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HOW DIFFERENT IS THE "NEW EUROPE"? PERSPECTIVES ON STATES AND MINORITIES

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Abstract

The new members of the European Union have embraced many characteristics of the Union's older members. In respect to what might be described as conceptions of the nation, one senses persistent differences. These come out most apparently in attitudes and policies towards both traditional and immigrant minorities. The new EU members have displayed extreme reluctance to countenance state-wide multilingualism, federalist arrangements, or, indeed, any form of territorial autonomy for historic minorities, in contrast to recent accommodation patterns in the old EU. The article argues that this reluctance may be attributed to state fragility, historically founded on the relatively brief and, in most cases, interrupted statehood of the new EU members.

The article further suggests that isolation in the Communist period and the absence of an overseas imperial legacy have left the new EU members without the experience of a non-European minority immigrant population. As a result, these countries' sense of national identity has not yet been challenged by the need to position themselves vis-à-vis non-Europeans. In the face of such inevitable future challenges, these countries may be expected to resist multicultural claims and to re-affirm their commitment to national homogeneity thus demarcating themselves further from older EU members.

This article proposes to inquire into some key historical differences between the "old" and the "new" members of the European Union — that is, those who joined the EU in May 2004 and in January 2007 – with particular reference to the status of and attitudes towards minorities, primarily historical national minorities but also new immigrant minorities, in the "New" Europe.

The new members of the European Union have embraced many of the values of the Union's older members. They generally share a commitment to regular elections, constitutional arrangements, market mechanisms, personal mobility, consumer culture. Whatever malfunctions arise in these areas, it may be retorted that these malfunctions are not always or entirely alien to the older members of the Union and that discrepancies between the older and newer members are only ones of degree. In other respects, however, notably in what might be described as conceptions of the nation, one senses persistent and substantial differences between what the unregretted

Donald Rumsfeld referred to as the "Old" and the "New" Europe.¹ These differences come out most apparently in attitudes and policies towards both traditional and immigrant minorities.

With regard to traditional minorities, the new EU members have displayed extreme reluctance to countenance state-wide multilingualism, federalist arrangements, or indeed any form of territorial autonomy for historic minorities, in contrast to recent accommodation patterns in the old EU. This article suggests that this reluctance may be attributed to perceptions of state fragility, historically founded on the relatively brief and, in most cases, interrupted statehood of the new EU members.

With respect to immigrant minorities, one of the most striking differences between the societies of the "Old" and "New" Europe lies in their relative experience of a non-European immigrant population. Isolation in the Communist period and, more enduringly, the absence of an overseas imperial legacy mean that these countries' sense of national identity has not been challenged by the need to position themselves vis-à-vis former colonial peoples or alien cultures.

This article will attempt to develop the claims made above and to present some evidence on their behalf. It will do so by comparing a number of significant variables relating to state construction, state organisation, state policies with respect to language, state experience of expansion, and state permeability with respect to overseas migration. The article concludes that differences between the "two Europes" are deeply anchored in differing historical experiences and that these differences find their expression both in existing institutions and in contemporary values relevant to minority-majority relations,

The Literature

There is a significant literature suggesting that the historical experience of the new EU members, even before the division of Europe after 1945, ran along separate lines from those of most European states further west. Scholars have made this point in various ways. The English Marxist, Perry Anderson, argues that a fundamental division within the continent lies in varying experiences of serfdom. At the time when serfdom was disappearing in Western Europe it was being recreated, in a process known to historians as a "second serfdom", in Central and Eastern Europe. The absolutist state that emerged in early modern times compensated for the disappearance of serfdom in the West; further to the East, it consolidated serfdom.² Sociologists and political scientists of a historical bent, such as Andrew Janos, have identified the peculiarity of a region, largely corresponding to that of the new post-

¹ Steven R. Weisman, "U.S. Set to Demand that Allies Agree Iraq is Defying U.N.," *New York Times* 23 January 2003.

² Perry Anderson, *Lineages of the Absolutist State* (London: Verso, 1979).

communist members of the EU, in its vain long-term attempt to modernize and catch up with the West.³ E. Garrison Walters specifically posits "Otherness" as the fundamental trait of this region in his fine historical survey and Larry Wolff has read this "otherness" back into the intellectual history of Europe.⁴ In partial contrast to such radical demarcation (but in stark contrast to clichés about "one Europe"), a number of other scholars have located the specificity of the area that Donald Rumsfeld has been pleased to call the "New" Europe in its intermediate or 'in-between' quality. "Eastern European conditions, but with defective Western-like structures", is how the Hungarian historian, Jenő Szücs, describes the second of his "three Europes".⁵ Though the "new" Europe may be one of three (or more) Europes, historians do seem inclined to revert to binary oppositions. With regard to varieties and experience of nationalism, for example, the multiple historical and geographical zones drawn up by Ernest Gellner and originally proposed by E. H. Carr are overshadowed by the thesis of two nationalisms: "civic" and "ethnic", or "Western" and "non-Western".⁶ This is Hans Kohn's classical thesis, formalized later by John Plamenatz. Much criticized by recent students of nationalism, it has proved tenacious when applied to Central and Eastern Europe.⁷

Late States

The first variable we shall consider in comparing the "Old" and the "New" Europe is that of state formation or the emergence and persistence in state form of the various members of the present European Union. Notwithstanding myths of state antiquity still prevalent in the "New" Europe and the indignant reaction which a comparison such as the one provided in figure 1 arouses, it is clear that modern statehood came late to the New Europe and this statehood has proven a fragile institution.

³ Andrew C. Janos, *East Central Europe in the Modern World: The Politics of the Borderlands from Pre- to Postcommunism* (Stanford: Stanford University Press, 2000). See also the seminal collection of essays in Daniel Chirot (ed.), *The Origins of Backwardness in Eastern Europe: Economics and Politics from the Middle Ages until the Early Twentieth Century* (Berkeley: University of California Press, 1989).

⁴ See, for example, E. Garrison Walters, *The Other Europe: Eastern Europe to 1945* (Syracuse: Syracuse University Press, 1988). On the historical construction of otherness, see Larry Wolff, *Inventing Eastern Europe: The Map of Civilization in the Mind of the Enlightenment* (Stanford: Stanford University Press, 1995).

⁵ Jenő Szücs, "Three Historical Regions of Europe. An Outline", in John Keene (ed.), *Civil Society and the State* (London: Verso, 1988). See also Szücs, *Les Trois Europes*, preface by Fernand Braudel; translated from Hungarian by Véronique Charaire, Gábor Klaniczay and Philippe Thureau-Dangin (Paris: L'Harmattan, 1985). A similar argument is made by Krzysztof Pomian, *L'Europe et ses Nations* (Paris: Gallimard, 1990), and in his article "Les Particularités historiques de l'Europe centrale et orientale", *Le Débat* 63 (January–February 1991). It is not only Central Europeans who make this argument as can be seen in Alan Palmer, *The Lands Between: A History of East-Central Europe since the Congress of Vienna* (London: Weidenfeld and Nicolson), 1970.

⁶ Ernest Gellner, *Encounters with Nationalism* (Oxford: Blackwell, 1997), chapter 2.

⁷ Hans Kohn, *The Idea of Nationalism: A Study in its Origins and Background* (New York: Macmillan, 1944); John Plamenatz, "Two Types of Nationalism", in Eugene Kamenka (ed.), *Nationalism: The Nature and Evolution of an Idea* (London: Edward Arnold, 1976).

Figure 1. Continuous Statehood

“Old” EU Members	“New” EU Members
<p><i>France (fifth century)</i> <i>Denmark (ninth century)</i> <i>Sweden (tenth century)</i> <i>Portugal (twelfth century)</i></p> <p><i>Spain (1492)</i> <i>Netherlands (1581)</i> <i>United Kingdom (1707)</i> <i>Greece (1830)</i> <i>Belgium (1831)</i> <i>Italy (1861)</i> <i>Luxembourg (1867)</i> <i>Germany (1871)</i></p> <p><i>Finland (1918)</i> <i>Austria (1919)</i> <i>Ireland (1922)</i></p>	<p><i>Romania (1878)</i></p> <p><i>Bulgaria (1908)</i></p> <p><i>Poland (1918)</i> <i>Hungary (1918)</i></p> <p><i>Cyprus (1960)</i> <i>Malta (1964)</i></p> <p><i>Lithuania (1991)</i> <i>Latvia (1991)</i> <i>Estonia (1991)</i> <i>Slovenia (1991)</i></p> <p><i>Czech Republic (1992)</i> <i>Slovakia (1992)</i></p>

At the outset of World War I, less than a century ago, only two of the new members of the EU existed as a state. One of these two states, Bulgaria, had become sovereign only six years before World War I. The other state, Romania, had been a state for a generation but it was to acquire a completely new configuration after more than doubling in size between 1914 and 1920. To be sure, at least three present-day countries had enjoyed independent statehood in the early modern period: Poland, Hungary and the Czech Republic (the latter once known as the Kingdom of Bohemia).⁸ Lithuanians and Bulgarians might argue too that they were once not only

⁸ The case of Hungary may be considered less clear-cut than that of Poland and Bohemia inasmuch as Hungary was treated, at least on a formal level, as a separate crown land by its imperial Habsburg

independent states but also extremely extensive ones. These states, which reached their apogee in the fourteenth century, belong, to the pre-modern period and have only a scant geographical relation to their present-day counterparts.⁹ This is even more the case for the legendary ninth-century Great Moravian Empire, which, by a considerable leap of the imagination, might be seen as the ancestor of present-day Slovakia.

In short, ninety years ago, three of the ten ex-communist new members of the EU had not experienced independent statehood in centuries and five of these had never known statehood or — in the debatable case of Lithuania and even more debatable case of Slovakia — had never known statehood in modern times. Five of the ten new members were to acquire statehood after World War I, but three (Estonia, Latvia and Lithuania) lost it for a period extending over half a century. The Baltic states' attempt to show continuity by reviving constitutions and citizenship laws from their previous existence has not proven convincing. Three others first became states after the fall of Communism. The very least that can be said is that statehood is a recent experience for these new EU members.

In contrast, at the beginning of World War I, twelve of the fifteen "old" members of the EU enjoyed well-established statehood. In some cases, the antiquity of these old members as states reaches so far back that it is difficult to set a founding date. When would one date the founding of the French state, for example? Even when one can set a specific moment — for example, the Act of 1707 joining England and Scotland and thus creating the United Kingdom — such presumptive accuracy is misleading; obviously, there was an English state well before the Act of Union. Even Italy and Germany, relative newcomers among the old EU states, could refer back to traditions of past statehood. They were formed around older core states, Piedmont and Prussia, and they had known at least two generations of modern statehood before most of the new EU members were established.¹⁰

sovereigns. Moreover, from 1867 to 1918 Hungary enjoyed considerable autonomy within the framework of Austria-Hungary. No one considered this to be full independence. See, for example, Ignac Romsics, *Hungary in the Twentieth Century* (Budapest: Corvina, 1999). One might argue too that Poland has only enjoyed continuous statehood since 1945 as the country was wiped off the map, as it had been in 1795, in 1939 notwithstanding the legal continuity provided by the wartime Polish government in exile until it was replaced by the Communist régime in 1945.

⁹ Or even linguistic relation in the case of Lithuania: The language of chancellery was a Slavonic ancestor of contemporary Belorussian.

¹⁰ Among the old EU members, Finland and Ireland are the most notable exceptions. They are, in many ways, like the new EU states but, for geographical reasons (in the case of Ireland) and for historical reasons (in the case of Finland), they have found themselves on the other side of the divide. Austria, difficult to define even in Habsburg times, is a particularly interesting case but one which I cannot pursue further here. On German traditions of statehood before 1871 see, for example, Joachim Whaley, "Thinking About Germany, 1750–1815: The Birth of a Nation", *New Series 66 Transactions of the English Goethe Society*, (1997), 53–71. On Italian traditions of statehood, restored by way of the communes as of the eleventh century, see Luigi Salvatorelli, *Sommario della Storia d'Italia* (Turin: Einaudi, 1938).

Does it matter that the new members of the Union have come into existence as states within living memory and that statehood has proven a sometimes transient acquisition? As we are already discovering, the recent and fragile character of their statehood has far-reaching implications for these countries' attitudes towards sovereignty and integration. A commentator has remarked pithily – and tellingly – that "the new EU states came into the Union to strengthen their nation state not to give it up."¹¹ Poland, whose national anthem begins, "Poland has not yet [sic] perished while we are alive", is only one of the countries experiencing doubts and a bout of nostalgia for its pre-EU past.¹² If Poland, by far the largest of the new EU member states with its population of nearly forty million, reminds itself that it may "perish", as, in fact, it did throughout the long nineteenth century. It is not surprising that smaller countries would suffer even more acute existential anxiety. This is what the highly-considered Hungarian intellectual, István Bibó, has called the "distress of the small states of Eastern Europe"—that is, anguish at the prospect of the disappearance of one's own people and country.¹³ Bibó was thinking of his native Hungary, long troubled by its linguistic and historic isolation in the area. His diagnosis is even more telling for those small new EU members — such as the three Baltic countries and Slovenia, whose combined populations are smaller than that of Greece or Portugal.¹⁴ One can hardly blame the new EU members for showing vigilance in regard to propositions, such as a European Constitution, that might be seen as limiting a recently acquired, often lost and always brittle independence. Brussels and the Union as a whole will simply have to cope with this reality.

While bearing such considerations in mind, from the point of view of our concern here, the salient consequence of late statehood is the assumption that the (recent) state is the instrument and the expression of the (pre-existing) majority nation. Whereas modern nationalism arose within already established states in most of the old countries of the EU, in the area of the new EU members, nationalism preceded statehood and led to state creation.¹⁵ The contrast lies between an historical

¹¹ Canadian philosopher John Ralston Saul, on "The World Today," BBC International Service, 10 June 2005.

¹² Nostalgia both for its Communist and its anti/pre Communist past. Viz. Karolina Slovenko, "Post-communism Nostalgia in Poland. Nostalgia for Polish People's Republic," *Change and Resistance* 2006/12 downloaded from <http://changeandresistance.blogspot.com> on January 10th 2008, and "A Swamp of Paranoid Nostalgia," *The Economist*, 5 July 2007.

¹³ István Bibó, "The Distress of the East European Small States (1946)", in Karoly Nagy (ed.), *Democracy, Revolution, Self-Determination* (Boulder: Atlantic Research and Publications, 1991), 13–69.

¹⁴ The considerations of size and demography underscoring Bibó's characterization of "small states" do constitute a factor. Most of the new EU states are small but, as we have seen, even the biggest, Poland, is anxious. As Wojciech Sadurski has put it wittily in commenting on an earlier version of this article, the Poles never liked the Marxist theory of the 'withering away of the state' because they were afraid their state would be the first to wither away. Readers of Tadeusz Konwicki's cult novel, *Mala Apokalipsa* will recall the haunting image of the Polish red-and-white flag becoming increasingly red as the hero wanders around late-communist Warsaw.

¹⁵ Hugh Seton-Watson, *Nations and States: An Enquiry into the Origins of Nations and the Politics of Nationalism* (Boulder: Westview Press, 1977), establishes this distinction as one between the "Old

experience where states created nations, as against one where nations created states. Moreover, this contrast imposes itself upon the chronological differences already discussed. The old EU states have had generations, even centuries, to carry out their "nationalizing" task, in Brubaker's sense of this adjective.¹⁶ The new states must undertake this task in conditions of urgency and weakness. If one accepts Ernest Gellner's definition of the modern doctrine of nationalism as the belief that political and national units should coincide, the old EU states consider this a description of their own past, whereas the new EU members see this definition as an injunction for the present and the future.¹⁷

Of course, the old EU states are not nearly as homogenous as their dominant national narratives would suggest: several have recently come to recognize this fact by pursuing policies of multiculturalism and setting up regional and federalist institutions (see below).¹⁸ The difference with the new EU states, however, is that the latter are the direct beneficiaries of the modern doctrine of national self-determination. These states have been created, in a burst of Wilsonian or post-Wilsonian idealism, for the express purpose of endowing a given nation, defined essentially in linguistic terms, with its own state.¹⁹ No wonder all of the inhabitants of the new EU member states see the state as the property of the titular, majority nation. The majority nation considers the state its own, and the minorities consider it as belonging to "others", identifying with it only in a negative sense or not at all.

