EUROPEAN UNIVERSITY INSTITUTE
The Robert Schuman Centre

The Democratic State or State Democracy? Problems of Post-Communist Transition

LESLIE HOLMES

JEAN MONNET CHAIR PAPERS

Jean Monnet Chair Papers

Holmes: *The Democratic State or State Democracy? Problems of Post-Communist Transition*

Jean Monnet Chair Papers

48

The Jean Monnet Chair

The Jean Monnet Chair was created in 1988 by decision of the Academic Council of the European University Institute, with the financial support of the European Community. The aim of this initiative was to promote studies and discussion on the problems, internal and external, of European Union following the Single European Act, by associating renowned academics and personalities from the political and economic world to the teaching and research activities of the Institute in Florence.

Jean Monnet Chair Papers

The Democratic State or State Democracy? Problems of Post-Communist Transition

LESLIE HOLMES

1998
The Robert Schuman Centre at the European University Institute

Printed in Italy in February 1998
European University Institute
Badia Fiesolana
I-50016 San Domenico (FI)
Italy

Table of Contents

Introduction

Arguably the fastest growing branches of political science at present are transitology and its close relation consolidology[1]. These are concerned with the comparative study of transition from authoritarian systems and towards something different, usually assumed to be democracy[2]. For many transitologists, the centre of attention in the 1990s has been the once communist states of eastern Europe and the Former Soviet Union (hereafter FSU). One sign of the interest was the establishment in the UK during 1996 of 33 new posts relating to these countries. Another is that some of the best-known scholars in political science have in recent years concerned themselves with various comparative aspects of transition and/or consolidation[3] in the post-communist world, including Jean Blondel (e.g. 1997), Giuseppe Di Palma (e.g. 1991), Jon Elster (e.g. 1996), Claus Offe (e.g. 1996), Adam Przeworski (e.g. 1991, 1995), Richard Rose (e.g. Rose and Haerpfer 1994a), and the recently-appointed Gladstone Professor of Government at Oxford, Alfred Stepan (e.g. Linz and Stepan 1996). By 1997, they and many others have produced a huge literature, both comparative and focused on individual countries, on these transitions and consolidations. Yet despite the addition of so much intellectual weight, and several highly stimulating books and articles, there is a need for still more theorising of the democratisation project[4], as distinct from detailed analyses of the roles of various state agencies that only *implicitly* compare actual developments against an abstract model of democracy. The main purpose of this paper is to contribute in a very small way to a plugging of this theoretical gap.

The paper begins with a brief exploration of what is often perceived as the most fundamental political problem of the transitions, the apparent contradic-

1 An earlier version of this paper was presented at the Annual Conference of the New Zealand Political Studies Association in Auckland, July 1996. I am grateful to the various participants at that conference who, via both questions and comments, helped me to refine the argument. I also wish to thank my colleague John Dryzek for his invaluable comments on the earlier version; for some of his own writing on democracy see Dryzek 1990 and Dryzek 1996.

2 For a debate on the validity of transitology and consolidology see Schmitter and Karl 1994; Karl and Schmitter 1995; Bunce 1995a and 1995b; Markwick 1996.

3 In the conclusions, it is argued that consolidation should be seen as the second stage of transition, not a successor to it; it follows from this that consolidology should be treated as a subdivision of transitology, not as a separate exercise.

4 This point is also argued in Bunce 1995a, 123.

tion between the practical need for strong leadership on the one hand, and the normative and putative commitment of elites to democratisation on the other. In an important sense, this apparent contradiction is the basis of the title of this paper; this will be explored below. Following this is a suggested skeletal model of democracy against which to test actual developments. In the third section, such developments are considered in reference to the model. This leads to the conclusions. These focus on some of the problems of determining when different stages of the democratisation process have been reached and the practical difficulties of creating a strong state under early post-communism.

The 'Need' for Strong Leadership and State Democracy

At least three related arguments are frequently adduced in claiming there is a need for strong leadership in post-communist countries.

First, it is often maintained that since none of these countries had much *tradition* of democracy, it will take both citizens and officials (here including politicians) time to learn the norms of democratic behaviour. These states and societies are sometimes described as 'infantilised' (see e.g. Schöpflin 1993, 24; Hankiss 1994, 117). While some communist states were more liberal than others (with Yugoslavia and Hungary at one end of the spectrum, Romania and Albania at the other), and while some, such as the USSR and Hungary, took significant strides in these directions in the 1980s, none had genuine political competition, free media, or a dominant political culture based on the rule of law and the legitimacy of self-motivated citizen participation. Moreover, none had had long-term, successful experience of democracy prior to communist power; Czechoslovakia and, to a lesser extent, the GDR are the only partial exceptions to this general statement.

Second, the post-communist states are attempting *transitions on a scale and at a pace without precedent.* While Claus Offe (1991) is quite correct to argue there are three transitions occurring (political, economic, territorial/boundary) in early post-communism, his list is incomplete. For instance, a *social* transformation is underway; given the underlying ideological assumptions of post-communist politicians (of almost all political hues), the new economies require bourgeoisies that were virtually non-existent just a few years ago. Indeed, it is remarkable that privatisation has already proceeded as far as it has

in the post-communist world[5], given the near-absence of a capitalist class at the end of the 1980s.

Creating new classes is only one of the additional transformations. There is also the international realignment of the post-communist states. With the sole exceptions of Yugoslavia and Albania, all the communist states of Eastern Europe and the USSR were members of the same military alliance (the Warsaw Treaty Organisation or WTO) and economic bloc (the Council for Mutual Economic Assistance or CMEA). In the 1990s, following the collapse of both the WTO and the CMEA, most of the east European states have sought membership of NATO and the EU.

Then there is the need for a thoroughgoing transformation of the legal system. If it is accepted that most Western conceptions of law are based on the assumptions of the sanctity of the individual and the related notion of the right to private property, it soon becomes obvious why post-communist systems have to implement wholesale changes in legal culture and structures.

Finally, there is the need for ideological and ethical transformation — for the construction of a new value system. This is that much greater in societies which had by many criteria been partocracies and ideocracies, and in which the contradictions between the putatively omniscient ideology (of Marxism-Leninism) and elite behaviour had seriously undermined the potential for mass faith in *any* ideology or structured belief-system[6]. All this helps to explain the dramatic rise in crime in so many post-communist states in the 1990s[7]

In sum, the sheer scale of the changes, plus the perceived need to implement them as quickly as possible if they are to succeed, is often cited in support of arguments for strong leadership.

The third factor is more controversial, and at first sight might appear to be contradictory. It can be argued that strong leadership is required *to establish democracy and avoid dictatorship*. If it is accepted that a key feature of the states under consideration here is the absence of an established culture of compromise (which is a ramification of the first factor listed above), then the comprehensiveness of transmutation required (our second factor) helps to

5 See the estimates of the European Bank for Reconstruction and Development published in *The European*, 21-7 October 1994, 18

6 For a polemical analysis of the post-communist social, ethical and ideological vacuum see Hall 1995.

7 For recent analyses of the situation in several states see *Transition*, 2/5 (1996), 5-35.

explain why too much so-called 'democracy' (often near-anarchy) in the early stages of transition might be not merely inefficient and frustrating but even counter-productive and dangerous. The chaos in Russia during the 1990s that resulted in so many Russians voting in the June-July 1996 presidential elections for hardliners committed to the restoration of 'order' and national pride[8] is one of the clearest indications of this. The year 1996 saw Russia move closer to the possibility of dictatorship than it had been since August 1991 or September-October 1993; the difference this time was that it would have come about as the result of a popular decision[9].

Although Russia might appear to be the best example of the possibilities of 'democracy'[10] bringing about dictatorship, this is partly because most of the Western media, for understandable reasons, focus far more on Russia than on countries such as Kazakhstan, Slovakia or Belarus. After all, Russia is considerably larger and more powerful, and potentially far more threatening to international peace. But the apparent contradiction identified here — that in transitional societies there is sometimes a need for strong leadership to avoid dictatorship — can be seen in many countries. While most readers of the serious press will be aware that Yeltsin shut down the Russian parliament in September 1993, fewer know that Lech Walesa dissolved the Polish parliament in May 1993 after the latter had adopted a no-confidence motion in the government of Hanna Suchocka. While the Polish case did not result in the vio-

8 In the first round of the elections, an absolute majority (52.2%) of those that cast their vote did so for either Gennadii Zyuganov (32.0%), Aleksandr Lebed (14.5%) or Vladimir Zhirinovskii (5.7%) — each of whom, in different ways, represented order, national pride and strong leadership. In the final (run-off) round between Yeltsin and Zyuganov, the latter — who heads the Communist Party of the Russian Federation — secured 40.3% of the valid vote. On the presidential elections see Lentini 1996; White, Rose and McAllister 1997, esp.241-70.

