines and internet portals. Meanwhile, as the level of the administrative corruption decreased, it is clear that the impact of such measures is exhausted. Thus, the suspicion rises that by the broad affirmation of the completion of the "soft measures", the government is trying to avoid the question of the still unsuccessful fight against political corruption. Therefore the implementation of the governmental anticorruption strategy for the period 2006-2008, dealing with the fight against the grand corruption, cannot be assessed as convincing.

At the same time there are scary rumours on presumed corrupt affairs, misuse, graft and fraud at high scale. That means that the government perpetually fails to pace down the rumour flow that floods the society daily, by undertaking effective investigations to clarify at least some of the most popular corruption scandals. Accordingly, no politician is juggled, or forced to forfeit assets, which at least obviously

mismatch with the average remuneration for respective positions. No politician until now was forced to reveal the own connections to the well popular "loops of companies". Hence it is very tempting to draw the conclusion that a functioning mechanisms of mutual loyalty inside the governing coalition are in force. Taking into account the outlined "soft" regulation on the disclosure of conflicting interests for the personalities on high positions, enacted by the current government, an assumption easily invokes, namely that the will to publicly demonstrate successful fight against corruption inside the "own rows" overweighs the actual determination for effective prosecution of such cases.

Further, Bulgaria adopted a comprehensive anticorruption model,⁷⁴ which practically means, that: all state organs take part in fighting corruption; each state's authority disposes of an own anticorruption commission; each ministry has its own *Inspectorate*. Thus it is completely unclear, who and when is responsible for what. The creation of a detailed and accurate organization chart, displaying all institutions, with their mandates and competences turns out to be a barely feasible task, which means that within the government it won't be that hard to shift responsibility. Moreover the central anticorruption commission, constituted under the direction of the *Council of Ministers* doesn't have any publicity mechanisms and still no internet presentation. It is indeed hard to gather information on its actual work, although transparency and "zero tolerance" against corruption are the major principles declared in the anticorruption strategy.

To sum up, because of the vague reports concerning the real situation of the capacity to fight high-level corruption; the attempt to impress by the completion of a number of "soft measures"; the reluctance (or incapability) to conduct investigations against anyone from the "own rows"; and the adoption and implementation of a highly decentralized, yet uncoordinated anticorruption infrastructure, it is not unjustified to assume, that the government doesn't show credible determination to coherent anticorruption actions. On the contrary, the delegation of infamous representatives of the state power, who were subjects of "unhealthy interest" on the part of the prosecution office, abroad, supports the assumption, that immunity is still used as a "political umbrella".⁷⁵

⁷⁴ This comprehensive anticorruption model was not invented and launched by the current government. It has its origin in the state tradition before and was institutionalized for the first time with the first Anticorruption Strategy, implemented by the Government of Simeon von Sachsen Coburg-Gotha (2001-2005).

⁷⁵ Here I am referring to the delegation of the former Chief Prosecutor *Nikola Filchev* as ambassador in Kazakhstan. His name was often connected with shocking offences (including murder on the lawyer *Nadezda Georgieva*, information from: "Nikola Filchev has murdered the lawyer from Jambol Nadezda Georgieva, claim witnesses", BgNews, 09.01.2007, available at: <http://lex.bg/news.php?lang=bg&id=6728>). Nevertheless, fact is that during his mandate thousands of cases were left without prosecution and now many criminals received amnesty, because of legal prescription. Fact is also that the amount of unresolved contract killings accumulated mostly during his time at the top of the prosecutors' office. Another appropriate example here is the sending of the former mayor of Nessebar *Nikolai Trifonov* to work in the consulate of the Bulgarian embassy in Odessa. He was granted his new position although there were (according to press releases) investigations launched against him, because of illegally issued building licences. (Information in: Russeva, Luboslava, "Between the dark past and the sunny future", Dnevnik, 02.03.2007, www.dnevnik.bg/show/?storyid0315660; BTv, "The municipality's council of Nessebar will demand the revision of the whole work of Nikolai Trifonov", 24.02.2007, <http://btv.bg/news?magic=bulgaria&story=56720&page=1>).

Conclusion

The establishment of fundamental participation opportunities and sound democratic institutions, turned to be a more challenging process, than the implementation of free elections in the most post-socialist countries. Besides, because of the serious defects in the spheres of opportunities and accountability the established free elections lost their democratic importance.⁷⁶ One of the greatest problems of postsocialism however, should be identified in the gradual loss of statehood, manifested in the failure to provide security, affluence, and responsible governance. Thus a huge discrepancy appeared between the elites and the voters, who are by no means able to require their interests to be equally weighted in the conduct of the government.

What happened in postsocialist Bulgaria during the transformation? At first the democratization process brought political liberalization, and then slowly introduced growing opportunities for private capital accumulation (with networked social groups being the common winners of these growing opportunities), embedded in a context of "rulelessness" and lack of a functioning legal system. This turned into a fruitful ground for the long process of the "extraction from the state", facilitated by the complete disinterest on the part of the governing elites, while "extracting" for themselves, to build up new functioning institutions. The combined forces of all these factors caused a rapid loss of statehood in Bulgaria in all three classical areas – affluence, security and legitimacy, so that the state was no more able to hamper, or even control the spread of corrupted accumulation, use and exchange of economic resources for political power.

The European orientation of the country represented additional challenge to the governing elites. In the course of the integration process, launched in 1995 Bulgaria was forced to change the entire judicial system in order to adapt to the *acquis communautaire*. Under external pressure new priorities had to be set in the political agenda, that comprised not only the fight against the low-level corruption, but the counteraction against the political corruption, as well. Accordingly the government adopted new, ambitious goals, promulgated great number of new regulations and laws, built up new institutions and created comprehensive anticorruption strategies.

Although the weak state capacities of the new EU-member state Bulgaria to counter corruption and organized crime are manifesting in a shocking manner. Exemplary in this sense is the latest corruption scandal, capturing more and more state organs, revealing appalling, nepotistic connections, while

comprising the entire scale of corruption crimes – abuse of public office, money laundering, bribery, conflict of interests.⁷⁷ At the same time controversial interests are being solved in *Bourgas* in a manner, most unacceptable for a democratic EU-member state.⁷⁸ This last victim however did not come from the "underworld", but was a representative of the local state authority, the chairman of the municipality's council of *Nessebar*. Thus the weak state capacities to establish and guarantee a decisive framework for the participation in the political and economic arenas are manifesting in a very demonstrative way.

Therefore, it is not surprising that illegal structures are being formed in parallel to the official institutions. In that sense, as stated in the literature, the density between the legal and the illegal institutions is one of the greatest threats to the persistence of accountable and transparent democratic state. However, it seems that organized crime in Bulgaria succeeded to establish itself as a potent mechanism for allocation and influence. Therefore, I argue that the further reforming of the present institutional and regulative structure of the achieved democratic model, to assure clear boundaries between state and society and to guarantee open and competitive participation opportunities, will enable the gradual separation of the unhealthy linkages between politics and economy and will thus weaken the potency of corruption as an allocation mechanism. It would be tragic, if due to weak capacities and reluctant political will, Bulgaria fails to use all opportunities coming from the EU-membership and to undertake effective action against the political corruption.

According to press releases,⁷⁹ one knows in advance the prices of a signature of a Bulgarian minister, of a court procedure thwart, and of false university diploma. In theoretical terms that means that in such system the corruption is not only a systemic phenomenon, but the system itself. Notwithstanding the grave problems outlined above I remain hopeful that Bulgaria will succeed to demonstrate enough political determination and wisdom, to accept the support from the civil society, in order to follow and improve even the few positive trends in fighting corruption and to efficiently proceed in establishing a participatory and institutionally balanced democratic system.

