

The Black Swans of Democracy

Explaining divergence in regime outcomes in post-communist societies

Nevena Vlaykova

The period 1989-91 was a revolutionary and emotionally charged page of history which was supposed to mark the beginning of a beautiful and bright future for those countries on the eastern side of the iron curtain. Hoping to rejoin the European family, post-communist societies were seen as uniting seemingly insignificant water drops into an overwhelming “third wave of democracy.” The only problem that stood before them was what awaited on the other side of the wall and do we reach it by simply removing the obstacles. The equalized by the Soviet grip economies and institutions were expected by early transitologists to have the same start and move in similar parallel scenarios. However, twenty years later, it is more than evident to the spectator that different realities have followed after the gradual abating of the initial excitement with the coming democracy.

Why have some countries undergone a dramatic and long waking up from the communist winter sleep while others modernized much faster? This paper will investigate which factors have led to the different outcomes of democratization in the post-communist countries of Eastern Europe. A wide spectrum of outcomes was born from the almost simultaneous transitions – they range from authoritarian regimes (Belarus) to functioning democracies (East-Central Europe). Is it only coincidental that Southern countries have shared a rather similar and somewhat slower path to democracy while East-Central countries achieved faster progress? This division among the numerous transitional countries suspiciously coincides even with an obvious geographic distinction between the regions. However, political scientists have aimed to disjoint all obvious factors into their not so obvious particles such as: proximity to Western countries, natural resources or history of imperial influence. In this paper I will address four groups of factors that contribute to the divergence in regime outcomes – firstly the top-down and bottom-up drivers of regime change in the years of transformation. They have played the decisive role in determining choices by the new political elite and also how strong will be the support of the masses for the opposition. Since no historical event can be investigated in isolation from its temporal or local environment, I also look at the international or external influence of governmental as well as non-governmental organizations and foundations. Through their action or inaction, prioritizing or ignorance they have significantly contributed to increasing the pace in this race which surprisingly shifted strategy from cooperation to competition among the previous allies of the bloc. The forth and probably most important factor is the aggregated legacy of the past including pre-communist democratic experience or previous ties with the West. Finally, the analysis will demonstrate the significance of these factors in playing a leading or a merely contributive role to the various denouements in the stories of Eastern European societies. After all some of those post-communist factors will continue to shape the political developments for years to come as the “spectre of communism” continues to haunt Europe.

Coming in from the cold? The transformation of parties and rural politics.

Daniel Brett

This paper will explore the relationship between political parties and rural voters during the post-communist transition. To understand the nature of political parties and the politics of rural society in the post-Communist world it is important to place this into a broader historical context. Rural politics did not begin in 1989, and the parties which emerged are very much embedded into a political tradition. It is important to move out of the paradigm of East-European specificity or exceptionalism and instead to place rural politics into a broader European context and over longer timeframe. Doing so will shed light on two issues – the nature of transition and transformation within those societies. And the way in which parties which have drawn upon a rural electorate have or have not adapted themselves organizationally to meet the changing demands of rural society. This paper does not consider rural politics to be specifically limited to parties who define themselves in terms of their rural support but who instead draw strongly upon rural support and seek to mobilise members of the rural community.

Rather than ‘a class over whom the waves of progress rolled’ rural political life has provided simultaneously the most interesting developments in party organization but also the most under-researched and misunderstood forms of party organization. Within the literature on European political parties, the place of the rural parties is curiously missing. Since 1989, this trend of ignoring or dismissing parties which have drawn on a rural electorate has continued. Furthermore, pre-1947 party development has been seen as being the realm of historians and as having nothing to tell political scientists. This paper seeks to address this imbalance by examining a number of features of post-1989 rural politics.

Rural politics was not a *tabula rasa* after 1989, there were concerted attempts to revive and reform the pre-1948 Agrarian parties, or to build upon and refer to mobilizatory techniques from the pre-Communist period. This paper will examine these two features of reform and reference.

