

Демократична трансформація у нових Державах ЦСЄ

Автор даної статті досліджує консолідацію демократії в країнах ЦСЄ в контексті аналізу перехідних посткомуністичних суспільств і зосереджує увагу саме на цій фазі демократизації. Виділено три інституціональних аспекти, які відіграли важливе значення для перехідних суспільств. Це – зміцнення кордонів національних держав, вибір форми правління та вибір виборчої системи. У сукупності, на думку автора, ці інституціональні змінні стали визначальними факторами розвитку демократизації посткомуністичних суспільств.

Ключові слова: консолідація, демократизація, країни ЦСЄ, три фази третьої хвилі демократизації, перехідні посткомуністичні суспільства, модернізація

Democratic transformation in new CEE Countries

the author of the paper studies consolidation of democracy in the CEE countries in the context of analysis of the transitional post-communist societies and focuses on the very phase of democratization. Three institutional aspects, which played an important role in transitional societies, have been described. These are strengthening of the national borders, choosing the form of the government and electoral system. The author presupposes that as a whole these institutional changes became the crucial factors in the development of democratization in the post-communist societies.

Keywords: Consolidation, democratization, Central and Eastern European countries, three phases of the third wave of democratization, transitional post-communist societies, modernization

In modern theories of society democratization researchers clearly single out two conflicting concepts. The radical concept perceives aim in democracy; the essential concept considers existing democracies as the way which will lead the countries to democracy only when they create the minimal criteria for a legal state. In the radical concept the reality is believed to be only “democratization”, thus the authors insist on the subsequent development of consolidated democracy¹. The

¹ W. Schmalz-Bruns, Reflexive Demokratie, Baden-Baden, 1995, s. 41.

moderate approach to the democratic theory considers consolidation of democracy as a sufficient precondition for the following stable development.

The development of democratic process in the Central and Eastern European countries (CEE) introduced new elements in the theoretical researches. The elements of the civil “non-state” or even “anti-state” democratization took the leading places in the political elites’, authoritative functionaries’ and researchers’ discussions during the system change. Though, the theory of the civil society, as K. von Beyme believes, appears to be rather ideology-driven and remote from life², but it had great influence on the people’s attitude towards the mediate institutions, such as interest groups and parties, and contributed to the fact that during the transformational process in the CEE countries after 1989 they played another role than during the previous waves of democratization, which ended with the system change.

Three phases of the third democratization wave (liberalization, democratization itself and consolidation) mentioned by S. Huntington in 1991³ are difficult to be applied to the CEE countries. Therefore, in Czechoslovakia and the GDR, where the collapse of the real socialism took place, the liberalization phase was missed. The same could be seen in Bulgaria, Romania, Albania, Yugoslavia, i.e. in those countries where the heredity of the partly changed communist ruling party was kept. In those two types of transformation the powerful opposition was absent. Besides, the ruling parties in the CEE countries weakened it by manipulating the elections results, introducing a low barrier for new party registration and adhering to the “divide and rule” policy.

The retrospective analysis shows that the democratization phase looks rather compressed. Implicitly, it is believed to be ended with the creation of the most important institutions (multi-party system, free and democratic elections, parliament, president, division of branches of government), and especially with the adoption of the Constitution. But after the establishment of the basic institutions in CEE, the electoral systems were often viewed as auxiliary and disposed to the necessary changes for achieving the goals of the leading groups⁴.

Having defined the aim of the paper as the study of democracy consolidation in CEE by the analysis of the transitional post-communist societies, let’s focus our attention on the phase of democratization. It should be mentioned, that even a short phase of democratization (before the adoption of the constitution) allows marking out three institutional aspects, which played an important role for transitional societies. These are strengthening of the national borders, choosing the form of the government and the electoral system. In general, these institutional changes became crucial factors in democratization development of the post-communist societies, so let’s examine each of them.

² K. von Beyme, *Ansätze zu einer Theorie der Transformation der ex-sozialistischen Länder Osteuropas*, in: W. Merkel (Hrsg.), *Systemwechsel. 1. Theorien, Ansätze und Konzeptionen*, Opladen, 1996, s. 142.