Separate Languages

The recent and oft endangered statehood of the new EU countries affects not only attitudes but linguistic patterns. Language is a second key variable distinguishing the "New" and the "Old" Europe. Among the old EU countries, four are multilingual at the state level. Four others are multilingual at the provincial or regional level. Of the new EU members, only Malta and the anomalous case of Cyprus, neither of which

Continuous Nations" and the "New Nations". See also Andre Liebich, "Nations, States, Minorities: Why is Eastern Europe Different?" *Dissent* (Summer 1995), 313–317.

¹⁶ Rogers Brubaker, *Nationalism Reframed: Nationhood and the National Question in the New Europe* (Cambridge: Cambridge University Press, 1996).

¹⁷ Ernest Gellner, *Nations and Nationalism* (Oxford: Basil Blackwell, 1983), 1.

¹⁸ 'Old' Europe institutions, however, such as the pre-1989 European Community and the pre-1989 Council of Europe, saw no need to include minority questions in their purview and they tended, initially, to consider these a problem only for the East. See Andre Liebich, "Ethnic Minorities and Long-term Implications of EU Enlargement", in Jan Zielonka (ed.), *Europe Unbound: Enlarging and Reshaping the Boundaries of the European Union* (London: Routledge, 2002), 117–136; and "Janus at Strasbourg" *Helsinki Monitor* 10:1 (1999): 9–19.

¹⁹ Even the expressly multinational states, Czechoslovakia and Yugoslavia, sought to define a single state nationality. Inter-war Czechoslovakia recognized not 'Czechs' and 'Slovaks' but only 'Czechoslovaks', in part also to conceal the numerical strength of its German population. The Kingdom of Serbs, Croats and Slovenes soon (1928) abandoned that cumbersome name in favour of 'Yugoslavia'. Under Communist rule, 'Yugoslav' was promoted as a nationality (or nation, in the accepted usage).

belongs to the ex-communist group that interests us here, qualify as bilingual states, although Cyprus might be properly considered an instance of parallel monolingualism

Figure 2. Plurilingualism.

	State-wide trilingualism or bilingualism	Regional or provincial bilingualism
'Old' EU Members	<i>Belgium</i> <i>Luxemburg</i> <i>Ireland</i> <i>Finland</i>	<i>Spain</i> <i>Italy</i> <i>United Kingdom</i> <i>The Netherlands</i>
'New' EU Members	-- -- -- <i>Malta</i> <i>(Cyprus)</i>	-- -- --

In the new EU countries, the rule is the national language is the exclusive possession of that state. Although it may be spoken by minorities outside that state – such is the case most prominently for Hungarian but it is true, to a lesser degree, for other languages – only the eponymous state recognizes it as an official state language . "To each state one language, to each language one state," is the reigning principle.²⁰ Contrast this "isomorphism" of state and language with the case in the Old Europe where the national language in eleven of the twelve states (the exception being Finnish) is also an official language of at least one other country.

Reluctant autonomies

The specificities of state formation have introduced a significant third variable distinguishing the "Old" and the "New" Europe, that of internal autonomy structures. Three of the old EU members are federal states and six, possibly seven, are unitary states with broad regional autonomies.²¹ In contrast, all of the new EU members are

Figure 3: sharing languages

²⁰ Tomasz Kamusella has made the point that every Slavic country must have its own Slavic language; for example, instead of Serbo-Croatian, we now have Serb, Croatian, Bosnian, soon Montenegrin. This assertion is true for a larger area as we see here. Kamusella, "The Triple Division of the Slavic Languages: A Linguistic Finding, A Product of Politics or an Accident" IWM Working Paper no. 1/2005 (Vienna 2005) and "Poland: The Reluctant Shift from a Closed Ethnolinguistically Homogeneous National Community to a Multicultural Open Society," in Elena Marushiakova (ed.) *Dynamics of National Identity and Transnational Identities in the Process of European Integration* (Cambridge: Cambridge Scholars Publishing, 2008 *forthcoming*), pp. 1-25.

²¹ The seventh state is, surprisingly, France, where an emerging special status for Corsica defies centuries-old French traditions of centralization. With regard to the remaining states I have classified as unitary without autonomy, Stefan Troebst has pointed in discussion, correctly but whimsically, that the all-male monastic community of Mount Athos in Greece enjoys a special autonomous status.

Language	Official state language in EU	Official language elsewhere	<i>Language</i>	<i>Official state language in EU</i>	<i>Official language elsewhere</i>
English	United Kingdom Ireland Malta	overseas	<i>Bulgarian</i>	<i>Bulgaria</i>	
French	France Belgium Luxemburg	overseas	<i>Czech</i>	<i>Czech Rep</i>	
German	Germany Belgium Austria Luxemburg	Switzerland	<i>Estonian</i>	<i>Estonia</i>	
Italian	Italy	Switzerland	<i>Hungarian</i>	<i>Hungary</i>	
Portuguese	Portugal	overseas	<i>Latvian</i>	<i>Latvia</i>	
Spanish	Spain	overseas	<i>Lithuania</i>	<i>Lithuanian</i>	
Dutch	Netherland s Belgium	overseas	<i>Maltese</i>	<i>Malta</i>	
Danish	Denmark	Norway	<i>Polish</i>	<i>Poland</i>	
Swedish	Sweden Finland		<i>Romanian</i>	<i>Romania</i>	
Greek	Greece Cyprus		<i>Slovakia</i>	<i>Slovak</i>	
Finnish	Finland		<i>Slovenian</i>	<i>Slovenia</i>	

unitary states; none concede any regional autonomy at all.²² Even a Hungarian attempt in the mid 1990s to find grounds for favouring territorial autonomy (outside Hungary) in a Council of Europe recommendation was decisively rejected by the other parties concerned.²³ The notion of "indivisibility of territory", invoked with reference to post-Soviet conflicts, applies to the new EU members, though, mercifully, without the accompanying violence.²⁴

Figure 4. Type of State: unitary, quasi-federal, federal.

	Federal	Unitary States with Regional Autonomies	Unitary State
'Old' EU Members	<i>Austria</i> <i>Belgium</i> <i>Germany</i>	<i>Italy</i> <i>Spain</i> <i>Finland</i> <i>Portugal</i> <i>United Kingdom</i> <i>Denmark</i> <i>(France)</i>	<i>Luxembourg</i> <i>Ireland</i> <i>Sweden</i> <i>Greece</i> <i>Netherlands</i> ²⁵
'New' EU Members			<i>Poland</i> <i>Czech Republic</i> <i>Slovakia</i> <i>Hungary</i> <i>Lithuania</i> <i>Latvia</i> <i>Estonia</i> <i>Slovenia</i> <i>Cyprus</i> <i>Malta</i>

²² Only Hungary has introduced a system of cultural non-territorial autonomy, which works poorly but is intended to serve as an example to its neighbours. A pertinent critique included in the Framework Convention on National Minorities "Shadow Report" submitted by the Hungarian Helsinki Committee, "Report on the Situation of Minorities in Hungary" September 1999, at the European Centre for Minority Issues website (www.ecmi.de). Note that Hungary's Office of National and Ethnic Minorities was closed in January 2007, its mandate being transferred to the office of the prime minister.

²³ This was Recommendation 1201 of the Council of Europe relating to an additional protocol on minorities in the European Convention of Human Rights. Article 11 of the Recommendation could be interpreted as calling for territorially-based minority institutions. This matter delayed signature of the Hungarian-Slovak treaty required as a pre-condition for EU integration. The solution was found in affixing differing interpretations of Recommendation 1201 to the treaty's instruments of ratification. See Andre Liebich, "Les minorités en Hongrie et les Hongrois en Slovaquie", in *Nationalismes en Europe centrale et orientale: conflits ou nouvelles cohabitations?* sous la direction de Maximos Aligisakis et alia (Geneva: Institut européen de l'université de Genève, 1997), 118–130.

²⁴ Monica Duffy Toft, *The Geography of Ethnic Violence: Identity, Interests and the Indivisibility of Territory* (Princeton: Princeton University Press, 2003).

²⁵ The Netherlands consists of the Kingdom and two other units but, as these are overseas territories, I shall count these among post-imperial possessions.

			<i>Bulgaria</i> <i>Romania</i>
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The contrast established here between the old EU members and the new EU states in terms of openness to — versus suspicion of — regional or federalist arrangements is, in some ways, paradoxical. On the one hand, it is France, a key old EU member, that prides itself on being a “one and indivisible” republic, with the same formula applied in the constitutions of two other old members, Spain and Italy. Nevertheless, this has not prevented the latter two countries from introducing wide regional autonomy and from seeing even France move in that direction.²⁶ On the other hand, the area of the new EU members has been, historically, a region of disparate provinces, loosely ruled from an imperial centre, as well as a region of intense, widespread multilingualism. Some of the most imaginative solutions for the co-existence of different peoples, such as Austro-Marxist schemes of cultural or non-territorial autonomy, have come from this area.²⁷

The paradox has a rational and historical explanation. In this part of Europe, autonomy (rather than independence) and multilingualism are identified with past periods of dependence and a lack of sovereignty. Precisely because these features were so prevalent in the era preceding the national state, they are shunned today as irrelevant or threatening. Even more immediately, this area has witnessed the ignominious fiasco of socialist federalism. All three socialist federations (Czechoslovakia, Yugoslavia and the Soviet Union) have collapsed, tearing apart the countries in question. Even the much praised and smooth ‘velvet’ separation of Slovakia from the Czech Republic aggravated minority problems and coarsened political life in both countries. It is pointless to argue that these socialist experiences were inauthentic examples of federalism. For the majority or titular nations of the area, the message is clear. Federalism or regional autonomy, whatever its form, is a stepping stone towards the disintegration of the state.²⁸ This is also the reason why the fairly numerous and often effective ethnic minority parties – Hungarian parties in Slovakia and Romania and the Turkish Rights and Freedom Movement in Bulgaria, being the most important – have never succeeded in winning territorial autonomy for

²⁶ See footnote 20 above. French policy seems to be to concede more in practice, through internal regulation, than France is willing to concede in international instruments, such as the Framework Convention on the Protection of National Minorities, which it has not signed and the European Charter on Regional and Minority Languages, which it has not ratified. The policy of most of the new EU members seems to go in the other direction: concede in international instruments but withhold internally.

²⁷ See Tom Bottomore and Patrick Goode (eds.), *Austro-Marxism* (Oxford: Clarendon Press, 1978).

²⁸ There are only two examples of territorially autonomous units established in the post-Soviet world after the fall of communism, Gagauzia in Moldavia and Crimea in Ukraine. The latter amounts to the restoration of an earlier autonomy. On these cases, as well as on minorities in post-communist Europe in general, see Andre Liebich, *Les Minorités nationales en Europe centrale et orientale* (Geneva: Georg, 1997).

their constituencies, even when they were playing the role of coalition kingmaker on the national level.²⁹

Ironically, for those who see the area as one of nationalist instability, thoroughgoing separatism is certainly less prevalent in the new EU states than it is in some of the old EU countries, such as Spain or Belgium. Separatist violence is unknown in the new EU members, unlike the case in Spain or Ireland. Nonetheless, the anxiety of the new EU states with regards to separatism, irredentism and future state disintegration remains undiminished in spite of evidence that it is unfounded. The underlying attitude of these states comes out in two recent cases where regional autonomy movements, the Silesians in Poland and the Moravians in the Czech Republic, have sought to organize. They have been condemned and repressed by Warsaw and Prague in a reflex movement that might well be described as atavistic.³⁰ Even attempts by Hungarians in Romania to seize the propitious circumstances generated by Romanian uncertainty about fulfilling EU accession conditions to pressure Bucharest into granting territorial autonomy proved fruitless.³¹

Admittedly, the new EU members have a better record with respect to signing and ratifying the Council of Europe's Framework Convention on National Minorities (FCNM). Three old EU members have not ratified it, (Belgium, Greece, Luxemburg), one waited ten years to ratify (Netherlands) and one (France) has neither signed nor ratified. The discrepancy, however, is more apparent than real.³² In the period leading up to EU membership, the candidate states were under intense pressure to adopt the FCNM. There are indications that they did so reluctantly and that, in many cases, they continue to pay only lip service to the provisions in this document. Certainly, this is the impression one gathers if one reads not only the official reports submitted to the

²⁹ Even the scholarly literature on the subject tends to underestimate the peculiar paradox of power combined with impotence that characterizes the ethnic minority parties. See Judith Green Kelley, *Ethnic Politics in Europe: The Power of Norms and Incentives* (Princeton: Princeton University Press, 2004).

³⁰ The European Court of Human Rights in Strasburg supported Warsaw's position against recognizing the Silesian movement. See "Poles Apart", 3 September 2003, at www.masterpage.com.pl, and "Gorzelik and Others vs Poland Referred to Grand Chamber", MINELRES, at lists.delfi.lv/pipermail/minelres. On the Moravian case, see "Czech Commissioner Criticized Over 'Moravian Ruling'", *RFE/RL Newslines*, 13 December 2000. The Czech Commissioner for Human Rights Peter Uhl, who recommended against including Moravian representatives on the Slovak Council of Nationalities inasmuch as the Moravians were not recognized as a nationality, was (at one time) a leading human rights activist.

³¹ On Hungarian attempts to make concessions towards regional autonomy a condition for Romania's entry into the EU, see "Szekler Regional Autonomy Plan Submitted to Romanian Parliament", *RFE/RL Newslines*, 27 February 2004, and "Hungarian Opposition Official Says Budapest Must Back Autonomy in Romania", *RFE/RL Newslines*, 13 April 2004.

³² With respect to the other major European treaty related to the issue of linguistic minorities, the European Convention on Minority and Regional Languages, the situation is approximately similar with three "Old" EU countries (Belgium, Greece, Ireland) and four "New" EU countries (Bulgaria, Estonia, Latvia, Lithuania) neither signing nor ratifying and two "Old" and two "New" countries not ratifying (France, Italy, Malta, Poland).

Council of Europe by FCNM signatory states but also the NGO parallel or shadow reports.³³

Recent scholarly literature has inquired into the depth and durability of the new EU members' commitment to minority rights.³⁴ All authors attribute importance to the 'conditionality' factor in determining the behaviour of EU candidate states towards minorities during the period when these states were called upon to show their conformity to membership criteria. They agree, too, that degrees of conformity have varied: with high marks attributed to Hungary and Poland, and low marks to Latvia and Slovakia, for instance. There is disagreement over whether the process of monitoring human rights within the EU and other types of pressures will continue to keep the spotlight on minority issues. It is tacitly recognized, however, that there is no obligation and that there will therefore be no effective pressure to introduce such particular forms of minority rights as territorial autonomy or federalization.