9 It will be clear from this statement that I do not accept that liberal democracies are the *only* type of system or regime that can be popularly (democratically) legitimate. In adopting this position, I fundamentally disagree with what I interpret Gerd Meyer (1994) to be arguing. However, it is not maintained here that dictatorship can ever be democratic; that would be nonsensical. Rather, it is argued that a popularly chosen strong presidential system with few checks and balances and a very limited separation or division of powers can be popularly legitimate, and in a particular if unusual sense democratic. Except perhaps in a highly abnormal situation such as an international war, such an arrangement becomes a dictatorship the moment the citizenry loses its absolute right to remove the strong president through genuine and normal elections.

10 The word democracy is in inverted commas here because some question the notion that Russia is even a nascent democracy, believing it instead to be a disintegrating and quasi-anarchic country. Whether or not Russia has a form of democracy is a large question that cannot be adequately addressed here; however, it is partly and implicitly answered in the conclusions. For a nuanced analysis of Russia as a democratic or democratising country see Saivetz 1996.

lence that was so much a feature of the Russian, the fact is that a president and strong leader used extreme powers to deal with a difficult parliament that demonstrated neither a willingness to compromise nor sufficient internal cohesion (solidarity? pathetic pun intended!) and responsibility to permit the adoption of tough measures[11].

Considering this third factor from a slightly different perspective, the need for strong leadership by the state in this period of fragility is largely a function of the underdeveloped nature of civil society in most post-communist countries. Many have argued that nascent civil society played a significant role in bringing down communist power (on this see e.g. Tismaneanu 1990; Kukathas, Lovell and Maley 1991; Rau 1991; Lewis 1992; Miller 1992). However, it was by 1997 being acknowledged by most commentators that much of the momentum generated in the late-1980s and early-1990s towards a fully-fledged civil society had dissipated. Even though a 'bourgeois class' of sorts was by this later date becoming visible in many post-communist countries, too many of its members were perceived to have criminal connections for it to be reasonable to argue that the kind of truly *civil* society advocated by the late Edward Shils (1991) was clearly developing. Moreover, many of the new social movements that emerged very rapidly in the final stages of communist rule — whether environmentalist, peace-related or feminist — were by the late-1990s languishing. Given this weakness of civil society, the state is seen to have to play a significant role in setting the parameters for the development of democracy.

Before elaborating the meaning of this paper's title, it is useful to consider the ways in which post-communism emerged in different countries, since this should enhance an understanding of the reasons why public attitudes towards the constructive potential of the state can vary from country to country, and why the nexus between democratisation and a strong state is more complex than is sometimes acknowledged.

Although the very timing of the anti-communist revolutions makes it clear that there was something of a collective momentum in Eastern Europe and the

11 One of the more bizarre allegations of increasing dictatorship is provided by Kyrgyzstan. In April 1993, President Akayev accused the Kyrgyz *parliament* of becoming dictatorial, after it had attempted to reduce his powers.
It might be objected that an alternative to strong leadership in the kinds of situations described here could be anarchy rather than dictatorship. The assumption here is that, given the situation pertaining in most post-communist countries, anarchy would be a temporary phenomenon that would probably be rapidly replaced by dictatorship.

USSR in the late-1980s and early-1990s in line with the so-called 'reverse domino' theory, it should not be assumed that the nature of the revolution was essentially the same in each case. Indeed, analysts such as Charles Tilly (1993) have argued that many of the countries now described as post-communist either did not or may not have experience(d) revolutions in the period 1989-91. Tilly reaches this conclusion by applying his own definition and model of revolution to the various countries of the region and discovering that some do not meet all of his criteria (see esp. 8-15 and 233-6). He is justified in highlighting the fact that the paths to post-communism were very diverse. While the Romanian case was violent[12], most of the others were remarkably peaceful. Whereas the revolutionary transformation was essentially forced from below in Czechoslovakia, it was the communist leadership that took most of the decisive steps in Hungary[13]. But if countries that had *essentially* had command economies and one-party political systems in the late-1980s had by the early-1990s taken major steps towards both marketisation and privatisation *and* multi-party political systems (let alone the various other transitions referred to earlier), then there can be little doubt that a revolution has taken place. The events of 1989-91 mean simply that some of the long-standing conventions in theories of revolution, such as that there must be violence (see Cohan 1975, 25), need re-assessment, not that revolutions did not really occur simply because actual events do not accord with pre-existing models[14]. But for our purposes, the most important point to note here is that the moves away from authoritarianism and towards democracy were in some cases taken by the state.

The point has been reached at which the intended meanings of this paper's title can be explored. As already indicated, many assume – or did in the early 1990s, before the current mood of pessimism set in – that post-communist states would be democratic, unlike their predecessors. It is premature to address this issue at this stage of the argument. But it is already clear that the revolution that resulted in the current transitional status of so many countries was in some cases initiated from above, and that the fragility and cultural legacy of many countries mean that too much democratisation too quickly in several states could be dysfunctional and ultimately result in new dictatorships. It is this essentially neo-institutional argument that leads me to use the term 'state democracy'. For the purposes of this paper, this means that the state – or, more precisely, elements of the state – both introduces the democratisation

12 Officially, between 689 and 1033 people were killed – Rady 1992, 121.

13 The latter is in line with neo-institutional analyses of revolution, most obviously Skocpol 1979.

14 On the need to redefine revolution in light of recent developments see Bauman 1994.

process and, more significantly, attempts to keep control over this process for justifiable reasons (i.e. on the assumption that a controlled process is more likely to bring about full and durable democracy, so that control is seen as a form of responsible government and conducive to democracy *at this stage*)[15]. The term state democracy therefore has a positive, constructive connotation here; it is, subject to the caveat in footnote 15, state-guided democratisation. Such a form of state-led and -controlled democratisation is vital in the transition phase. At the same time, *it is accepted that there will at some point have to be a shift towards a broader conception of democracy if transitional states are to become full democracies*; this point is considered further in the conclusions. It is now appropriate to consider what both democracy and democratisation might mean.

On Democracy and Democratisation

The literature on what democracy might mean and entail is vast, and it is way beyond the parameters of the present paper even to outline some of the major approaches[16]. But a working model is necessary if current developments in the post-communist world are to be assessed. For the purposes of this paper, the following are considered to be salient features of a large-scale, workable and sustainable democracy (model adapted from L. Holmes 1994, 313-4):

15 The term 'state democracy' rather than 'state democratisation' is used here, despite my awareness of problems connected with it. One reason is that 'state democratisation' can imply democratisation of the state itself, rather than the broader societal democratisation with which I am principally concerned. Another is that, as the sub-title of this working paper indicates, the focus here is on transitional, radically changing societies; the term state democracy — *in this dynamic context* — represents a peculiar form of democracy in which the role of the state is far greater than it would be in an ideal-type or even an actually existing established liberal democracy. In this sense, the term can be compared with the concept of 'state socialism'. Finally, it might appear that the most appropriate term would have been 'state-led democratisation'. But this term is also problematic, since it can imply that civil society is playing a significant role in the overall democratisation project, in which the state is playing merely a facilitating role; given the sorry state of civil society in so many post-communist countries, it should be obvious why this term's appropriateness must be questioned. While the state *is* to play an important facilitating role in the transition stage — in terms of establishing institutions, passing appropriate legislation, etc. — it also needs to take a major lead in forming a political discourse and culture conducive to the emergence of democracy in a broad sense.

16 For a useful introduction, and either nine or twelve models depending on how they are classified, see D. Held 1996.

1. competitive election of ruling elites, and political pluralism more generally: the latter includes a plurality of non-exclusive political parties, and elections that are held regularly, reasonably frequently, and that are genuinely competitive and secret;

2. a division of powers between the two or three main arms of the formal ruling part of the political system (i.e. the legislative, executive and possibly judicial arms), and a system of checks and balances;

3. a pluralistic approach to socialisation, especially in the areas of education and the mass media; moreover, these two areas must be free to question and criticise the regime and system;

4. full acceptance by both the state and society of diverse belief systems, notably religious, within the limits of the law;

5. respect for minority rights;

6. the rule of law;

7. a dominant political culture that both accepts and expects the first six points, and that encourages (and legitimises) political participation.

Whole books could be and have been written on any one of the above variables. For the purposes of this paper, only one will be partly elaborated, *viz.* the concept of the rule of law. In the following analysis, this is taken to connote two things. First, everyone in a given society is subject to the same basic and known rules, and no one individual or small group of individuals can either arbitrarily and suddenly change them or exempt themselves from them. The personalisation of power and subjectivity of the law that was typical of Ceausescu's Romania, for instance, would – unsurprisingly – disqualify such a system from labelling itself a rule of law state. Second, and borrowing from a definition of constitutionalism provided by Claus Offe in a March 1996 seminar in Melbourne, the legislative process and institutional politics more generally occur overwhelmingly within a pre-existing framework of rules, as distinct from being concerned primarily with creating the rules.