The paper will contextualise party development by comparing with rural parties in Western Europe and to draw upon the frameworks and theories devised to describe West European parties. This is necessary to bring these parties ‘back’ into the political science of European parties. This paper will compare and contrast with the organizational and ideological transformation of rural parties in Scandinavia. In Western Europe organizational reform took place in the immediate post-World War II period, an opportunity which was not available to the East European parties due to their repression by the Communists. The period of reform and non-reformation for the historical parties was instead after their re-activation in 1989.

This study will look at examples from Poland and Romania. I shall be looking at the Social Democratic Party (PSD) in Romania which developed from remnants of the former Romanian Communist Party. The party has gained much of its electoral success from its ability (despite being a former Communist party) to mobilize rural voters. The paper will examine the nature of relationship between PSD and the rural population.

This will be contrasted with the fate of the National Peasant Party (PNT-CD) in Romania. PNT was the historic Agrarian party in Romania, after 1989, the leadership attempted to transform the party into a Christian Democratic party (similar to the successful transformation of the Slovene Agrarians). However, this failed and the party suffered a collapse in support. The paper will explore the failed re-orientation of the party in the light of its relationship to the rural electorate.

The Romania will be compared to Poland. Rural politics in Poland has followed a slightly different dynamic. Similar to Romania the Peasants Party (SL) represent the re-activated historic Agrarian movement in Poland, however, unlike in Romania they did not try to abandon their rural roots, but transformed themselves into a classical office seeking party while being politically moderate. This can be contrasted with the rise and fall of Samoobrona – led by the charismatic Andrzej Lepper (a former Communist party member). Samoobrona embodied many features of traditional rural radicalism – primarily a strong anti-centre discourse, radical direct action and an appeal to the those who believed themselves most marginalised by the processes of transitional and transformation.

This paper will therefore seek to recontextualise rural politics and to provide an account and explanation of transformation and diversity within rural politics in the post-Communist world.

In the Twilight of the Agents- Bulgarian Secret Police after 1989

Dobromir Botev

As a part of the discussion for transformation of the communist parties in the transition period, the present paper will address the restructuring of the vast intelligence networks, developed under the totalitarian regime and the fate of the former secret service agents after the fall of the communist government in Bulgaria. Among the main instruments for installing and upholding the political and social dominance of the Party, the practice of 'total intelligence' is core to understanding how the regime actually operated and how its functionaries outlived the 'wind of change'.

Not surprisingly, analyzing the dismantling of the communist system and the restructuring of the secret service with its broad network of agents is again crucial for assessing the quality of democratization. In other words, the paper will address one of the most discussed questions in Eastern European public sphere in the last twenty years- namely, were the events of 1989 a genuine social and political revolution, or did they mark the transformation of power among the former elites, built upon the same intelligence networks hitherto employed. Bulgaria presents a particularly good example for the issue, as the ghosts of the formerly over-powerful committee for state security still haunt not only the politics of the country, but also the media, the judiciary and even the low level social interactions. Thus, the inability (or unwillingness) of post-communist governments to establish a single and coherent position on the former secret police gave birth to endless scandals, social polarization, the use of the secret files as powerful weapons against former agents, actively engaged in the post-communist present of the country. Furthermore, the alienation of the ex-contributors of the secret police in post-communist society led some of them to the criminal sector, where their information and positions among communist elites proved to be invaluable assets in the post-communist chaos. Finally, the social divisions which were caused by the vigorous discussions around the communist intelligence further impeded the transformation in the country and also undermined the legitimacy of the new governments (a firm belief that the political and economic power stayed in the hands of former communist functionaries is still wide-spread and not without some ground as well).

To conclude, the paper will present a case-study of the Bulgarian transition, but will aim at evaluations beyond state borders. As secret police was present in all of the former East and Central European communist states, there is a valuable opportunity for comparison between different policies of the post-totalitarian governments- for example the success of lustration policies. Moreover, the paper will provide a basis for much broader discussion about the role of the communist nomenclature in the democratic transition in the East and Central European region, thus dispersing the conspiracy theories and providing a vantage point for evaluating the 1989 events and the last twenty years in the post-Soviet Europe.

