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THE UNBEARABLE LIGHTNESS OF DEMOCRACY

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1. Background

When is a *democracy* perfect? Even if we subscribe to the minimalist definition of democracy, or to a more demanding one, the answer remains difficult. We usually struggle to control difficulties by assigning the dimension of time to this definition: this is the notion of consolidation. The notion of quality is even more evasive, and inseparable from a comparative touch: if, as many utopists dreamed, the world would be united in only one political unit, where political office would be accessed via some form of competition, the meaning of quality would become impossible to grasp. And when is a *democratic society* perfect? Spooling the democratic policies of the most advanced democracies of our time the temptation is to answer that perfection of a democratic society is attained when equal opportunity becomes truly the rule of the game, not only in national politics, but also in every sector of life. Of course, nobody has reached this ideal yet. However, we do tend to consider some democratic societies better than others, though here again the opinions are divided. Are post-material societies, as Ronald Inglehart calls them, or feminine societies, as they are labeled by Geert Hofstede, better than the average Western democracy as we know it, and do these differences reveal something on their nature *as democracies,* or rather on their nature *as societies*? Again the answer is elusive: post-material societies are wonderful if a country is already developed and soft power is great, as long as nobody wages war on one's country.

Some societies have always been better to live in than others at one moment in time, even if the reference point for this evaluation has been constantly shifting. It was far more convenient to live in Alexandria or Rome than in the British Islands or Scandinavia in 1st century *bc*, because it provided easier access to life essentials; far better to live in an isolated area during the Great Plague of Europe in the 14th century from precisely the opposite reasons. Long before UNDP supplied the world with an imperfect tool of measuring human development, societies had

provided uneven life quality for their inhabitants, and although democracy itself arrived late in the picture, respect for basic rights, private property and tolerance towards different religious practices have always featured among the elements conferring quality to a given society. There was absolutely no democracy in the corrupt Ottoman Empire, but from the point of view of religious freedom it was a better society to live in than in the much more economically advanced, rule of law dominated parts of Western Europe where either Reformation or Counter-Reformation prevailed. It all remains highly relative, reminding us that perfection is not human and that those who thought politics is a pursuit for happiness only brought misfortune to themselves and to others.

The pressure to define quality of democracy has arisen, therefore, from the *practical*, rather than the theoretical need to compare democracy across countries once it spread to many parts of the world in recent years. The three conflated indicators making the human development index (growth, literacy, life expectation) describe the quality of a given society without any reference to its politics, and although the highest HDI can be found in liberal democracies, this does not tell us much, as those are also the most developed countries of the world. Ratings developed by NGOs such as Freedom House and Transparency International have produced sets of criteria to evaluate governance, but the fact remains that they produce subjective, not objective indicators. In Europe, the historical decision that the economical and political European Union will enlarge to ten postcommunist countries has generated the need more acute than ever to measure the democratic performance of these countries in the most detailed terms, as Europe insists that hers is a specific variety of democratic *culture,* so more than just a set of procedures. In practice, this often creates problems as more than one culture subsists still within reunited Europe, and the criteria and models of EU member-states aid agencies often compete or clash in transition European countries.

Postcommunist Europe provides, nevertheless, favorable grounds for comparing democracy, as we expect countries with a similar historical background, a comparable social structure and belonging to the same cultural cluster to develop resembling political regimes. Roughly, this is the case for Poland and Romania, the topics of this paper. Cultural differences between these two countries, of which one is already a newly accepted member of the European Union, and the other has the promise to become one in 2007 are small. Poland is mainly Catholic, while Romania is largely Christian Orthodox. But otherwise, they had similar histories- partial autonomy and foreign occupation for many centuries, formation of national states and limited modernization after the 1st WW, Soviet imposed Communism after the second; similar social structures- agrarian or rural societies with political rights traditionally confined for most part to

the landowning elites; and similar cultures of peripheral European societies endlessly discussing their position between the West and the East and blaming their underdevelopment when compared to Western Europe on the heroic, sacrificial history of defending 'the gate of Europe' from the infidel Turk.[1] By 1937 Romania had an average income of 81 dollars and Poland of 100; it was only afterwards that differences started to arise. Poland had its main territorial problem with Germany, while Romania had hers with the Soviet Union: this led to the occupation of Poland by the Germans, and to the alliance of Romania with Germany against the Soviet Union. These unfinished territorial affairs of the 1st World War mattered enormously for the trajectory of the two countries in the 2nd world war, and the fate assigned to them at the peace conference at the end of the war. Both fell behind the Iron Curtain, but this was not immediately known: and historical evidence shows that while the cause of democracy in both countries was simply betrayed by the victors for the sake of global peace, the Western interest for Poland was greater than for Romania, who had fought on the wrong side of the war, turned sides too late, had fewer exiles and had a non-sustainable strategic position, being surrounded from all parts by the new popular democracies. Although Winston Churchill's famous percentages, which suggested the West should keep a stake in Poland, while abandoning Romania altogether to the Soviets, were never implemented, they sent a clear signal to the Soviets. It meant that some things were not tolerable for Poland, although she was in the Soviet camp, while everything was acceptable for Romania. And, again, this mattered greatly: Poland kept as a formal presence puppet opposition parties in the Parliament, in Romania not even factions of the Communist party were possible; the collectivization of Romania's countryside was nearly total, meaning the destruction of the peasant class, which made the majority of the population; in Poland collectivization was stalled soon after its start and the great part of land – about 80%- remained in the private property of farmers. Dissent in Poland, within the Communist Party and outside it, remained a permanent feature of the Polish society, while in Romania it had been completely liquidated by 1960, and later it could resurface only in sporadic and isolated outbursts. Romania's national communists in the early fifties, the equivalents of Wladislaw Gomulka and his group, were thus not sidelined for a while as in Poland, but physically eliminated. Already in the 1970s students of comparative politics of Communist states noted that the treatment of dissent, relatively tolerated in Hungary, Czechoslovakia and Poland, could not have been more different from Romania and Bulgaria,

[1] See Andrei Pippidi, 1998, 'La croisade au Bas-Danube : les "remparts" des chretiente', dans "Histoire des idees politiques de l'Europe centrale", ed Antoine Mares, Paris-Montreal

where it was brutally and completely suppressed[2]. This created very different conditions for the emancipation of these countries from the Communist regime and their transition to democracy. End of Stalinism in Poland in 1956 meant a compromise formula between the Soviet model and the Polish society, a form of liberal Communism, which had it ups and downs, but clearly, as Linz and Stepan acknowledged, the imposition of a totalitarian regime has never succeeded in Poland. End of Stalinism in Romania by 1963 meant success of the Soviet totalitarian model: full collectivization, full liquidation of political opponents, monolithic party and a society so repressed and terrorized that Nicolae Ceausescu or any other Asian type dictator could successfully emerge and rule unchallenged for more than twenty years. Before asking ourselves if democratization after 1989 succeeded or failed we should first discuss if Communism succeeded or failed in these societies.