The above is an idealised model; even many Western systems fall short of the ideal on some variables. Moreover, it is clearly a model of *liberal* democ-

racy, which is the conception of democracy *as the telos* adopted here[17]. This said, there is no assumption that only one version of liberal democracy exists or can exist; on the contrary, the interpretation and actual implementation of each of the above variables does and should vary from country to country and even within one country over time. Such a plurality of interpretations is surely a key feature of liberal democracy. Despite such (unavoidable and desirable) conceptual fuzziness, the model provides a theoretical framework against which to test actual developments, or the absence of them, in the post-communist world.

The *process* by which a given country/society moves towards the model is what is meant here by democratisation; it is one important component of transition (for an interesting blend of theoretical and empirical studies of democracy and democratisation see Parry and Moran 1994). The next section will examine the progress, or lack of it, that has been made in the post-communist world in terms of the seven variables. The analysis will necessarily be generalised and superficial; but it is hoped that the picture painted is not too far from perceived reality, and can serve as a starting point for debate.

Democratisation Moves in the Post-Communist World

One of the most visible signs of change in eastern Europe and the FSU in the 1990s has been the emergence of genuine political competition. This can be seen in the legalisation of competitive political parties and in the holding of genuinely competitive elections, both presidential and parliamentary.

The legalisation of political parties occurred in many countries of the region in the closing stages of the communist era. Nevertheless, it is the post-communist period that has witnessed the consolidation of multi-party arrangements and the regularisation of competitive parliamentary elections. By now, every European and Eurasian post-communist state except Turkmenistan has held at least one parliamentary election[18] in which competition between political parties has been more or less genuine. The term 'more or less' is used to highlight the fact that there have been charges of bias and manipulation in

17 The explicit reference to liberal democracy and a *telos* here is to counter possible objections that the seven-point model advocated conflicts with the peculiar version of democracy I have allowed for in fn. 9.

18 In most countries, two or even more had been held by late-1997.

several countries; Albania is a recent case (May-June 1996 – see Schmidt 1996). In some, re-named and somewhat re-vamped communist parties have made allegations of unfair treatment, for instance on the grounds that much of their property has been sequestered, leaving them less able to finance election campaigns. But such allegations should in most cases be taken with a pinch of salt; two resources such parties typically continue to have long after their buildings have been confiscated is political experience and a well-developed organisational infra-structure. This puts them well ahead of most of the brand new parties of post-communism[19]. More persuasive are charges from non-communist parties of media bias. But even these have in most cases been less serious than they might have been. In sum, and despite hiccoughs, there is now real political competition in almost the entire region.

In terms of membership, most political parties are non-exclusive; indeed most welcome new members with open arms. Moreover, the sheer number of parties in most post-communist states, and the large numbers that contest elections, testify on one level to the relatively open access to the political arena and hence the right to participate that is emphasised by so many theorists of democracy. The facts that most parties have comparatively small memberships and that the presence of so many parties in many parliaments makes compromise and effective decision-making more difficult does not alter the fact that most post-communist states already meet the *minimum* standards of citizen participation and choice to be labelled democratic by some analysts (see e.g. Mueller 1996).

The post-communist states have opted for a range of electoral systems, though most more or less approximate to three main models. The first is related to the German system, in which citizens have two votes – one for an individual on a first-past-the-post system in single-member constituencies, and another for a party-list in multi-member constituencies that are eventually filled on a proportional representation (p.r.) basis with a minimum threshold for representation. Arrangements very similar to this system have been operating in Albania and Georgia. A slight variation is where there are single-member constituencies as in the German version, but a *single* nationwide constituency filled by p.r; this arrangement can be found in Armenia, Azerbaijan, Croatia, Lithuania, and Russia.

19 For the most comprehensive analysis to date of post-communist political parties see Szajkowski 1994.

The second system is based solely on p.r., although some countries have exclusively multi-member constituencies, while others have both multi-member constituencies and a single nationwide constituency. This arrangement can be found in Bulgaria (though the system is more complex than elaborated here), Czechia, Latvia, Poland, Romania, Slovakia and Slovenia. Although this system does not have the single-member constituencies that the first group has, the influence of the German system can be seen both in the way the proportional distribution operates, and in the inclusion of minimum thresholds for representation. These thresholds range from as low as 2% in Albania and 3% in Croatia and Romania right up to 11% for large blocs in Czechia. Finally, in what is one of the most complicated electoral systems in the world, Hungary has opted for an arrangement that blends both the first and second models.

The third group of countries has opted for single-member constituencies and no proportional representation. But this does not necessarily mean they operate on a British style simple majority basis. In fact, many have both absolute majority requirements (using French style run-off systems) *and* minimum turnout requirements that are often as high as 50%. The latter component, in particular, has led to severe problems in some countries, where many parliamentary seats have remained unfilled even after several rounds of balloting. Countries opting for this arrangement include Belarus, Kazakhstan, Kyrgyzstan, the Republic of Macedonia, Tajikistan, Turkmenistan, Ukraine and Uzbekistan.

Just as there is no agreement among post-communist states on the optimal arrangements for electing parliaments, so is there no consensus on how best to choose the head of state. The majority of countries have opted for direct elections, usually with run-off provisions. The Russian system is thus typical of most countries'. But a sizeable minority of countries (Albania, Bosnia-Hercegovina, Czechia, Hungary, Slovakia, rump Yugoslavia — and just one former Soviet republic, Latvia) has opted for indirect presidential elections, some with run-off provisions. While the vast majority of presidential elections have been contested, they were not in Albania (April 1992), Azerbaijan (October 1993), Kazakhstan (December 1991), Moldova (December 1991), or Turkmenistan (June 1992); in terms of our model of democratisation, this absence of competition is of concern. It is of even greater concern given that the position of the president is a powerful one in all of these countries[20]. One final disturbing

20 This statement might appear to contradict the argument here in favour of strong leadership. But it does not, for two reasons. First, competition for leadership positions has been advocated consistently. Second, an argument in favour of plurality *within* leadership, in line with the second variable of our model, is elaborated in the conclusions.

development is the holding of referenda in three of the Central Asian states (Kazakhstan, Turkmenistan and Uzbekistan) in recent years to enable the incumbent presidents to extend their current terms without having to hold even indirect and/or uncontested elections. This extension of office appears to be to enable the incumbents to circumvent constitutional limitations on the number of times (usually once) a given individual may stand for re-election.

Most post-communist states by now have new constitutions that attempt to define a division of labour between the executive and the legislature. Moreover, several have or intend to have constitutional courts along the lines of the German Federal Constitutional Court, one of the tasks of which is to arbitrate between the executive and legislative branches in cases of disagreement. This overt division represents a marked break with the past; gone is the ideological straitjacket and hierarchy of democratic centralism and the leading role of the party. This is not to deny that there have been sometimes serious teething problems of implementation in the earliest days of post-communism. The shutting down of parliaments by Yeltsin and Walesa mentioned above are prime examples. In the Polish case, the closure was in line with Poland's interim constitutional arrangements effective at that time, and in this sense of less concern than Yeltsin's actions. The latter were declared unconstitutional by the Russian Constitutional Court – which encouraged Yeltsin to shut down the court itself in October 1993 (see Reid 1995). But in both the Polish and Russian cases, the presidents quickly organised new parliamentary elections, despite fears in some quarters that the two countries were heading towards presidential dictatorship. In both cases, these elections produced legislatures that were ill-disposed towards the respective presidents; yet neither Walesa nor Yeltsin attempted to close or seriously limit the new parliaments. Moreover, Yeltsin signed a new law on the constitutional court in July 1994, with the court becoming operational again in February 1995. And Walesa accepted, albeit reluctantly, the results of the November 1995 presidential elections that replaced him with someone (Kwasniewski) ideologically close to the parliament with which Walesa himself had had so many disputes. To summarise, there have been serious glitches in this area too, but the overall record on the division of powers is, in the circumstances, encouraging [21].

Compared with the communist era, the main agencies of socialisation have in most countries become freer and more pluralistic. Religious education in

21 On the conflicts between presidents, prime ministers and parliaments in the post-communist world see Baylis 1996 and the various articles in *Transition*, 2/25 (1996), 5-27. Specifically on parliaments, see Olson and Norton 1996.

schools is now permitted in most countries, and private education has been legalised. This is not to deny that there is cause for concern in several states. For example, in August 1995 Belarusian President Alyaksandr Lukashenka announced his intention to replace all post-communist school textbooks with books from the Soviet era. But, once again, the overall trend on this democratisation factor is basically encouraging[22]. The media are also generally much freer, even though it must be acknowledged that recent developments in, *inter alia*, Slovakia and Croatia, are disturbing. In both of these countries, journalists can be and have been charged for making overly critical remarks about the president and political institutions[23].

Only one communist state, Albania, ever formally outlawed religion. But most communist states harassed religious groups at various times, and none fully legitimised the organised church (see Miller and Rigby 1986). The situation has now improved dramatically. Not only is religion universally tolerated, but some post-communist governments are even emphasising their warm relations with the church. If anything, there is a slight danger of church and state becoming *too* close for those who oppose the notion of establishmentarianism on the grounds that, in a democracy, it tends to lead to excessive overlap between what should be separate organisations.