³ S.P. Huntington, *The Third Wave. Democratization in the Late Twentieth Century*, Norman and London, University of Oklahoma Press, 1991, s. 46-51.

⁴ M. Kasapovic, D. Nohlen, *Wahlssysteme und Systemwechsel in Osteuropa*, in: W. Merkel (Hrsg.), *Systemwechsel. 1. Theorien, Ansätze und Konzeptionen*, Opladen, 1996, s. 47.

Analyzing the first institutional aspect of transitional societies, namely strengthening of the national borders, it should be mentioned that another wave of democratization started in 1989 and differed from the previous ones by escalation of the nationalistic problems and tendencies to irredentism. In the 1990s only 5 out of 19 CEE countries had the same borders as the previous national states (Albania, Bulgaria, Poland, Romania, and Hungary). Other countries are unconsolidated products of disintegration of three federations (the USSR, Czechoslovakia, and Yugoslavia). At first among three federations only Czechoslovakia the least resembled the country, which could be disintegrated. The scenario of its disintegration was discussed involuntarily. During the conflict period of disintegration Czechoslovakia could have used the Belgian example of federation formation. The subcultural isolation of two national groups in Czechoslovakia was considerably less, than it was in Belgium between Flemings and Walloon. But the readiness to divide the rich parts of the country was implemented too. The maintenance of federation in Czechoslovakia failed due to the lack of cooperation between the elites at level of general institutions and inability to create the general Czechoslovakian party system⁵. Unlike poorer Montenegro in former Yugoslavia, Slovakia, being less socially and economically developed, did not demonstrate “federal devotion”, which could have ensured state and territorial integration of Czechoslovakia.

The intellectual community of all CEE federations condemned “imperialism” of the centre, but “social imperialism”, which presupposed the sacrifice of the centre in favor of regions, was not ignored by the community. The desires and hopes of European integration, contributed to the fact that Slovakia became more focused on secession, than earlier. K. von Beyme states, that the unification of “hereditary statehood and ethnical consciousness” is a crucial factor of the organizing force of nationalism⁶. In some countries from Poland to Croatia, the ethnical minorities in the period of democratization had at least minimal parliamentary representation. And in other countries, as it is highlighted by V. I. Burdiak, the minorities are concentrated in some territories, in particular the Hungarians in Romania, have distanced themselves from politics, not to excite Romanian nationalism. The scholar mentions the same about the Hungarians in Slovakia, who mainly take a critical view of the political system of the Slovak Republic. Only in Bulgaria the ethnical Turks’ party, the Movement for Rights and Freedoms, managed to attain the position of an indispensable partner in coalition formation, as the small amount of parties is elected to the parliament and the choice of possible coalition alternatives is limited⁷.

National construction in former federations (the CSSR, the USSR, Yugoslavia) is carrying on, and that is why it is worth approaching the implementation of borrowed forms of democracy rather carefully, as its institutions cannot be adapted in every country. It is necessary to consider

⁵ W. Merkel, *Institutionalisierung und Konsolidierung der Demokratien in Ostmitteleuropa*, in: W. Merkel, E. Sandschneider, D. Segert (Hrsg.), *Systemwechsel. 2. Die Institutionalisierung der Demokratie*, Opladen, 1996, s. 100.

⁶ K. von Beyme, *Ansätze zu einer Theorie der Transformation der ex-sozialistischen Länder Osteuropas*, in: W. Merkel (Hrsg.), *Systemwechsel. 1. Theorien, Ansätze und Konzeptionen*, Opladen, 1996, s. 144.

⁷ V. I. Burdiak, *The Republic of Bulgaria at the Turn of the Epochs: Political Transformation of Society*, Chernivtsi, Ruta, 2004, s. 244-245.

such factor of the theory of transformation as the possibility of war between democracies. Countries in other regions of the world demonstrate greater inclination to war, than “mature democracies” or stable autocracies⁸. In places, where governments are “partly liberal” and delegate’s democracies of charismatic presidents have not implemented the norms of the “world union”, it is not enough for consolidation of democracy just to ascertain that in the political system there is no alternative of democratic rules of the game.