The purpose of this paper is twofold: to establish if a difference between the democratic performance, on both formal and substantial indicators, does exist between Romania and Poland and so try to pin it down; and then to explain, if such is the case, which are its causes; and hopefully, while doing this, both some theoretical and methodological clarifications would occur which could shed some light on the general question of the quality of democracy.

2. Democratic performance compared

We may miss a thorough definition of the quality of democracy, but measurements going far beyond the minimalist definition are plenty. Some are inspired by Robert Dahl's distinction between formal and substantive democracy, the distance between the formal rules and the informal practice being the explicit instrument suggested by Guillermo O'Donnell for passing judgment on the quality of a democracy; others actually look at elements of consolidation as they can be find in fundamental works on consolidation[3]. Finally, there is a whole group of organizations and scholars who only deal with governance, without directly measuring or qualifying democracy, but their work has come to be seen more and more as a contribution to the

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[2] See Gita Ionescu, 1967, Comparative Politics of Communist States, Ed Weidenfeld Nicholson, London; H. Gordon Skilling, 1976, Czechosovakia's Interrupted Revolution, Ed. Princeton University Press, Princeton

[3] For instance Linz, Juan and A. Stepan, Problems of Democratic Transition and Consolidation: Southern Europe, South America and Post-Communist Europe, Baltimore, Johns Hopkins University Press, 1996; Consolidating the Third Wave Democracies: Themes and Perspectives, ed. Larry Diamond, Marc F. Plattner, Yun-han Chu, and Hung-mao Tien, Baltimore, Johns Hopkins University Press, 1997; see also the synthesis attempted by Philippe C. Schmitter & Carsten Q. Schneider 2003 'Exploring a New Cross-Regional Time-series Dataset on the Key Concepts in Democratization: Liberalization, Transition and Consolidation', APSA paper

quality of democracy debate[4]. Many of these measurements do not qualify as scientific, as another scientist working by the same method is unlikely to arrive at the exact scores of Freedom House experts for the *Nations in Transit* reproduced in Table 1 for Romania and Poland for 2001. By 2001, both countries had had at least three rounds of elections qualified as free and fair, swings of the government between the anticommunists and postcommunists, and both received the invitation to start negotiations with the European Union at the Helsinki summit of December 1999, which meant the formal acknowledgment that they fully satisfy the EU's so-called Copenhagen comprehensive political criteria[5]. Their publics have also come to have comparable democratic attitudes, considering democracy the best government system despite shortcomings, and giving less support to authoritarian alternatives. At the beginning of transition both Romania and Poland showed in the first Times Mirror polls some preference for strong leaders: nowadays citizens of both countries have attitudes comparable with those of the previous European wave of democratization, though both remain slightly above the regional average in their preference for a strongman.

Table 1. Preferences for undemocratic alternatives

	Communist	Military	Dictator
	(% regarding as better)		
Slovakia	30	3	25
Bulgaria	27	132	28
Slovenia	23	6	27
Poland	23	6	33
Czech Republic	18	1	13
Romania	19	14	32
Hungary	17	2	17
Lithuania	14	5	40
Estonia	8	2	40
Latvia	7	4	38
(New Europe mean)	(18)	(6)	(29)
Russia	47	15	31

Source: Centre for the Study of Public Policy New Europe Barometer (2001) and New Russia Barometer (2001).

[4] Such as the scholars associated with the World Bank Joel Hellman and Daniel Kaufman.
[5] Copenhagen political criteria include civilian control over the military and positive discrimination of minorities besides the more procedural democratic features concerning free and fair elections, freedom of the press, and so forth.

Both objective and subjective indicators would therefore lead us expect o recent democracies, as reflected in the subjective expert scores of Freedom House should be close. And indeed Freedom House rates them both as free, but in the more detailed, process oriented scores of FH *Nations in Transit*, where democratization reforms rather than state of democracy are measured, the difference is surprisingly high. Poland seems to do three times better on the average than Romania at all quality indicators, such as rule and law and constitutionalism, governance, media, and political process, with closer performances only on corruption, where Poland is usually underrated and Romania overrated. The years covered, 1997 to 2001 in Table 1, are the years after Romania finally managed to have its first switch in government, with anticommunists winning their first victory in 1996, while in 2000 the postcommunists won again.

Table 2. Qualitative differences between Poland and Romania's democracies

Year		Political	Media	Governance	Corruption	Justice
1997	POL	1.50	1.50	1.75	--	1.50
	ROM	3.25	4.25	4.25	--	4.25
1998	POM	1.25	1.50	1.75	--	1.50
	ROM	3.25	4.00	4.00	--	4.25
1999-2000	POL	1.25	1.50	1.75	2.25	1.50
	ROM	3.25	3.50	3.50	4.25	4.25
2001	POL	1.25	1.50	1.75	2.25	1.50
	ROM	3.25	3.50	3.75	4.50	4.25

Source: Freedom House Nations in Transit 2001 Legend: Freedom House Nations in Transit scores, 1 to 7 scale with 1 the highest and 7 the lowest of democratic progress.