⁷⁶ Merkel, "Eingebettete" Und Defekte Demokratien: Theorie Und Empirie.p. 67.

⁷⁷ Here I am referring to the above mentioned scandal, concerning *Minister Rumen Ovcharov* and the *Chief of the National Investigation Service Angel Alexandrov*.

⁷⁸ In the night of May 9th 2007 *Dimitar Jankov*, the chairman of the municipal council of the city of *Nessebar* (a tourist city at the Black Sea coast) was shot in his car, *Porsche Cayenne*, while in *Bourgas*.

⁷⁹ This statement is based on: "Wo Unterschriften etwas kosten: Firmen kämpfen in Bulgarien gegen Korruption, aber es lockt rasantes Wachstum", *Der Standard*, 14.02.2007, available at: <http://derstandard.at/?url=/?id=2767308> *Romanian Journal of Political Science*

Bibliography

- Beichelt, Timm *Demokratische Konsolidierung im postsozialistischen Europa. Die Rolle der politischen Institutionen*: Leske Budrich, Opladen 2001.
- Börzel, Tanja, Allgemeine Angaben zum Teilprojekt B2: Gutes Regieren ohne den Schatten der Hierarchie? Korruptionsbekämpfung im südlichen Kaukasus im Rahmen der EU-Nachbarschaftspolitik, Projektbeschreibung, FU Berlin, Otto-Suhr-Institut für Politikwissenschaft Berlin November, 2005, http://www.sfb-governance.de/teilprojekte/projektbereich_b/b2/sfb700_b2.pdf.
- Center for the Study of Democracy, Anti-Corruption Reforms in Bulgaria: Key Results and Risks Sofia, 2007, <http://www.csd.bg/fileSrc.php?id=2152>.
- , On the Eve of EU Accession: Anti-Corruption Reforms in Bulgaria Sofia, 2006, http://www.csd.bg/files/CAR-III_Eng.pdf.
- Dahl, Robert, A. *Polyarchy, Participation and Opposition* New Haven and London: Yale University Press, 1971.
- European Commission, Bulgaria 2005 Comprehensive Monitoring Report, , Brussels, 25 October 2005, SEC (2005) 1352, 2005, http://ec.europa.eu/enlargement/archives/pdf/key_documents/2005/sec1352_cmr_master_bg_college_en.pdf.
- , COMMUNICATION FROM THE COMMISSION: Monitoring report on the state of preparedness for EU membership of Bulgaria and Romania, Brussels, 26.9.2006, COM(2006) 549 final, 2006 http://ec.europa.eu/enlargement/pdf/key_documents/2006/sept/report_bg_ro_2006_en.pdf.
- Fjelde, Hanne, Hegre, Havard. "Democracy Depraved. Corruption and Institutional Change 1985 - 2004." In *the 48th Annual Meeting of the International Studies Association*. Chicago, USA March 2007, .
- Ganev, Venelin, I. , Post-communism as an episode of state building: A reversed Tillyan perspective *Communist and Post-Communist Studies*.38 2005:425-45, available at: www.sceincedirect.com
- Huntington, Samuel Modernization and Corruption, Political Order in changing Societies, 1968 In *Political Corruption, A Handbook*, , edited by Arnold J. Johnston Heidenheimer, Michael, Le Vine, Victor T. New Brunswick (USA) and London (UK), : Transaction Publishers, Third printing 1993.
- Jansen, Klaus, Peer Review: Justice and Home Affaires, Focus area: Fight against Organized Crime Rheinbach, Germany March 2006, www.europe.bg/htmls/page.php?lang=en&category=82&id=5050/
- Johnston, Michael, Corruption and Democracy: Threats to Development, Opportunities for Reform, October 1999, <http://anti-corr.ru/archive/Corruption%20and%20Democracy.pdf>
- . "Corruption and Democratic Consolidation." In *prepared for a Conference on "Democracy and Corruption"*, Shelby Cullom Davis Center for Historical Studies, Princeton University March, 1999
- , Public Officials, Private Interests, and Sustainable Democracy: Connections between Politics and Corruption June 1996 http://www.iie.com/publications/chapters_preview/12/3iie2334.pdf
- . *Syndromes of Corruption: Wealth, Power and Democracy*. Hamilton, New York, 2005.
- Krastev, Ivan, The Balkans, Democracy without Choices, , *Journal of Democracy, National Endowment for Democracy and The Johns Hopkins University Press*, 13.3, 2002:39-53,
- Merkel, Wolfgang. "Eingebettete" und defekte Demokratien: Theorie und Empirie. In *Demokratisierung der Demokratie: Diagnosen und Reformvorschläge*, edited by Claus Offe, 43-71: Campus Verlag, Frankfurt/ New York, 2003.
- Mungiu-Pippidi, Alina (pref), A Quest for Political Integrity, with an introductory essay by Alina Mungiu-Pippidi, Romanian coalition for a Clean Parliament 2005, www.polirom.ro.
- Mungiu-Pippidi, Alina, Deconstructing Balkan Particularism: The Ambiguous Social Capital of Southeastern Europe, *Southeast European and Black Sea Studies* Volume 5, January 2005:49-68, www.eliamep.gr/eliamep/files/Deconstructing-Balkan-Particularism.pdf
- Mungiu-Pippidi, Alina., Corruption: Diagnosis and Treatment, *Journal of Democracy, National Endowment for Democracy and The Johns Hopkins University Press*, Volume 17, Number 3, July 2006:86-99,
- Offe, Claus. Reformbedarf und Reformoptionen der Demokratie In *Demokratisierung der Demokratie: Diagnosen und Reformvorschläge* edited by Claus Offe, 9-23. Frankfurt/ New York Campus Verlag 2003.
- Schuster, Susette, Report, 4th Peer Review, Justice, Düsseldorf, Germany February 2006, [www.http://www.europe.bg/htmls/print_page.php?lang=en&category=82&id=5050](http://www.europe.bg/htmls/print_page.php?lang=en&category=82&id=5050).

Websites

www.dnevnik.bg

www.sega.bg

www.bnr.bg

www.focus-news.net

www.diplomatic-bg.com

www.capital.bg

www.europa.bg

www.evropa.bg

www.anticorruption.bg

www.lex.bg/news

www.bulgarianpost.com

www.transparency-bg.org

www.transparency.org

www.ft.com

www.government.bg

www.prb.bg

www.mvr.bg

www.europa.eu.int

www.worldbank.org

How Media and Politics Shape Each Other in the New Europe

*Alina Mungiu-Pippidi**

Abstract:

Denying the huge influence of 'new' media over politics in our times would be foolish: and since politicians are no fools the development of the new media seems to be accompanied by the development of new strategies to control media contents and influence. While it remains undeniable that the social control patterns of a given society have a considerable influence over how the media system is shaped, I believe that globalization has opened the door to outside influences on a scale undreamed at the times of Four Theories of the Press.

Keywords:

Media, media freedom, captured media, censorship, Eastern Europe, democracy

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Line of inquiry

How well do media theories from the developed West fit postcommunist Europe? Surely since the late eighties of the 20th century to nowadays the evolution of the media in Eastern Europe (EE) was spectacular and often unpredictable for media theorists. In their classic *Four Theories of the Press*, authors Siebert, Peterson and Scramm¹ famously claimed that 'the press has always taken on the form and coloration of the social and political structures within which it operates. Especially, it reflects the system of social control whereby the relations of individuals and institutions are adjusted'. How does this fit the role that media seems to play in prompting revolutions, insurrections and other forms of rapid political change, a role so obvious in Eastern Europe that it shaped the budgets of democracy promoters donors everywhere for the last two decades? The ascension of Al-Jazeera, ignored for many years by the American government also opened the door to fresh reflection on the influence of media. Some believe that have entered an age where electronic transnational media can be more influential than any government. It can mobilize or discourage government action, but can also play a role towards other politically influential groups: political oppositions, subversion movements and civil society. In American military academies media studies re-experience the flourishing of the Vietnam War days, the previous war lost by US in newsrooms prior to being settled in the battlefield. Media researchers side either with classical theory, which denies much political influence to the media, or new, post-CNN theory, which goes to great length emphasizing it. It is only fair to say that history moved faster than theory and there is considerable catching up to do by scholars in this field.