The official treatment of minorities has not invariably been sensitive in the post-communist world, and some of the most basic rights of some groups have been ensured only because of external pressure on governments. The most extreme cases of abuse of rights have been well documented in the Western media, and include ethnic cleansing and/or genocide in both the former Yugoslavia and the FSU. Less dramatic examples include highly exclusive citizenship rights (notably in Estonia and Latvia), differential rights of access to social welfare provisions (e.g. in Slovakia), and police harassment of groups such as the Romanies. Then there are more debatable cases, such as the right of ethnic minorities to form political parties on the basis of their ethnicity. Whether or not this is, or should be seen as, a basic democratic right is open to question, in that it is by many definitions an exclusionary 'right'. But clearly some ethnic minorities believe it should be a right, and there have been major

22 On educational changes under post-communism see Jones 1994; Karsten and Majoor 1994; Glenn 1995.

23 Examples include the law suits filed in May 1996 against two editors of the Croatian weekly *Feral Tribune* for alleged libel against President Tudjman and against the editor of *Sme* in Slovakia for alleged attacks on the Slovak cabinet. For similar evidence from Kyrgyzstan, July 1995, see *Labyrinth*, 2/4 (1995), 7. More generally on the status of the media see the entire issue of *Transition*, 1/18 (1995); *Transition*, 2/8 (1996), 5-45.

political debates about it in countries such as Albania and Bulgaria. In these particular cases, compromises were struck whereby parties that originally represented only Greeks and Turks respectively were permitted to exist, despite Albanian and Bulgarian rules forbidding ethnically-based parties, as long as they permitted membership to anyone who wanted to join.

Although there are many clearly undemocratic policies towards ethnic minorities, and some policies that are open to radically different interpretations, it should not be overlooked that some post-communist states have adopted comparatively very inclusive policies on citizenship, access to social welfare, etc. Examples include Moldova and Czechia. In the latter, for instance, the one Romany deputy to parliament (until the May-June 1996 elections) spoke out in favour of the recent, more inclusive, changes to Czech citizenship law. And in May 1996, the Hungarian Supreme Court passed its first sentence for racially-inspired crime (*OMRI Daily Digest*, Pt.2, 17 May 1996).

Ethnicity is only one form of identity and one criterion by which 'minorities' might be held to exist. Another is sexuality, and here the picture reveals a marked increase in official tolerance and equity of treatment in many countries. No longer is homosexuality typically 'swept under the carpet' as it usually was in the communist era (Castro's Cuba recognises it but treats it as an illness); many states have now both recognised and legalised it. Indeed, while this is not yet typical of the post-communist world, it is worth noting that Hungary recently granted common law rights to homosexual couples (other than the right to adopt children – all from *OMRI Daily Digest*, Pt.2, 22 May 1996), making that country more inclusive in terms of civil rights than many Western states.

Women constitute approximately half the population in post-communist states, as elsewhere, so that it would on one level be absurd to consider their position in a section on minority rights. However, if their political representation in both the communist and post-communist eras is examined, they are clearly under-represented, and so have a minority 'voice' relative to their numbers. Their position has in many ways deteriorated under post-communism. While this is yet another issue that deserves much fuller consideration than is feasible here, suffice it to say that their numerical representation in parliaments has declined markedly in the 1990s (for details see Table 9.1 in L. Holmes 1997a, 258). However, three points need to be made relative to the discussion here. First, the marked decline is, perhaps ironically, a function of 'democratisation', in that the communists used to allocate seats on a quota basis, whereas this is now done by the 'market' of elections. Second, and

ceteris paribus, it is arguably better to have only 3% 'voice' in a legislature in which issues are openly debated and in which there are genuine votes than a 30% presence in a body in which all activity is very much controlled. Finally, women are proportionately under-represented everywhere, including in Western 'democracies'[24]. This said, the average for female representation in transition legislatures in June 1994 was 8% — one per cent less than the world average, and fully 10% lower than the Western average (Morvant 1995, 8)[25].

As for other belief systems, countries such as Albania are still banning communist or quasi-communist organisations; Yeltsin also tried to in Russia, but was eventually overruled by the Constitutional Court. While this is understandable in terms of recent history, and while even the mighty USA has long taken measures against communists (as did the FRG in the 1970s with its *Berufsverbot*), it must be questioned whether or not it is appropriate to ban any political organisation in a true democracy. The usual argument put forward by democratic theorists in favour of selective bans is that there should be restrictions on, or even outlawing of, organisations that seek to undermine and/or overthrow democracy, especially if the measures advocated by such organisations include violence and other illegal acts. While this might justify the clampdown on some extremist organisations in the post-communist world, including violently racist ones[26], the communist parties or their successors are for the most part more democratic than their Stalinist predecessors — the Russian Communist Workers' Party and the Stalinist Party of Georgia perhaps being exceptions! — and should be given the benefit of the doubt until their actions or public pronouncements suggest otherwise.

It was pointed out above that the rule of law would be analysed in this paper in terms of two variables, the depersonalisation of politics and the predominance of legislative work *by* rules rather than *on* rules. How do the post-communist states measure up?

Most post-communist states have been making progress towards the depersonalisation of politics. One area in which this is visible is in the laws on disclosure. In their endeavours to increase both regime and system legiti-

24 As of May 1996, the best country in the world according to this criterion was Sweden, with 40.4%.

25 For much fuller consideration of numerous aspects of gender politics in the post-communist world see Corrin 1992; Einhorn 1993; Funk and Mueller 1993; Rueschemeyer 1994; and *Transition*, 1/16 (1995), 2-28.

26 On right-wing extremism see J. Held 1993; Hockenos 1993; and the entire issue of *RFE/RL Research Report*, 3/16 (1994).

mation, many post-communist legislators have been introducing laws that require officials, including parliamentarians, to declare all sources of income and to avoid potential conflict of interest situations. Many of these officials are aware that much of the public has been associating the economic 'system' of early post-communism with organised crime and corruption; only by introducing and implementing laws that seek to address the ethical problems of economic crime and corruption can post-communist legislators and other officials hope to alter the perception common in many countries that post-communism is in fact a state of lawlessness[27]. Poland introduced this kind of disclosure legislation in 1992, yet is typical in not yet taking it far enough (Jaskiernia 1995, 33-5) [28].

Although much progress has been made in depersonalisation, the above-mentioned trend away from regular direct presidential elections towards extension of tenure on the basis of popular referenda in several Central Asian states is by most criteria a cause for concern to those looking for democratisation in these countries.

One other area in which there is mixed evidence on depersonalisation is allegations of corruption by senior officials. In cases where such charges have been laid against top officials of the communist era, it is understandable that many would perceive this as an attempt by post-communist officials to boost their own legitimacy or even to wreak revenge. Hence, such cases are not evidence of depersonalisation and extending the law to cover all. But what of allegations against top officials of the post-communist era? There have certainly been many allegations, and several senior people (e.g. Albania's first post-communist prime minister, who was re-appointed as prime minister in July 1997, Fatos Nano; Russian security minister Viktor Barannikov; the head of the Czech privatisation agency, Jaroslav Lizner) have either resigned to avoid embarrassment or have been found guilty and punished[29]. But it is quite

27 For survey evidence suggesting serious public concern about crime and corruption see Rose and Haerpfer 1994b, 21-2.

28 The Hungarians passed a relatively comprehensive new 'conflict of interest' law in February 1997, following two years of heated debate – see *OMRI Daily Digest*, Pt. 2, 4 June 1996; and Russia appears to be moving towards one, albeit slowly.

29 Offers to resign are not invariably accepted. Thus a major scandal erupted in Russia in November 1997, when one of Yeltsin's most favoured and trusted colleagues, First Deputy Prime Minister and Finance Minister Anatolii Chubais, was found to have accepted an abnormally large advance for his contribution to a forthcoming book on the Russian privatisation process. While most of the money was allegedly not to have gone into Chubais' own pocket, and although what he had done was not technically illegal, his advance had been made by a publisher owned by a major bank to which Chubais had been particularly helpful. Chubais offered to resign both of his posts within days of the

clear that many allegations against senior political actors have been made on the basis of little or no real evidence, and are less a reflection of a law-abiding state than of somewhat unethical attempts at point-scoring against political competitors. The list of such cases is extremely long, and I have explored the issue at length elsewhere (L. Holmes 1997b). For our purposes, the salient point is that 'revelations' about corruption among high-ranking officials in the post-communist world sometimes represent moves towards the rule-of-law and the depersonalisation of politics, but just as frequently reflect grubby and highly personalised politics. Conversely, the major witch-hunt that some feared as post-communist governments announced their lustration laws has not materialised[30], which analysts such as Wiktor Osiatynski (1994) have seen as one of the most encouraging signs of political maturity by post-communist regimes.