What does the variation in the political scores express, as, formally, we find little difference? Both countries have an active and plural political life, with many parties competing for office, though high electoral thresholds limit drastically the number of those who can enter Parliament. Both have a general rule squabbling centrist coalitions, which had great problems in keeping together, and more unified and disciplined postcommunist parties. The differences are back in the early nineties, when Poland's pacted transition led to a smooth change of power and the confinement of political disputes within normal formal limits. Romania only managed to

overthrow the regime of Nicolae Ceausescu by a popular uprising which left more than one thousand people dead. In the months immediately after the Romanian Revolution, rallies in big cities asked for the investigation and prosecution of these crimes, as well as for banning the former Communist nomenklatura from political life. The biggest of these rallies could only be terminated by the violent intervention of mixed teams of police and vigilante coal miners called by the government in June 1990. The miners returned in 1991, bringing down a reformist government after invading Bucharest and besieging the government palace; they came back to threaten the anticommunist government as late as 1999, furious that their former boss, who had led the 1990-1991 campaigns, had been sentenced to prison and were stopped only by a combination of violence and promises. The images all over CNN and BBC scared the world at the time. By comparison, the Polish transition was low on street violence, although at least one major rally by farmers enraged by cutting of subsidies ended violently. The political spectrum in both countries, especially from the center to the right, is equally fragmented, showing the difficulty of finding some social glue to form parties: the post-communists remain the best organized in both countries, though the dynamic of their performance and their general outlook differs importantly.

Table 3. Electoral competition between incumbent and challenging elites

Political parties	Election 1	Election 2	Election 3	Election 4
Poland postcommunist party	12	20	27	41
Poland anticommunist party			34	5.6
Romania postcommunist party	(66)	28	21	37
Romania anticommunist party		20	30	5
Romania anti-system party (GRP)		3.9	4.5	19.5

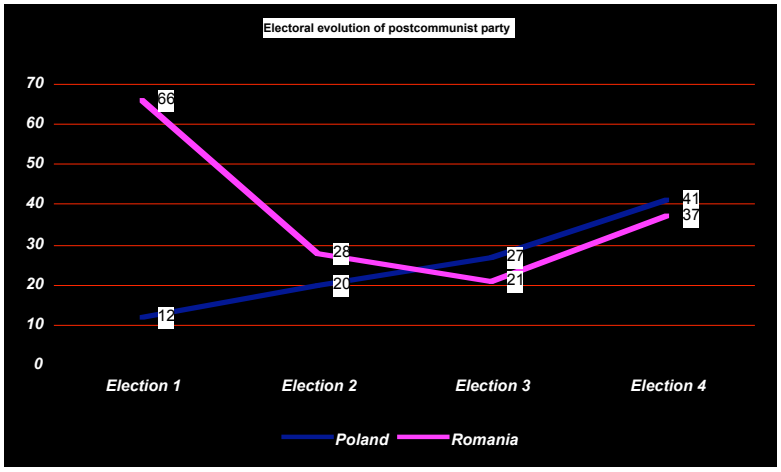

Figure 1. Electoral evolution of main postcommunist party after 1989

The dynamic of the electoral performance of the two postcommunist parties is strikingly different, although their current performance is nearly identical. The Romanian postcommunist National Salvation Front was created out of ad-hoc revolutionary structures by a group of former Communists, Ion Iliescu (self appointed provisional president) and Silviu Brucan (former strategist of Romanian Stalinism, later an opponent of Ceausescu and a supporter of Gorbatchev). Initially it included everybody who seized a position in the first days of the Revolution; in cities which had seen popular uprising, this did not mean Communists at all; in quiet provincial Romania it was second rank nomenklatura. Identified with the Revolution and having a monopoly on the over-powerful state TV which had practically hosted the whole Revolution they won by a landslide (66%) a few months later, in May 1990: after this victory, the undisciplined, spontaneous leaders of the Revolution days were gradually pushed out. The two presidents of the elected Chambers, as well as the Head of the State were nomenklatura characters: the government, more reform-minded, was sunk a year later by the miners with the informal agreement of President Iliescu. The NSF split in early 1992: the reformers followed former PM Petre Roman, the conservatives stayed with Ion Iliescu. The latter's faction split and consolidated in a party which was openly Communist conservative, and which won elections by a narrow margin in 1992. To govern it allied itself with two other postcommunist parties, more nationalistic, and since 1992 to 1996 they completely stalled privatization and property restitution. After temporarily being ousted from power between 1996 and 2000, they collected after their 2000 victory most of the remains of their former allies, including figures banned at the beginning of the transition, such as Ceausescu's official Court poet, Adrian Paunescu, who nowadays dominates all political talk-shows on both state and private television. In short, the party grew increasingly postcommunist from what has initially been a loose collection of adventurers, opportunists and former Communist figures. The design of their power grab and consolidation is closer to the Bolshevik Revolution and its tactic arsenal, ranging from conspiracy, use of police and popular guards than to the quiet, non-violent liberalizations and emancipations form neighbouring countries.

Quite to the contrary, the Polish party started by giving away power during the roundtable, through a compromise formula suggested by the young bright nomenklatura member Alexander Kwasiewski. Solidarnosc crashed them in the first elections, but as they have reserved seats they maintained a presence until the next completely free round of elections. Meanwhile, they proceeded to substantial reform, turning into a social-democratic party, cutting with the past by every means. In the second round of elections they had grown from 12 to 20% and had gained

political acceptability, while their anticommunist fractious opposition had problems in institutionalizing a unique party or alliance. Their first return to government completed the appraisal of public fears, as they proved indeed that little policy distance was separating them by that time from their opposition. After a new switch brought another, even more fractious and unstable anticommunist alliance to government, the Polish former Communists won by a landslide in the fourth round of elections, and recorded an excellent performance on European negotiations. As analysts of the postcommunist performance have noted, the degree to which nomenklatura had convertible skills for the new environment of electoral competition and technocratic government is the best indicator of the degree of transformation of the postcommunist party[6]. Clearly the Polish Communist leaders, with a tradition of internal pluralism and patriotism were far better prepared to build a modern social democratic party than the ruthless Romanian leaders who had put up with Ceausescu's practices until the last moment. The public distrusts parties and Parliaments in both countries (see Table 4).