It may also be pointed out that in most new EU member states minorities are numerically less significant than they have ever been. The historical minorities that, in many ways, defined the face of East Central Europe—the Jews and the Germans—have been reduced to a shadow of what they once were. The exception to this affirmation are the Roma. At present, approximately one million strong in the Czech Republic, Slovakia and Hungary combined, but about as many in Bulgaria and possibly as many as two million in Romania, The Roma are the most truly transnational and numerically substantial minority in the new EU countries.³⁵ One must also note the very peculiar circumstances of the three Baltic Republics, where

³³ In addition to the official reports submitted to the Council of Europe by signatory states, ECMI has published a series of NGO parallel or shadow reports that provide another, usually more critical, perspective. Such reports are available at

www.ecmi.de/doc/Parallel_Reports_Database/ for the Czech Republic (some specific failings), Hungary (good legislation but some poor implementation), Latvia (failure to apply the FCNM in good faith), Poland (generally good marks), Slovakia (improving but some way to go), as well as for Greece (poor marks). The new EU countries are encouraged in such lip-service by the failure of several old EU countries to practice what they preach in terms of minority protection and by the general absence of EU norms that would apply to actual rather than prospective EU members. On such double standards see Bruno de Witte, "Politics Versus Law in the EU's Approach to Ethnic Minorities", in *Europe Unbound*, 137–160.

³⁴ Kyra Topidi, "The Limits of EU Conditionality: Minority Rights in Slovakia", *Journal of Ethnopolitics and Minority Issues in Europe* 1 (2003): 1–38; Peter Vermeersh, "Minority Policy in Central Europe: Exploring the Impact of the EU's Enlargement Strategy", *Global Review of Ethnopolitics* 3:2 (2004): 3–19; Gwendolyn Sasse, "EU Conditionality and Minority Rights in Central and Eastern Europe", Paper presented at the Conference 'Nations, Minorities and European Integration', European University Institute, 7–8 May 2004; Lynne M. Tesser, "The Geopolitics of Tolerance: Minority Rights under EU Expansion in East-Central Europe", *East European Politics and Societies* 17:3(2003): 483–532.

³⁵ On the Roma in the new EU states and *vis-à-vis* the EU, see Will Guy (ed.), *Between Past and Future: The Roma of Central and Eastern Europe* (Hatfield: University of Hertfordshire Press, 2001). The figures cited here may be conservative. For varying statistics, see Andre Liebich, "Counting and Classifying Minorities" in *Socialisme, cultures, histoire: itinéraires et représentations, mélanges offerts à Miklos Molnar*, textes réunis par Jasna Adler et Lubor Jilek (Bern: Peter Lang, 1999), 190–207.

Russian speakers number close to two million.³⁶ The implications of these specificities for policies of autonomy or federalism are ambiguous. In the old EU states, federal status has been granted both to very small minorities such as the Germans in Belgium, who pose no threat to the integrity of the state, and to substantial minorities, such as the Catalans or Basques in Spain, who are too numerous and visible to be denied territorial status. Among new EU members, the reaction of the states has been guarded: whereas larger minorities are considered too dangerous to justify departing from the model of the unitary state, small minorities are too insignificant to do so.

Distant empires

A fourth variable relevant to understanding the differences between the "New" and the "Old" Europe with respect to minorities is their relative experience of the non-European world. It is this factor that creates a line of continuity between the attitudes discussed above toward historic national minorities and attitudes towards more recent immigrant minorities.

The area of the new EU states consists of countries that have known imperial regimes only too well. It should be noted, however, that these countries have never participated in the processes of overseas expansion and colonial empire that have marked Europe so profoundly.³⁷ As we have seen above, these states did not exist as states in the heyday of European colonial expansion. Moreover, this area as a whole was bypassed by the globalization of early modernity because of geographical factors that included inaccessibility to the Atlantic coast and/or for historical reasons, notably intra-regional wars and absorption into land based empires, such as Muscovy or the Ottoman empires.³⁸ In contrast, ten of the fifteen old members of the EU have acquired, at one time or another, an overseas empire. Indeed, four of these countries still possess some remnants of such an empire. As we have seen, five "old" EU languages are still spoken outside Europe (see figure 3); this cannot be said of any of the "new" EU languages.³⁹

³⁶ Inasmuch as many of these Russian-speakers are not citizens, they are not counted in formal legal terms as constituting part of a minority. For a recent study, see Yves Plasseraud, *Les Etats Baltiques: Les sociétés gigognes, la dialectique minorité-majorités* (Crozon: Editions Armeline, 2003).

³⁷ Max Weber claimed that: "The historical development of modern 'freedom' presupposed a unique and unrepeatable constellation of factors, of which the following are the most important: first, overseas expansion..." cited in David Beetham, *Max Weber and the Theory of Modern Politics* (Cambridge: Cambridge University Press, 1985), 46. I am not prepared, however, to argue Weber's case.

³⁸ Malta constitutes something of an exception, though it too, remained anchored in a Mediterranean rather than an Atlantic system, with an anachronistic political regime until the end of the eighteenth century.

³⁹ Remaining overseas possessions for the United Kingdom are Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, the Falkland Islands, Gibraltar, Monserrat, the Pitcairn Islands, Saint Helena, the Turks and Caicos Islands. For France, French Guiana, French Polynesia, Guadeloupe, Martinique, Mayotte, New Caledonia, Réunion, Saint Pierre and Miquelon, Wallis and Futuna. For Denmark, the Faroe Islands and Greenland; for the Netherlands, the Dutch Antilles and Aruba. Languages spoken outside Europe are, of course, Dutch, English, French, Portuguese and Spanish.

Figure 5. Overseas Empires.

‘Old’ EU Members	France United Kingdom Denmark Belgium Portugal Italy Spain Germany Netherlands Sweden
‘New’ EU Members	---

The absence of a tradition of overseas expansion means that the non-European world is historically unfamiliar to the peoples of the new EU member states. This reality has been re-enforced by the legacy of four decades of communist rule. Communist state policies in that period did not favour immigration (or emigration, for that matter). Cultural isolation was the rule. The Communist camp did experience rapid economic growth for several decades. It did not, however, enjoy the same boom period of prosperity — roughly the twenty-five years before the first oil crisis in 1973 — that made Western Europe so attractive to outsiders. Above all, it did not react to growth by opening itself up to overseas immigration as did many of the old EU member states. In those countries that had possessed overseas empires, the former colonies were prime sources of immigration.⁴⁰ This was the case for formal reasons, connected with individual former colonial subjects’ legal status and preferential state-to-state arrangements, or for informal reasons, such as acquired language knowledge and earlier familiarity with the metropolis.

Strangers in our midst

A striking and visible consequence of such developments, as any casual visitor will notice, is the markedly lower proportion of foreigners and, in particular, of non-Europeans in the new EU states. The following statistics take account of all resident foreigners in each EU country, including those from a neighbouring country or another EU state. They thus incorporate such recent categories as the much-feared "Polish plumber" in France as well as Ukrainian labourers in Poland. It may be properly assumed, however, that a high proportion of these foreign residents are non-Europeans. The proportion of non-European foreigners among all foreigners in the

⁴⁰ The German case is anomalous. Though Germany did once possess an overseas empire, the mass of its considerable foreign population does not come from that area.

"New" Europe is certainly less than that in the "Old" Europe but, even if (for the sake of argument) the proportions were similar these non-Europeans would hardly be visible on the demographic landscape of the "New" Europe because of the dramatically smaller overall proportion of foreigners there.⁴¹

Figure 6: Foreigners

"Old" EU Members			"New" EU Members		
Residents with Foreign Citizenship (2006)			Residents with Foreign Citizenship (2006)		
	%			%	
Germany	8.8	7 289 149	Poland	app 1.8	app 700 000
Spain	8.9	4 002 509	Latvia ⁴²	19.5	456 758
France	5.8	3 510 000	Czech Republic	2.5	258 60
United Kingdom	5.6	3 425 000	Estonia	17.1	242 000
Italy	4.5	2 670 514	Hungary	1.5	156 160
Belgium	8.7	900 500	Cyprus	12.8	98 000
Greece	8.3	884 000	Slovenia	0.3	48 968
Netherlands	4.2	691 337	Lithuania	0.1	32 862
Sweden	5.3	479 899	Bulgaria	1.3	26 000
Ireland	7.4	314 100	Romania	0.6	25 993
Portugal	2.8	276 000	Slovakia	0.5	25 563
Denmark	5.0	270 051	Malta	2.7	11 000
Luxembourg	40.4	181 800			
Austria	9.7		826 013		
Finland	2.3		121 739		

Source: epp.eurostat.ec.europa.eu (consulted June 6 2008)

In fact, the contrast between the old and new EU may be even more important than citizenship-based statistics allow because of the relatively easier processes of naturalization in key old EU countries, such as France (though, until recently, not in

⁴¹ Earlier statistics compiled by Eurostat before enlargement counted "non EU citizens residing in the EU states" and, for the countries which have joined the EU recently, they counted "population born abroad, excluding those born in a neighbouring country." The discrepancy between the "Old" and "New" Europe was as striking as that shown on the most recent table presented here. Another particularly relevant question, but one which cannot be answered here, for lack of reliable data, is the comparative size of the illegal migrant population.

⁴² The extremely high number of "foreigners" in Latvia and Estonia is due to the number of ex-Soviet citizens, globally referred to as "Russians" but, in fact, Russian-speakers of various ethnic groups, who have not been naturalized.

Germany).⁴³ Many fairly recent migrants are already incorporated, statistically, in the native population.

In the new EU states, not only is citizenship, generally, more difficult to acquire but the very idea that these may be countries of non-European immigration (or even immigration as such) is something of a novelty. In the Communist period, Africans or Asians living in the new EU countries were, typically, students or diplomats. If they married local spouses, this usually led to the emigration of the couple rather than the permanent settlement of the foreign spouse. There was also a small number of Vietnamese migrants and an even smaller number of Chinese, byproducts of socialist solidarity and the needs of the labour market, who came to what was then Eastern Europe and have remained there.⁴⁴

To be sure, since the fall of communism, there has been an influx of workers into the area from neighbouring countries, such as Ukraine. There has also been a movement of people from further afar who see the new EU countries as a transit point towards the West. But as the figures here show, the number of these immigrants is insignificant. Such recent and limited experience of foreigners has certainly not prepared people in these countries for daily life where they find themselves living and working side-by-side with a significant number of people from distant lands and cultures. Resistance to immigration, from whatever source, is considerably higher in the new EU countries than in the old ones.⁴⁵ This is the case even though research shows that exclusionist attitudes rise with the number of migrants in a country and one would therefore expect resistance to be higher in the old EU countries than in the new ones.⁴⁶

This strangeness of the non-European world to the new EU, as opposed to its presence in the mental map of much of the old EU, is more than a matter of comparative

⁴³ See Rainer Bauböck, Bernhard Perchinig, & Wiebke Sievers (eds.) *Citizenship Policies in the New Europe* (Amsterdam: IMISCOE Research and Amsterdam University Press, 2007).

⁴⁴ "Disappearing in the Crowd: Vietnamese Immigrants in Poland" Cafébabel, 14 September 2006 [original title: niewidzialne trzydziestu tysięcy: Wietnamczycy w Warszawie] <<http://www.cafebabel.com/en/article.asp?T=T&Id=8039> (consulted 25 March 2008). Kimberly Ashton, "Vietnamese Seek Czech 'Eden,'" *Prague Post*, 17 October 2007; Allan M. Williams, "Vietnamese Community in Slovakia," *Sociologia* 37:3 (2005), 249-274. Colin O'Connor, "Is the Czech Republic's Vietnamese Community Finally Starting to Feel at Home?" <<http://www.radio.cz/en/article/91826>> 29 May 2007 (consulted 25 March 2008); "Evolution in Europe; Vietnamese in Bulgaria: Bitter Times" *New York Times*, 25 March 2008.

⁴⁵ The old EU ten (excluding Luxemburg) show a score of 63.2% in resistance to immigrants, with a spread running from 25.7% for Ireland to 79.5% for the former West Germany. Comparable figures for the nine new EU states (including the former East Germany) are 77% with a range from Slovenia's 68.6% to Bulgaria's 86.1%. Five of the new members score very close to or higher than the former West Germany. Mérove Gijsberts, Louk Hagendoorn and Peer Scheepers (eds.), *Nationalism and Exclusion of Migrants: Cross-National Comparisons* (Aldershot: Ashgate, 2004).

⁴⁶ Marcel Coenders, Marcel Lubbers, Peer Scheepers, *Majorities' Attitudes Towards Minorities in (Former) Candidate Countries of the European Union: Results from the Eurobarometer in Candidate Countries 2003*, Report 3 for the European Monitoring Centre on Racism and Xenophobia, Ref. No. 2003/04/01.

statistics. Somewhat flippantly, one might say that the difference is visible in the dazzling varieties of cuisine to be found in the old EU states. There are surely more Indonesian restaurants in Amsterdam, Indian restaurants in London or North African restaurants in Paris than there are in all the new EU states put together. More seriously, however, one may say that, in the area of the new EU, the presence of non-Europeans does not constitute part of the landscape of daily life as it does in the old EU countries. Well over eight out of ten poll respondents (85%) in the old EU say that they do not find the presence of people of another nationality, race or religion disturbing.⁴⁷

This is not to say that in the old EU post-colonial minorities live harmoniously with their former colonizers.⁴⁸ Quite the contrary, as we have seen in the case of France's North African population and elsewhere. It does mean, however, that Muslims, for example, are part of the social equation in the old EU unlike in the new EU area.⁴⁹ It also means that attitudes towards the non-European world differ between the old and the new EU states. The intelligentsias of the new EU countries do not bear the burden of a bad conscience *vis-à-vis* the Third World, as do their old EU counterparts. Indeed, among the legacies of the Soviet period is a mindset that once considered assumption of responsibility for the miseries of the Third World to be a ploy of Soviet foreign policy and that categorized Third World citizens whom one saw in the new EU countries as privileged individuals. A pervasive sense of historical victimhood through the Central and East European area appears to generate resentment of, rather than empathy with, claimants to victimhood throughout the post-colonial world.⁵⁰

Ironically perhaps, the new EU members are therefore more Eurocentric than the old EU. They can also be described as more Western-oriented and more provincial.

⁴⁷ *Eurobarometer*, Report 53, October 2000, 88, at europa.eu.int/comm/dg10/epo.

⁴⁸ About 45% of poll respondents feel there are too many foreigners in their country but, judging from the figures given above (8 of 10 respondents do not find the presence of other people disturbing) the overwhelming majority accepts this fact as part of the order of things. *Eurobarometer*, Report 48, March 1998, at europa.eu.int/comm/dg10/epo. Even a poll showing widespread racism in the old EU concludes that such racist sentiments coexisted with "a strong belief in the democratic system and respect for fundamental social rights and freedoms. A majority felt society should be inclusive and offer equal rights to all citizens, including those from immigrant and minority groups." Barry James, "EU Survey Finds Wide Racism", *International Herald Tribune*, 20 December 1997, at www.iht.com/IHT/BJ/97.

⁴⁹ In Denmark, 70% of the foreign-born population is Muslim; in the Netherlands, there are 500,000 Muslims corresponding to 5% of the population. "Xenophobia in the European Union", Written Statement by the Society for Threatened Peoples, 59th Session of the Commission of Human Rights, 17 March–25 April 2003, at www.gfbv.de/gfbv_e/uno/geneva03. In Germany some 40% of the close to 6,000,000 resident foreigners are Muslim. An interesting conference held recently on Muslims in Europe does not look beyond the then-existing borders of the EU. Richard Barltrop, "Muslims in Europe, Post 9/11: Understanding and Responding to the Islamic World", Conference Report, St. Antony's College and Princeton University, 25–26 April 2003.

⁵⁰ The category of victimhood in the new EU states is a subject until itself. See most recently, Slavenka Drakulic, "Die Welt als Milchkuh," *Der Standard* [Supplement], November 2007. One finds no trace of the guilt-ridden Western tiersmondistes denounced by Pascal Bruckner, *La Tyrannie de la pénitence. essai sur le masochisme occidental* (Paris: Grasset 2006).