How Post-Soviet Constitutions are Shaping Eastern Europe: The Cases of Belarus, Moldova and Ukraine

Adele Pearson

This paper will examine the impact of the respective post-Soviet constitutions on political and social development in Belarus, Moldova and Ukraine. Since the collapse of the Soviet Union, the Eastern European states of Belarus, Moldova and Ukraine have followed strikingly divergent paths – despite their geographical proximity and shared Soviet history. This has led to markedly different political regimes and societal structures.

In Ukraine, the process of drawing up a constitution and the debates that determined this process set the scene for the lively political dialogue which was to dominate post-Soviet Ukraine. The nature of presidential and parliamentary authority as delineated by the new Constitution was to determine the vacillating character of domestic politics. The President's powers are focused around the ability to appoint and dismiss key figures. Given the President has the right to 'appoint and dismiss one half of the membership of the Council of the National Bank of Ukraine', it is clear how financial and political sectors can easily become intertwined. The President has the right to 'terminate the authority of the Verkhovna Rada of Ukraine in cases stipulated by [the] Constitution'. In contrast, 'the sole body of legislative power in Ukraine shall be the parliament - the Verkhovna Rada of Ukraine' – therefore, the President has limited influence on policy making.

Moldova's Constitution is unique in its emphasis on nationhood – Articles 56 and 57 are entitled 'Allegiance to the Nation' and 'Defence of Motherland' respectively. Moldova is declared to be a neutral state, the Constitution representing 'the supreme law of [Moldovan] society and state'. There is also little reference to international law, with the inference that Moldovan law does not come under international jurisdiction. Article 1 states that 'the Republic of Moldova is a sovereign, independent, unitary and indivisible state'; it is this inflexibility which is so contentious with regard to issues such as the Transnistrian conflict. The Constitution stresses the importance of national character and territorial integrity – elements which remain intrinsic to Moldovan politics today.

The Belarusian Constitution follows a different format to the other constitutions and is much vaguer. The Constitution covers a broad range of themes, with particular emphasis on presidential power. It was changed in 1996 following a referendum in order to change the President's term of office from five to seven years. In 2004, the Constitution was altered again to lift the two-term limit on the presidency. This has led to a consolidation of presidential power. Therefore, it is clear that the Belarusian Constitution plays a key role in shaping the Belarusian political landscape.

The three respective Constitutions are very different in nature; each has led to differing political and social outcomes. Therefore, the aim of this paper is to analyze the Constitutions of Belarus, Moldova and Ukraine in order to evaluate how far they have shaped both the development of state and society in the respective republics, as well as their international relations. I will suggest how constitutional reforms could help to improve socio-political conditions in the post-Soviet area of Eastern Europe.

The implication of the Constitution of the I Czechoslovak Republic for the shape of the constitutional order of the Czech Republic

Aleksandra Szczerba

The Czech Republic as the independent and sovereign state emerged on 1 January 1993 after the dissolution of the Czech and Slovak Federal Republic. At the same date the new Czech Constitution, adopted by the Czech National Council on 16 December 1992, came into force. This instrument refers clearly in many aspects to the political solutions envisaged by the Czechoslovak Constitution of 1920.

The aim of this article is to identify and analyze the influence of the Czech Constitutional Charter on the constitutional order of the Czech Republic established under the Constitution of 1992.

The identification of the similarities of the constitutional constructions adopted by the two above-mentioned acts will be started with the analysis of the fundamental rules that constitute the foundations of the constitutional orders of the I Czechoslovak Republic and the Czech Republic. The following chapters will be devoted to determination of the identities, similarities and differences of the mechanisms of exercising of public authority settled under two comparing Constitutions. In this aim the author will analyze the system of the organs of government created by the Constitutional Charter of 1920 and the Constitution of 1992 – their organization, functions and relations. The final chapter will try to recapitulate the identified similarities and their practical consequences for the shape of the constitutional order of the Czech Republic.