The examination of the judiciary scores keeps the distance between the two countries in favor of Poland. In 1998, a Council of Europe comparative report on reform of the judiciary in Eastern Europe[7] praised the Romania and Bulgaria system of appointing judges, while expressing reservations towards the Polish one, much too dependent on the executive up until the passage in 1997 of a new Constitution. If there was a formal difference in the organization and functioning of the judiciary in 1998 between Poland and Romania it was rather in Romania's favor. Coders felt, however, on the basis of anecdotic evidence (as such realities are seldom documented properly) that justice is dispensed in a fairer manner and politicization of the judiciary is lowest in Poland than in Romania. The burden on the Courts in the two countries differed enormously during transition: while the Polish courts had as main task just their gradual improvement and replacement of Communist legislation practice with new one, the Romanian ones were flooded with over one million property trials over property restitution, due to controversial policies in this respect between anti-communists and post-communists and the tremendous amount of property to be restituted. Trials are lengthy in both countries, but Poland moved ahead of Romania in changing procedural codes from the Communist times. Other rankings of the judicial process,

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[6] See Anna Gryzmala Busse, "Political Parties and State Politicization in East Central Europe", paper presented at the Annual Meeting of the American Political Science Association, august-september 2001, San Francisco

[7] Sergio Bartole, 1998, "Alternative models of judicial independence; Organizing the Judiciary in Central and Eastern Europe" in *East European Constitutional Review,* Volume 7, Number 1

such as EBRD's, come close to the *Nations in transit* scores. What they tend to emphasize are expectations towards the performance of judiciary of the businessmen or ordinary citizens rather than formal organization or constitutional arrangements. Those are fairly good in both countries presently. But the likelihood that justice gets delivered promptly and fairly is indeed lower in Romania than in Poland, and there is a consolidated social representation of the public to this regard. The trials related to the Romanian Revolution have lagged for years in the Courts: when in 1999 the first two generals were sentenced for having ordered to fire on demonstrators back in 1989, the top Army officers defended them publicly, and the post communists who returned to power a year later were quick to attack the sentence and let them loose. In 2003 only did a Court manage to sentence two former police officers who had killed by torture a man in late Ceausescu times for the only fault of keeping a private diary where he criticized the regime. The police, however, was unable to arrest them and they are still loose. The trust in Courts is equally low in the two countries, with only 15% of the Poles and 19% or the Romanians trusting them.

Table 4. Trust in state and government

	Parliament	Parties	Courts	Police
		(% trusting)		
Bulgaria	26	25	24	31
Czech Republic	20	21	34	40
Poland	20	8	15	21
Hungary	16	14	36	29
Romania	13	9	19	36
Slovenia	10	8	26	24
Estonia	10	8	26	30
Lithuania	9	8	16	19
Latvia	8	7	24	27
Slovakia	8	9	15	26
(New Europe mean)	(14)	(12)	(25)	(28)
Russia	7	7	23	13

Source: Centre for the Study of Public Policy New Europe Barometer (2001) and New Russia Barometer (2001). Trust: persons give institution a rating of 4 to 7 on a seven-point scale.

The difference is preserved when comparing media scores. The 2002 Freedom House scores shows problems in Romania, which ranks 35, the border under which the press is only partly free being at 31, while Poland with 18 falls clearly in the free area. Such scores draw on the numbers of reported incidents, so the more negative incidents the more they go up. By contrast, *Nations in Transit* scores are process oriented and they follow more the extent to which already known problems are addressed and solved. On both accounts Romania does much worse than

Poland, which is clearly not what shows up in the European Commission regular reports, where the media in both countries is considered free.

Unlike Romania, Poland had a large underground press prior to 1989: but the Romanian print press was also in domestic private hands fully as early as 1991, and the electronic media is equally developed in both countries, with hundreds of radios and local TV networks. The only issue is the independence of state broadcasting. Scandals in this regard have plagued both countries surveyed, with the sacking of top executives a common practice. Before new broadcasting laws were passed, the appointment of public television management was the job of government, in Romania, or the president, in Poland. In Poland, the president of the board was fired in 1994 by Lech Walesa, and later the President of *Polish Television* (PTV) and his entire management board were dismissed in 1996. Despite the fact that no legal provision stipulates such practice, in Poland the Broadcasting Board appointed a politicized Television Board that then divided the five positions of the Management Board among the parties. In Romania, the state TV praised the miners, shut out anticommunist protesters, relied heavily on Ceausescu times characters and in 1996 when post-communists finally lost elections it informed its viewers that they actually had won. The Romanian Parliament was unable to appoint a board from 1994 until 1998, and the division of seats among political parties in 1998 granted for the first time a share to fascist Greater Romania Party. As parliamentary majorities reflect the same political interests as governments, and politicians are united in protecting their class from media criticism passing the authority over state broadcasing from the executive to the legislative does not change much. While some analysts consider this situation to be simply a leftover from Communist times, it would hardly be surprising that actors behave differently as no real accountability mechanisms exist. Similar situations in Spain and Greece demonstrate that the use of public service media as a political instrument outlasts 'transition'. The Italian model of *lotizzazione* (dividing influence over TV networks among political parties) dominates the formal and informal arrangements in both countries, with new broadcasting boards reflecting the composition of the Parliament, with no room for civil society or public interest as such. However, both countries have a large private media which should theoretically provide good opportunities to criticize the government.

Why, then, rate Romania so much worse than Poland? The overall press environment may provide some answers. The overall readership is far higher in Poland, a country where the best sold newspaper, Gazeta Wyborcza, is still run by former dissidents, and the print press is dominated by broadsheets; the best sold Romanian dailies have a much lower circulation, controlling for the population size, and they are tabloids. Anticommunist journalists dominate the Polish media authoritatively, while the Romanian one is managed mostly by a generation of

former Communist media executives. But both are free, so regardless if the Romanian tabloids endorsed Milosevic during the Kosovo war, while the Polish newspapers endorsed NATO, this differences are about the quality of elites and their values, not really about democracy, no matter how defined. As the Polish economy is both larger and has done better in the last decade, the Polish media is far richer than the Romanian one: hidden debts and manipulation of advertising are widespread in Romania, making its media far more vulnerable.