The history of the media in postcommunist Europe in the last two decades could find an equivalent in a history of the French media between 1788, with the invitation by the King to citizens to address pamphlets to the General States and 1800, with Bonaparte's law, which reestablished control. In-between, one can find moments of triumph and moments of agony, journalists rising to be heads of legislatures as well as journalists sentenced by revolutionary tribunals. One needs a broad historical framework to examine the relationship between media and politics before, during and after times of upheaval, or, depending on the point on the time curve a study focuses (ascending-revolutionary or descending counter-revolutionary) results may seriously distort the general picture. Alexis de Tocqueville famously said that the Revolution that began in 1848 was not another one, but another chapter of the one which

had started in 1789. This sheds some light on what could be a good time frame to study revolutionary times.

The new era of media influence we entered with the 1989 revolutions is certainly related to technology progress. The main newspaper of the Ukrainian Orange Revolution, *Ukrayinska Pravda*, was an Internet based publication which had 1.5 million hits a day during the 2004 elections. When Serb authorities cracked down on Belgrade B-92 radio station it could move to the Internet and continue to broadcast. Classic media consumption may be path dependent of the national context²: however, it is the 'new' media which has a growing public, and the exchanges between the new and the old, as well as directly between new media and politics allow a media system presently to develop more independently from the local circumstances. This gives the media higher potential for playing an influential role and makes it harder to control by traditional means.

To understand the relation between media and politics in postcommunist Eastern Europe this paper builds on scholarship that presumes a two-way relationship³ and discusses a circular model. It also looks at a broad timeframe, to cover revolutionary aftermaths as well as revolutions themselves. I attempt initially to propose a historical explanation for the birth of free media in postcommunist Europe, and the different paths that national media systems travel from a moment on, as well as the causes of this divergence and of change more generally. Once this framework established, I discuss the direct influence of media over politics looking at two different periods. For revolutionary times, and the influence of media on changing governments, I review briefly the role of the media in the recent 'colored' Revolutions in non-European Union accession countries Georgia and Ukraine. For aftermaths, and the role of media in 'normal' policymaking, I use a survey of cabinet members in ten (postcommunist) new EU member countries.

Divergent Development Paths

The fall of Communism triggered intense processes of change across Eastern Europe, especially the part geographically closer to the West and subjected to greater Western influence. The transitions that followed were supposed to accomplish transformations from command economies to market economies and from authoritarian/totalitarian regimes to liberal democratic ones. In fact, even more complicated processes were initiated in order to accomplish these goals. These can be defined as nation-building (agreeing who belongs to the political community), state building (moving from despotic to

¹ Siebert, Fred. S, Theodore Peterson and Wilbur Shramm (1956). *Four Theories of the Press*. Urbana. University of Illinois Press (1956: 1,2)

² Hallin, D. and C. Mancini (2004). *Comparing Media Systems. Three Models of Media and Politics*. Cambridge: Cambridge University Press

³ For a review, see Robinson, Piers 2001 *Theorizing the Influence of Media on World Politics. Models on Media Influence on World Policy*. European Journal of Communication, Vol 16 (4) 523-544.

infrastructural power), and, last but not least, society-building. Out of the social standardization imposed by Communism new social categories were needed to emerge during transition, in order to build capitalism and democracy, the entrepreneurs, the politicians, the journalists. Politicians and journalists are therefore equally newcomers on the public scene of Eastern Europe, at least in the democratic framework, and both the political system and the media system had to be created from scratch.

To what end? Following the fall of Communism, nearly all East European countries embarked in the building of a new, free media. Countries that have made the most rapid progress with the reforms did also privatize the state media, took it off the budgets of the national and regional authorities, and pursued economic and regulatory policies aimed at creating an environment in which the media business could take hold. As in Western Europe, there was one great exception to this- state broadcasting. In the same time, an alternative, unau-

thorized and unregulated media erupted in many of these countries soon after the fall of the wall, sometimes preceding the privatization of state media.

By 2006, the Freedom of the Press survey captured a mixed picture of postcommunist Eastern Europe. Less than half of the former communist countries are free (EU new members plus a few Balkan countries), with the rest stranded between partly free and not free. If we look back in time, we find Poland, Hungary and the Czech Republic evolving from not free to free in the space of only two years (1989-1991), with a year of 'partly free' in between. This is 'revolution'. Countries that secede from federal USSR (Baltics especially) or Yugoslavia also record the greatest evolution for the media during the political upheaval. But later the trends become more mixed, and even revert in some cases. Countries like Romania, Bulgaria, Belarus, the Ukraine have known alternate periods of progress and regress. So trends do not only vary across countries, but also over time for some of them.

Table 1. Freedom House scores of media freedom in EE

Country	Status 1994	Score 1994	Status 1999	Score 1999	Status 2006	Score 2006
Albania	PF	53	PF	56	PF	50
Armenia	PF	52	PF	56	NF	64
Azerbaijan	NF	70	NF	73	NF	73
Belarus	NF	66	NF	80	NF	88
Bosnia & Herzegovina	NF	70	PF	56	PF	45
Bulgaria	PF	43	PF	39	PF	34
Croatia	PF	56	NF	63	PF	39
Czech Republic	F	20	F	20	F	20
Czechoslovakia	N/A	N/A	N/A	N/A	N/A	N/A
Estonia	F	28	F	20	F	16
Georgia	NF	73	PF	57	PF	57
Hungary	F	30	F	28	F	21
Kazakhstan	PF	60	NF	68	NF	75
Kyrgyzstan	PF	49	NF	64	NF	64
Latvia	F	29	F	21	F	19
Lithuania	F	30	F	18	F	18
Macedonia	N/A	N/A	PF	42	PF	49
Poland	F	30	F	25	F	21
Republic of Moldova	PF	41	PF	56	NF	65
Romania	PF	55	PF	44	PF	44
Russian Federation	PF	40	PF	59	NF	72
Serbia & Montenegro	NF	86	NF	81	PF	40
Slovakia	PF	47	F	30	F	20
Slovenia	PF	40	F	27	F	20
Tajikistan	NF	93	NF	94	NF	76
Turkmenistan	NF	89	NF	85	NF	96
Ukraine	PF	44	PF	50	PF	53
USSR	N/A	N/A	N/A	N/A	N/A	N/A
Uzbekistan	NF	85	NF	79	NF	90
Yugoslavia	N/A	N/A	N/A	N/A	N/A	N/A

Source: Freedom House 2004, www.freedomhouse.org.
Legend: Greater scores mean less freedom.