Evolution of the Romanian social policies to prevent and combat domestic violence after the events of 1989

BONEA Georgiana-Virginia

The objective of the study is to make an X-ray of the main features characteristic of the legislative and institutional changes in preventing and combating domestic violence in Romania. The study aims to track the developments in the period between the years 1990-2010 on reform to help the victims of domestic violence.

Will be considered targets, activities and results of several state agencies with responsibilities in handling domestic violence cases, such as the Capital Police; the Directorate for Social Assistance and Child Protection; the National Agency for Family Protection (the first agency of its kind in Europe) and National Institute of Statistics.

The main results of the study analyzes the following: a) a low degree of trust in the police by the victims of domestic violence; b) steady increase in the number of domestic violence cases registered annually at the National Agency for Family Protection; c) obvious shortcomings of the legal system with repercussions on the process of intervention in domestic violence cases.

This study is useful in understanding the repercussions of application of certain national decisions on preventing and combating domestic violence.

Involvement of Former Communist Parties and the Pursuit of Transitional Justice: Comparing Albania and Poland

Arolda Elbasani

Artur Lipinski

This paper aims to explore the role of politics and public debates in the process of ensuring transitional justice after communism. The paper focuses to analyse the role of former communist parties and the positions they have assumed on issues of ensuring justice for crimes of the past. The issue goes at the heart of the transformation and elite circulation after the fall of communism. We hypothesise that the involvement of former communist parties over debates of the past can play to moderate political interests in the intricate process of ensuing transitional justice. The empirical analysis draws on a comparison between Albania and Poland. The two cases feature different involvement of former communist parties in the debate, but they have also opted for different models of transitional justice and recorded different degrees of success. The comparison of the cases follows on a similar structure proceeding from the actors involved and unfolding debates, to the analysis of the models adopted, and the implementation process. Evidence from the cases suggests that political interests have permeated the whole process of ensuring transitional justice. Yet, the active involvement of the former communist parties and the resulting plural and sophisticated structure of argumentation in Poland proved to shield transitory justice from monopolization and heavy politicization, a phenomenon very obvious in the case of Albania, where the process was from the start exclusively driven by anti-communist political parties.

Transformation of the municipal political scenes in Poland and Eastern Germany on the example of Toruń and Rostock.

Adam Jarosz

The aim of the following presentation is to analyze the post communist political developments on the municipal level. The two cities Toruń and Rostock, which prove many similar features (about 200.000 citizens, universities, second capital of the region) were taken as examples.

The local politics is not that spectacular as the one on the country level, but the comparative analysis brings interesting results, because apart from different prevailing conditions similar tendencies are to be observed in both transformation and consolidation phase.

Developments in Poland and the former GDR are very interesting field of comparison, because the transformation processes proceed in a different way. The new *Bundesländer* were put into the already existing and well functioning law, political, and economical system of the Federal Republic, with great material, but as well personal support. Polish democratic structures were built on the basis of western patterns and pre-war experiences of the Second Republic, nevertheless the new system had to be created.

The same happened on the local, municipal level. In Poland two main factors and actors were the postcommunist parties and post-opposition movements and new parties, built on their basis. In Germany, apart from the aforementioned two, also the third factor played unexpectedly great role, which were the west German parties. They “swallowed” former opposition activists and contributed to marginalisation of the opposition movements, which were the key actors in the breakthrough. Western parties also helped former block parties to transform, like in the CDU case and dominated the east German local political scenes.

In the later consolidation phase the new phenomenon is to be observed, which are the local independent initiatives. They gain stable positions on the local scene, and become an important new force. The same happens after the introduction of the direct mayor elections. In this case also the independent candidates manage to win the elections, and to build a very strong position in the local governing system.

The presentation will contain the analysis of the results of the following city councils and mayors elections, party formation, coalition building, but as well changes in political framework, i.e. statutory and structural solutions and local self-government transformation.