The style of newspapers in both countries is different from the Western media: no political correctness is at work in Eastern Europe, slander being the norm rather than the exception; violent campaigns abound and the Courts handle with difficulty such cases. Poland is only to a limited extent more civilized than Romania in this respect, though its press is still far from the Western ideal: however, is violent language in the free press an indicator of democracy? As early as the 1930s, Hugh Seton Watson[8] remarked that the main task of East Central Europe is to raise the quality of its public expression, and educate not just students, but journalists, opinion leaders and all those who have a public voice. The disappearance of censorship seems to have meant a return to free expression, indeed one unrestrained by any norms of decency, respect towards the truth or readers, where propaganda and defamation reign supreme. The governmental intervention operates through informal channels, through restructuring bad debts of media companies or pressuring that critics do not get invited at TV shows; but not only. In 2001 the Romanian police, following political pressure, arrested a couple who had distributed over Internet a material attacking the Prime Minister and tried to charge them with conspiracy. Only public outrage, from the BBC to the European Commission, made them return on their steps and eventually set them free with no charges a few weeks later. If the Romanian opposition parties and the media had not been active during those weeks it is unlikely the government would have given up prosecution of the two young men on grounds of attacking the Prime Minister in their Internet manifesto. In a similar case in Poland, a journalist who had published an untruthful story on Kwasniewski dating a KGB agent was judged without being arrested at all, in a civil, not a criminal court; the judge proclaimed untruthful the article, but the journalist was not asked to pay the required damage, and the sentence even included a few lines warning politicians, in a style closer to American Supreme Court than European tradition that they have to put up with harsh criticism as part of their condition as rulers.

The performance of the state apparatus or bureaucracy is again comparable. Romania ranks consistently worse than Poland in corruption tops, and 20% more Romanians that Poles believe their

[8] Hugh Seton-Watson, 1962, *Eastern Europe between the wars 1919-1941*, Hamden Connecticut, Anchor Books

civil service is fully corrupt. The work of the World Bank in both countries from researching corruption to pushing for national strategies against it seems carbon copied, but important differences arise if we examine sector by sector the situation. Romania's banking system was nearly crippled by bad state bank loans to clients of PSD by 1996, requiring a massive intervention by the new government to bail out the whole banking system. Poland had a number of corruption scandals, but she was never on the brink of national disaster because of state capture. Petty corruption, the companion of administrative ineffectiveness, is a degree more widespread in Romania, though it remains a serious problem in both countries: Transparency International rates Romania 2.6 and Poland 4 on its scale in which 0 is the most corrupt and 10 the least.

The review of *Nations In Transit* scores establishes without much doubt that the distance between the formal and informal arrangements is greater in Romania than in Poland. The successors of the Communists behave far more democratically in Poland than in Romania; the state bureaucracy and law enforcement agencies are clearly more autonomous in the former than the latter. Abuse of power even from the democratically elected, Solidarnosc hero Lech Walesa led to his desertion by democrats and consequent ousting from power; far worse behavior by Ion Iliescu, a man with no merit in changing the regime, received the tacit approval of voters, leading to his victory three times in elections, and making him the dominant political figure over most of the transition. Despite his first ruthless campaign, Ion Iliescu had, however, some public backing: in the end one could hardly challenge his victory as being obtained through undemocratic means, and when he lost elections in 1996 he retired into opposition despite widespread fears he would try to mount a coup. The public of both countries, however, perceives more the similarities than the differences: institutions are distrusted by similar percentages (see Table 4). The challenge then becomes explaining the causes leading to the differences in quality between the Romanian democracy and the Polish one, despite the fact that procedurally both are consolidated democracies inhabited by unsatisfied and to some extent inconsistent democrats.

3. Explaining the difference

Explanations of the difference in the democratic performance of regimes, in general as well as for postcommunist Europe, can be grouped in three categories of factors:

- Modernization determinants (preconditions of democracy)
- Authoritarian legacy determinants (in this case Communist)
- Institutional determinants (choices post 1989)

The three categories have all their champions. The third is said to be determined by the first two, but also, if one is an adept of the 'new institutionalism' perspective, institutions once adopted, either through imposition (the East Germany case), imitation (Central Europe) or power bargain (CSI, SEE) will eventually shape society in their turn, modifying the 'preconditions' for democracy. Let me examine in depth each of the three categories of factors.

- **Modernization Legacy: Rural Societies**

Politics in rural societies, where both Romania and Poland belong, looks usually spectacular. As a ground rule, it contains a fair amount of coups and aborted revolutions, grand reforms and brutal assassinations. If observed over a longer time span, however, it generates an almost unbearable feeling of monotony. As the author of *Il Gattopardo* observed sadly on rural 19th century Sicily, everything has to change radically only in order to stay basically the same. Coups change only the person of the dictator; assassinations prove sooner or later to have been needless. Cities always push ahead for reform; rural areas pull back to stagnation. Who rules the rural, rules the country, in the inspired formula of Samuel Huntington[9]. Even the change of regimes, despite managing to produce considerable suffering, does not modify the essential constraints under which every government will operate sooner or later. The state is weak, the society strong, living alongside formal rules an existence of its own.

This strong correlation between democracy and peasantry rests with the historian Barrington Moore jr[10], who saw the non-repressive commercialization of agriculture- the creation of farmer agriculture- as a foundation of democratic development. The remarkable resistance of peasant societies to change and progress has traditionally been explained by two different sets of causes. On one hand, blame was laid on the peasant culture. Peasants, described by anthropologists in the 20th century, emerged as passive, collectivistic, envious, fatalistic and distrustful creatures, clearly not the material democrats are made of[11]. Politicians held similar negative conceptions on peasants; most modernizers, from the liberals to Vladimir Ilici Lenin looked upon peasants as to the ultimate obstacle to social and economic progress. The second

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[9] see Samuel Huntington, 1956, Political order in changing societies, Yale University Press, New Haven, p *292*

[10] see Barrington Moore, 1966, *Social origins of dictatorship and democracy: Lord and peasant in the making of the modern world*, Beacon, Boston

[11] see Robert Redfeld, 1955, *The Primitive World and Its Transformation*, Cornell University Press, Ithaca and Robert Redfeld, 1956, *Peasant Society and Culture,* University of Chicago Press, Chicago; also George M. Foster, 1965, 'Peasant Society and the Image of Limited Good'. *American Anthropologist*. 67:2 and George M. Foster et al, 1967, Peasant Society. A Reader, Little Brown, Boston

view, based this time on studies from the Third World, not postcommunist Europe, was motivated by the need to explain why peasants do not revolt against the oppressive regimes ruling over their lives. Conclusions of these studies were kinder to peasants, seen more as non-consenting victims than volunteer contributors to the conservative order of things. Especially in a Latin American context, the rural upper class was identified by scholars as the central political opponent of democracy[12]. Oligarchs, usually landowners, are said to hold peasants captive, as their autonomy is too limited to allow the expression of their true political values. However, they resist their captors through a variety of everyday resistance forms[13]. Foot dragging, gossip and stealing are no longer, in this view, expressions of the peasant character, but manifestations of protest when no other forms are available. The values of the peasants are therefore not conservative: peasants vote for their conservative landlords because they are given no real choice.