As indicated above, the majority of post-communist states have by now introduced brand new constitutions (notable exceptions being Hungary and Albania, while Poland's new constitution did not become effective until late-1997[31]) and have established constitutional courts (see Schwartz 1993; *East European Constitutional Review*, 6/1 [1997], 61-93; Schwartz 1997). Most countries have also adopted new laws on political parties, electoral procedures, etc. In these senses, the 'rules of the game' have been formally established. Unfortunately, even where the formal rules have been laid down, some states do not fully abide by them, sometimes in significant ways. A prime example is Czechia. According to the constitution adopted in December 1992, the Czech Republic was to have a bicameral legislature. Although an upper chamber was eventually established in December 1996, its lengthy delay was caused primarily because many members of the lower house had opposed the concept (on the new Czech Senate see Olson 1996). In many other cases, some rules are still more ambiguous and contested than would be desirable in fragile transitional

scandal breaking. Although Yeltsin sacked the others implicated in the scandal, including the privatisation minister Maksim Boiko, and while he did dismiss Chubais as Finance Minister, he retained the latter as First Deputy Prime Minister, largely on the grounds that the economic reform process needed Chubais' skills and ideas. However, the Russian President also announced that there would be a formal investigation of the whole affair by the Procurator-General's Office, the Ministry of the Interior and the Federal Security Service, and it remains to be seen whether or not Chubais will retain his position. For further details see RFE/RL's weekdaily on-line service *Newsline on the web* for November 1997.

30 The former GDR and Albania are partial exceptions. On this whole issue see S. Holmes 1994; Brown 1997.

31 For detailed analyses of the new Polish constitution see *East European Constitutional Review*, 6/2-3 (1997), 64-96.

societies. Nevertheless, many post-communist countries are beginning to settle into new patterns of behaviour.

Our seventh variable is difficult to measure. Some analysts claim that most post-communist citizens have now rejected democracy, and cite survey data to support their argument (see Gati 1996, esp. 177-81). For reasons too lengthy to elaborate here, such interpretations of the survey data are often questionable. Even if they were not, however, it is far too early to draw conclusions about dominant political culture in the post-communist countries; citizen attitudes still change rapidly in many cases, which suggests that underlying values on several important matters are unstable, conflicting, or perhaps even non-existent.

Conclusions

It has been demonstrated that many post-communist countries have made rapid and considerable progress towards our seven variables, but also that there have been problems. In short, troubled democratisation has been occurring[32]. It is now an appropriate juncture at which to consider three important theoretical points. First, has democracy been reached? Second, when will it be possible to claim that democracy has been consolidated? Finally, what is the relationship between the democratic state and state democracy, and between both of them and democracy generally?

Many leading theorists of democracy, from Schumpeter (1943, esp. 269-273) to Sartori (1987) and Di Palma (1990, esp. 16), argue that in a mass society where direct democracy is impracticable, contestation open to participation (to use Robert Dahl's formulation) is a sufficient condition for a system to be labelled democratic. This minimalist interpretation of democracy, which focuses essentially on the first of our seven criteria and is sometimes called the procedural approach, specifies necessary criteria but is insufficient. Nevertheless, there is an influential group by whose criteria democracy has already

32 In a longer paper, and if it were considered worthwhile, countries could be grouped in terms of how much progress they have made towards democracy. This is a favourite pastime of many transitologists, and interested readers may care to consider the taxonomies in, *inter alia*, Agh (1993), Lewis (1993) and Gati (1996). Most commonly, and for good reason, the Visegrad countries (nowadays excluding Slovakia) are considered the most advanced, the Central Asian states the least, with other countries falling at various points in between.

been reached in most post-communist states[33]. Considering this from a slightly different perspective, Schmitter and Karl (1994) argue that the *transition* to democracy has already occurred, and that many post-communist states are now at the stage of *consolidation*.

Such minimalist, essentially institutionalist approaches to democracy are inadequate. Many focus too much on variable one in our model. Even those that focus on other variables, especially our second, are too narrow if they do not incorporate the seventh variable. After all, we are here considering democracy, not democratisation. In order to reduce confusion, we can now talk of the minimalist approach to democracy and full democracy; the latter is considered here to be something more or less achievable, while still falling short of ideal-type or pure democracy. Moreover, since transition can refer to so many different phenomena, it is preferable to refer to *stages* of democratisation leading to full democracy; in this approach, what the minimalists call democracy is, in the context of post-communist states at least, seen only as the first – albeit significant – stage on the path to democracy.

It follows from the above that it is not accepted here that democracy can be reached and then consolidated. What many call the consolidation of democracy is better called the second or consolidation stage of either democratisation or democratic transition[34]. In this simple sense, the second theoretical question does not require an answer, since it is based on a false premiss. However, to leave the issue at that would be an evasion, a semantic game. The question needs to be reformulated as 'When will full democracy be reached?'. This cannot be answered to complete satisfaction, partly because no country fully meets all seven criteria. But, if readers will permit such an opaque and intuitive approach, the working answer is that full democracy will be reached when countries are perceived to be 'close' – who can be more precise? – to all seven variables, not least the seventh. In terms of recognising this stage, minimalist approaches to achieving democracy such as Samuel Huntington's

33 Returning to the question raised in footnote 10, Russia has according to this approach clearly been a democracy since at least late-1993.

34 While the debates about transition, transformation and consolidation can at times border on the precious, it does make sense to distinguish two major stages of transition. Following Bryant and Mokrzycki (1994), the first stage – transformation – is seen here to be primarily concerned with overcoming the past, and incorporates only a hazy vision of the way forward. In the second or consolidating stage, countries look more to the future than to the past, and focus on refining institutions and practices conducive to what have by now emerged as more clearly formulated objectives. Using this approach is one way of encapsulating significant differences between post-communist countries. Thus Russia would in this categorisation be a transforming transitional state, while Poland would be a consolidating one.

'two election' test, are rejected here as simplistic and inadequate. A much more satisfactory approach is that of Juan Linz and Alfred Stepan (1996, esp.5), who in turn derive the term from Giuseppe Di Palma, when they refer to democracy being widely recognised as 'the only game in town'. In terms of determining whether or not this stage has been reached, Linz and Stepan themselves provide a sensible range of appropriate indicators (1996, esp. 5-15). As a more general guideline, however, it can be argued that democracy can be seen to be 'the only game in town' when it is widely accepted both within and outside a given country that the democratic system — as distinct from a particular regime — will still be there in ten years' time, even if there is a major economic crisis. This criterion would at present distinguish even the most successful post-communist states, including Poland, from most Western states.

Finally, what of the strong state and its relationship to democracy? If we accept the argument of writers such as Przeworski (1991, esp. 10) that it is *the people* that determine the outcomes of the democratic process, then the term 'state democracy' might at first sight appear to be an oxymoron. After all, if it is leaders who determine the rules and what happens, surely this cannot be democratic, and the statement made earlier that there might need to be strong leadership to ensure democracy begins to look absurd. But this statement is neither absurd nor contradictory, for three principal reasons.

First, the minimalist approach is quite compatible with strong leadership, since it has little to say about the latter theoretically. For those favouring a more substantive approach, there are two further reasons why the notion of strong leadership need not be antithetical to the concept of democracy. The first focuses on the distinction drawn here between democracy and democratisation, or between end-goal and the process of reaching that *telos*. For a true democracy to exist, there must be both an institutional framework and set of rules *and* a democratic political culture. But in a phase of political science in which we so often focus on the subjectivities of identity, and the notion not only of imagined but also *constructed* communities, it should be abundantly clear that democratic culture does not just suddenly appear; the preconditions have to exist before the culture can develop and consolidate. Unfortunately, some participants in recent debates about civil society and the state have juxtaposed these two concepts too starkly, and have not appreciated that in a democracy, they are organically linked, interactive, mutually dependent and mutually legitimising. Given the communist legacy inherited by the post-communist states, it is incumbent on post-communist politicians to create the institutional framework that is a prerequisite for the growth of a democratic culture. As writers such as Steven Fish (1995) and Stephen Holmes (1996 — no

relation!) persuasively argue, what is needed in the post-communist world is a strong state if democracy beyond the minimalist form and an active civil society are to develop.

Moreover, strong leadership need not be equated with strong leadership *by an individual*. If the state as a *relatively* abstract entity – though it always comprises people, with all their whims, prejudices and other subjectivities – is run by an elite that has won its right to manage it in comparatively open competition *and* is internally pluralistic in the sense of there being a division of labour and relative autonomy of the component parts, then both our first and second conditions have been met, and a country is that much closer to democracy.

In short, the argument here is for a strong state, especially during the democratisation phase. This is in line with Stephen Holmes' argument just cited. Unfortunately, Holmes does not sufficiently address the all-important question of how one creates this strong state in the early days of post-communism[35]. The last part of this paper focuses on this crucial issue.