Inevitably, such a world view directly affects attitudes towards local minorities as well. Most people today no longer have any recollection of a time when Jews and Germans constituted important communities in the area. Attitudes to these largely vanished minorities cover a range of sentiments: indifference, ignorance and curiosity are probably the most common. With regard to existing minorities, however, sentiments are often crudely and strongly expressed. One is readily shocked by the linguistic and political insensitivity of people in the former communist countries, especially in relation to those from whom there is a significant cultural distance. Throughout the area, Roma are routinely referred to as “blacks”, a term which spells out otherness and, in the language codes of the speakers, inferiority.⁵¹ Britain's Race Relations Chief has expressed shock at the negative attitudes of East European immigrants in Britain to Blacks and Asians.⁵² Even as the most prosperous new members, the Slovenians, were entering the EU they were demonstrating their callousness towards a minority population by voting overwhelmingly (94%) to deny rights to former Yugoslav citizens, many of them Muslim, resident in Slovenia for at least a decade.⁵³

“Meat-and-dumplings xenophobia”, is how one journalist has described sentiment towards migrants in Central and Eastern Europe, adding that “these are societies not used to foreigners, rather than societies against them”,⁵⁴ This assessment may be read as both encouraging and disturbing.

Conclusion

If one can map a geography of values, as I have suggested here, this will be a polysemantic geography of fluid and changing contours. The differences between the old EU members and the new EU members do not resound to the advantage of the former alone. The absence of a long tradition of statehood leaves room for institutional creativity. Official and even societal aversion to formal autonomy for regional or national minorities have not prevented the emergence of vigorous social movements challenging such aversion. The absence of a history of overseas empire and colonialism means that the new countries of the EU have one fewer historical burden to bear. And the fact that they do not (yet?) have substantial immigrant

⁵¹ For example, polls show 91% of Czechs have “negative views” towards the Roma and 54% of Hungarian police officers believe criminality to be a genetic feature of the Roma identity. “Racism and the Roma” at no-racism.net/article/435. A recent study of youth attitudes in Poland finds that the lowest rate of acceptance of others is in regard to Gypsies (the term used in the study) and for Arabs, with the former somewhat lower than the latter. Anna Karwinska, “‘Us’ and ‘Them’: Youth Attitudes towards Ethnicity in Poland”, in Thanasis D. Sfikas and Christopher Williams (eds.), *Ethnicity and Nationalism in East Central Europe and the Balkans* (Aldershot: Ashgate, 1999), 125–144.

⁵² “Our ‘racist’ migrants; attitudes of East Europeans are stuck in the 1950s, claims equality chief Phillips,” *Daily Mail*, 24 October 2006.

⁵³ “Slovenes Reject Renewed Residency Rights for Former Minorities”, *RFE/RL Newslines*, 5 April 2004.

⁵⁴ Luke Allnutt, “Inflows to the East Are a Problem Too: the EU Migration Debate”, *International Herald Tribune*, 21 April 2004.

communities means that they may succeed in avoiding the confrontations experienced by their Western neighbours, such as France and, more recently, the Netherlands.

At present, there is an inclination to evaluate the new EU members solely according to the norms, perceptions and experiences of the old EU countries. Broadly speaking, the old EU countries offer two models for dealing with minority-majority relations. The first pattern is the French "Republican" solution which seeks to transcend any differentiation between minority and majority by offering a common and universal model of citizenship; the second is the *faux*-multiculturalist policy, attempted by the United Kingdom and others, which encompasses minorities in its civic landscape as an addition to rather than a reformulation of its established national identity. Outside Europe, there is also a third, trans-Atlantic model, that of "hyphenated citizenship" which, ironically, may be more potentially relevant to the countries of the "New" Europe than either of the "Old" European models but which is not under discussion anywhere in Europe.

In fact, none of these models "fits" the situation of the states that have recently joined the EU. The point of the arguments I have made in this article is that the countries of the "New" Europe must be evaluated on their own terms rather than through the lens of others. To be sure, we are not speaking of immutable entities. Quite the contrary. The process of EU integration will change the new member states and, it should be recognized, will change the old member states as well. My concern here has been to sketch the point of departure for this process. In the final analysis, however one assesses the respective historical experiences of the old and the new EU states, these experiences must be factored into any serious discussion of the European Union as it exists today, including any consideration of the future of relations between Europe's majorities and its minorities.*

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CAN ALEXANDER WENDT'S APPROACH PROVIDE A CONVINCING CONSTRUCTIVIST ACCOUNT OF INTERNATIONAL POLITICS THAT WOULD HELP EXPLAIN CONTEMPORARY CONFLICT?

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Abstract

In the world of contemporary conflicts that lead to new states and development issues, new theories are needed to explain these events. This essay argues that the widely acclaimed approach to constructivism taken by Alexander Wendt is inadequate to account for the constant change in international politics, especially in recent post-conflict zones. The reason for the failure to explain war as a social practice is found at a profound theoretical level, i.e. in the very construction of agency and structure proposed. Wendt's constructivism relies on state-based methodology, which in turn leads to the neglect of other actors and identities vital for contemporary conflict analysis.

The essay also shows how his idea of international anarchy as the context for international politics reinforces these same deficiencies primarily due to abandoning the constructivist argument. It points to the works of other constructivists who illustrate these deficiencies and offer more convincing alternatives to segments of Wendt's argument. All this is to show that contemporary theories often do not follow political events and hence become useless to account for the ever-changing nature of conflict.

Introduction

Constructivism as an IR approach is extensively used to account for conflict. In the world of contemporary conflicts that lead to the creation of new states and development issues (often related to transition), new theories are useful to better follow and explain these events. The reason lies in the changing nature of international relations. Yet the question remains whether the new theories always improve understanding and facilitate explanation of these variations. This essay argues that the widely acclaimed strand of constructivism taken by Alexander Wendt fails to account for the constant change in international politics, especially in recent post-conflict zones.

While pointing to relevant contributions of Alexander Wendt's theory to the field of International Relations, this essay will argue that Wendt shows weaknesses in providing a convincing constructivist account of current international politics on two

accounts: first, as social constructivist and, second, as an independent account. It will argue this by focusing on his inability to account for one crucial aspect of international politics: contemporary conflict. First taking a bottom-up approach, the basic reason for the failure to explain war as a social practice will be found at a more profound theoretical level, i.e. in the very construction of agency and structure that Wendt proposes. This essay will further show that Wendt's constructivism relies on state-based methodology, which in turn leads to the neglect for other actors and identities vital for the analysis of contemporary conflict. This leads not only to weak analysis of conflict itself but also to an inability to contribute to conflict prevention and resolution.

It will then take up a top-down approach and show how his idea of international anarchy as the context for international politics reinforces these same deficiencies primarily due to abandoning the constructivist argument. It will also point to the works of Zehfuss, Jabri, Suganami and Reus-Smit that illustrate these deficiencies and offer more convincing alternatives to segments of Wendt's argument that help to better account for conflict in the international politics of today.

Wendt's theory promises to close the gap between narrower scopes of research offered by positivists and post-positivists. It emphasises the utility of using both explanation and understanding¹ to answer causal and constitutive questions about international politics. He offers a more encompassing scientific-realist account that resolves the agency-structure problem by refusing to ontologically presuppose the structure to agency or vice versa.² The resulting question is: does his theory help to better understand international politics? This critique is an attempt to trigger new ways of approaching IR theory and demonstrate the need of its constant revision.

Construction of agency and structure

An important contribution of Wendt's constructivism consists in overcoming the explanation vs. understanding approach to IR theorizing. Positivist epistemic inclination toward science and post-positivist rejection thereof suggests an epistemological difference between the social and natural sciences. Wendt believes such a difference does not exist and both Explanation and Understanding should be "practiced in *both* domains"³ and be seen as "mutually implicating",⁴ zero-sum arguments about epistemology being misleading.⁵ Elegantly constructing the utility of

¹ 'Explanation' and 'understanding' are here used as International Relations concepts.

² The agency-structure debate is at the heart of the structuration theory first introduced by Giddens in sociology. The approach is widely used by the followers of social constructivism in International Relations.

³ Alexander Wendt, "On Constitution and Causation in International Relations," *Review of International Studies* 24 (Oct. 1998): 102.

⁴ *Ibid*, 103.

⁵ *Ibid*, 102.

using both explanation and understanding to answer causal and constitutive questions enfolded in the philosophy of scientific realism, Wendt's theory aims to close the gap between research options offered by positivists and post-positivists.

Wendt insists that when theories answer how states are constituted, they cannot ignore territoriality, monopoly on violence or sovereignty (i.e. internal norms presupposed and determined by practice). Post-positivists would say understandings are based on subjective backgrounds that cannot be directly tested against the world, but Wendt – while allowing for the argument that observation is theory-laden – persists on using competing theories to indirectly test the primary theory.⁶

He thus sees states as constituted by structures that give them a territorial monopoly over organized violence.⁷ Theoretically, they are intersubjective constructions based on intersubjective knowledge.⁸ They are also constituted by their relationship to other states (rouge states becoming such only in the context of the international system and not solely by violating the norms of the international community – Israel and Syria serving as telling examples)⁹ and capable of forming collective identities (like the European Union).¹⁰ But, while he insists that this theory is system- and not unit-based,¹¹ he accounts for Self and Other as exclusively one state in relation to another. Their roles are “objective, collectively constituted positions”¹² that dominate a Kantian culture. Therefore, his agents do not go beyond individual relationships inside the system.¹³

This causes the first difficulty in using his argument to analyse war. Wendt considers that a deeper analysis of forces within the state would render his theory reductionist.¹⁴ However, it is exactly this approach that suffers from reductionism. Contemporary conflicts make it increasingly obvious that structures not inextricably linked to the state and the institution of sovereignty often explain conflict's underlying motives. Neglecting other levels of analysis, Wendt fails in accounting for other influential social agents and structures. Most relevant for this discussion are those of identity, culture and non-state political structures which stand central to contemporary conflicts around the world.

⁶ Wendt, “On Constitution and Causation in International Relations,” 106-7.

⁷ Wendt, “On Constitution and Causation in International Relations,” 112.

⁸ Alexander Wendt, “Anarchy is What States Make of It: The Social Construction of Power Politics (1992),” in *International Theory: Critical Investigations*, ed. James Der Derian. (London: Macmillan, 1995): 143-4.

⁹ Wendt, “On Constitution and Causation in International Relations,” 113.

¹⁰ Alexander Wendt, *Social Theory of International Politics* (Cambridge: Cambridge University Press, 2006), 242.

¹¹ Ibid, 4.

¹² Ibid, p. 259

¹³ Paul Skoczylas, “Review of Social Theory of International Politics, by Alexander Wendt,” *Online Journal of Peace and Conflict Resolution* 3 (Apr. 2000)

¹⁴ Wendt, “On Constitution and Causation in International Relations,” 112.

The issue of identity is directly linked to the argument of social construction: Wendt “needs identity to be constructed but at the same time in some ways given”.¹⁵ Yet if given, it cannot be constructed and, being aware of this, Wendt claims international relations are socially constructed while identities remain ‘relatively stable’.¹⁶ This is where the second problem appears.

Since identity formation is actually a discursive and time-dependent process, as Zehfuss highlights, ignoring this aspect allows him to assume “that states are pre-given, unitary actors”,¹⁷ identities bound to them, excluding others. If this is the case, there is little political in how international relations function. Identity formation is thus neglected and culture, which directly influences knowledge as it determines the ways of understanding, is ignored, which is in direct opposition to the constructivist argument that “[t]here is [...no] universal, trans-historical, disembodied, culturally-autonomous idea or identity”.¹⁸ This is the first place where Wendt drifts away from the constructivist argument.

Hence, according to Wendt, state sovereignty surmounts other identities and, thus, one might conclude that a more primitive ontological unit of a people or group is irrelevant. This would cause difficulty in accounting for civil wars or independence movements. It can also be hypothesized that it would imply the War on Terror makes no sense since terrorism knows no state boundaries and would, therefore, need to be contained within and identified with a state first and then be fought against.¹⁹

Accounts of international politics differ on this point: e.g. in Foucauldian terms, “[s]overeignty is reigned in and historically gives way to the governmentality of populations”.²⁰ Within the constructivist thought, Reus-Smit focuses on the dynamics of global change, particularly the “rise and possible demise of the sovereign state”.²¹ Wendt’s approach to identity has produced the following interpretation.

Intentional state transformation

Theoretical tools of self-reflection, practice and roles of states are used to explain identities and interests employed for ensuring security, critical strategic thinking and power politics.²² His best developed theoretical framework for dealing with war

¹⁵ Maja Zehfuss, “Constructivism and Identity: A Dangerous Liaison,” *European Journal of International Relations* 7 (Aug. 2001): 316.

¹⁶ Ibid, 326.

¹⁷ Ibid

¹⁸ Christian Reus-Smit, “Constructivism,” in *Theories of International Relations*, ed. Scott Burchill (London: Palgrave, 2001): 222.

¹⁹ This might actually help explain divided views on the issue from around the world.

²⁰ Vivienne Jabri, “War, Security and the Liberal State,” *Security Dialogue* 37 (Jan. 2006): 56.

²¹ Reus-Smit, “Constructivism,” 221.

²² Wendt, *Social Theory*

currently available is that of intentional state transformation.²³ Maja Zehfuss believes this theoretical move evades “the implications of the argument that that which we call reality is constructed rather than given”.²⁴ This evasion makes it both a weak constructivist argument and too narrow to account for how identity, agents and structures correlate to produce the social action of war. This can be considered the third major weakness of his theory.

Most obvious other agents (individuals, international institutions, multinational corporations and non-governmental organisations) and a more profound intrastate and interstate analysis relevant for international politics and, hence, conflict resolution are simply bypassed. The self-reflection, practice and roles of states that Wendt analyses to explain identities and interests employed for ensuring security, critical strategic thinking and power politics²⁵ are unfulfilled potentials of a possibly far deeper theory. Transposing these theoretical tools to related ontological units would enrich the theory immensely.

The first stage of state post-conflict transformation, according to Wendt, is “the breakdown of consensus about identity commitments”²⁶ that had led to the conflict since states need to realise how their own behaviour influences their relation to others. Identity is a constitutive feature of the state, dependent on interpretation, and conflict is reinforced as an aspect of the state as a social system.²⁷ Superficially, this is a convincing tool that overcomes much of previous scholarship but two main problems emerge.

First, identity is not necessarily allied with and constructed at the state level. Identifications with an ethnic group were the core causes of the Bosnian and Kosovo wars, historical tribal associations have characterised wars throughout Africa for decades, interest-driven friction lies at the heart of the war in Sudan, and numerous wars have been spurred by religious motivations. These, in turn, are the main but not the only causes. Economic, political and social factors intermingle to create a complex network of causes and consequences. Using Wendt’s proposal for breaking down identity commitments would mean very different things for the aforementioned conflicts since, as Wendt maintains, social threats are constructed and not natural.²⁸ It is their construction and deconstruction that takes place in a spatial and temporal context subject to emergence, modification and disappearance that he fails to account for.

²³ Wendt, “Anarchy is What States Make of It,” 158-9.

²⁴ Zehfuss, “Constructivism and Identity,” 338.

²⁵ Wendt, *Social Theory*

²⁶ Zehfuss, “Constructivism and Identity,” 338.

²⁷ Ibid.

²⁸ Wendt, in Zehfuss, “Constructivism and Identity,” 320.

Ego and Alter of international politics today are: self-determination seeking peoples and the institution of a state; a single state and the international community as a whole; and supra-state formations (like the European Union) and sovereign states within and outside them. While Wendt mentions these identities²⁹ he places them in inert boxes that define a historical period. Quite on the contrary, a more insightful analysis of these crucial social relationships that lie in the core of conflicts and coalitions is needed, especially in the light of structures such as the European Union gaining on relevance and strength.