In post-communist Europe as well, the two sets of explanations have also their champions. Clearly, the post-communist agrarian social and class structures are different from both the "junker" and the "farmer" models that formed the context within which this thesis was developed. Large-scale mechanized but collectivized landholding, and the uncertain transformation of property relations since the fall of the old regime, have produced rural social structures which diverge considerably from Latin American models. Poland, which was largely not collectivized, remains the grand exception, but decollectivization seems to have produced similar patterns everywhere in Eastern Europe: a return to family plots and subsistence farming, a 'peasantisation' of urbanites who become unemployed and resort to agriculture on their recuperated lots[14] and a drastic fall of production as household consumption, not commerce, becomes the main use for crops. Even n Poland, which has the highest property size on the average, peasants have been acting against liberalization of the economy, demanding high subsidies and fearing the competition from the European Union. As for Romania, the country with the highest percentage of peasants from the new would-be EU members, its peasants are mostly subsistence farmers, who since 1990 voted consistently with Ion Iliescu and the postcommunist party and had no other political participation. In short, there is some evidence to show that peasants of postcommunist Europe behave similarly to peasants elsewhere, and the differences among countries such as Poland and Romania may be explained by the different

[12] Guillermo O'Donnell, 1978, 'State and alliances in Argentina 1956-76', in *Journal of Development* Studies, 15, 3-33
[13] James C. Scott, 1986, *Weapons of the Weak: Everyday Forms of Peasant Resistance*, University Press, Yale
[14] Pamela Leonard and Kaneff, Deema, 2002, *Post-Socialist Peasant?,* Palgrave, London

numbers of peasants, a legacy of development from pre-Communist times (see Table 5). The other explanation, pointing to the informal institutions of the countryside as supportive of a model of abuse of peasants by predatory elites was far less explored[15]. Such approaches emphasize that not only the 'values' of peasants, but the formal and informal arrangements, old and recent, contribute to the voting behavior of the peasantry as well as to their political attitudes. Attitudes, in their turn, support these formal institutions, by not rebelling against them. This vicious circle creates a veritable 'black hole' of accountability in subsistence farming areas, where rules from the more modern urban areas do not apply in the countryside. The towns split their vote among parties and are influenced by electoral campaigns. The villages vote as ground rule for the postcommunist party, or as they put it, 'for the state' meaning the local state captors.

Table 5. Modernization legacy

	CZ	***ES***	***HU***	***PL***	***SL***	***BU***	***LV***	***LI***	***RO***	***SK***
% of workforce in agriculture	**5**	**7**	**6**	**19**	**10**	**27**	**15**	**17**	**44**	**6**
GDP/capita adjusted by purchase power parity PPP - % EU	**57**	**41**	**51**	**40**	**69**	**28**	**29**	**38**	**25**	**48**

Data for 2001. Source: Eurostat

Figures are indeed telling when we compare modernization legacies of Romania and Poland (see Table 5). Romania has twice the number of peasants Poland has, and most of the group is made by subsistence farmers who recuperated their lands after 1990 and still have an unclear property status (they could not sell it legally until 1999); Poland has a very small percentage of subsistence farming, the rest of its peasants being farmers who live out of selling their products. GDP per capita is nearly double in Poland (40) compared to Romania (25), and ample evidence exists that prior performance, therefore legacy of development is accountable for most of the current economic performance[16].

- **Communist Legacy: Building Neo-Dependency**

We have already outlined the differences between the Romanian and Polish histories during Communism. While the Poles printed tens of thousands of copies of their underground magazines even during the martial law, in 'normal' 1989 Romania a manifesto could not be hand-copied

[15] Kenneth Jowitt, 1993, Social Change in Romania.1860-1940, University of California, Berkeley; Alina Mungiu-Pippidi and Gerard Althabe 2003 , *Deux Villages*, L'Harmattan, Paris

[16] See Valerie Bunce, 1999, 'The Political Economy of Postsocialism', *Slavic Review* 58: 756-794 and Kitschelt, H., 'Post-Communist Economic Reform. Causal Mechanisms and Concomitant Properties', Paper prepared for the 2001 Annual Meeting of APSA, 2000. www.pro.harvard.edu

more than three times without the police breaking in. Beyond the sultanistic tendencies emphasized by Linz and Stepan, the Ceausescu regime was an orthodox Communist regime. By 1989, as editors in a liberal students magazine, which spent most of the year being forbidden to print we received monthly new lists of forbidden topics and words. The regime has stretched far in its dream of absolute control: we were asked to self-censor our texts from any aesthetical and abstract tendencies and stay grounded in the simplest realism: indeed words such as 'abstract', or 'spiritual' were forbidden in any context. Censors no longer cut at that stage: they simply turned the articles down and the authors themselves had to learn the exercise to write acceptable things, even in literary reviews. This cannot compare to Poland, where a lively literary life has produced independent minded magazines (like the famous Pro Postu) and fueled a continuous debate. Any stand was forbidden even in the Romanian literary press by the eighties, so you could not even write in a review if a book was good or bad. A few years only before the fall of the regime, while in Poland the martial law was decreed as an open acknowledgement that the Party could no longer control the society and the Army had to step in to prevent Soviet intervention, in Romania totalitarianism went further and deeper, with the decree of a new mass organization to include all those previously non-included: pensioners, trade union members who were not party members, peasants, everybody was to become a member in the new Socialist Front of Unity and Democracy. As the party numbered already 4 million members, the highest in Eastern Europe per capita (three times more than in Poland) this shows an ambitious grand design which went further than the sultanistic model. A comparison of the extent to which the Communist states were able to modify their societies (Table 6) shows that while in Poland we do have the repression and nationalization common to all Communist states, the will force of the Party stopped short of controlling the society, while in Romania it was fully able to change it, mostly after the Soviet model. This included the forced urbanization, the destruction of villages under the slogan of 'systematization' in the late eighties, and a huge recruitment of collaborators. Two networks of informants operated alongside each other, one of the secret service (around 400 000 paid informants) and one of the Party for Party members only (one in eight, so roughly half million people). All these were in same time above the law, enjoying privileged access to the scarce resources of the society. As a ground rule, recruitment took place especially amongst the most educated, another powerful explanation in accounting for the post-1989 difference in quality between Romanian and Polish political elites.