Studying the second institutional aspect of transitional societies, namely the choice of government system (presidential, parliamentary or mixed) conducted by the CEE countries, it should be mentioned that the direct spreading of western institutions played the secondary role. Its choice chiefly depended upon the course of transformation. Thus, taking into consideration the pact variant in Hungary, where the balance allowed some minor steps in the constitutional process, it led neither to the presidential and parliamentary system, nor to the weaker variant of the premier and presidential system, where Croatia, Lithuania, Poland and even Romania can be referred, taking into account that the division of branches of government was rather formal here⁹.

In the countries where the old collective government was gradually supplanted by the sole head of the country, the presidential systems have been formed, especially in case of charismatic leader. In Poland it was revealed through numerous conflicts even under the pact variant of changes. The peculiarity of Poland showed itself through the leading role of the President, during the rule of V. Jaruzelskii. In some countries after the transitional non-presidential period, as in Belarus, a poorly masked form of presidential dictatorship has been formed. In countries with a mixed form of the presidential and parliamentary systems, the division of branches of government according to the constitutions is nearly absent. For instance, in Russia the form of government was rather parliamentary, than it had been seen under president B. Yeltsyn. To our mind, any president can shift the balance in his/her favour, due to the fact that parties do not play any important role in the country. Charismatic leaders actively use the mixed system of government to strengthen their power. Thus, in Romania and Bulgaria (till 1991), when the transformation was started by the communist high-ranking functionaries, and the representatives of the old regime cadre became presidents, there was no need in the charismatic leader.

The best way out for the CSSR, where, as a result of the former regime failure, a new group of civilian forces came to power, was the parliamentary system, as it lowers the concentration of the previous authority, who acted during the preceding regime. The researchers who study the consolidation of democracy diverge as to the question whether it was the parliamentary system in Czech and Hungary that brought them success and due to which they became the most consolidated democracies in CEE, or these countries chose the parliamentary system because of the

⁸ E. Mansfield, J. Snyder, *Democratization and the Danger of War*, *International Security*, 1995, Vol. 20, 1, s. 5-6; S.P. Huntington, *Democracy for the Long Haul*, *Journal of Democracy*, 1996, Vol. 7, s. 2, 6.

⁹ W. Merkel, *Institutionalisierung und Konsolidierung der Demokratien in Ostmitteleuropa*, in: W. Merkel, E. Sandschneider, D. Segert (Hrsg.), *Systemwechsel. 2. Die Institutionalisierung der Demokratie*, Opladen, 1996, s. 79.

powerful positions occupied by the democratic elites. Though there are some contradictions as to the first postulate. The example of Slovakia, which, being without Czechoslovakia, would have chosen the presidential system, shows that the parliamentary system does not protect from the president's ambitions as it was in the case of V. Meciar¹⁰.

T. Baylis believes, that during the first years of the system change, the crucial negative role in nearly all eastern European countries was played by the conflicts between the president and the prime minister¹¹. Even in purely parliamentary systems one could observe such phenomena and the destructive potential of these conflicts was not always lower than in semi-presidential systems. The conflict between president A. Goncz and prime-minister P. Antall could have damaged Hungarian democracy even more, but for the death of the latter at the end of 1993. In Slovakia the conflict between V. Meciar and M. Kovac to the less degree was determined by the formal powers, than by simple authoritative resources, and this rather negatively influenced the development of democratic institutions. Apparently, because of this P. Shaki, deputy minister for civil rights and ethnic minorities' rights, who in 1998 replaced V. Meciar's government, stated after the elections that "today we deal with the government formation, and tomorrow we will start changing the regime"¹².

The choice of the form of the government has influence on the structure of the party system. The more presidential traits had the constitutional order in the country, the highest level of polarity it had. At the same time only the combination of some institutions had strong influence upon the party system. In particular, the general direct presidential elections with the majority electoral system (or with the system that leads to majority creation) had structured influence on the party system. As a rule it is influenced by other institutional factors like: the division of branches of government between federal and regional bodies or the constitutional court's prerogative as a guarantor for the established order in the system of government.