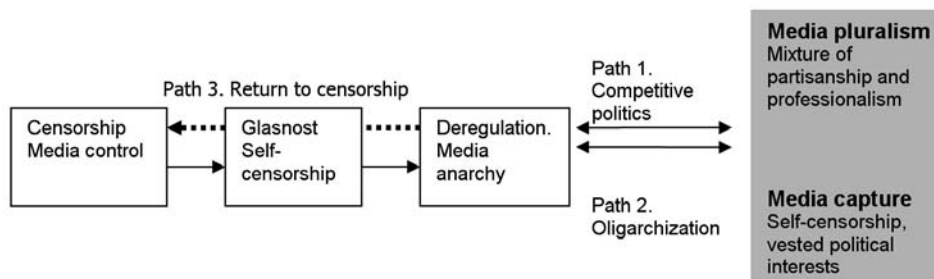
By and large, we can identify two first phases common to all the countries, liberalization, or the passage from total control to limited pluralism, with censorship and repression replaced with self-censorship and partial control. The second phase is of deregulation, mixing planned and spontaneous elements. From here on, national paths travel in different directions. The explanation of these divergent paths far exceeds the role of the media and falls within more general democratization theory. The trajectory of a country is greatly influenced by its proximity to the West and all that derives from it (Western interest, affluence of FDI), and of its own social pluralism (development of civil society, itself influenced by a range of other factors). However, it is fair to say, as Way does⁴, that a phase of *pluralism by default* of the early nineties (due mostly to *the inability of incumbents to enforce authoritarian rule*) is followed by a divergence of paths, postcommunist countries becoming either more democratic or, indeed, more autocratic. I do not discuss more distant traditions here, as none of East European countries, with the exception of the Czech Republic, had a serious democratic tradition. And yet, the European Union and Freedom House consider many of them accomplished democracies presently. Whatever it is at the source of path divergence in Eastern Europe, it is not *pre-Communist* tradition.

Communist tradition seems to matter more, and indeed different types of Communism operated in Eastern Europe. Censorship in Soviet Union, Romania and Albania was far harsher than in Poland or Yugoslavia, and this impacted on the formation of a class of real journalists with aspirations to be more than just propagandists for the party. Otherwise, censorship was a general rule, broken only by Gorbachev's decision to replace outdated apparatchik-censors with professional editors with the task to urge self-censorship from journalists themselves.

The first two phases, from full control to partial control during glasnost, and then next to deregulation, either partial or total were common to most postcommunist societies, excepting some Central Asian countries. The fall of the Berlin Wall brings fast deregulation and anarchy, with underground newspapers surfacing without license, pirate radio stations and a strong Western pressure to liberalize the media. The state media is first de-monopolized, and then liberalization follows as state frequencies are offered for the bidding of the private sector. The deregulation went faster and deeper in Central Europe than in former Soviet Union, except for the Baltic States, where freedom of the media was inseparable from the nation building process. In any event, more decisive steps were taken to protect the new nascent free media in countries where anticommunists won the first round of free and fair elections. As shown in Figure 1, from deregulation on following the demise of Communism, three different paths were available, so as national political systems traveled different journeys so did the respective media systems. In some countries, politics became more and more competitive, and the media more and more pluralistic, although it has remained a complex mixture of professional with partisan media. In others, control of the media returned, as the media was captured again, either directly by governments or by vested interests networked with politics.

At the extreme end of path 2, in some FSU countries, the media, even after a promising beginning, ended up captured. On the other end, in countries with very competitive politics, the media landscape has become gradually more plural and mostly free, with considerable partisanship and only limited capture. The freedom of the media score computed by Freedom House and presented in Table 1 correlates strongly with the corruption scores of postcommunist countries also given by Freedom House within its *Nations in Transit* project⁵. This means that in an envi-

Figure 1. Divergent paths from Communist media control



⁴ See Lucan A. Way 'Authoritarian State Building and Transitions in Western Eurasia'

A paper prepared for the workshop on "Transitions from Communist Rule in Comparative Perspective", Encina Hall, Institute for International Studies, Stanford University, CA. USA, November 15-16. 2002.

⁵ Correlation between Nations in Transit Corruption Score for 26 postcommunist states (scores range from one to seven, with seven the most corruption) and the FH Freedom of the Press scores (scores ranged from 17, for Estonia and Latvia, as the most free, to 96 for Turkmenistan and 86 for Belarus, where the greatest infringements of media freedom were found. The correlation was highly significant with a Pearson index of 0.81. The two scores are both 'subjective', but as they are computed through two different methodologies they can be correlated.

ronment of systemic corruption we are likely to find a captured media alongside a captured state. By media capture I mean a situation in which the media has not succeeded in becoming autonomous to manifest a will of its own and to exercise its main function, notably of informing people, but has persisted in an intermediate state, whereas various groups, not just the government, use it for other purposes. State capture in a postcommunist context designates the situation in which the postcommunist state has not succeeded in becoming an autonomous actor towards interest groups or vested interests. Media capture in postcommunist Europe is therefore not necessarily captured by the state. As the groups which capture the media either have already captured the state or seek to do so, capture of the media (either public or private) should be seen as a companion of state capture, a complementary phenomenon. Among the features that make the landscape of media capture we can count concentrated, nontransparent ownership of media outlets, with important political actors controlling the media, a strong linkage between media and political elites, and important infiltration of the media by secret services. Indicators of media capture can give us important information on the trend the media is on, towards more freedom or more capture. We can find precise indicators to measure capture, although indirectly. For instance, a large sector of nonviable media living on covert sponsorship⁶ indicates a captured, not an autonomous media. The expectation towards media in democratic countries is of economic viability, if not of clear profit.

Capture distorts the main role of the media: captured media outlets exist to trade influence and manipulate information rather than to inform the public, a phenomenon hard to fit into the classic government-perpetrator and media-victim paradigm. This also indicates that media influence does exist, although it could not be further from the influence of professional journalism, be it more or less framed, measured in laboratories of Western universities. When media practices ranges from sheer disinformation to blackmail it can be remarkably influential in politics. An influential media mogul in Romania created a small party, and despite its never passing the electoral threshold he managed to participate in both left and right government coalitions. He has even managed to prevent the first nominated Romanian

politician to become an EU commissioner, claiming – without any foundation – that he was an informant of Communist secret police. Disinformation wars raged ‘transitional’ Russia and are frequent in other countries as well.

The extent of media capture varies across the spectrum of countries taking path 2. Scandals have surfaced even in the most advanced democracies in the region bringing evidence to document ‘capture’ attempts. In the Polish Rywingate scandal, director of *Gazeta Wyborcza* Adam Michnik, who needed a change in legislation so to buy TV network Polsat was offered an informal ‘deal’ by a government intermediary. Such deals are actually carried out in other countries and nothing more is heard of them. Path 2 and Path 3 (simple regression to censorship) can go separately, or can coexist, for instance the private media takes path 2 and the public one returns to path 3. Ukraine and Russia are countries where the system has been ‘mixed’ during most of the transition. Prior to the 2004 Orange Revolution, the Ukrainian government had fallen back to ‘temnyky’, written indications for the media to know how to interpret the news. In the leaked transcripts of the 2000-2004 Romanian government meetings, two major government characters compared the two types of control: capture (indirect control) and open censorship (direct), to find the latter much more effective. In their words: ‘I keep wondering why do we continue to support the media with the old tax breaks, with sponsoring and advertising, while what we get in return is just some vague, individual reprieve’⁷.

Governments unable or unwilling to resort to direct media control contribute to media capture either directly or indirectly. State subsidies, bailouts in case of debts, preferential distribution of state advertising and tax breaks for media owners are traded in exchange for favorable treatment of the media. In the case of public broadcasting, anticommunists and post-communists alike showed remarkable firm beliefs in direct media effects⁸. Inheriting a system in which public broadcasting was legally and financially depending upon government, they have slowly reformed it so to make it dependent of the political majority in Parliament, practically legalizing political control, a model also found in some EU countries. Tenure of top executives, for instance, general manag-

⁶ Belin, L. (2001). “Verdict against TV-6 is Latest Warning to Opposition Media,” in Radio Free Europe/ Radio Liberty: *Russian Political Weekly*. 1: 25.