Table 6. Communist legacies

	POLAND	**ROMANIA**
Destruction of economic autonomy		
- nationalization of industry	Total	Total
- nationalization of services	Partial	Total
- collectivization	Failed	Total
Destruction and replacement of elites	Partial	Total
Manipulation of social conflict	Yes, limited by autonomy	Yes, unlimited
Manipulation of life style	Limited	Important
Mobilization and co-optation	Limited Party membership around 6%	Important Party membership around 18%

Ironically, rural and communist societies share therefore a certain remoteness from the legal rational type found even in pre-modern societies on their way to capitalism. Both have unpredictable patterns of distributing social and legal rights from a rational standpoint, but fairly predictable for whoever is acquainted with the patterns of authority which generate unwritten rules of the game. *The widespread political behavior in such contexts becomes therefore 'survival', understood as the quest to belong to the 'right' status group*, *the group well connected with the source of power and privilege, as benefits are centrally distributed still, be they pensions or land.* This model was labeled as 'neo-traditionalist' by Jowitt[17]; I prefer to call it 'neo-dependency', as political dependency, which creates captive constituencies such as the peasants or pensioners, has a more complex determinism.

- Institutional Choices

As we have already discussed in the first section of this paper, there are few 'pure' political institutions differing from Poland to Romania. Who would just look at the Constitution (both semi-presidential regimes), electoral systems (variants of proportional) or organization of the judiciary could not understand while the two differ so strongly in performance. There are however some less obvious institutional choices which prove radically different in Romania than Poland, and those influence politics greatly without being openly political. These concern

[17] Jowitt, K, 1993 *New World Disorder*, University of California Press

property restitution and privatization, in other words, the political will to create an autonomous society fast, rather than keeping the old dependency model. In Romania there has not been enough such political will in the past twelve years. In Poland even the Communist party has accepted the idea to a considerable extent. The policy distance between incumbent and challenger elites was far smaller in Poland, and more generally in central Europe, than in Romania, Bulgaria or CIS. The more elites agree on essential issues, such as the manner of handling the Communist heritage, notably property, the smoother and faster the transition. The central European case is special because the consensus there was for a different regime from the onset of these transitions in 1989; and I would argue that this was so because the communist parties there had already exhausted the possibilities of reforming the former system; where they had not, because countries were closer to the totalitarian model, such as in Romania, they tried this in-between approach in the first years of the transition and failed. Therefore, the approach of post-communist parties to transition, more than the behavior of the opposition anticommunists- since all behaved the same- matters a lot more in explaining the success or lack of success of a political transformation.

Let me now test these factors together, to the extent this is possible. To do so, I use as proxy for the democratic performance the number of democrats, so of individuals agreeing that democracy is the best system despite shortcomings. This is an indirect indicator: but has the great advantage of not being a fabricated one. People like or not their democracies to the extent their regimes perform to deliver the public goods expected, and this makes this indirect indicator at least fair for the test. I use three samples, all from World Values Survey 1995: Romania separately, Poland separately, and accession countries together (pooled sample). As to the independent variables, while trying to be parsimonious as well as covering all the grounds, I test besides the usual status items (age, wealth, education) the 'modernization' legacy (rural versus urban), the 'cultural' factor (religion, controlled by religious practice), the 'dependency' factor (active versus inactive, state-dependent population, as well as beliefs that the state rather than the individual is responsible for one's welfare) and finally perception of governance (how spread is corruption to the public sector). The final models in Table 7 show results.

Table 7. Determinants of democratic attitudes

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Independent variables	POLAND	ROMANIA	ALL	Wording and scales
Rural	.131***	.058*	.091***	(1 village to 8 city over 200 K)
Active	.056*	.121***	.091***	(Employed fully or partly. student 1. else 0)
WEALTH	.092***	.053*	.101***	Subjective evaluation of welfare from 1 to 10
RELIGION		--	ns	Scale based on likelihood denominations correlate with democracy. according to Huntington; Muslim 1. Orthodox 2. Catholic 3. Protestant 4
CHURCH ATTENDANCE	ns	n s		From 1 weekly or more often to 7 never
AGE	ns	ns	-.030*	No years
EDUCATION	.259***	.070**	.091***	Age when finished school
STATE RESPONSIBLE VERSUS CITIZEN RESPONSIBLE	--	--	.089**	Scale from 1 to 10 with individual responsibility ten
SUBJECTIVE CORRUPTION		.133*** (model2)	.105***	Scale from 1 to 4 with 4 perceiving most corruption in the pubic sector
CONSTANT			1.80** (.080)	B (Std error)
NO	1153	1239	8559	
ADJ. Rsq	13.3	5.8 (6.7)	6.9	

Legend: OLS regression models with dependent variable democracy best system of government despite shortcomings, with 1 minimum agreement and 4 maximum; Year of polling 1995 for World Values Survey. Pooled database includes Hungary, Czech Republic, Poland, Romania, Croatia, Slovenia, Slovakia and Bulgaria. Values are 'beta' standardized coefficients unless specified otherwise.
*** significant at 0.1% ;** significant at 1% * significant at 5%.; ns- non-significant item

There are no great differences between the determinants of democratic attitudes between the three samples. Therefore, democratic attitudes are more likely in the following circumstances:

- An individual is not dependent (not a recipient of pension or unemployment aid) and holds the belief he is responsible for his own fate, not the state (of course, one is a predictor for the other as well); also if one is more educated and wealthier (again, the two are correlated, but also have independent effects);
- An individual resides in the urban rather than the rural area;
- An individual is critical towards governance and perceives the administration as corrupt.

Cultural factors, such as denomination, with controls for church attendance, did not influence significantly one's propensity to be a democrat.