Secondly, a critical examination of “old ideas about self and other and, by extension, of structures of interaction by which the ideas have been sustained”³⁰ might help explain how the Gorbachev regime overcame role identities and structures that reified the Cold War, but fall short of explaining how to deal with new emerging threats, especially those of terrorism, religious pan-state movements or warlord economic incentives for prolonging civil conflicts. Actually, this very tool is exceedingly helpful if ‘self’ and ‘other’ are not seen exclusively as states but, e.g., ethnic groups within a state, or the Western and the Islamic world in the context of what ideas the “war on terror” has reinforced about the ‘other’, or how their divergent cultures have reinforced prejudice that in turn make the idea of the “clash of civilisations” more digestible to both. A critical examination of these ideas is vital for overcoming deep-rooted misunderstandings of the ‘other’.

Also, ‘self’ being a state, the ‘other’ is the international system. How these two interact is illustrated in relation to internal conflicts and the response to them with international humanitarian and military intervention. Following Wendt’s constructivist argument, intervention places normative over materialist principles. But, the reinforcement of sovereignty undermines his plea for normative values. This constitutes another vacuum of his theory: economic and political implications of civil wars in a regional context have been recognised as critical for international stability (wars in Bosnia and Herzegovina and Sierra Leone and the ways they economically destabilised their respective regions being relevant examples).³¹ The international system has identified this interconnection and is working on approaching normative implications posed by this type of violence from a perspective divorced from reifying the institution of sovereignty.

Furthermore, he considers the mirror theory of identity-formation a third stage necessary for identity and interest change. The refined technique of ‘altercasting’³² is again only useful for viewing enemies with a shape and a face. Enemies do not always allow easy categorisation and the tool is more useful if its methodological units are

²⁹ Wendt, *Social Theory*, 261, 308.

³⁰ Wendt, “Anarchy is What States Make of It,” 158.

³¹ Michael Pugh and Neil Cooper, *War Economies in a Regional Context* (London & Boulder: Lynne Rienner Publishers, 2004)

³² Wendt, “Anarchy is What States Make of It,” 159.

modified. This is particularly significant when tackling the issue of terrorism. Also, this technique can only produce desired effects “if the other reciprocates, [...] takes up the new role”.³³ The fourth proposal to transpose security systems and “teach” other states that it is in their best interest to cooperate is also too exclusionary when contemporary conflict is in focus.

Finally, he does not dissect actors to explore their desires and beliefs that shape their response in conflict, which a more detailed discussion on the construction of agency would inevitably demand. As Jabri explains, desires and beliefs are linked to normative expectations and institutional roles they hold and provide reasons why actions and responses are pursued.³⁴ They relate to all actors and take into consideration different actions.

To conclude on this point, it appears that Wendt’s theory on conflict would better suit the post-Westphalian European political state power-politics setting than the contemporary one. This investigation into intentional state formation fails to account for how conflicts of the 1990s and 2000s have been solved or how to approach the ones still lasting. Motives, desires and beliefs driving political action refuse to be confined to state boundaries. Contrary to the constructivist argument, his theory is also deterministic, as he assumes how states will behave (as is even more obvious in his international state discussion).

International anarchy

Maintaining that there is no single ‘logic of anarchy’³⁵ – as the tendencies and structure of it depend on three political cultures that can dominate states’ behaviour: those of enemy, rival or friend³⁶ - Wendt describes the so-called Hobbesian, Lockean and Kantian cultures.³⁷ Thus he further waives his theory of conflict. These cultures are portrayed as representative of world politics and dependent on security conceptions of actors. The ways they construe their identities in relation to others, identity – as Zehfuss notes – is again crucial for the culture of anarchy and, hence, for his systemic argument.³⁸ While it serves as a good starting point for differentiating environments for conflicts in both a temporal and spatial sense, there arise several problems with this particular discussion.

To begin with, rules and norms that characterize structures change as available systems are prone to change. Wendt believes the world escaped the Hobbesian

³³ Zehfuss, “Constructivism and Identity,” 323.

³⁴ Vivienne Jabri, *Discourses on Violence* (Manchester: Manchester University Press, 1996), 76.

³⁵ Hidemi Suganami, “On Wendt’s Philosophy: A Critique,” *Review of International Studies* 28 (2002): 24.

³⁶ Wendt, *Social Theory*, 259.

³⁷ *Ibid.*, 246-312.

³⁸ Zehfuss, “Constructivism and Identity,” 318-9.

culture “some years ago”³⁹ and through compliance with norms of peaceful settlement of disputes “states gradually internalize the institution of the pluralistic security community”,⁴⁰ echoing Bull’s argument that the international society has become averse to seeing war as law enforcement and has been striving towards containing it.⁴¹ The fact is that states modify their interrelationship, progression not moving in the post-Westphalian, post-World War II and contemporary terms as Wendt suggests,⁴² but being simultaneously relevant everywhere and at any time. Wendt’s constructivism is too static to account for development and change. As critical theorists remind us, besides there being no single logic of anarchy, “[t]he logic of conflict and competition cannot be regarded as unalterable” either.⁴³ This is a crucial conclusion for understanding deficiencies of his argument.

Furthermore, Wendt’s assumption that the world has “managed to escape”⁴⁴ the Hobbesian and embrace Lockean and Kantian cultures is highly problematic. Suganami considers this a hypothetical path pointing to some factors that might bring about such a change, but “not aimed to explain any specific case of transition”.⁴⁵ At a deeper theoretical level, Suganami also finds a logical fallacy in assuming that the Hobbesian culture is “constitutive of state identity of enmity”⁴⁶ finding Wendt’s argument to be ultimately a collection of causal narratives and not constitutive relationships that characterise international politics,⁴⁷ which would be more appropriate for a constructivist argument.

One explanation for this is that his philosophy is limited in being Western-centric. While inter-liberal states conflict might have become almost unimaginable, conflicts between and within other types of regimes and structures are both imaginable and present as are intrastate clashes among societal groups. He offers variables to explain how transformation is achieved in order to reshape the identity and role of states to become ‘friends’. These are interdependence, homogeneity and common fate. While being theoretically elegant, the variables offered fail to account for two major factors: power inequality among states and cultural diversity of the contemporary world.⁴⁸ Therefore, the way he conceives of the international system is flawed in the same way his construction of agents is: states are seen as equal in their possession of sovereignty

³⁹ Wendt, *Social Theory*, 339.

⁴⁰ Suganami, “On Wendt’s Philosophy: A Critique,” 25.

⁴¹ Hedley Bull, *The Anarchical Society* (Hampshire: Palgrave, 2002), 191.

⁴² Wendt, *Social Theory*, 297.

⁴³ Andrew Linklater, “The Achievements of the Critical Theory,” in *International Theory: Positivism & Beyond* Steve, eds. Ken Booth Smith and Marysia Zalewski (Cambridge: Cambridge University Press, 1996). 283.

⁴⁴ Wendt, *Social Theory*, 339.

⁴⁵ Suganami, “On Wendt’s Philosophy: A Critique,” 25.

⁴⁶ *Ibid*, 33.

⁴⁷ *Ibid*, 34.

⁴⁸ *Ibid*, 26.

and identity and as citizens of the international society; and cultural diversity more profoundly related to identity is completely neglected.

So, how does Wendt see the progression of war? In a more recent work, he maintains that the world of increasing threats will grow to realise that full recognition of ‘Others’, sacrifice of sovereignty under the pressure of hardships of life under anarchy and the creation of a world state is the only rational decision states (including Great Powers) should make.⁴⁹ This resembles the English School’s idea of anarchical society taken one step forward. Shannon finds multiple fallacies in such a proposal: while Wendt reintroduces agency, contingency and choice, he simultaneously violates them with the notion of inevitability; the possibility of nonlinear change in human history is thereby denied; and motivations of individuals and groups are not allowed to vary spatially and temporally.⁵⁰ Even more paradoxical is the proposal that the world state must embrace nationalism.⁵¹ Why, then, was nationalism bypassed in previous stages of his theory and why would nationalist groups reject independence and submit to yet another ruler?⁵² This question remains unanswered as do many others and introduces a touch of naiveté in his theory by neglecting such an obvious obstacle to the construction of a new agent.

It can finally be said that Wendt does successfully overcome the positivist thought in the sense of allowing a more profound analysis of structures. He especially succeeds in shedding light on the state as a focus of observation. Problems only arise when a deeper analysis of intra-state structures and practices comes into focus. The relevance lies in the ever-changing nature of international politics, and thus conflicts, that clearly demonstrates the relevance of a people as an ontological unit, independence movements are a practice and – becoming more relevant by the minute – terrorism as a new form of war. Analyzing intentional state transformation, or the international anarchy for that matter, does not help offer viable explanations for actual events.

Alternatives

Reus-Smit emphasises the importance of “discursive mechanisms that link intersubjective ideas of legitimate statehood and rightful state action to the constitution of fundamental institutions”.⁵³ State communicative action determines its identity. Sovereignty does not create a coherent identity as it lacks purposive

⁴⁹ Alexander Wendt, “Why a World State is Inevitable,” *European Journal of International Relations* 9 (Oct. 2003): 523-5.

⁵⁰ Vaughn P. Shannon, “Wendt’s Violation of the Constructivist Project: Agency and Why a World State is *Not* Inevitable,” *European Journal of International Relations* 11 (Oct. 2005): 584-5.

⁵¹ *Ibid*

⁵² *Ibid*

⁵³ Christian Reus-Smit, “The Constitutional Structure of International Society and the Nature of Fundamental Institutions,” *International Organization* 51 (Oct. 1997): 563-4.

content.⁵⁴ Identity belongs to a wider complex of values; it is a constitutional structure. At the international level, the structure consists of the moral purpose of the state, organising principle of sovereignty and norm of procedural justice.⁵⁵ Procedural justice is seen as paramount for agreements among states about the rules of cooperation and coexistence and a basis for collective action and conflict resolution.⁵⁶ And, importantly, the structure embraces non-state actors relevant for conflict resolution.

Also, a particularly insightful case for presenting alternatives to Wendt's account of war in relation to agency-structure construction is Jabri's analysis of the "war on terror". This war transcends space and defies conventions. Jabri sees it as a global war, permeating the "normality of the political process"⁵⁷ and international politics as dominated by a "'matrix of war' constituted by a series of transnational practices that variously target states, communities and individuals".⁵⁸ The matrix of war is a practice constitutive of institutional and discursive structural continuities.⁵⁹ Underlying this practice is a tension between Self and Other. It constitutes and is constituted by war and "locates the discourse of war at the heart of politics, not just domestically, but, more crucially in the present context, globally".⁶⁰ This kind of analysis is missing in Wendt's account – the relation between the structure and conflict resolution, practice of war and non-state actors; discursive structural continuities; and the tension between Self and Other in a global sense.

Conclusion

The inability to explain and understand why wars start and end, or at least to understand them fast enough to save lives and political systems, has led to a powerlessness of international and national structures to help those that are suffering from contemporary ways of perceiving rights and sovereignty. If attempts to overcome existing systems are recognized as such in time, and if both theoretical and practical tools are in place to negotiate, mediate and assist those in struggle, conflict prevention and resolution tools will be able to achieve more and faster.

At the same time, the world being faced with the threat of global terrorism, new ways of thinking are desperately needed to identify the threat as such and prevent the suffering of innocent people who happen to fall into 'suspicious categories' only because the international system has not faced anything similar in the past and is incapable to deal with such a new enemy.

⁵⁴ Ibid, 565-6.

⁵⁵ Ibid, 567.

⁵⁶ Ibid, 568.

⁵⁷ Jabri, "War, Security and the Liberal State," 49.

⁵⁸ Ibid, 50.

⁵⁹ Ibid

⁶⁰ Ibid, 52.

If “anarchy is what states make of it” and sovereignty is the right triggered by internal structure that allows states to survive in an anarchical world,⁶¹ how would much of contemporary warfare can be explained by the international community? Wendt maintains that epistemology distracts the attention from the real business of International Relations, which is international politics.⁶²

However, his theory does not demonstrate how. Quite the contrary, his theory demonstrates how the neglect for the way knowledge has been acquired, the world understood and structures explained, renders impossible understanding and explaining contemporary international politics and, by extension, current forms of conflict.

The strength of other constitutive relations between actors does not undermine the institution of sovereignty, but complements it to a degree that is not negligible. Understanding forces, desires, beliefs and identities inside and outside states is imperative for theorising about conflict as an aspect of international politics that has become almost omnipresent. Theoretical tools he offers for conflict analysis are crucial for showing how structures and agents mutually constitute each other, but not developed and flexible enough to help explain more intricate nuances of conflict formation, development, prevention and resolution.

Additionally, the changing logic of anarchy he uses to explain how the international system operates would benefit from establishing constitutive relationships of structures other than states. While offering “a more comprehensive picture of the ‘evolution of co-operation’”,⁶³ Wendt’s study of the international anarchy and its utility for achieving ‘obsolescence of war’⁶⁴ is deterministic, Western-centric and, hence, not helpful for explaining contemporary conflict. As Linklater emphasises, the logic of conflict changes too and, hence, theories that serve to explain it should be more easily adaptable, they should be able to account for the ever-changing nature of international politics. Then Reus-Smit’s criticism of Wendt “bracketing everything domestic”⁶⁵ and thus excluding important normative and ideational forces that might prompt change seems accurate in that the illustration of states as “unitary actors with intrinsic motivational dispositions”⁶⁶ does not offer enough insight into driving forces of political action. Therefore, his theory suffering from a deficiency to account for a wider spectre of social structures and agents renders it incapable to account for contemporary conflict.

The reason why this and similar inquiries into International Relations theories are important stands in the attempt to overcome the current paralysis of theoretical

⁶¹ Wendt, “On Constitution and Causation in International Relations,” 114.

⁶² Ibid, 115.

⁶³ Suganami, “On Wendt’s Philosophy: A Critique,” 26.

⁶⁴ Wendt, “Why a World State is Inevitable”

⁶⁵ Christian Reus-Smit, “Constructivism,” 220.

⁶⁶ Wendt, *Social Theory*, 243.

backing to actual events. This critique has attempted to trigger new ways of analyzing the 'new theories' in order to demonstrate that IR theory should be alive, constantly revised and adapted to arising circumstances. If it is new, it does not necessarily need to be better.

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THE FAILED BELGIANIZATION OF POST-COMMUNIST CZECHOSLOVAKIA: IMPACTING FACTORS AND POLITICAL CONSEQUENCE

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Abstract¹

This article aims at highlighting the dynamics which determined the process of disgregation of Czechoslovakia from a comparative perspective, adopting the Belgian process of State decentralization as a functional interpretative lens.

This work represents the first attempt to tackle this issue from a comparative perspective, beyond the boundaries of CEE. I assume that Belgium and post-communist Czechoslovakia faced similar challenges of both political and socio-cultural nature. In the two countries the long-lasting ethno-linguistic divisions did alter the nature of inter-party political competition and of the society as such. However, despite these common traits the attempts towards unitary federalism produced opposite outcomes. The aim of this work is therefore to identify the factors which determined such different outcomes.

Introduction

In the mid-1980s - following Gorbachev's *perestroika* and the pace towards democratization initiated in Poland and Hungary – a slow process of liberalization developed in Czechoslovakia under the pressure of both the communist reformers and the non-communist counter-elites.² The Czechoslovak version of *perestroika* undertaken by Gustáv Husák, the head of the Communist Party (Czech: *Komunistická strana Československa*, KSČ), represented a timid attempt to solve the socio-economic troubles of the country within the framework provided by the fundamental principles of socialism. According to the reformist leader Lubomir Strougal³, two objectives appeared to characterize these efforts: a call for a modest decentralization

¹ A preliminary version of this paper was first presented at the 4th CEU Graduate Conference in Social Sciences, Budapest, Hungary. I am grateful for the constructive comments and suggestions of Sergiu Gherghina, Tamas Meszerics, Angela Movileanu, Olena Podolyan, and Olga Wysocka. The author also acknowledges the comments of the anonymous reviewers.