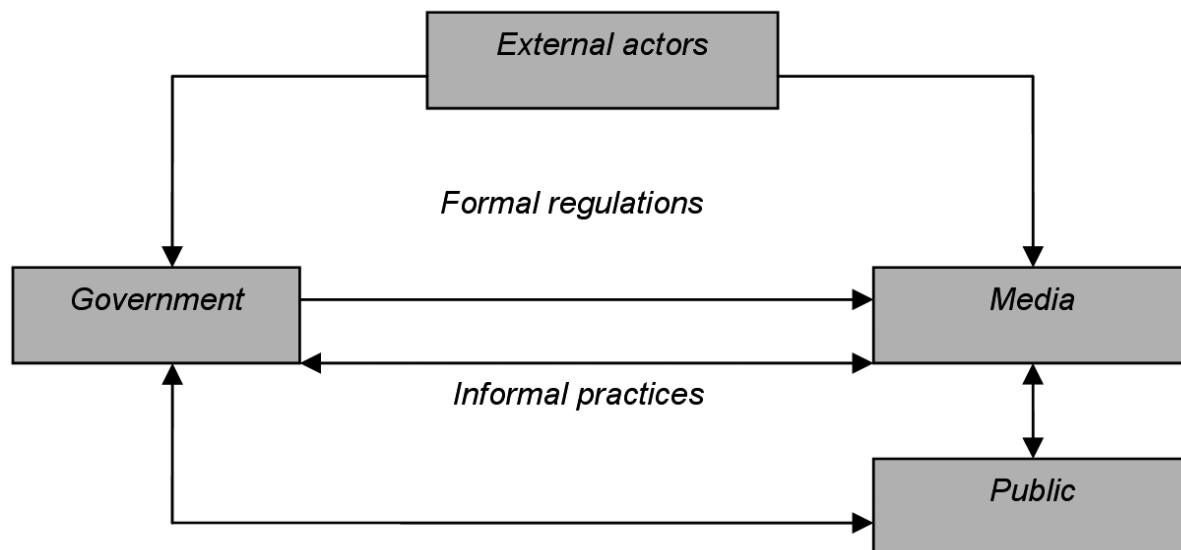
⁷ *The Standing Committee of PSD, Oct 20th 2003. Stenogramele PSD*. Editura Ziua, 3 volumes, Bucuresti: 2004. The leaked transcripts of the Romanian then government party Social Democrat (postcommunist) were under investigation by national anticorruption Prosecutor beginning 2005. Former Affairs Minister Mircea Geoana was quoted by BBC World Service acknowledging the transcripts are genuine. Several other PSD members made similar statements to the Romanian press. The Prime Minister Adrian Nastase (after January 2005 chair of the Chamber of Deputies) denied their authenticity. See the review of transcripts in *Romanian Journal of Political Science*, fall 2004, pp 54-56, www.sar.org.ro/polsci/

⁸ See Sukosd, M. and P. Bajomi-Lazar (2003) *Reinventing Media. Media Policy Reform in East Central Europe*. CPS Books. Budapest: Central European University Press: 2003: 11 and Hall, Richard A. and O’Neil, Patrick (1998) “Institutions, Transitions, and the Media: A Comparison of Hungary and Romania”, in O’Neil, Patrick (ed.) *Communicating Democracy: The Media and Political Transitions*. Boulder and London: Lynne Rienner Publishers: 143

er and news director, was less than a year during transition excepting the Baltic States and legislation has often been revised to provide fresh opportunities to dismiss executives who were not obedient enough.⁹

By and large, a model summarizing the complex relationship between press and government in transition accession countries is approximated in Figure 2. The government regulates media through

Figure 2. Context of the interaction media-government



formal regulations, but as those are influenced strongly by international actors, it also uses less overt means to control the media. External influence of various types varies greatly across the countries. Unlike for other regions of the world, however, Western influence mattered enormously in postcommunist Europe. First, for providing an accessible cultural model to be followed by journalists and politicians alike; second, for the conditionality related to Council of Europe, NATO and EU accessions; third, through the permanent channels of communication between professions, contributing to the re-socialization of Easterners according to Western standards. This third influence is mostly exercised directly on the media, through training and assistance programs.

A mix of incentives and penalties, conditionality played the most direct and impressive role. President Francois Mitterand famously called Romania's President Ion Iliescu in the summer of 1990 when opposition newspapers were closed to argue for a softer handling of political opposition and the media. International influence tuned Ion Iliescu into an EU accession promoter and this conversion eventually changed the path of the country. No such call on record exists for Alexander Lukashenko, the Belarusian President, already elected four times (Mr. Iliescu stepped down after a third mandate). International conditionality seems to be powered only by strong incentives, such as a prospect of EU accession, which

converts captors into more or less convincing pro-Europeans. Most of the behavior described here under 'media capture' falls in the realm of 'informal practices'. Practices can complement formal regulations, but can also be competitive or substitutive in others, where formal freedom (as enshrined in the Constitution) is effectively sabotaged by capture or direct control.

The public has an important feedback, to the media via audience and circulation, to the government through elections or opinion polls. The question is why should governments care about media, if they can buy or bully it at their will? The model suggests two important answers to this question. The first is on the role of the international community. As EU accession progresses or non-EU countries ask for foreign assistance (such as grants from Millennium Corporation) the cost of repressing the media grows and becomes unaffordable for any government but an isolated one, which either does not care for the opinion of the international community or is able to buy a good one by resources (such as oil or gas). Capture develops as a substitute, but Freedom House Nations in Transit or IREX Sustainability Index developed precisely in order to be able to look more qualitatively at media freedom. The second explanation refers to the direct feedback of the public to the government presented in the model. In electoral democracies or in times when revolutions occur as 'waves'

⁹ See Mungiu-Pippidi, A. (2004). 'State into Public: the Failed Reform of State TV in East Central Europe', Shorenstein Center on Press and Politics, Harvard University, Working paper 2000#6, <http://www.ksg.harvard.edu/presspol/publications/pdfs/alina.PDF>

defying the media can only be afforded by popular governments. Some governments, such as Putin's or Lukashenko's had enough resources to subsidize household energy and come up with a variety of perks for the public. These governments will not be brought down by the media, as they are genuinely popular. The largest share of the budget of the city of Rostov, in Southern Russian Federation, is used to cover utilities bills from private households: the majority of inhabitants are beneficiaries. A comparable city, Bucharest in Romania dedicates less than 3% to the same purpose, at a comparable purchasing parity power of the population. But most countries cannot afford such strategies, they do not have the natural resources. In those countries the voters' feedback is likely to work and the media can be very influential.

The three paths of the relations between media and government in Figure 1 thus amount to three government strategies: 1. direct control through repression 2. indirect control through capture 3. accommodation. The third strategy might be inspired by genuine concern on how to sell policy acts to the media or incorporate the views of public opinion into policy, as well as by rational calculations of how to 'look good' to the media.

Media Strikes Back

The overriding concern of the first years, both in Eastern Europe itself and the West, was on securing media freedom in postcommunist Europe and establishing it on a firm legal and economic basis. But even prior to setting up media as an autonomous actor – a process completed only partly in some countries – media had been at the center of political change in Eastern Europe, right from the very beginning. Starting with the 1989 Romanian Revolution, public television became not just a mouthpiece of government or the victim of abuse, but also a crucial actor. In 1989 Romania, public television extended what could have arguably been a manageable revolt in Bucharest only, into a national scale collapse of Communism, by broadcasting the news that Ceausescu had fled. One year later in Bulgaria, a shift in the attitude of journalists working in public television led directly to the fall of Communist PM Petr Mladenov, and opened the door to radical political change. Seen as the main reason why the Milosevic regime was still popular in rural areas, Serb national TV was bombed by NATO in 1998, on charges of ... disinformation.