M. Duverger, G. Sartori and A. Lijphart consider the electoral system to be the most powerful factor that determines the party system. In this respect the experience of the old regimes was crucial for the choice of the electoral system institutions. At the constituent assembly in 1990 in all CEE countries, the system of absolute majority dominated (this did not use to be the case during the 2nd (1945) and the 3rd (1947) waves of democratization in Europe). Up to 1995 the system of absolute majority functioned in three countries (Belarus, Macedonia, Ukraine), where the change of authority did not take place. In four countries (Albania, Lithuania, Russia, Croatia) mixed and uncoordinated electoral system was used as a transitional variant on the way towards the system of proportional representation. Partly new elites (Latvia, Lithuania, Moldova, Croatia), and partly old elites (Albania, Yugoslavia) abolished the system of majority, immediately as it

¹⁰ N. Lazar, Dilemmas of Post-communist Transformations: Slovakia's Experience, in: Political Science and Sociological Sciences' Workshop, Collection of Scientific Works, Vol. II, Chernivtsi, Prut, 2002, s. 226-227.

¹¹ T. Baylis, Presidents, Versus Prime Ministers: Shaping Executive Authority in Eastern Europe, in: World Politics, 1997, Vol. 48, nr. 3, s. 302.

¹² Volby i stat. Pal šaki, Pravda, 1998, 21 October.

stopped serving their strategic plans of winning the elections. The strategies of saving the electoral systems of majority sometimes led old elites to loss of power instead of its retention.

Western Europe gained this experience during Gaullism period in France, and in Eastern Europe it was convincingly confirmed – the system of absolute majority, as showed the example of Ukraine, Belarus and Macedonia, did not contribute to the modern party systems. At the constituent assembly in the CSSR dominated the proportional system, as the old communist elite was to capitulate and new leaders of transformation had already achieved the victory at the previous elections¹³. The differentiated threshold as an electoral barrier against the fragmentation of the party system was established both in the Czech Republic and in Hungary. In the Czech Republic remained the same rules as in the CSSR (national barrier equaled 5%), and they were modified for the electoral blocks (block of two parties equaled 7%, block of three parties equaled 9%). In 1990 in Hungary the national barrier was 4%, and in 1994 it was raised up to 5% (for electoral blocks of two parties it was 10 %, for blocks of three parties it was 15 %).

On the whole the creation of institutions is considered to be a part of the democracy consolidation phase. But a number of researchers and W. Merkel in particular determine the institutionalization of democracy as an element of the second transitional phase¹⁴. The postulate offered by S. Huntington which is vital for democracy consolidation says that holding of two free elections or carrying out the double change of power in accordance with the constitution cannot be considered as a satisfactory result nowadays¹⁵. The examples from the political history of Europe refute it. Thus, the change of the government in the FRG took place only in two decades. So, it means, that up to that time, according to Huntington, German postwar democracy cannot be considered as a consolidated one. Another example is consolidated democracy in Italy, where there was no change of actual power until 1994. Apparently, that after the successful consolidation of democracy, the researchers of the transformational process can discover a new sphere of analysis, which at first sight sounds a bit strange, but correct, namely the change from “democracy to democracy”.

The post-communist societies of CEE worked out a great number of mixed forms of the legal state and various types of anomalies. Thus, the change of the government took place in Albania, but the elections, next after the constituent ones, were considered by the opposition as unfair. A unique event happened in Slovakia, when the government of the former communists fell from power at the elections, but came to it at the next elections. So, there was a change of the governments in the countries, but no one considers these states to be consolidated democracies. Albania is not in the focus of European politics yet due to its peripheral

¹³ S.P. Huntington, *The Third Wave. Democratization in the Late Twentieth Century*, Norman and London, University of Oklahoma Press, 1991, s. 28.

¹⁴ W. Merkel, *Theorien der Transformation: Die demokratische Konsolidierung postautoritärer Gesellschaften*, in: K. von Beyme, C. Offe (Hrsg.), *Politische Theorien in der Ära der Transformation*, Opladen, 1996, s. 41.