Conclusions

The distance between formal law and informal behavior does emerge as an important indicator of successful or less successful democratizations. In its turn, it is dependent on three major factors: the degree of modernization before communism in these societies; the depth and penetration of the society by the Communist regime, and finally the political will of governments during transitions to identify this problem and trace their specific heritages. Poland, with its early anticommunist victory, reform of post-communists and double switch in government, is dong far better than Romania which had unchecked and unchallenged post-communists in charge of most of the transition. Quality of political elites, media and competitiveness of political life emerge as crucial factors in having accountable democracies.

The puzzling lack of importance of formal political institutions may seem surprising. It is not: Eastern Europe as a whole was swept by the anti-Soviet, anti-communist demonstrations of 1989, and most Western institutions were adopted by imitation only (in Eastern Germany it was imposition), as the Communist ones (one party systems) had been rendered obsolete. But some of the old institutions left a strong legacy (collective farms) or are still there (most of the legal procedures), while some of the new have not gained roots so fast. 'Quality', as the most likely 'fair' and 'open' behavior from state, elites and individuals alike, emerges of a far more complicated framework than just the endorsement of democracy in surveys or a liberal Constitution. Figure 2 tries to capture the subtle deterministic links between past and present, formal and informal institutions, as well as attitudes and belief systems.

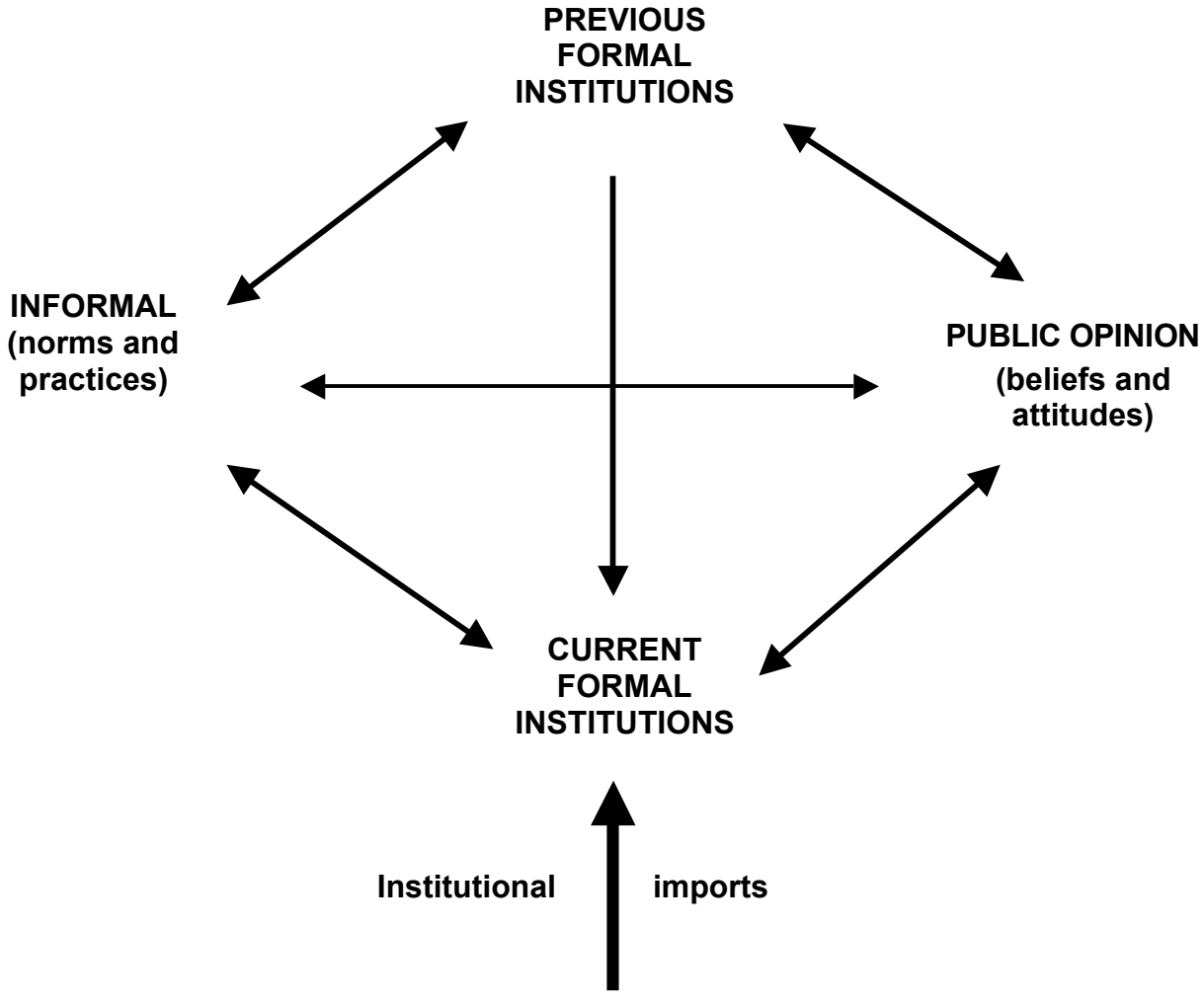

Figure 2. Understanding institutional change

History must have been really good for a given society to arrive at the point were perfect coincidence exists between formal institutions (which are also the 'right' advanced democratic ones), norms and practices (which usually, as Douglass North noticed aptly, reflect in times of sudden change more the former formal institutions than the current ones, as people are bound by habit) and the 'right' attitudes (people are willing eventually to accept less gains for themselves in order to be fair to disadvantaged groups). Such cases of organic evolution of institutions and culture are in the history of the world the exception rather than the norm. These fortunate places–Britain, Scandinavia, Switzerland- have indeed democracies of wonderful quality. But they also have *societies* of similar quality, and those explain most of the difference, not the pure democratic factors themselves. Without the right texture provided by the historical organic evolution of any society as captured in Figure 2, any democratic design is just as a castle on sand: too light to matter. Of course, some countries and historical times are lucky enough to have beaches temporarily sheltered by waves, giving more times to constructors to build solid foundations, and this is the case of Romania and Poland. However, as Milan Kundera would have put it, there is an unbearable lightness to democracy: only after you have it you realize how many other things are needed for a democratic regime to provide life quality to its citizens.