Two more recent examples illustrate how media can help prompt decisively a breakthrough for radical political change. The Ukrainian Orange revolution had its origins in the President of the country losing his

patience with a journalist. A tape alleging that the President was involved in the killing of investigative journalist Georgy Gongadze, recorded by a former presidential bodyguard was posted on the site of his newspaper, *Ukrayinska Pravda*, turning this small Internet publication into number one rated Ukrainian media website. This also made the support for the regime an 'immoral' option. During the electoral campaign the number of Internet users tripled in Ukraine, as official censorship pushed voters to Internet cafes in search of real news. Only three days before the first round of elections 40 journalists, representing five TV channels, publicly declared that they would not work under "*temnyky*." Later representatives of another 18 TV channels and media companies joined the petition. The breaking point was November 25, when the system of censorship and capture fell like a house of cards, in the words of a journalist¹⁰. On the day when official results were to be reported by the central election commission the sign interpreter Natalia Dmytruk ignored the text of the main presenter about the outcome of the election. Instead she gestured to her deaf viewers: "The official results by Central Election Committee are falsified. Do not trust them. Yushchenko is our president. I'm really sorry that I had to translate the lies before. I will not do this again. Not sure if I will see you then." Her statement triggered others as well.

Georgia's Rose Revolution was another bet won by donors who believed in the power of the media. The key actor was a provincial TV, *Rustavi-2*, founded in 1994 in the town of Rustavi, not far from Tbilisi. It was initially a tiny private local TV station. Its main founder, with help and advice from the U.S. media assistance Internews (USAID backed), built it into a professionally sound media company, both in economical and journalistic terms. In the space of mere two years *Rustavi-2* moved into Tbilisi, survived two attempts of the regime to close it, was made stronger by the assassination of one of its journalists and became a national model where other stations and journalists looked for inspiration. Current President Michael Saakashvili, then the challenger, later said that "*Most of the students who came out on the streets were brought out by Rustavi*"¹¹. Its role became crucial on elections' day, as it ran a scroll at the bottom of the screen 24 hours a day showing the official results compared to a credible NGO exit polling and parallel vote count."

The assembled evidence that democracy promotion of this kind can be more effective than embargos or military interventions, has by now persuaded the donor community and endowed it with a strong argument when facing policymakers¹². In the ten years leading up to the Georgian revolution, the U.S. gov-

¹⁰ Based on Olena Prytula, *Journalism at the Heart of the Orange Revolution*, an address to Knight Fellowships Reunion and Conference, Stanford, California, July 9, 2005

¹¹ See David Anable 'The Role of Georgia's Media—and Western Aid—in the Rose Revolution'. Joan Shorenstein Center on the Press, Politics and Public Policy Working Paper Series 3:2006 Cambridge, MA: Harvard University

¹² Idem note 11.

ernment spent just over \$154 million on democracy assistance projects in Georgia, most of it under the Freedom Support Act of 1992.¹³ In Eastern Europe and the former Soviet Union as a whole, \$350 million has been spent since 1991 specifically to develop independent media.¹⁴ Some critical reservations were made that following the victory of opposition in electoral revolutions, media again did not show much autonomy, but instead became more partisan. This is in all likelihood true, and the concern is justified. Good media is autonomous media. Partisanship, however, is an indication that pluralism exists, and pluralism is superior to autocracy. There is another evolutionary cycle to go from pluralism to substantial democracy.

What about 'normal', non-revolutionary times, for instance during and after EU accession, does the media still matter? Seeing the public trust in media (television especially) and government the likelihood is that media has a good position. It enjoys far more public trust than the government does. Around their accession date in 2004, even EE governments with a good record on EU accession were facing major popularity problems; after accession, a period of political instability followed in Poland, Czech Republic and Hungary. Television has more than double the popularity of government in most countries, three or four times in some. Television is a strong actor, and TV owners a force to be reckoned with.

Table 2. Trust in media and the government

Country	Print press (%)	Radio (%)	Television (%)	Trust in national government (%)
Bulgaria	35	51	70	19
Czech Republic	59	67	65	25
Estonia	52	75	75	45
Hungary	27	42	44	31
Latvia	52	67	68	28
Lithuania	55	65	68	31
Poland	50	59	54	7
Romania	57	69	73	36
Slovakia	57	71	68	17
Slovenia	54	64	62	27
ECE-10 (average)	50	63	65	27
EU-15 (average)	46	63	53	30

Source: Eurobarometer – Public Opinion in the Acceding and Candidate Countries, February-March, 2004

Influence on policymaking is, of course, much harder to prove than influence on revolutions. The study of the media's direct effects on politics generally looks at how media might influence who makes political decisions through the selection of political personnel; how media affects political styles and procedures, therefore how it influences political actors behavior; how media might co-determine about what decisions are taken due to their agenda-setting role; and finally, how media might affect the actual content of political decisions, via their directional coverage or framing through bias or partisanship. *The role*

of the media in elevating issues to the systemic agenda and increasing their chances of receiving consideration on policy agendas is subject of considerable controversy nowadays, after being nearly orthodoxy in the seventies¹⁵. In their influential overview of agenda-setting research, Dearing & Rogers state that "The mass media often have a direct influence on the policy agenda-setting process"¹⁶. Reviewing a large body of research, Walgrave and Nuytemans¹⁷ found that the media's impact on agenda setting depends on place, issues, political agendas, media agendas, and time.

¹³ Office of the Coordinator of U.S. Assistance to Europe and Eurasia, U.S. Dept. of State.

¹⁴ O'Connor, Eileen and David Hoffman, *International Herald Tribune*, "Media in Iraq: The Fallacy of psy-ops" December 16, 2005.

¹⁵ See Cobb, R. and T. Elder (1971). "The politics of agenda-building: an alternative perspective for modern democratic theory." *Journal of Politics* 33: 892-915. Also Kingdon, J. W. (1995). *Agendas, alternatives and public policies*. Boston: Little Brown.

¹⁶ Dearing, J. W. and E. M. Rogers (1996). *Communication concepts 6: Agenda-setting*. Thousand Oaks, CA, Sage: 74

¹⁷ Walgrave, S & Michiel Nuytemans (2004) "Specifying the media's political agenda-setting power. Media, civil society, parliament and government in a small consociational democracy" (Belgium, 1991-2000) Paper presented at ECPR's Uppsala Workshop Session, April 2004

What does evidence from Eastern Europe tell us? In 2003–2004 I participated to the organization of a survey in the ten East European EU accession countries asking cabinet members on the role of media on policymaking. Ministers were asked to provide their subjective views on the amount of media influence during their tenure, specifically in reference to *topics of cabinet discussions, amount of time given to media in cabinet discussions, presentation of decisions and finally substance of cabinet decisions*. These questions should be judged together to get a complete picture of media's weight. If the media influence government topics and prompt discussion in the cabinet, this

means it influences agenda setting. The third question on presentation or wrapping up of cabinet decisions is more ambiguous, referring both to the communication skills of the government as well as to the media's influence. The fourth question, on influence over substance of decisions, which should provide the clearest cut evidence of impact, depends strongly of awareness of politicians of being influenced and their readiness to admit this publicly. While politicians love to present themselves as oversensitive to media's policy warnings, they do not want to give the impression that they are ruled by the media.

The results of the survey suggests that media

Table 3. Media influence as acknowledged by cabinet ministers

Country	Topics	Time	Presentation	Substance	Specific newspaper/TV channel
Bulgaria	44	24	44	44	16/16
Czech Republic	10	10	43	5	10/0
Estonia	56	53	66	33	33/33
Hungary	40	35	43	45	10/10
Latvia	53	48	48	43	25/23
Lithuania	70	59	65	56	41/27
Poland	56	53	56	27	22/7
Romania	49	73	27	24	46/33
Slovakia	23	64	9	14	0/0
Slovenia	33	57	24	19	38/24
ECE	47	49	45	33	25/18

Source: Project database.

in East Central European countries influence both agenda-setting and substance of policy decisions. From our pooled sample of ministers, 47% acknowledge influence over topics, 49% over discussion time, and 33% over content of decisions. Variation is minimal across political ideology and type of cabinet, and is significant by country only. The great exception seems to be the Czech Republic, whose ministers steadily denied influence of media, to the extent that none of them named an influential TV program. The countries where ministers acknowledged that media influences the substance of decision to a greater extent are Bulgaria, Hungary and the Baltic states. Lithuanian ministers come on top with the greatest participation of the media to their agenda, and Romanian ministers seem to lose considerable time discussing in cabinet meetings what they have seen on TV the evening before.