² Following Huntington's typology of democratic transitions, the Czechoslovak democratic course can be labelled as *transplacement*, which implies a joint action by the communist reformers and the democratic forces. See Samuel P. Huntington, *The Third Wave: Democratization in the Late Twentieth Century* (Oklahoma: Oklahoma University Press, 1991). 151-163.

³ Vladimir V. Kusin, "Lubomir Strougal: An Interpretation," *RFE/RL Background Report*, 4 February 1988, 1-5.

of state economic administration and a moderate emphasis on individual political rights and civil freedoms, as defined by the Helsinki process⁴. The hesitant approach of the Czechoslovak elites irritated both the Soviet leadership and the growing reform movement. The governmental inaction was mainly due to the fact that the country did not face serious economic problems in the previous decade - unlike the USSR, Hungary, and Poland, where the catastrophic effects of the initial steps towards economic liberalization could already be seen in the late 1980s. The deteriorating economic conditions, coupled with other endogenous and exogenous factors, set in motion the snowball process which would have provoked the definitive break-up of the communist regimes in Central and Eastern Europe (CEE) in the span of a couple of years.

This article aims to comparatively analyze the dynamics which led to the process of disgregation of newly-democratized Czechoslovakia as a unitary entity and to the creation of two independent states – the Czech Republic and Slovakia – in 1993. I will focus my attention on the period which goes from the ‘Velvet Revolution’ in 1989 to the so-called ‘Velvet Divorce’. On the other hand, given my firm persuasion that ‘history matters’ and that the events of the past affect both the present and the future, I will look back at Czechoslovakia’s past throughout its interwar democratic experience and the communist period to identify the historical sources which determined the post-1989 course of the events.

The second step of my analysis implies an innovative comparative attempt which will adopt the Belgian model of state decentralization as a functional interpretative lens to better understand the political and institutional developments that took place in Czechoslovakia in the early 1990s. This work represents the first systematic endeavor to tackle this analytical problem from a comparative perspective, beyond the boundaries of CEE. This attempt originates from the assumption that the two countries faced similar political and socio-cultural challenges. In the two countries the long-lasting ethno-linguistic divisions did profoundly alter the institutional setting of the state and the nature of inter-party political competition along with their societal pattern. Despite these common traits, the attempts towards unitary federalism produced opposite outcomes. In this essay I will demonstrate that a combination of multifaceted factors contributed to determine a hardly-avoidable institutional deadlock and, in the long term, the breakdown of joint Czech-Slovak statehood. I will prove that this state of things has been primarily determined by the nature of the still embryonic party system and the communist legacy.

In my work I will make use of the concept of *belgianization* since I believe the pattern of decentralization initiated by the pro-federation Czechoslovak elites following the

⁴ The slow process of internal liberalization was marked by growing pressures from the civil society within the framework provided by the Charter 77 movement. Full text of the charter available at http://libpro.cts.cuni.cz/charta/docs/declaration_of_charter_77.pdf.

breakdown of the communist regime shares many similarities with the process of devolution started in Belgium in the early 1970s. In both countries, the establishment of an interconnected polycentric platform of government, aimed at facilitating multilevel cooperation through decentralized institutional structures, was thought to be the only possible answer to the high level of inter-communal fragmentation. The Belgian federal model appears to follow a particular *sui generis* course towards the realization of an incremental reorganization of the public institutions along ethno-linguistic lines. The primary aim of this compounded multilevel structure is to *synthetically* interlink the human elements of the citizenry within the common framework of the federal mosaic. Considering my analytical aims, I will mainly focus on two distinct dimensions which seem to be particularly relevant in this regard: the nature of the institutional framework of the newly-enfranchised Czechoslovak Republic (CSR) and the development of the Czech and Slovak party system(s) in the early 1990s. In the course of my analysis I will try to highlight the role of these aspects in the failure of the federative process which led to the so-called Velvet divorce. Given these premises, the identification of the long-lasting historical roots of the 1993 split will be of great relevance. I assert that the legacy of the past (say, the First CSR and the communist period) strongly affected the fate of the joint statehood in the early 1990s and, in the end, fatally jeopardized the attempts to establish a Belgian-style multinational polity.

My analysis will be structured as follows. In the *first part* of this work I will define the peculiarities of the Belgian model specifically and the key traits of the federal attempts in divided societies in general. In the *second part* of my article I will figure out the historical sources of the recent outcomes. Hence I will analyze the long-lasting tensions between centralist, federal, and secessionist instances in Czechoslovakia, with particular reference to the intrinsic roots of the Slovak nationalist claims and with an eye at the legacy of the pre-1989 period. In the *third part* I will analyze the mix of factors that produced the breakdown of the joint statehood from the Velvet Revolution to the Velvet divorce. Following a neo-institutionalist perspective⁵, I will interpret the development of the country's party system as a function of the structures of government and the latter as a product of the intra-societal cleavages. In line with this assumption, particular emphasis will be paid to the evolution of the Czechoslovak parties from the First CSR to the 1989-1992 experience. In the *final part* of my work I will develop some general conclusions.

⁵ A frequent critique to the neo-institutionalist approach is that – even if the structures of powers (rules and institutions) clearly have a role in determining actors' political behaviour - they are first established and then shaped by men, in other words, they are human products. The problems are therefore determined either by actors' misperception or by deficit of information. However, in the Czechoslovak case (unlike in the Belgian case), given the absence of regime continuity, it is impossible to identify any link between the "constitutional providers" and the "users of the Constitution". This disconnection at actor level made it impossible any change to the constitutional order after the regime change, thereby provoking an institutional deadlock whose final effect was the falling apart of the joint statehood.

Institutional Consensualism and its Political Consequences

To better understand the Czechoslovak case from a comparative venture point, I am now going to define the basic features of the Belgian federalism (throughout its gradual process of development), I will thereby provide an interpretative lens for a fruitful comparison with the institutional and political developments in the CSR in the early 1990s and for the detection of the factors which determined the split of Czechoslovakia in 1993. In the following pages I will first deal with the institutional side of Belgian federalism, and then I will spend some words in presenting the evolution of the party-system.

1. The Nature of the Belgian Federalism and its Impact on the Belgian Party System

An essential peculiarity of what I am going to label as the ‘belgianization process’ is the *incremental but constant* federalization and decentralization of the structures of the centralist state. In both Belgium and Czechoslovakia several common triggering factors appeared to strongly push for changes in the balance of power between the central and the regional levels. Two key dimensions played a relevant role, namely the ethno-linguistic diversity of the country and the socio-economic unbalance between the constituent parts.

First, since the foundation of the modern Belgian statehood in 1830, French-speaking Wallonia represented the economic and cultural centre of the country. Considering the leading-position of the South part of the Kingdom and the Francocentric vision shared by the liberal elites, the French idiom gained a special status and was informally considered as the *very* official language of the state. Moreover, at the highest levels of education the teaching language was French. The admission to higher education was essential for entering the political and institutional heart of the Kingdom’s civil power. Education represented, therefore, a useful tool for the dominant national elites in order to selectively co-opt loyal Flemish prominent personalities and to ghettoize the Dutch-speaking autonomist forces. A similar phenomenon of linguistic imbalance took place in the newly-enfranchised CSR. In the early 1920s, the Language act recognized the ‘Czechoslovak language’ as the official language of the state. According to Bakke “it should be noted that status as a ‘tribe’ of the state-forming ‘Czechoslovak nation’ protected the Slovaks against the use of Magyar in Slovak areas, *but not against the use of Czech*”⁶.

Second, from the inception of the Industrial revolution in the late 18th century French Wallonia (like Czechia) became an early industrial boom area, whereas the Dutch Flanders (like Slovakia) remained agricultural and economically and politically

⁶ Elisabeth Bakke, “The Principle of National Self-Determination in Czechoslovak Constitutions 1920-1992,” *Central European Political Science Review* 10 (3: 2002): 6.

outdistanced by the South part of the country. In the early 1970s, Wallonia provided a good example of a modern, industrial, and secularized region led by liberal elites and represented the core of the Belgian middle class, while Flanders was still marked by pre-modern, agricultural, and counter-reformist traits. The main part of the Northern elites was composed of politically-inactive landowners who developed strong personal ties with the French-oriented centre in order to gain fiscal and economic rewards. In addition, considering the non-secularized traits of the Flemish provinces, this region provided the popular basis for the development of the Catholic party and represented the stronghold of the agrarian and conservative forces following the adoption of the universal male suffrage in 1893.⁷ The political decline of Flanders has clear historical roots which date back to the loss of economic and intellectual power under Spanish, Austrian, and French rule. The heavy taxation and rigid political control imposed by the Spanish rulers and the consequences of Franco-Austrian conflict severely undermined Flemish political and economic structures. Next I will discuss the socio-economic unbalances between Czechia and Slovakia and many similarities with the Flemish case will emerge.

Using Rokkan's interpretative framework, Flemish *counter-elites* can be seen as opposing the process of nation-building promoted by the Walloon leadership, and the two groups seem to represent the two opposing poles of centre-periphery cleavage⁸. In the Belgian case (unlike in Czechoslovakia) the growing frustration and discontent was channelled by the elites via a gradual political enfranchisement of the Flemish population. Considering the growing economic weight of Flanders and the actual risk of secession, Belgian elites initiated an incremental process of federalization of the state institutions. Two milestones of the reform process marked the inauguration of the federative process: the 'Pact *between* the Belgians' (1970) and the well-known Egmont Pact (1977)⁹. In 1970, the Flemish and Francophone communities were established and provided with wide competences in matters of language and culture. In addition, larger autonomy was conferred to the three regions (say, Flanders, Wallonia, and Brussels), which were therefore granted relevant influence at the federal level vis-à-vis the political centre. Both the communities and regions have their own direct elected assemblies and their responsible executives. In 1984 the German linguistic community was officially established together with the Flemish and the Francophone ones. Finally, in the summer of 1993, a constitutional reform officially recognized Belgium as a federal state. The traditional Belgian PR has been

⁷ Martine DeRidder, Robert L. Peterson, Rex Wirth, "Images of Belgian Politics: The Effects of Cleavages on the Political System," *Legislative Studies Quarterly* 3 (1: 1978): 83-208. See also Piet van de Craen, "What, if Anything, is a Belgian?" *Yale French Studies, Belgian Memories*, No.102/2002, 24-33.

⁸ Stein Rokkan, "The Structuring of Mass Politics in the Smaller European Democracies: A Developmental Typology," *Comparative Studies in Society and History* 10 (2: 1968): 173-210.

⁹ The Egmont Pact covered agreements on a number of various topics: 1. The establishment of autonomous councils and executives (a government) for the three communities in Belgium (established in 1970 within the framework of the Pact between the Belgians); 2. An agreement on the linguistic relations in Brussels and the periphery; 3. A reform of the country's institutions along federal lines.

progressively shaped by the federal reform, thereby further fostering the eminently intra-communal structure of the party systems and preventing the emergence of statewide political organizations. A good indicator of the high level of decentralization and multilevel cooperativism reached by the Belgian system of government is the number of legislative assemblies (8 parliaments) which interact within the constitutional machinery of the state. Among others, this set of reforms implied the transformation of the bicameral parliamentary system along regional and ethno-linguistic lines, thereby guaranteeing an effective say to the substate entities (in cooperation with the central institutions) on every piece of legislation which *could* virtually affect the inter-communal balance. All in all, the Belgian political consensualism (which was initially developed by the national elites as a reaction to the increasing political polarization produced by the state/church cleavage and the monarchy issue in the aftermath of the War) proved to be a working answer to the growing inter-societal fragmentation¹⁰.

The institutional changes - as was largely predictable – affected the features of the Belgian party system as well as the coalitional patterns. The highly polarized political environment determined a vertical fragmentation of the Belgian society (pillarization) which appeared to be increasingly divided according to partisan lines of frail. The emergence of the ethno-linguistic cleavage contributed to a further deconstruction of the society and of the political spectrum, thereby cross cutting the already tangible ideological divisions and creating societal pillars which lack any structural connection at citizen level. Keeping aside the role of the nationalistic parties, the traditional *grandes familles* (the Liberals, the Catholics, and the Socialists) gradually divided along ethno-linguistic lines. However, they by and large maintained common ideological roots which facilitated the creation of interparty cooperative mechanisms. According to Rokkan

in Belgium the established elite identified with the French language throughout the country and the Flemish opposition expressed a class cleavage: the Liberal associations and the Catholic hierarchy were for a long time able to maintain channels of communication between the two cultures but could not prevent the foundation of regionalist-federalist parties after World War I.¹¹

Given the lack of the connections among the members of the linguistic communities at the bottom of the pillars, the only way to secure the tenure of the joint statehood appeared to be the establishment of a highly-structured dialogue among the partisan

¹⁰ The resulting institutional structure is highly complicated, comprising the federal level (House of Representatives, Senate, King), the community level (Flemish, French, and German Community Council, Joint Commission), the state-region level (Flemish and Walloon Region, Brussels-Capital), and finally the language-region level (Dutch-, French-, German-speaking, and Bilingual Region). For further details see Articles 4 [Linguistic Regions] and 68 [Group Balance] of the Constitution of the Kingdom of Belgium. Retrieved from http://www.servat.unibe.ch/icl/be00000_.html.

¹¹ Rokkan, "The Structuring of Mass Politics," 203.

organizations. Mutually disconnected communities were therefore bridged through a close dialogue among their political representatives within the framework provided by the multilayered federal system.

In the span of ten years the major political organizations of the country restructured themselves along ethno-linguistic lines, thereby originating three distinct intra-communal party systems: the Catholics split in 1968, the Liberals in 1971, and the Socialists in 1978. The Christian-democrats, who regarded the underdeveloped and frustrated Flanders as their main stronghold, were keener to represent the political and economic interests of the Flemish voters. The Socialists resisted the divisive tendency until 1978, mainly because most of their voters were located in the highly industrialized Wallonia and in the district of Brussels.

In his well-known *Patterns of Democracy: Government Forms and Performance in Thirty-Six Countries* (1999) Lijphart defines the institutional characteristics and the basic traits of the consociational model of democracy. The consociational state coupled with decentralized institutions does not solve the complexity of divided societies all at once, nor it does remove the ethnonational cleavages. It does, however, render them manageable and the periodical inter-communal crises controllable, thereby reducing the risks of dramatic institutional shocks which would put in danger the existence of the polity. In Lijphart's work Belgium towers as the case which appears closest to the consociational idealtype. According to Lijphart

the successful establishment of democratic government in divided societies requires two key elements: power sharing and group autonomy. Power sharing denotes the participation of representatives of all significant communal groups in political decision making, especially at the executive level; group autonomy means that these groups have authority to run their own internal affairs.¹²

In his analysis of the Belgian *verzuiling*, he identifies four necessary conditions for a consociational system to succeed. The elites must: 1. be aware of the dangers of political fragmentation at societal level; 2. share the commitment to the state unity; 3. be able to establish a well-structured dialogue aimed at connecting the constituent communities from the top; 4. have the will to compromise for the sake of the federation¹³.

II. The Czechoslovak Case

1. *The Pre-1989 Background*

In this section I will discuss the historical developments which influenced the political course of post-communist Czechoslovakia and eventually determined the failure of

¹² Arend Lijphart, "Constitutional Design for Divided Societies," *Journal of Democracy* 15 (2: 2004): 97.

¹³ Arend Lijphart, "Consociational Democracy," *World Politics*, 21 (2: 1969): 207-225.

the joint statehood in the early 1990s. I will focus my attention on two distinct periods, the First Czechoslovak republican experience (from 1920 to 1938) and the post-WWII communist era (from 1948 to 1989).