Experiences of Central and Eastern European countries in institutional engineering and some conclusions on democratic consolidation

Krasnosilska Anastasia

Studies on institutional aspect of democratic transition and consolidation mostly focus on evaluating possible effects of different modes of institutional design (presidential vs. parliamentary systems and majoritarian vs. proportional electoral systems) on stable functioning of young democracies. Parliamentary design combined with proportional electoral systems is generally considered as most beneficial in terms of democratic consolidation since

it provides for pluralistic representation. It is mostly accepted that structural (such as economic development and international influences) factors and strategies of political actors, although vital on the stage of transition, decrease in influence on consolidation stage.

However, the experience of Central and Eastern European countries does not fully correspond with these theoretical assumptions. While introducing pluralism and broad representation is important on early stages of transformation (and here parliamentary design with highly proportional electoral systems is instrumental), already within two electoral cycles aggregation of interests and stable governance become more important. Changes of electoral systems, demonstrating a common tendency in Poland, Czech republic and Slovakia, provide good illustration for such an argument. All these countries started democratizations with proportional electoral systems (with low or non electoral threshold) aimed at pluralistic representation. However, with time formation of more structured parliaments and preferably one or two-party cabinets became more important, so stricter regulations on formation of political parties and high electoral thresholds were introduced. These measures still did not produce the desired effects, so discussion on switching to more majoritarian electoral systems and even semi-presidential designs started.

On the other hand, in Eastern Europe no mode of institutional design produced desired legitimacy and political consensus, semi-presidential designs often failed to create stable majorities and all systems happened to produce pro-authoritarian leadership. Results expected of institutional design cannot be ensured by institutional means alone. Moreover, institutional design is not selected and reformed under “the veil of ignorance”, and secondary institutions (such as coalition-building or legislative procedures) are open to manipulations in terms of partial short-time political interests. This shows that strategies of political actors remain as important on consolidation stage as they are on the stage of transition.

This considered, experience of Central and Eastern Europe add the following important aspects to understanding of democratic consolidation. First, changes in institutional design make up a vital element of democratic consolidation. Second, issues of political strategy-making and structural context for formation of political strategies (distribution of economic resources, clientele ties et cetera) should be given more attention in studies of democratic consolidation.

INSTITUTIONAL ISOMORPHISM AND POLITICS IN UKRAINE: BUILDING DEMOCRACY WITHIN A MARXIST MODEL OF POLITICAL POWER DISTRIBUTION

Oleksandr DEMYANCHUK

This research is based on the models of political power distribution approach which allows to explain political processes proceeding from the interaction of political actors within the national political system. The phenomenon of Institutional Isomorphism described by Paul DiMaggio and Walter Powell is related to the transformations of national political and administrative institutions in the way to democracy. It reflects two opposite trends – conservation of the previous forms and superposition of the new ones borrowed from the countries with developed democracy. Resolution of the contradictions of these trends significantly depends on the distribution of political power in the national political system.

Recent transition of the Ukrainian political system from the Corporatist to the Marxist model of political power distribution means that existing political and administrative institutions would be rather inclined to return to the authoritarian forms and modes of functioning than to continue democratic transformations. There are many indications and arguments to prove such a conclusion. First of all we would mention rebuilding a strong administrative vertical which contradicts to the democratic principle of decentralization and returns the whole system of government to the Soviet model. The Institute of Political Opposition is actually destroyed and excluded from the procedures of political decisions making. Local authorities lose a significant part of their autonomy to the benefit of the Central Executive power and its offices in the regions.

Fast changes in the political power distribution made by the Yanukovich's administration sharpen the problems of public services quality such as accountability and responsiveness to the citizens' demands and expectations. Like any reform the current transformation backward to be completed needs significant material/financial, informational and especially human resources of a specific kind characteristic to the Marxist political system. Lack of these resources (any kind of them) may stop or at least slow down all the process of reformation and destabilize functioning of the whole political system.