Answers show some inconsistency of respondents. Slovak ministers allow discussing topics raised by media a lot in the cabinet, but claim their choice of

topics and decisions are their own. This makes us suspect that ministers are reluctant to admit that they are influenced by public opinion as expressed through media. The Czech and Slovak ministers did not indicate any specific programs and newspapers as more influential than others, although it is hard to believe that those do not exist. In other countries, with Romania on top, ministers acknowledge the particular influence of some newspapers or TV programs. Some governments seem more professional in passing their message to the media, especially the Czech and the Baltic ones. Countries which do better on freedom of the press seem also to be more careful in dealing with the media, while a great difference between the time allocated to discussing media (73, 64 respectively) as in Romania and Slovakia and the relative carelessness towards communicating to media (24, 14 respectively) might be because other informal means of handling the media are preferred. The survey of East European ministers seems to confirm what Robert Dahl wrote in his classic *Who governs?*: 'The more

uncertain a politician is about the state of public opinion or the more firmly believes in the 'power of the press' the more reluctant he would be to throw down the gage to a newspaper publisher¹⁸. *In other words, power of the media in normal times depends on the extent that decision makers believe in it, and this might explain the wide variation of media effects studies, as this belief varies greatly across national media environments, and from one moment in time to another.*

Conclusion

Research often ends up in more questions. Rather than asking ourselves if the media is influential¹⁹, and if investment in freedom of the media by the international community can bear fruit – it clearly is, and it clearly does - I suggest we focus on the circumstances that empower the media. This means that a comparative politics research design across a broad interval of time, rather than generalizations from the cross-sectional study of one country might provide better answers as to what specific set of circumstances makes a politically influential media. I also suggest that informal aspects of media control and media behavior should not be neglected in favor of classic ones, and that corruption of the media is an underrated and understudied phenomenon.

Does the history end if a country reaches the relatively happy phase of accommodation, and we witness far less interaction between media and politics, as in liberal democracies? By and large, judging by the EE experience I would say it does, but actors in the field might not agree. The media in most of the countries discussed here differ sharply in style from the rest of continental Europe. The violent critical tone and the poignancy of the investigative journalists in Eastern Europe (as well as their inaccuracy) are hard to accept in some Western European countries, such as France or Switzerland, with their mild media, and are closer to the British press only from 'old Europe'. One would be tempted to say that such governments deserve the media that they get, and the other way around. It would be an easy way out, though. East European governments rule through exceptional times, when the constitutional and economic order is daily overhauled to push transition further towards what their citizens black-humouredly call 'the light at the end of the tunnel'. Politicians are often amateur policymakers trying to acquire some skill during office. Publishers and journalists often picture themselves as better at the job of government and give strong indications what policy decisions should be taken. Some may even get a position in the next government. Until

the process of consolidation of new professional elites make such shifts between professions the exception rather than the norm, governing in Eastern Europe would remain a sort of athletic game in which spectators are allowed to throw in various objects and even descend from the amphitheatre into the playing field, while the results of the game are established by their open vote. It would sound anarchical and unprofessional indeed if the mere word 'democracy' was not born precisely on such amphitheatres.

¹⁸ Robert Dahl *Who Governs?* New Haven: Yale University Press 1974: 259

¹⁹ See K. Novak, 'Effects no more?' in U. Carlsson (ed) *Beyond Media Uses and Effects*, Gothenburg University: Nordicom, 31-40

POLSCI REVIEWS

The Romanian Revolution of December 1989

Peter Siani-Davies, Cornell University Press, Iataca and London, 2005

Milena... *

After almost 10 years since the Romanian revolution of December 1989, both the academic community and public opinion of Romania, have still many doubts regarding the nature and the exact unfolding of those events. Peter Siani-Davies, one of the few western researchers involved in the study of the Romanian society, through his excellent work "The Romanian Revolution of December 1989", offers a detailed account of the Romanian revolutionary upheaval and of the difficult birth of democracy in Romania, giving at the same time an important contribution on the elucidation of the myths and realities of the Romanian revolution.

Following a linear and chronological structure, the author begins by analysing the causes of the Romanian revolution of December 1989, identifying grounds like the extreme food rationing that kept for years the population to the limit of starvation, the persistent human rights abuses with a particular focus on the restriction of abortions that determined the highest rates of maternal mortality in Europe, the rigidity of command economy, the peculiarities of Ceausescu's neo-Stalinist coercion-based regime, the lack of an organised dissidence correlated to the general popular discontent and the changed international context.

The author emphasises that this hardship of life conditions and the brutality of the communist regime in Romania was not a novelty in 1989, and seeks in-depth explanations of why the country erupted in revolution in December 1989 analysing the mechanisms of revolt and using detailed examples in connection to a solid theoretical foundation.

The following chapters provide the reader with a descriptive, but also analytical perspective of the events of December 1989, dividing it in two phases, prior and post December 22nd, the date of the capture of Nicolae Ceausescu and the establishment of the new leadership. With regard to the first phase, the author pays a particular attention to events like the eruption of the revolution in Timisoara, the escalation of the crisis through the spreading of revolts all over the country and the succession of events in

Bucharest, describing it literary hour by hour. As for the second phase, the author concentrates on the description of the general chaos generated by the fear of the so called "terrorists" and on the active role played by the television in the shaping of the events. The establishment of the new structure of power was based mainly on the removal of the twin pillars of the old regime, namely the Ceausescu family and the *Securitate*, the political police of the communist rule.

A particular emphasis is given by the author, in a separate chapter, to the counter-revolutionary forces who were responsible for the impressive number of victims, for the general confusion during the second part of the revolution and for the violent character of the revolution. As this book brings out, many of the above mentioned terrorists were part of the *Securitate* units, but their importance was generally exacerbated, being manipulated by the new-formed government in order to gain legitimacy and to justify the unnecessary victims. Regarding the central argument of the role of the *Securitate* forces in the Romanian Revolution, the author also takes into account the conspiracy theories about certain plotting inside the system against the rule of Ceausescu, but concludes that the importance of such conspiracy prior to the overthrow of the communism should not be over exacerbated.

The book under review also offers a concise and well documented account of the formation of the new state administration under the leadership of Ion Iliescu and the National Salvation Front (NFS) and examines the matrix of ideas taken up by the Front. Beside giving a detailed picture of the structure and composition of the Council of the National Salvation Front, the author puts forward solid arguments for fact that even though apparently the general platform of the NFS was based on a reformed socialism associated to a socialist model of the market economy, in reality it was a non-ideological party appealing only to the creation of a general consensus and an organic solidarity.

"The Romanian Revolution of December 1989" has an excellent theoretical background, exam-

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ines the most notorious revolution theories and analyses in-depth the events in 1989 in accordance to them. Moreover, it brings a valuable contribution to the elucidation of the myths and realities of the Romanian revolution, by analysing different perspectives on the events such as "revolution", "coup d'état" and "popular uprising", and by giving space for a fierce polemic over the nature of the revolutionary act.