1.1 The First Czechoslovak Republic: The Development of a Unitary State

Unlike most interwar cases, Czechoslovakia represents an example of democratic survival in CEE as it “remained a functioning parliamentary democracy throughout the interwar period [until the German invasion in 1938], thus offering a sustained period of party evolution for analysis”¹⁴. Following the proclamation of national independence in October 1918, a democratic constitution - patterned after the French model - was approved in 1920. In the meanwhile, the principle of proportionality was introduced in order to secure the highest degree of equality within a strongly fragmented political system marked by a large degree of ethnic heterogeneity: “the number of parties competing for votes oscillated between 16 and 29, of which 7 to 11 were parties of Czechs and Slovaks, while the rest were German and Hungarian”¹⁵. After the collapse of the Habsburg Empire, Sudeten Germans and Hungarians of Slovakia were incorporated into the new state, together with Czech and Slovak constituent (*statotvorné*) peoples¹⁶. To prevent the emergence of ethno-linguistic threats from the German and Hungarian national minorities, the highest level of autonomy was granted to the two nationalities within the framework of the unitary structure of the state. Given the centralized nature of the republic, the formal constitutional rights were granted by the centre and no independent power of action was provided to the regional level.

The greatest challenge endeavored by the new political leadership concerned the construction of a sovereign state by joining two units, distinct in ethno-cultural as well as socioeconomic and historical development: Czechs in industrially and economically developed Bohemia and Moravia, previously subject to the Austrian half of the dual monarchy, and Slovaks in the poorer Hungarian half. Since its establishment, the political centre of the national government and the administration appeared to be monopolized by Czech functionaries, provided the lack of expertise among the Slovaks. This factor powerfully increased the sense of general frustration among the Slovak counter-elites and fostered their mistrust towards the Czech centre.

Within the constitutional framework of the state there was no formal recognition of Czechs and Slovaks as two distinct nations. The preamble of the 1920 Constitution stated

¹⁴ Carol Skalnik-Leff and Susan B. Mikula, “Institutionalizing Party Systems in Multiethnic States: Integration and Ethnic Segmentation in Czechoslovakia, 1918-1992,” *Slavic Review* 61 (2: 2002): 292.

¹⁵ Eduard Taborsky, “Czechoslovakia’s experience with P.R.,” *Journal of Comparative Legislation and International Law* 26 (3/4: 1944): 50.

¹⁶ Skalnik-Leff and Mikula, “Institutionalizing Party Systems,” 292-314.

*We, the Czechoslovak nation, desiring to consolidate the perfect unity of our nation, to establish the reign of justice in the Republic, to assure the peaceful development of our Czechoslovak homeland, to contribute to the common welfare of all citizens of this state and to secure the blessings of freedom have in our National Assembly this 29th day of February 1920 adopted the following Constitution for the Czechoslovak Republic*¹⁷.

Only in 1938, the moribund parliament of the CSR approved a constitutional amendment which eventually recognized the Slovaks as a separate and sovereign nation¹⁸.

The asymmetries and the structural imbalances between the founding entities have clear historical sources. The Slovaks suffered a significant organizational deficit in comparison to the more favorable conditions for political development in Czech Austria. Following the establishment of the Bohemian Diet in 1861 and the 1867 constitutional compromise, Czechia embraced the Austrian path towards the extension of political rights and experienced male universal suffrage since 1907, whereas Hungarian Slovakia encountered much more limitations of political participation (restricted suffrage) as the central elites were actively involved in Hungarian national struggles and vigorously sustained the process of Magyarization of Slovak lands. Therefore they seemed to be hostile to the emergence of rival ethnic identities in the electoral arena and institutional life. In this sense, the re-emergence of nationalistic sentiments in Slovakia (both during the experience of the ‘Slovak state’ in the 1940s and in the newly-democratic CSR in the early 1990s) implied a revanchist escalation and the growth of anti-Hungarian feelings among the public and the elites.

When Slovakia was artificially merged with Moravia and Bohemia in 1918, it encountered the more politically mature Czech elites arisen from a more open and inclusive electoral politics under the Austrian rulers¹⁹. The collapse of Habsburg Empire “facilitated an alliance of the Czech workers and bourgeoisie against the prospect of pan-German domination and an independent state embracing also the Slovaks of Hungary seemed the most viable alternative”²⁰. All in all, the establishment of the new democratic joint state clearly characterizes as a Czech-led operation. Bohemia and Moravia provided most of the administrative and political elites, while prominent Slovak personalities (such as Presidents Tomáš Masaryk and

¹⁷ Elisabeth Bakke, “The Principle of National Self-Determination,” 4.

¹⁸ Dorothea H. El Mallakh, *The Slovak Autonomy Movement, 1935-1939* (Columbia University Press, 1979).

¹⁹ Jeffrey S. Kopstein and Jason Wittenberg, *Ethnic Diversity, Democracy, and Electoral Extremism: Lessons from Interwar Poland and Czechoslovakia*, Preliminary Draft, December 18, 2004, 1-8. Retrieved from http://www.politics.as.nyu.edu/docs/IO/4734/wittenberg_s05.pdf.

²⁰ John Coakley, “Political succession and regime change in new states in inter-war Europe: Ireland, Finland, Czechoslovakia and Baltic Republics,” *European Journal of Political Research* 14 (3: 1986): 191.

Edvard Beneš) were selectively co-opted. The new state characterized as a substantially secularized Catholic country since the liberal Czech political elites were able to temper more deeply religious Slovak Catholics, thereby robustly reducing the impact of religious cleavages on the fate of Czechoslovak democracy.

Considering the Czecho-centric and unitary nature of the state, the pro-independence claims of the Slovak counter-elites flowed under the surface of the republican structure as latent forces which, however, never disappeared. The central power did great integrative efforts in order to mitigate the role of ethnicity, perceived as a threat to state unity. Provided the high level of ethnonational fragmentation of the political system, informal cooperative tools were adopted by the political elites in order to preserve the democratic institutions and to temper Slovak nationalism.

Largely responsible for the political stability of democratic Czechoslovakia was the so-called *Pětka* (The group of five). This behind-the-scenes consociative forum, composed of the leadership of the five major parties²¹, constituted the informal backbone of the government and designed a virtuous pattern which contributed to the success of democracy in interwar Czechoslovakia. Moreover, it succeeded in moderating ethno-linguistic conflicts as it controlled the access to governing power, thereby conditioning political cooptation of junior partners to the acceptance of the new polity and its constitutional basis²². Accordingly, after 1927, the Hlinka's Slovak People's Party (Slovak: *Hlinkova slovenská ľudová strana*, H'SLS)²³, which accepted the joint democratic statehood, "won inclusion in governing coalitions, thus acquiring leverage in the allocation of state budgetary resources".²⁴

After Munich, the Czech lands became a German protectorate, whereas Slovakia was reorganized in 1939 as a formally independent statehood under the leadership of the H'SLS. Although it was practically little more than a Nazi 'puppet state', it retained a symbolic significance throughout the communist period and the democratic joint CSR as the first state-building attempt.

1.2 *The Federative Experiments during the Communist Regime*

²¹ The *Pětka* included the leaders of the five main Czechoslovak parties: Social Democrats, National Socialists, National Democrats, Agrarians and Catholics.

²² Stefano Braghiroli, "The Challenges to Democracy in the Interwar Period: Lessons from the Past Relevant Today. Poland, Lithuania, and Czechoslovakia in an Extended Rokkanian Perspective," *CEU Political Science Journal* 2 (4: 2007): 375.

²³ The HSLs was founded by the rightist Catholic priest Andrej Hlinka and originated from a voluntary merger with other parties in November 1938. The party became – under the leadership of Jozef Tiso - the dominant political force in the pro-Nazi and clerical Slovak state and reformed the constitution according to authoritarian lines. It promoted anti-Semitic policies patterned after the German model. It also established the fascist militia known as Hlinka Guard in 1938. See Bakke, "The Principle of National Self-Determination," 9.

²⁴ Skalnik-Leff and Mikula, "Institutionalizing Party Systems," 302.

In the aftermath of the Second World War, a fresh constitution was adopted in May 1948. The substantial application of the new chart was largely influenced by communist pressure even if it officially maintained formal references to liberal-democracy. The mismatch between the form and the actual institutional practice produced frequent constitutional blackouts driven by the communist government. In 1968, a new chart was eventually adopted which fully embraced the principles of socialist democracy.

The postwar constitution recognized the existence of two distinct Czech and Slovak nations. The preamble of the chart declares that “the Czechs and Slovaks, two brotherly nations, members of the great Slav family of nations, lived already a thousand years ago jointly in a single state”²⁵. An illustrative example of the integrative attempts undertaken by the communist leadership is provided by the Košice Agreement (a sort of Czechoslovak Egmont) “which promised a departure from the interwar republic’s centralism in the formulaic recognition of Czech and Slovak political status of ‘equal with equal’ and provided a separate institutional base for Slovak political organization”²⁶. It provided the basis for a formal regionalization of the polity. The system of ‘asymmetric federalism’ introduced by the 1948 constitution played a determinant role in the definition of the Slovak feelings towards the federation - again seen as a Czech realm - and robustly affected the nature of the belgianization process *à la tchécoslovaque*. According to Stepan “in a democratic asymmetrical federal system the constitution makers, in order to ‘hold together’ the polity in one peaceful democracy, may give constitutionally embedded special rights for distinct member of the federation”²⁷. The model of asymmetric federalism implied the coexistence of central structures of government and Slovak regional institutions. For Slovakia it meant the establishment of a republican parliament (the Slovak National Council²⁸) and a republican government in Bratislava coupled with an autonomous Slovak section of the Communist Party. None of these provisions existed in the Czech lands.

Although these reforms were thought to moderate Slovak frustration and to guarantee greater (formal) political weight within the socialist state, in facts they boosted the disenchantment of the Slovaks and increased the appetite for independence, rather

²⁵ Jan F. Triska, *Constitutions of the Communist Party-States* (Hoover Institution on War, Revolution, and Peace, Stanford University Press: 1968). 396.

²⁶ Skalnik-Leff and Mikula, “Institutionalizing Party Systems,” 309. See also Bakke, “The Principle of National Self-Determination,” 10.

²⁷ Alfred Stepan, “Multi-Nationalism, Democracy and “Asymmetrical Federalism” (With Some Tentative Comparative Reflections on Burma),” *Technical Advisory Network of Burma*, WP 02/2002, 3.

²⁸ The Slovak National Council was established during the liberation war under the German occupation. In December 1943, various groups that would be involved with the government in exile, Czechoslovak democrats and communists and the Slovak army, formed the underground Slovak National Council, and signed the so-called *Christmas Treaty*, a joint declaration to recognize Beneš' authority and to recreate Czechoslovakia after the war. The council was responsible for creating the preparatory phase of the Slovak National Uprising.

than satisfying it²⁹. The asymmetrical provisions made even more evident that the central level was a prerogative of the Czech elites. This *sui generis* federalism contained two components, namely, a federal government which had power over the entire country and detained the definitive sovereignty and a national council that *nominally* ran internal affairs within Slovakia. The asymmetry stemmed from the absence of the latter in the western part of the country. It implied that “Czech interests were always represented in federal policy, while Slovaks, because their representation was concentrated at the republic level, were relatively powerless at the federal level”.³⁰ Asymmetric federalism appeared fully functional to the objectives of the communist elites, thereby providing a conditional answer to the Slovak issue without requiring the decentralization of any real authority.

In 1960, given the growing Slovak discontent, a set of constitutional amendments formally widened Slovaks’ nationality rights. In addition, in 1968 a new Soviet-style chart was approved. It turned the name of the country into Czechoslovak Socialist Republic (CSSR), thereby claiming that “the leading role of the Communist Party of Czechoslovakia”³¹ (Article 4). The chart went beyond the recognition of two distinct nations, thereby acknowledging “the indefeasible right of self-determination as far as a separation, respecting the sovereignty of each nation and *its right freely to create for itself the way and form of its national and state life*”³². The new constitution - drafted during the Prague Spring but adopted following the process of ‘normalization’ - reshaped the characteristics of the Czechoslovak federalism, thereby substituting the principle of proportionality between the two *statotvorné* with the principle of equality, abolishing the institutional imbalances between the two halves of the country³³. *First*, the federal asymmetry was eliminated with the establishment of a Czech National Council. *Second*, the federal assembly was made bicameral, with an upper chamber (House of Nations) divided into two equally sized Czech and Slovak sections according to the principle ‘one nation, one vote’ and a lower chamber (House of the People) elected through proportional representation. Similarly to the Belgian case,

in some cases, designated in the constitution, legislation required a simple majority in the lower house and in *each section* of the upper house; constitutional changes needed three fifths majorities in the same three instances. This implied that one fifth of the deputies to the upper house could block all constitutional changes³⁴.

²⁹ Robert Henry Cox and Erich G. Frankland, “The Federal State and the Break-up of Czechoslovakia: An Institutional Analysis”, *Publius* 25 (1: 1995): 77-82.

³⁰ Cox and Frankland, “The Federal State,” 78.

³¹ William B. Simons, *The Constitutions of the Communist World* (Alphen aan der Rijn: Amsterdam, 1980). 710.

³² *Ibid.*, 582.

³³ Cox and Frankland, “The Federal State,” 79.

³⁴ John Elster, “Transition, Constitution-making and Separation in Czechoslovakia”, *European Journal of Sociology* 36 (1: 1995): 109.

Great attention should be paid to these federal provisions since they robustly impacted the post-1989 development of the country. In this sense, the 1968 chart provided the constitutional basis of the newly-democratic Czech and Slovak Federative Republic and may therefore be regarded as “a unique example of a text that came into life only after death – after the abolition of the regime whose affairs it was supposed to regulate”³⁵.

2. *From the Velvet Revolution to the Velvet Divorce*

Prior to analyzing the events that provoked the break-up of the federal union, three relevant institutional aspects (recommended by President Havel and his entourage) deserve to be clearly fixed. *First*, the loyalty to the principle of legal continuity³⁶ (unlike in Poland, Hungary, and East Germany). *Second* and consequentially, the respect for the no-longer on paper sovereignty of the two republics and recognition of their right of secession. *Third*, the adoption of a proportional system at republic-level³⁷.

Following the course of the events in the communist bloc, several members of the KSC “called for moves toward democratic reforms in Czechoslovakia, perhaps in the form of discussions at a Polish-style round table that would include representatives of the government and of the opposition”.³⁸ In the late 1989, talks between the reformers and the pro-democracy leaders in Prague and Bratislava defined the path towards a full political enfranchisement of the country. The discussions were held separately in Czech lands by the Civic Forum (Czech: *Občanské fórum*, OF) and in Slovakia by the leadership of Public Against Violence (Slovak: *Verejnost' proti násiliu*, VPN). The two pro-democracy groups were in ‘umbrella organizations’ which gathered a variety of dissimilar opponents of the communist regime which shared the only common aim to challenge the *status quo*. Considering the initial ethno-national partition of the anti-communist forces and their proto-partisan nature, it would have been extremely difficult to create *ex post* a unitary party system, thereby reducing the impact of the Slovak disgregative claims. According to the principle of legal continuity, the first important decision adopted by the OF and VPN leaderships implied the maintenance of the pre-1989 existing parliament in charge. This did not prevent a process of preliminary lustration: in November the assembly was purified of its most radical and obnoxious members³⁹.

³⁵ Ibid., 109.

³⁶ Three points appear particularly noteworthy: *First*, the Slovaks had equal numbers of representatives in the House of Nations. *Second*, a majority was required in each of the two sections of the upper house. *Third*, for constitutional changes a qualified majority in both the houses was required.

³⁷ Taborsky, “Czechoslovakia’s experience with P.R.,” 50.

³⁸ Kevin Devlin, “Prague Spring Leader Calls for Czechoslovak Round Table,” *RFE/RL Background Report*, August 18, 1989, 1.

³⁹ Elster, “Transition, Constitution-making”, 112.