Isomorphism of political institutions related to their totalitarian forms may prove to be stronger than to the democratic principles acquainted during last 20 years because the human resources involved in the process keep rather socialistic style of functioning. So, in a short term forecast (1-2 years) it might be expected the return to the structure and functions of administrative institutions characteristic to the Marxist model. But in a middle- and long-scale

prognoses it is necessary to take into account the changes in a political culture of the whole Ukrainian society towards a participatory democracy model and existence of informational resources which can't be controlled by the central authorities. Another factors of a strong influence are the willingness of local authorities to get back their functions which weakens the strength of the political and administrative vertical as well as a pressure from outside – international political and business communities.

Interaction of Parliament and the Government During the Constitutional Transformation in Ukraine.

Svitlana Soroka

After independence of Ukraine on August, 24th, 1991 democratization of political system has begun. There were considerable changes in structure of power. Introduction the institute of presidency has changed distribution of powers between the legislative and executive bodies. The Parliament that has the higher legislative power and the considerable power over the Government, was added with the President who has got the rights concerning Government formation, and also the considerable role in lawmaking was taken away. Before acceptance the Constitutional Agreement in 1995 the Constitution of the USSR of 1978 functions but with many amendments. According to the Constitutional Agreement the President was the head of the State and executive power. The role of Parliament among public authorities has considerably decreased. The Parliament of Ukraine has lost the right to express the agreement for the appointment the Prime minister by President and discharge the members of the Government. Parliament legislative function has been limited as the President has got the right to promulgate decrees valid as the law in those spheres in which there are no corresponding acts. In the Constitution of Ukraine adopted in 1996 has been fixed structure of the government corresponding to presidential-parliamentary republic. Its powers in formation of the government and acceptance of laws have been returned to the Parliament. Political crisis of 2004 after presidential elections has ended with adopting the changes in the Constitution of Ukraine which transformed a state system to parliament-presidential republic. However this year the Constitutional Court recognized these changes unconstitutional and renewed all articles of Constitution of Ukraine adopted in 1996.

Institutional aspects of Czech military transformation.

Zdenek Kriz

In 2009 the Czech Republic commemorates the twentieth anniversary of the Velvet Revolution, an event that led to the fall of communism at the turn of the 1990s. This paper focuses on relations between army and politics in the Czech Republic after the 1989 Velvet Revolution.

Czech civil–military relations went through a very dynamic transformation process, which also affected the relations between army and politics, from the civil–military relations typical of countries ruled by a communist party to the Western type. This civil–military relations transformation was motivated by the desire of Czech political elites to establish a stable, standardized, and viable democracy. Another very important aspect was the pressure exerted by NATO and the European Union because the Czech Republic sought membership in these organizations.

Very important task of this process was to start transformation of formal relations between military and political bodies aiming to archive primacy of democratically legitimated political representation over the military. The primacy of democratically legitimated political representation over the military is not an entirely new idea in the Czech Republic. It was an integral part of the political culture in the former Czechoslovakia already in the period 1918 to 1938.

Nowadays in the Czech Republic, the military is fully subordinated to the elected politicians, and the basic powers with respect to the military are mainly divided between the executive and the judiciary. The government is one of the poles of the executive beside the president. It has relatively more influence on political matters than the president, and that is also true with respect to the military.

The tasks of the Parliament of the Czech Republic with respect to the army consist mainly of the following: to take part in the preparation and realization of the concept of security policy; to oversee the executive branch (which includes the military); to pass the government budget, which also includes the finances allocated to the army; to participate in the process of creating laws relating to the armed forces; to decide whether to declare war; and to decide whether to send troops abroad and whether to allow stationing foreign troops within the territory of the Czech Republic, provided the decision does not belong to the government

This paper concludes that these relations in the Czech Republic achieved the parameters typical of consolidated democracies. The many problems that continue to exist in this area in the Czech Republic do not in any significant way deviate from what is typical of consolidated democracies. Therefore, the transformation of civil–military relations can be regarded as successful.