¹⁵ S.P. Huntington, *The Third Wave. Democratization in the Late Twentieth Century*, Norman and London, University of Oklahoma Press, 1991, s. 267.

location. And Slovakia took great efforts and together with the Czech Republic became the member of the EU. The economic indices were of crucial importance in this process, as the EU, despite the political rhetoric put economic cooperation in the first place.

Analyzing consolidation, minimalists usually use formal criteria consisting of seven indicators of polyarchy proposed by R. Dahl, which are determined by the rules of law and institutions; and G. O'Donnell's approaches¹⁶. Maximalists, in their turn, believe democracy to be more than a political regime and to combine several spheres, namely free and life-giving society, the availability of civil society, bureaucracy which would be loyal to democracy and institutionalized economic society¹⁷. Sticking to this theory, it should be mentioned that most of eastern European political transformational regimes do not correspond to the consolidation criteria. At the same time, in scientific publications concerning modernization there is a fixed threshold for successful democratization due to the execution of a number of vital preconditions, which are necessary for democratization attempts to succeed. Most of them can be used for analysis, a phase of democratization and a phase of consolidation.

The first quite spread precondition is the effectively functioning market economy with minimal prosperity. It (the precondition) was introduced in 1990 by J. Linz and A. Stepan as a notion of "economic society"¹⁸. In this respect the post-communist societies look even more injured than the post-fascist ones. Fascism created economy under the aegis of the state, but it did not make encroachments on private property. Spain, with its powerful authoritarian tendencies in the time of fascism, at the end of Franco's governing came to an open economy. But other forms of state property and interference are known. They coexisted with democracy until the state interference led to the economic stagnation and democracy oppression.

At the beginning of the 90s of the 20th century, researches were seized by the east European changes. F. Schmitter and others refuted economically determined "teaching about the preconditions". Cause and effect relationship acquired reversed character: democracy appeared to be stylized to the precondition of the successful market economy, and as the assumption was not absolutely convincing, it was strengthened by the structures of the international support: only democratic regimes have an outlook for receiving western help and joining the EU and NATO. But it was quickly clarified that there was no Marshall plan for CEE and actual aid was rather modest. K. von Beyme believes that perceptual pattern of international help within CEE is just catastrophic¹⁹.

The CEE citizens rapidly understood that they should not rely on the West's help. The Hungarian ambassador to Romania declared that any country could remain democratic if its GDP

¹⁶ R.A.Dahl, *Polyarchy: Participation and Opposition*, New Haven, Yale University Press, 1971. – 257 p.; G. O'Donnell, *Illusions about "Consolidation"*, *Journal of Democracy*, 1996, Vol. 7, nr. 2, s. 35.

¹⁷ J. Linz, A. Stepan, *Towards Consolidated Democracies*, *Journal of Democracy*, 1996, Vol. 7, nr. 2, s. 17.

¹⁸ *Ibidem*, s.21.

¹⁹ K. von Beyme, *Ansätze zu einer Theorie der Transformation der ex-sozialistischen Länder Osteuropas*, in: W. Merkel (Hrsg.), *Systemwechsel. I. Theorien, Ansätze und Konzeptionen*, Opladen, 1996, s. 153.

is more than \$6000 per capita. He highlighted that Hungary could rapidly become democratic, whereas Romania would stay in its transitional period for a long time. Those words were confirmed by A. Przeworski, who concluded that the democratic system “with more than \$6000 per capita must stay alive”²⁰. His evidence is allayed by H. Linz’s thesis, who mentions that the parliamentary systems even in poor nations are more probably to survive, than the presidential systems.

At the same time the changes of transitional character, which depict the context of the political system, are possible here. Taking into an account the indicator of the GDP per capita at the beginning of transformation, we can see that only the Czech Republic (\$7424), Slovenia (\$6540) and Hungary (\$5330) had prospects of quick consolidation. Bulgaria (\$5113) and Poland (4086) were in tolerance limits. The GDP of other countries was less than \$3000. But if one compares these indices with analogic ones of the consolidated democracies of the third wave, then it can be seen that the GDP per capita in Spain was \$4159, in Greece it was \$3224, in Portugal it was \$2397²¹. The calculations were made by A. Przeworski, who had previously been against the generalization of modernization theories and dependence of democracy on economics, as they had not been corroborated in Spain²². This approach can be correct, but only because it was applied to “all countries without exceptions.” S. Huntington’s thesis that democracy can exist only in the place where there is the USA’s influence or legacy of European colonialism, appears to be no less than problematic, though the political factors of international influence are taken into consideration.