It is important to notice that even if it takes into consideration the hypothesis of "coup d'état" or "coup de palace", widely debated among the international academic community, the book under review concentrates strictly on the revolutionary perspective of the analysed events, concluding that it was a "violent and involved mass mobilisation, which led to the storming of the institutions of the old regime, followed by the establishment of revolutionary councils". Hence, the author provides us with a very prudent conclusion and leaves the debate open. We consider important to point out that, event if the reviewed book is based on excellent sources, it fails to bring into discussion the documents of the communist archives, relying mainly on academic books and on journalistic sources. This is a fundamental aspect considering that the very truth about the Romanian revolution of December 1989 can be known only when the entire archives will be available to the researchers, fact that can only occur when all the ones accountable for the violent events will leave the political scene of Romania.

To conclude, we can certainly argue that many of the unanswered questions on the events of December 1989 can find their response in Peter Siani-Davies's brilliant work about the Romanian revolution.

What's Wrong With The European Union & How to Fix It

Simon Hix, Polity Press, Cambridge, UK, 2008

Cristian Ghinea *

However different they are, John McCain and Barack Obama have a common message: unifying a divided America. Both candidates aim to come across the aisle for less divisive politics. This sort of message seems to become a mantra for politicians and scholars. And yet Simon Hix swims against the current in his newly released book *What's Wrong With The European Union & How to Fix It*. Hix analyses the

political system of EU as a classical case of a consensualist democratic model. And he points out precisely to this consensualism as being the main problem of the EU. The political game at European level needs a real stake, with clear winners and clear losers.

Author of a well known study text about the political system of EU and a reputed scholar of European studies, Hix offers the readers a spectacular mélange between academic research, political realism and bold anticipation literature. He starts by underpinning the historic achievements of the European Union. Sustainable peace and internal market went further than many hoped 50 years ago. But that era has ended in the early '90s. In that sense, EU could be considered a victim of its own success. Given its achievements, what is wrong with it? Why has decreased the trust of Europeans in that project with 20% in the last decade only? Could it be the lack of information about EU? The European bureaucracy prefers to blame the lack of information for its unpopularity and pays for propaganda like activities that bore the public. Actually, the citizens are more informed today about the EU than in the past. Why is that? Hix says that EU's problem is deeper than bad PR: "Citizens who perceive that they gain new economic opportunities from market integration in Europe tend to support the EU, while citizens that perceive that market integration threatens their economic interests tend to oppose the EU" (64). This example illustrates the Hix's argument at its best. Given the nature of the problem, more politics could help EU in gaining popular legitimacy: "In democratic political systems, if a citizen loses from a particular policy or suffers economic hardship, the citizen does not blame the political system as a whole, but rather blames the government of the day. In the EU, in contrast, those who lose from economic integration or from policy reform simply blame the EU system as a whole, as they do not perceive a governing coalition at the European level who they can replace" (66).

But the popular mood is not the biggest problem identified by the Simon Hix. The EU suffers from a deep policy gridlock. For many years its politicians believed this was a result of bad constitutional arrangements. Consequently they made enormous efforts to solve the problem at constitutional level. But they ended up with a failed Constitution and endless new negotiations with little effects. This is the bad news: the Lisbon treaty will not fix the EU. The good news is given also by Hix: the problem is not there. He simply demonstrates that EU functioned satisfactory until early '90s with worse institutional mechanisms than today. Simply put, a huge volume of legislation was adopted in creating the single market when the unanimity was the rule, not the exception as it is the case today. Isn't it ironical that once the decision-making became simpler the decisions were increasingly difficult to be made? What is the problem then?

* Cristian Ghinea is a Romanian journalist currently following a MSc in Governments and Politics in EU at London School of Economics.

Hix changes the topic from institutional shaping to policy making. The very nature of EU's decisions changed dramatically. Internal market was built on a centrist platform. Very different political forces, from French socialists to British Thatcherites, were able to agree on this issue. But once internal market created, the EU played more and more a redistribution role. In other words, it is more and more difficult to have win-win situations. Someone has to lose. And many actually lose, as many really win. For instance, deregulation of labor market creates new opportunities for investors but the well-protected Western workers are losing. The historical consensual model of EU was appropriate for agreeing on the internal market but creates tensions once the redistribution requests more competitive politics.

EU functions de facto as a system divided on ideological lines. Moreover, Hix says, more conflict is inevitable. After 2005, a right wing political coalition governs the EU both in Parliament (the dominance of EPP), Commission (Barroso and most of his commissioners) and in the Council (a right-wing majority of governments). But this coalition does not have a specific political mandate to move the policies rightward. This combination between more ideological decisions making and lack of political mandate creates popular frustration and political stalemate: "The current political majority in the Commission, the Council and the European Parliament is on the centre right, which means that the current policy of the EU are in a more free market direction. Without open democratic politics, this particular "governing coalition" is not recognized by most citizens. So, rather than recognizing that the current right wing policies are the product of this particular governing coalition and would change if a different coalition emerged as the governing majority, those parties and citizens on the losing side in the current policy battles (on the left) believe that free market policies will be a permanent feature of the EU. This explains why many citizens on the left, particularly in Western Europe, increasingly oppose the whole EU project rather than opposed the current policies of the EU" (106).

This could be the main message of Hix's book: the consensus era is over. You have to fight for real, he transmits to European politicians. The author seems to treat them as a bunch of toothless pit-bulls that forgot their goal. Moreover, they do not have to change the treaties in order to make the EU a real polity. On the contrary, Hix proposes just some changes within the current constitutional system. He makes some recommendations for each of the main European institutions. The Parliament should renounce to distribute the internal positions (from the EP president to chairs of the committees) on proportional basis. Thus the real competition between the political groups would be encouraged. The Council should open its meetings to the public and to proceed voting for each issue rather than making behind door arrangements. Finally the most provocative proposal

is to transform the election of Commission's President into a real political competition. Each political group in the European Parliament should announce a candidate for this position prior the European elections. Electing a sort of "prime-minister" for EU would create a real stake for these elections. Hix brings arguments for each of his proposals, makes comparisons with the current situation and underpins the advantages of the alternatives.

Hix uses good academic skills in order to shape the reality. His fresh angle is welcomed in the debates about EU, which are usually good in identifying the problems and depressingly poor in finding some solutions. Hix thinks out of the box and his new book will shape future debates about Europe. As the history of EU often proved, this could be the first step in shaping Europe itself.

CALL FOR PAPERS; INSTRUCTIONS FOR AUTHORS

Elections in Russia and US

Russians elected this year a new leadership for the country. Although some analysts claim it is the same leadership as the old, some things are bound to change. More important changes are expected from American elections, whose unfolding has captured the imagination of the whole world. Results of both elections are likely to play an important role for shaping the world of 21st century.

What lessons can we learn by studying the process of these two elections? How does Eastern Europe position itself towards Russia and US after Iraq and Afghanistan? How does Iran play into this equation? Can Central Europe find an alternative to the position of implementing agent of US foreign policies? Is there a role to play for the EU between these two former and still great powers?

Submissions are expected by October 31st, 2008.

The Romanian Journal of Political Science encourages contributions from the community members of Romanian or foreign social scientists regardless of age, academic background or topic. We are mainly interested in theory-grounded papers based on solid empirical work. Contributions drawing upon inferential analysis are especially encouraged, as are papers from fields currently under-covered, such as comparative politics, public policy, political economy, political psychology. The publishing language is English. Please use footnotes or endnotes, limit their number to a minimum and use consistently one citation system throughout your article. Electronic submissions are acceptable in Word for Windows at office@sar.org.ro. If you prefer snail mail send a floppy disk/CD with the article in Word for Windows and a hard copy at Societatea Academica din Romania, str. Mihai Eminescu 61, Bucuresti, Romania. The ideal length of an article is anywhere between 4000 and 8000 words, but longer articles can be considered on the basis of exceptional merit. Foreign policy scientists writing on Romanian or broader Central European issues are also encouraged to contribute. We do not publish unsolicited essays or op-eds.

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