Holmes justifiably and convincingly argues that culturalist arguments against the likelihood of post-communist countries becoming truly democratic must at least be seriously questioned, perhaps even jettisoned. As he points out, given the circumstances of its birth, the really surprising aspect of post-communism is how *little* conflict (including ethnic) there has been, not how much. When it is borne in mind that the UNHCR has recently estimated that there are some 164 territorial disputes 'based on ethnic issues' in the FSU alone[36], Holmes' contention seems particularly apt – the Nagorno-Karabakhs, Chechnyas and Bosnias notwithstanding. Very crudely, his argument seems to be that if societies are not as racist, ethnically-divided and anti-democratic as they are often portrayed, problems in creating a solid democratic base might relate more to weaknesses in the state than to problems in society.

Holmes' questioning of cultural reductionism is welcome. But if states are weak, we need to ask why. At this point, it is worth examining what is meant by culturalist arguments. There is an important difference between statements

35 Indeed, if Holmes' plea in an earlier article were to be heeded, new constitutions would only slowly be adopted in the post-communist world; on one level, this could render it easier for a strong state to become authoritarian or dictatorial, thus having the opposite effect on democratisation from that intended by Holmes (see S. Holmes 1995).

36 I.e. even before one begins to consider eastern Europe; UN report cited in *OMRI Daily Digest*, Pt.1, 28 May 1996.

such as 'the Poles are ungovernable' or 'the Russians are simply not market-oriented, unlike the Chinese' and the argument that 'Russians and Poles do not have a tradition of political compromise, which is why they find it difficult to make democracy effective'. The first two statements are generic and, ultimately, racist. The third, in contrast, does not suggest that Russians and Poles are *inherently* different from other people (such as 'Westerners'), merely that they have had different political experiences in recent years, which has implications for their attitudes towards democracy and the many values that, at least for those not totally committed to crude versions of rational choice theory, are associated with it (respect for the rules of the game, a willingness to compromise, etc.[37]). According to this argument, then, the problems of creating a strong but not authoritarian state do relate to political culture, but not to any ethnic attributes.

This argument needs further refinement, however. Differences in the ability of indigenous elites to create strong but democratic states relate partly to the scale of problems faced by particular countries. *Ceteris paribus*, the more numerous and the more serious the problems, the greater the likelihood of polarised viewpoints, and hence the greater the difficulties of reaching compromise positions. This argument has now incorporated a *structural* or contextual component, in addition to the political cultural one, even though it is accepted here that some of the problems that distinguish one country's chances from another's can ultimately be seen as cultural. It is argued here, for instance, that Russia has greater problems than many other countries in creating a strong state partly because it is much bigger (a purely structural problem of coordination) and partly because it suffers from identity problems that are worse than in most other post-communist states. As I have argued elsewhere (L. Holmes 1993), what bound many politicians and citizens in most countries in the earliest days of post-communism was the common relief of having rejected external domination, whether it was by the USSR (in the case of most of Eastern Europe), Russia (within the USSR) or Serbia (within the Former Yugoslavia). In contrast, Russia lost an empire it had ruled, in parts and in some senses, since at least 1721. That this identity crisis has been a major factor explaining the inability to reach consensus is seen in the major foci of the Russian presidential campaigns of 1996. While there were also important differences over economic policy, probably the single biggest theme Zyuganov pushed in his endeavours to discredit Yeltsin was that the Russian president

37 For a sensitive and sophisticated critique of rational choice theory see Green and Shapiro 1994.

permitted the breakup of the USSR (i.e. the Russian empire) and might even be planning to do the same to Russia itself[38].

In sum, both cultural and structural reasons help to explain why many post-communist states have been less strong than they need to be at this stage of democratisation. But the cultural factors relate closely to recent political experiences[39]. Unfortunately, many post-communist politicians and some Western observers appear to assume that a strong individual leader is anathema[40], but do not appreciate that strong collective leadership is both necessary and compatible with many conceptions of what might be called 'really existing democracy'. It may be asked how compromise politics, which is at this stage an unavoidable consequence of collective leadership in many countries, can be defined as strong. Meanings depend partly on context; in a situation of extreme problems — by some criteria, crisis even — compromise policies that at least *are* policies that can be implemented are better than no policies at all. If the word 'compromise' is changed to 'consensus-based', the tone immediately changes, even though the content may not have done.

To finish, let us return to Stephen Holmes. He appears to be arguing in his 1996 piece that the notion of only *societal* democratisation is at least incomplete, perhaps even meaningless. He is correct in this. Democracy is about political power, and that necessarily involves the state, whatever some advocates of new (notably social movement) or postmodern politics may claim. Unless there is democratisation of the state, which itself plays a crucial role in general democratisation, there cannot be meaningful democratisation of society. As Holmes (S. Holmes 1996, 49) argues, 'Liberalization cannot succeed under conditions of state collapse, for democratization of state authority is pointless if no state authority exists'.

In order to achieve the strong state needed at this stage of post-communism to ensure all-round democratisation, without risking the imposition of dictatorship, post-communist law-makers must learn both vicariously (e.g. from Weimar Germany) and from their own experiences. They must pass electoral laws that help to reduce the number of parties in parliament; several already have, and have achieved the desired result of moving closer towards what might eventually be legitimately described as party *systems*[41]. One method for

38 See too the communist charges against Yeltsin cited in Dunlop 1997, 39.

39 The point made above about pre-communist traditions is again apposite here.

40 This is understandable given the actualities of communist rule in so many countries.

41 For the purposes of this paper, we can talk of a party *system* when politics are on one level dominated by a small number of reasonably distinct, well-organised, basically pre-

achieving this would be to introduce first-past-the-post systems, which increase the likelihood of *de facto* two-party systems. But such arrangements would probably need to operate on a simple majority basis, not an absolute majority one; even if the latter were required, they might still be manageable as long as there are no or only low minimum voter turnout requirements (or else compulsory voting, as in Australia). The current arrangements in Belarus, Kyrgyzstan and Ukraine, in contrast, are clearly proving impractical, as so many parliamentary seats remain unfilled despite several rounds of balloting over many months.

It has been argued in this paper that strong leadership is in a number of ways necessary at the current stage of democratisation in the post-communist world. It has further been argued that strong leadership need not mean strong leadership by an individual. What is required is strong leadership by the state. Full democracy – here meaning relatively close adherence to all seven variables in our model – is unrealistic at present; most ordinary citizens are so concerned with basic survival that it is unrealistic to expect widescale and meaningful participation and societal democracy. The dominant democratic political culture that is a key component of an established democracy cannot emerge overnight, and Pridham and Lewis' suggestion (1996, 2) that it will probably take 12-20 years for new democracies to become established may prove to be over-optimistic (i.e. too short a time-span) in the case of several states of the FSU and perhaps also in parts of the Balkans. In the meantime, states must continue to put in place all the other structural prerequisites of democracy, and seek to make the economies stronger.

It might be objected that to argue in favour of strong states and that full liberal democracy is not yet feasible may leave open the possibility that the new states will become increasingly authoritarian. The minimalists will counter that this will not occur as long as there is still competition of elites. Given the rejection here of purely procedural approaches, such an argument is insufficient. However, if we add to it the notions of political competition *within* the state – the messiness of conflict between presidents, prime ministers, parliaments and perhaps constitutional courts – plus relatively free media, then there *is* a sufficient minimum basis to talk of meaningful democratisation and eventually full democracy. Expressed in this way, it becomes obvious why it is misguided to ask the question 'The Democratic State or State Democracy?'. Rather, the two terms are interactive and mutually necessary if some or all of

dictable parties that have policies on all major issues, and that all work more or less to the same rules of political conduct within an essentially stable political system.

the early post-communist states are one day to become established and stable democracies in the way this term is normally used. In short, what is needed at present is the democratic state *and* state democracy, combined with strong leadership.

Whether or not continued democratisation and eventually full democracy are feasible is another matter. In addition to having to carry the weight of the numerous problems involved in post-communist transition, state elites often discover that their policy options are severely circumscribed — in some cases virtually *dictated* — by external agencies such as the European Bank of Reconstruction and Development or the International Monetary Fund. The fact that such powerful transnational or global organisations are themselves undemocratic by even the most minimalist definition of democracy introduces a whole new dimension to the question of the possibilities for transitional societies of achieving full democracy. Unfortunately, this large, crucial and difficult issue lies beyond the scope of the present paper.