Let’s consider another condition for democracy consolidation, namely “bureaucracy’s loyalty”²³. This factor has wide tendencies. The post-fascist countries “cleared” their bureaucracy just a little. Their loyalty was not checked, except for the Spanish attempt of coup in 1981. In Italy from time to time there was a great deal of talk about exposing the pro-fascist conspiracies among the high elite circles, but though there were no loyalty checks in the country. Only in Hungary 80% of elite was changed.

Student movements in many countries in the 60s of the 20th century stood up for disclosure of former elites’ suppression. In literature these questions are rarely raised, with the exception of S. Huntington, who implored not to persecute the adherents of dictatorship when the system was changed, as in this case “political losses exceed moral benefits”²⁴.

²⁰ A. Przeworski, *Democracy and the Market. Political and Economic Reform in Eastern Europe and Latin America*, Cambridge, 1991, s. 49.

²¹ M.G. Schmidt, *Political Performance and Types of Democracy: Findings from Comparative Studies*, *European Journal of Political Research*, 2002, nr. 41, s. 153.

²² A. Przeworski, *Democracy and the Market. Political and Economic Reform in Eastern Europe and Latin America*, Cambridge, 1991, s. 96.

²³ M.G. Schmidt, *Political Performance and Types of Democracy: Findings from Comparative Studies*, *European Journal of Political Research*, 2002, nr. 41, s. 152.

²⁴ S.P. Huntington, *The Third Wave. Democratization in the Late Twentieth Century*, Norman and London, University of Oklahoma Press, 1991, s. 231.

Despite the numerous crimes and human rights limitations, real socialism should not be referred to criminal regime. Only in the Czech Republic the legislative act of prosecution of regime criminals was adopted. However, the Law on Lustration in 1991 led to dismissal of many functionaries, even such figure as A. Dubcek had to be dismissed. Later, while heading the parliament he refused to sign the law. This cruel law was classified as the alibi law. It specified the criteria of incompatibility with the positions under authoritarian and democratic regimes, not to investigate every separate case. Thus, after 1990 in the FRG the responsibility was placed on bureaucracy of Hauk's department, regardless of high political losses, as it did not concern the ruling elite of the country. The results of democracy consolidation hugely depend on the way the functional bureaucracy implement the newly created parliaments' and governments' decisions. As a rule no one can demand more diligence from bureaucracy, which have not been dismissed up to the middle level and have been reconstructing clans and high-ranking functionaries' traditions up to this time, and as a result slowing down consolidation of democracy due to their passive resistance. Only the state, where the multi-party system exists and functions, can contribute to the gradual change of the administrative elites and this minimalizes the threat of destabilization. An amount of old functionaries who quit from the organs of government is less than the number of new members of administrative staff from the party which wins the elections. At the same time a normal alternation of generations happens. That is why we believe that consolidation of new democracies is a question of time.

So, the processes of new democracies formation and consolidation in the CEE countries, which have started after the revolutions of 1989, are complicated and disputable. The post-communist period shows the differences in economic, political and social structures, despite the similar influence of the communist system. In all countries party systems differ from the West analogic democratic structures, they just being of slight resemblance. They also differ from the systems where democratic principles have not been formed yet. Progressive economic reforms of the government have caused decline in living standards. All this influenced the processes of democracy consolidation, which have not taken place in many countries.

To our mind, the study of the preconditions for democracy consolidation in the context of analysis of the transitional post-communist societies in CEE, proves that the countries, which managed to pass the democratization phase rather quickly (till the adoption of the constitution), and during the consolidation phase partly resolved three institutional preconditions, have achieved greater success in their development. These institutional preconditions, namely strengthening of the national borders, choosing the form of the government and the electoral system, played an important role in stabilization of countries and societies. In general, these institutional changes became the crucial factors of consolidation, which, in its turn, became the guarantor of the CEE countries' success recognition in the world.