Leslie Holmes
Department of Political Science
University of Melbourne
Parkville
Victoria 3052
Australia
e-mail: lth@politics.unimelb.edu.au

Bibliography

Agh, A. (1993), 'The "Comparative Revolution" and the Transition in Central and Southern Europe', *Journal of Theoretical Politics*, 5/2, 231-52

Baylis, T. (1996), 'Presidents versus Prime Ministers: Shaping Executive Authority in Eastern Europe', *World Politics*, 48/3, 297-323

Bauman, Z. (1994), 'A Revolution in the Theory of Revolutions?', *International Political Science Review*, 15/1, 15-24

Blondel, J. (1997), 'Party Systems in Eastern Europe and the Former Soviet Union' in Holmes and Roszkowski 1997, 11-24

Brown, J. F. (1997), 'Goodbye (and Good Riddance?) to De-Communization', *Transitions*, 4/2, 28-34

Bryant, C and Mokrzycki, E. (1994), 'Introduction: theorizing the changes in East-Central Europe' in C. Bryant and E. Mokrzycki (eds.), *The New Great Transformation?* (London: Routledge, 1994), 1-13

Bunce, V. (1995a), 'Should Transitologists Be Grounded?', *Slavic Review*, 54/1, 111-27

Bunce, V. (1995b), 'Paper Curtains and Paper Tigers', *Slavic Review*, 54/4, 979-87

Cohan, A. S. (1975), *Theories of Revolution* (London: Nelson)

Corrin, C. (ed.)(1992), *Superwomen and the Double Burden* (London: Scarlet Press)

Crawford, B. (ed.)(1995), *Markets, States, and Democracy* (Boulder: Westview)

Di Palma, G. (1990), *To Craft Democracies* (Berkeley: University of California Press)

Di Palma, G. (1991), 'Why Democracy Can Work in Eastern Europe', *Journal of Democracy*, 2/1, 21-31

Dryzek, J. (1990), *Discursive Democracy* (Cambridge: Cambridge University Press)

Dryzek, J. (1996), *Democracy in Capitalist Times* (Oxford: Oxford University Press)

Dunlop, J. (1997), 'Russia: in Search of an Identity?' in I. Bremmer and R. Taras (eds.), *New States, New Politics* (Cambridge: Cambridge University Press, 1997), 29-95

Einhorn, B. (1993), *Cinderella Goes to Market* (London: Verso)

Elster, J. (ed.)(1996), *The Roundtable Talks and the Breakdown of Communism* (Chicago: University of Chicago Press)

Fish, M. S. (1995), *Democracy from Scratch* (Princeton: Princeton University Press)

Funk, N. and Mueller, M. (eds.)(1993), *Gender Politics and Post-Communism* (New York: Routledge)

Gati, C. (1996), 'If Not Democracy, What? Leaders, Laggards and Losers in the Postcommunist World' in Mandelbaum 1996, 168-98

Glenn, C. (1995), *Educational Freedom in Eastern Europe* (Washington DC: Cato Institute)

Green, D. and Shapiro, I. (1994), *Pathologies of Rational Choice Theory* (New Haven: Yale University Press)

Hall, J. (1995), 'After the Vacuum: Post-Communism in the Light of Tocqueville' in Crawford 1995, 82-100

Hankiss, E. (1994), 'European Paradigms: East and West, 1945-1994', *Daedalus*, 123/3, 115-26

Held, D. (1996), *Models of Democracy* (Cambridge: Polity)

Held, J. (ed.)(1993), *Democracy and Right-Wing Politics in Eastern Europe in the 1990s* (New York: Columbia University Press)

Holmes, L. (1993), *The End of Communist Power* (Cambridge: Polity)

Holmes, L. (1994), 'Normalisation and Legitimation in Post-Communist Russia' in S. White, A. Pravda and Z. Gitelman (eds.), *Developments in Russian and Post-Soviet Politics* (London: Macmillan, 1994), 309-30

Holmes, L. (1997a), *Post-Communism* (Durham, NC: Duke University Press)

Holmes, L. (1997b), 'Corruption in Post-Communist Countries, with Particular Reference to Poland' in L. Holmes and Roszkowski 1997, 121-76

Holmes, L. and Roszkowski, W. (eds.)(1997), *Changing Rules* (Warsaw: ISP PAN)

Holmes, S. (1994), 'The End of Decommunization', *East European Constitutional Review*, 3/3-4, 33-6

Holmes, S. (1995), 'Conceptions of Democracy in the Draft Constitutions of Post-Communist Countries' in Crawford 1995, 71-81

Holmes, S. (1996), 'Cultural Legacies or State Collapse? Probing the Postcommunist Dilemma' in Mandelbaum 1996, 22-76

Jaskiernia, J. (1994), *Wizja parlamentu w nowej konstytucji Rzeczypospolitej Polskiej* (Warsaw: Wydawnictwo Sejmowe)

Jones, A. (ed.)(1994), *Education and Society in the New Russia* (Armonk NY: Sharpe)

Karl, T. and Schmitter, P. (1995), 'From an Iron Curtain to a Paper Curtain: Grounding Transitologists or Students of Postcommunism?', *Slavic Review*, 54/4, 965-78

Karsten, S. and Majoor, D. (eds.)(1994), *Education in East Central Europe* (New York: Waxmann Munster)

Kukathas, C., Lovell, D. and Maley, W. (eds.)(1991), *The Transition from Socialism* (Melbourne: Longman Cheshire)

Lentini, P. (1996), 'Reflections on the 1996 Russian Presidential Elections', *Russian and Euro-Asian Economics Bulletin*, 5/7, 1-8

Lewis, P. (ed.)(1992), *Democracy and Civil Society in Eastern Europe* (New York: St. Martin's Press)

Lewis, P. (1993), 'Democracy and its Future in Eastern Europe' in D. Held (ed.), *Prospects for Democracy* (Cambridge: Polity, 1993), 291-311

Linz, J. and Stepan, A. (1996), *Problems of Democratic Transition and Consolidation* (Baltimore: The Johns Hopkins University Press)

Mandelbaum, M. (ed.)(1996), *Post-Communism: Four Perspectives* (New York: Council on Foreign Relations)

Markwick, R. (1996), 'A Discipline in Transition?: From Sovietology to "Transitology"', *Journal of Communist Studies and Transition Politics*, 12/3, 255-76

Meyer, G. (1994), 'Democratic Legitimacy in Post-Communist Societies: Concepts and Problems' in A. Bozóki (ed.), *Democratic Legitimacy in Post-Communist Societies* (Budapest: T-Twins, 1994), 13-56

Miller, R. (ed.)(1992), *The Developments of Civil Society in Communist Systems* (Sydney: Allen and Unwin)

Miller, R. and T. H. Rigby (eds.)(1986), *Religion and Politics in Communist States* (Canberra: Australian National University)

Morvant, P. (1995), 'Bearing the "Double Burden" in Russia', *Transition*, 1/16, 4-9 and 60

Mueller, J. (1996), 'Democracy, Capitalism, and the End of Transition' in Mandelbaum 1996, 102-67

Offe, C. (1991), 'Capitalism by Democratic Design? Democratic Theory Facing the Triple Transition in East Central Europe', *Social Research*, 58/4, 865-92

Offe, C. (1996), *Varieties of Transition* (Cambridge: Polity)

Olson, D. (1996), 'The Czech Senate: From Constitutional Inducement to Electoral Challenge', *East European Constitutional Review*, 5/4, 47-50

Olson, D. and Norton, P. (eds.)(1996), *The New Parliaments of Central and Eastern Europe* (London: Cass)

Osiatynski, W. (1994), 'Decommunization and Recommunization in Poland', *East European Constitutional Review*, 3/3-4, 36-41

Parry, G. and Moran, M. (eds.)(1994), *Democracy and Democratization* (London: Routledge)

Pridham, G. and Lewis, P. (1996), 'Introduction: Stabilising fragile democracies and party system development' in G. Pridham and P. Lewis (eds.), *Stabilising Fragile Democracies* (London: Routledge, 1996), 1-22

Przeworski, A. (1991), *Democracy and the Market* (Cambridge: Cambridge University Press)

Przeworski, A. *et al* (1995), *Sustainable Democracy* (New York: Cambridge University Press)

Rady, M. (1992), *Romania in Turmoil* (London: Tauris)

Rau, Z. (ed.)(1991), *The Reemergence of Civil Society in Eastern Europe and the Soviet Union* (Boulder: Westview)

Reid, E. (1995), 'The Russian Federation Constitutional Court', *Coexistence*, No.32, 277-303

Rose, R. and Haerpfer, C. (1994a), 'Mass Response to Transformation in Post-communist Societies', *Europe-Asia Studies*, 46/1, 3-28

Rose, R. and Haerpfer, C. (1994b), *New Russia Barometer III: The Results* (Glasgow: CSPP, University of Strathclyde)

Rueschemeyer, M. (ed.)(1994), *Women in the Politics of Postcommunist Eastern Europe* (Armonk NY: Sharpe)

Saivetz, C. (1996), 'Russia: Problems and Prospects for Democratization' in M. E. Fischer (ed.), *Establishing Democracies* (Boulder CO: Westview, 1996), 253-79

Sartori, G. (1987), *The Theory of Democracy Revisited* (Chatham, NJ: Chatham House), 2 Pts.

Schmidt, F. (1996), 'Election Fraud Sparks Protests', *Transition*, 2/13, 38-9 and 63

Schmitter, P. and Karl, T. (1994), 'The Conceptual Travels of Transitologists and Consolidologists: How Far to the East Should They Attempt to Go?', *Slavic Review*, 53/1, 173-85

Schöpflin, G. (1993), 'Culture and Identity in Post-Communist Europe' in S. White, J. Batt and P. Lewis (eds.), *Developments in East European Politics* (London: Macmillan, 1993), 16-34

Schumpeter, J. (1943), *Capitalism, Socialism and Democracy* (London: George Allen and Unwin)

Schwartz, H. (1993), 'The New East European Constitutional Courts' in D. Howard (ed.), *Constitution Making in Eastern Europe* (Washington DC: Woodrow Wilson Center Press), 163-207

Schwartz, H. (1997), 'Defending the Defenders of Democracy', *Transitions*, 4/2, 80-5

Shils, E. (1991), 'The Virtue of Civil Society', *Government and Opposition*, 26/1, 3-20

Skocpol, T. (1979), *States and Social Revolutions* (Cambridge: Cambridge University Press)

Szajkowski, B. (ed.)(1994), *New Political Parties of Eastern Europe, Russia and the Successor States* (Harlow: Longman)

Tilly, C. (1993), *European Revolutions 1492-1992* (Oxford: Blackwell)
Tismaneanu, V. (ed.)(1990), *In Search of Civil Society* (New York: Routledge)

White, S., Rose, R. and McAllister, I. (1997), *How Russia Votes* (Chatham, NJ: Chatham House)

Biographical Note

LESLIE HOLMES was born in London in 1948. He studied modern languages and then political science at the universities of Hull, Essex, Berlin (Free), Leningrad and Moscow. He has been Professor of Political Science at the University of Melbourne since 1988, and Director of its newly-established Contemporary Europe Research Centre since July 1997.

Among his numerous publications are 4 single-authored books (*The Policy Process in Communist States,* Sage 1981; *Politics in the Communist World,* Oxford University Press 1986; *The End of Communist Power*, Polity 1993; *Post-Communism,* Duke University Press 1997); a sole-edited book (*The Withering Away of the State?*, Sage, and a co-edited book (with Wojciech Roszkowski - *Changing Rules*, Polish Academy of Sciences 1997). His next book is provisionally entitled *Corruption and the Crisis of the State.* Leslie Holmes has been on the Executive of the International Council for Central and East European Studies (ICCEES) since 1990, and editor of the *ICCEES Newsletter* since 1995; he is also Director of the ICCEES International Information Centre. In 1995, he was elected a Fellow of the Academy of the Social Sciences in Australia (FASSA). He has been a Senior Associate Member of St. Antony's College Oxford on three occasions, and a Visiting Fellow at Harvard, Stanford and Columbia Universities. In 1997, he was a Jean Monnet Visiting Professor at the European University Institute in Florence; an official visitor at the Polish Academy of Sciences in Warsaw; and an official visitor at the China University of Political Science and Law in Beijing.

Jean Monnet Chair Papers

European University Institute, Florence

1. CHRISTOPH BERTRAM/Sir JULIAN BULLARD/ LORD COCKFIELD/ Sir DAVID HANNAY/MICHAEL PALMER
Power and Plenty? From the Internal Market to Political and Security Cooperation in Europe,
April 1991, pp. 73

2. ROBERT GILPIN
The Transformation of the International Political Economy,
April 1991, pp.27

3. EDMOND MALINVAUD
Macroeconomic Research and European Policy Formation,
April 1991, pp. 58

4. SERGIO ROMANO
Soviet Policy and Europe Since Gorbachev,
April 1991, pp. 25

5. BERNT VON STADEN
The Politics of European Integration,
April 1991, pp. 33

6. HELGA HAFTENDORN
European Security Cooperation and the Atlantic Alliance,
July 1991, pp. 42

7. THOMAS ANDERSSON/STAFFAN BURENSTAM LINDER
Europe and the East Asian Agenda,
October 1991, pp. 87

8. ROGER G. NOLL
The Economics and Politics of Deregulation,
October 1991, pp. 89

9. ROBERT TRIFFIN
IMS International Monetary System - or Scandal?,
March 1992, pp. 49

10. EGON BAHR
From Western Europe to Europe,
June 1992, pp. 42

11. HELGE HVEEM
The European Economic Area and the Nordic Countries - End Station or Transition to EC Membership?,
June 1992, pp. 21

12. ERIC STEIN
Post-communist Constitution-making: Confessions of a Comparatist (Part I),
August 1992, pp. 63

13. CAROLE FINK
1922/23 From Illusion to Disillusion,
October 1992, pp. 19

14. LOUIS H. ORZACK
International Authority and Professions. The State Beyond The Nation-State,
November 1992, pp. 47

15. VLADIMIR M. KOLLONTAI
Economic Reform in Russia,
November 1992, pp. 43

16. RYUTARO KOMIYA
Japan's Comparative Advantage in the Machinery Industry: Industrial Organization and Technological Progress,
October 1993, pp. 60

17. GIULIANO AMATO
Problems of Governance - Italy and Europe: A Personal Perspective,
October 1994, pp. 39

18. JEREMY RICHARDSON
The Market for Political Activism: Interest Groups as a Challenge to Political Parties,
November 1994, pp. 37

19. RICHARD B. STEWART
Markets versus Environment?,
January 1995, pp. 53

20. JOHN GERARD RUGGIE
At Home Abroad, Abroad at Home: International Liberalization and Domestic Stability in the New World Economy,
February 1995, pp. 64

21. DAVID VOGEL
The Relationship Between Environmental and Consumer Regulation and International Trade,
February 1995, pp. 44

22. JOHN WILLIAMSON
Proto-EMU as an Alternative to Maastricht,
March 1995, pp. 20

23. THOMAS C. HELLER
Joint Implementation and the Path to a Climate Change Regime,
March 1995, pp. 49

24. NORMAN SCHOFIELD
Modelling Political Order in Representative Democracies,
June 1995, pp. 38

25. VOJIN DIMITRIJEVIC
The Fate of Non-Members of Dominant Nations in Post-Communist European Countries,
June 1995, pp. 34

26. HORST SIEBERT
Eastern Germany in the Fifth Year. Investment Hammering in the Basement?,
September 1995, pp. 45

27. CAROL HARLOW
Codification of EC Administrative Procedures? Fitting the Foot to the Shoe or the Shoe to the Foot,
September 1995, pp. 34

28. FRITZ W. SCHARPF
Negative and Positive Integration in the Political Economy of European Welfare States,
November 1995, pp. 44

29. VINCENT WRIGHT
Industrial and Banking Privatization in Western Europe: Some Public Policy Paradoxes,
November 1995, pp. 40

30. ROBERT O. KEOHANE
Local Commons and Global Environmental Interdependence: Tragedy of the Commons or Opportunity for Institutions?,
November 1995, pp. 21

31. SABINO CASSESE
The Difficult Profession of Minister of Public Administration,
December 1995, pp. 31

32. MANCUR OLSON JR.
The Varieties of Eurosclerosis: The Rise and Decline of Nations since 1982,
December 1995, pp. 37

33. ROD A.W. RHODES
Towards a Postmodern Public Administration: Epoch, Epistemology or Narrative?,
December 1995, pp. 49

34. MARTIN SHAPIRO
Independent Agencies: US and EU,
April 1996, pp. 31

35. SASKIA SASSEN
The De-Facto Transnationalizing of Immigration Policy,
April 1996, pp. 36

36. JOSÉ MARÍA MARAVALL
The Outcomes of Democracy,
April 1996, pp. 53

37. PIERRE ROSANVALLON
État-providence et citoyenneté sociale,
September 1996, pp. 27

38. PETER B. KENEN
Sorting Out Some EMU Issues,
October 1996, pp. 36

39. En hommage à ÉMILE NOËL,
December 1996, pp. 21

40. TOMMASO PADOA-SCHIOPPA
The Genesis of EMU: A Retrospective View,
December 1996, pp. 21

41. GIL CARLOS RODRIGUEZ IGLESIAS
Le pouvoir judiciaire de la Communauté européenne au stade actuel de l'évolution de l'Union,
December 1996, pp. 27

42. WOLFGANG STREECK
Citizenship under Regime Competition: The Case of the "European Works Councils",
April 1997, pp 49

43. NICOLE QUESTIAUX
Le Conseil d'État français et la norme communautaire: l'hybridation en tant que technique juridique,
May 1997, pp 25

44. PAUL PIERSON
Increasing Returns, Path Dependence and the Study of Politics,
June 1997, pp 47

45. ECKARD REHBINDER
Environmental Agreements - A New Instrument of Environmental Policy,
August 1997, pp 37

46. JOSÉ MARÍA MARAVALL
Surviving Accountability,
October 1997, pp 46

47. YVES MÉNY
The People, the Elites and the
Populist Challenge,
February 1998, pp 27

48. LESLIE HOLMES
The Democratic State or State
Democracy? Problems of Post-
Communist Transition,
February 1998, pp 38