In the summer of 1989 the democratic leadership and the pro-reform communist elites defined the next steps towards democracy in order to finalize the transition process. A new constituent ‘short parliament’ should have been elected in 1990 in order to approve the fresh democratic constitution of the federal republic. The experimental idea of a 2-year parliament appeared not particularly successful. Indeed, given the short life of the new legislature, most of the parties rapidly became involved in electoral politics, thereby trying to maximize their votes for 1992 general elections. A second fault step proved to be the introduction of the proportional representation at republic-level, adopted under the influence of presidential pressures.⁴⁰ The requirement to capture *over five percent in a single republic, not in the whole country* made the formation of two party systems inevitable. According to Olson (once again similarly to the Belgian case) this institutional framework produced “two party systems, each one concentrated in one of the two Republics within the larger federation and constructed political parties within, not across the salient division in society”⁴¹. In this way Havel sought to achieve two different aims, consistent with his post-materialist political perspective. On the one hand, he did not want to exploit the dominant position of the Civic Forum. On the other hand, considering his well-known opposition to party politics, he wanted an electoral method that would have allowed the selection of independent (non-partisan) candidates.

One of the most evident effects produced by the institutional system was the growth of ethno-national polarization between the two main pro-democracy movements and the rise of internal political struggles. Political and ethnic divisions jeopardized the attainment of a long-term constitutional agreement which was thought to finally substitute the 1968 constitution⁴². More in general, the Slovaks’ boycott of every federal attempt was made possible by the egalitarian rules contained in the 1968 socialist constitution (Article 41 on Constitutional amendments). The overstressed principle of legal continuity seems to have produced the seeds of the institutional deadlock and, more in general, a weakening of the constitutional momentum “as an informal coalition was soon formed between the Slovak patriots/nationalists and the Communists which, playing the rules of the 1968 Constitution, was able to stall the urgent reform legislation”⁴³. The 1990 elections created a federal parliament dominated by Civic Forum and Public Against Violence (170 seats out of 300), with the Communists (the only statewide party) and the Christian Democratic Union (Czech: *Křesťanská a demokratická unie*, KDU) gaining respectively 47 and 40 seats.

⁴⁰ Ibid., 111.

⁴¹ David M. Olson, “Dissolution of the State: Political Parties and the 1992 Election in Czechoslovakia,” *Communist and Post-Communist Studies* 26 (3: 1993): 301.

⁴² A good indicator of the growing tension between Czech and Slovak forces is the semantic debate over the official name of the state known as the ‘hyphen debate’ which took place in the federal parliament in the spring of 1990. For further details see Bakke, “The Principle of National Self-Determination,” 14. See also Cox and Frankland, “The Federal State,” 82.

⁴³ Milos Calda, *Constitution-Making in Post-Communist Countries: A Case of the Czech Republic*, Paper presented at the American Political Science Association Convention, Atlanta, Georgia, September 2-5, 1999.

The other minor parties ranged between 12 and 16 seats⁴⁴. The limited duration of the constituent legislature accentuated the divisive claims within the two pro-democracy groups, which restructured themselves along partisan lines. In February, the OF split into two groups, the conservative Civic Democratic Party (Czech: *Občanská demokratická strana*, ODS) led by the Federal Minister of Finances, Vaclav Klaus and the pro-Havelian anti-partisan Civic Movement (Czech: *Občanské Hnutí*, OH). The former can be labelled as a moderate right-wing party representing the interests of the Czech middle class, characterized by a pragmatic approach⁴⁵, whereas the latter emerged as a more open group displaying a civic and social character as it was mainly composed of non-partisan politicians. The same phenomenon took place on the Slovak side. The disintegration of VPN began in March 1991, when Vladimir Meciar founded his own political party: the Movement for Democratic Slovakia (Slovak: *Hnutie za demokratické Slovensko*, HZDS). Meciar, the former leader of the VPN, exited the organization when he was ousted from his position as Slovak Prime Minister by an internal plot driven by the pro-unity partners. He claimed the realization of a Slovak third way and supported a gradual approach towards market economy, more compatible with Slovakia's economic backwardness. According to Ambrosio, Meciar's support for a loose confederation was functional to Slovakia's interests: "the real issue was whether or not the Slovaks would be able to block the process of economic reform in Czechoslovakia. Not only did Meciar demand that the Slovaks have a veto over any reform package, but the federal system itself necessarily required a consensus-based government"⁴⁶. The clash of interest between the free-marketist ODS and the social-populist HZDS appeared to be no longer grounded merely on an 'idealistic' ethno-national divide, but on incompatible political programs both aimed at driving the country towards mutually-irreconcilable directions. In addition, the pro-federation liberal elite who led the Velvet Revolution had been progressively wiped out. As the post-materialist Havelian elites represented the only political and trans-communal force with a strong commitment to the federation, centrifugal forces came to increasingly dominate the scene. This made an inter-communal constitutional agreement virtually impossible. Even if the structures of government appeared suitable for consensual Belgian-style politics, one aspect appeared to inevitably jeopardize the pro-unity efforts. Given the growing disagreement between the elites both on issues of national sovereignty and on the socio-economic direction of the federation (in terms of market vs. equalization), the political representatives of the two republics proved unable to connect the two societies. Unlike in the Belgian case, the divisions at the bottom of the societal pillars could not be overcome by a cooperative behaviour at the top. This represented a by-

⁴⁴ Jaroslav Hudeček, Zdenka Mansfeldová and Lubomir Brokl, "Czechoslovakia," *European Journal of Political Research* 22 (3: 1992): 381.

⁴⁵ The neoliberal doctrine, individuals' self-promotion, and free-marketism represent the basic and founding principles of the party. For further details see The Statute of the Civic Democratic Party. Retrieved from <http://www.ods.cz/eng/party/statutes.php>.

⁴⁶ Thomas Ambrosio, "The Breakup of Czechoslovakia and the Calculus of Consociationalism," *Institute on East Central Europe WP* 1/1997, 4.

effect of the communist past, which produced high levels of societal fragmentation, low interpersonal trust, and a general deconstruction of the political life of the country⁴⁷.

Given the persistent constitutional deadlock, the centrifugal trend was fostered by the 1992 elections, which created favourable conditions for the peaceful divorce. In the Czech Lands, the ODS-KDU coalition prevailed with 40% of the votes in both the houses. In Slovakia, the Movement for a Democratic Slovakia also achieved 34% of the votes. No party succeeded in gaining seats in both the republics⁴⁸. The 5% threshold provided electoral incentives to those parties that displayed a consistent nationalist rhetoric. Following this process of political disgregation of the centre also the Communist Party faced increasing inter-communal divisions⁴⁹. Both the ODS and the HZDS received more seats in the Chamber of Nations than their percentage of votes: ODS-KDU were apportioned 37 out of 75 of the Czech seats and the HZDS received 33 out of 75 of the Slovak seats, thereby securing both of them an effective veto power in the Federal Assembly. In June 1992 an agreement was reached on a Swiss-style federal cabinet according to the following formula: 4 (ODS) + 4 (HZDS) + 2 (Others)⁵⁰. This decision showed the loss of power of the federal institutions and at the same time reduced the legitimacy of the centre vis-à-vis the republic-based National Councils, which emerged as the very centre of the political power. Despite the consensual character of the 4+4+2 formula, a *Pětka*-style selective cooptation was no longer possible as

the federal government, selecting Slovak allies had now to meet the test of representativeness at the republic level, institutionally embodied in the Slovak prime minister and cabinet as well as in the pattern of party alliances in the Slovak National Council. It was the Slovak Republic government, and not the 'Prague' Slovaks, who were on the front lines in negotiating a constitutional bargain⁵¹.

Considering the crystallization of two distinct Czech and Slovak party systems, the break-up of the federation became not only plausible but inevitable. Unlike in the Belgian case, the leading democratic forces did not share any inherent state-wide attitude, or any common ideological vision. Given the high level of political deconstruction experienced during the communist regime, the development of a common 'myth of the origin' comparable to the Belgian *grandes familles* would have

⁴⁷ Søren Riishøj, "Development of Parties and Party Systems in Central Europe," *Political Science Publications*, No. 19/2007, 18.

⁴⁸ In the 1992 elections the ODS tried to cross the border of the republic by forming a coalition with the Slovak-based Democratic Party/Civic Democratic Union. However the Slovak partner failed to break the 5% clause. See Calda, *Constitution-Making in Post-Communist Countries*, 6.

⁴⁹ In 1990 the KSČ became a federation of the Communist Party of Bohemia and Moravia and the Communist Party of Slovakia. Later, the Communist Party of Slovakia changed its name to the Party of the Democratic Left and the federation broke up in 1992.

⁵⁰ Cox and Frankland, "The Federal State," 85.

⁵¹ Skalnik-Leff and Mikula, "Institutionalizing Party Systems," 312.

been inconceivable. On the other hand, the unitary tradition of the interwar CSR and its commitment to a cooperative style of government was too far in the past to exert any real influence.

After the collapse of the socialist system, the desire of political unity declined under the pressure of nationally-oriented Slovak claims coupled with Czech inertia, leading to the fragmentation and the increasing partisanization of the umbrella organizations. Both ODS and HZDS started to consider the National Councils as the primary source of their popular legitimacy. It is particularly noteworthy that after the 1992 general elections Vaclav Klaus preferred the Czech prime ministership to the Presidential appointment as head of the federation. An additional factor fastened the process of division, that is, the strengthening of Klaus and Meciar's opposite stances towards economic reforms. This factor was coupled with a stronger nationalistic rhetoric from the Slovak side. Even if the only relevant party explicitly advocating the division of the country was the minor Slovak National Party (Slovak: *Slovenská národná strana*, SNS) that obtained only 15 seats out of 300, it became progressively evident that both ODS and HZDS had silently abandoned the perspective of a federal Czechoslovakia. Indeed, as the adoption of a working market economy was "Klaus' first priority, it was undoubtedly in his interest to abandon the deadlock federal centre by initiating Czechoslovakia disintegration"⁵² since the Slovaks were perceived as an obstacle to reform. On the other hand, Meciar came to accept the separation as the only way to reduce the hardships of market reforms in Slovakia. In this regard, Klaus made clear that there could be no exceptions to the privatisation process and that the only two feasible alternatives were "the preservation of the present federation or the complete disintegration of the state"⁵³. Meciar's counter-proposal clearly showed that the time was running out. He suggested a *functional* 'loose confederacy' with joint armed forces where Slovakia would have retained its own independent foreign and *economic policies*⁵⁴. He suggested the two 'sovereign republics' to adopt their constitutions first and, after that, the ratification of a Maastricht-style 'state treaty' which would have allocated the competences between the federal 'devolved' centre and the republics⁵⁵.

In the second half of 1992 the process of disgregation became faster and irreversible. In July, Meciar's deputies vetoed Havel's re-election as President of the country. On July 17, the Slovak National Council approved a declaration of independence (*svrchovanost*). Finally, on July 22-23 Klaus and Meciar agreed on ending the federation. The dissolution of Czechoslovakia would have taken effect on January 1 1993, thereby culminating in the creation of two independent states. In this respect, one final point deserves to be mentioned. On the eve of the divorce, despite the

⁵² Elster, "Transition, Constitution-making," 231 5

⁵³ Ambrosio, "The Breakup of Czechoslovakia," 6.

⁵⁴ Calda, *Constitution-Making in Post-Communist Countries*, 6.

⁵⁵ See Bakke, "The Principle of National Self-Determination," 15.

growing nationalistic rhetoric expressed by the major parties, the overwhelming majority of both Czech and Slovaks populations were in favour of keeping the joint federation (albeit with more autonomy at national level). A survey conducted by Radio Free Europe/Radio Liberty in 1991 shows that only 23% of the Slovaks and 13% of the Czechs supported the separation. Other studies reveal the same trend⁵⁶. From this perspective Slovak self-determination seemed to be an issue of minor concern. Neither Klaus nor Meciar wanted to follow the constitutional procedures of state dismantling, rather favoured by Havel and his entourage, since such procedures would have required a referendum among the citizens of the federation. Cox and Frankland maintain that this course is mainly due to the weak mass-elite linkage “as appeared to be the case in post-Communist Czechoslovakia, [where] the relative autonomy of the elites is increased, and the importance of the issues which divided them is amplified”⁵⁷.

It is extraordinarily interesting to appreciate the impact of a dead constitution on the fate of the Czechoslovak joint statehood. On the one hand it was functional to Meciar’s attempts to rebalance Slovakia’s historical inequalities. But on the other hand, in the long run, it prevented unitary forces from overcoming HZDS obstruction and avoiding the country’s institutional deadlock⁵⁸. All in all, unlike in the Belgian case, the Czech and Slovak leadership had few incentives for keeping the union alive, given the lack of consociational political culture (mainly due to the communist heritage which disintegrated the country both politically and socially). Considering the high degree of violence that characterized the international environment in the early 1990s, to the Czech and Slovak elites the end of Czechoslovakia and the peaceful creation of two sovereign nations did not appear as an excessive price to pay. In the era of Bosnian and Rwandan massacres, the process of state disintegration would have been conducted quietly and through political negotiations. Moreover, given the nonexistence of ethnic hatred and national overlap among the citizenry, a violent outcome would have been out of question. The split did not imply territorial disputes, given the fact that less than 1% of the population of each republic resided in the other and both the republics had a distinct historical capital inside their national borders, unlike in the Belgian case where Brussels represents a region itself located across the linguistic border and is densely populated by both the linguistic groups.

Conclusions

This article analyzed the double efforts endeavoured by pro-unity Czechoslovak elites (mainly by President Vaclav Havel and his entourage) aimed at both consolidating the newly-established democratic order and redesigning the institutional structure of the

⁵⁶ Michael J. Deis, “A Study of Nationalism in Czechoslovakia,” *RFE/RL Research Report*, 31 January 1992, 8-13.

⁵⁷ Cox and Frankland, “The Federal State,” 87.

⁵⁸ Attila Agh, *The Politics of Central Europe* (Sage Publications, 1998). 149-150.

state towards the creation a Belgian-styled decentralized federation. The attempt to safeguard the unity of the state and to recognize Slovakia (increasingly marked by growing nationalistic sentiments) as a full ‘equal partner’ in the federation proved in the end to be too ambitious. In 1993 the dream of a multinational Czechoslovakia composed of ‘two coequal fraternal nations’ finally fell apart, 74 years after its conception. Why did it happen? This article aimed at analyzing the developments that took place in the country in the early 1990s and at identifying the historical sources which determined the course of the events, thereby trying to provide an answer to this question from a comparative perspective. I therefore presented the main historical, cultural, and political sources which, to a great extent, contributed to determine the final outcome. Accordingly, I emphasized the role played by the long-lasting ethno-linguistic divisions on the Czechoslovak constitutional patterns as well as on its party politics throughout three distinct periods of the institutional life of the country: the interwar First CSR, the communist era, and the democratic rebirth in the early 1990s.

It implied an analysis of the characteristics of the Czechoslovak way towards state decentralization and, more in general, towards the definition of cooperative political milieu which was thought to provide a functional platform for a closer dialogue among the political representatives of the two disconnected Czech and Slovak communities, within the framework provided by the multilayered federal system. Like in the Belgian case, it was thought to counterbalance the lack of inter-communal societal linkage at the bottom through the establishment of consociational structures of government at the top. I labelled this process as belgianization *à la tchécoslovaque*. All in all, the comparative analysis of the two cases proved to be a valid interpretative tool to better recognize the social, institutional, and political factors which

Table 1. Belgium vs. Czechoslovakia: Comparative Assessment

Cases	Conditions				Effect
	Divided and fragmented society	Formal/substantial consociative arrangements	Community-based party systems	Post-totalitarian heritage	Dissolution of the state
B	YES	YES	YES	NO	NO
CSR	YES	YES	YES	YES	YES

jeopardized the attempts to create a consociational Czechoslovakia.

In light of the aforementioned Lijphart’s arguments, despite a number of similarities between the two countries both in the characteristics of the institutional solutions adopted by the pro-unity elites and in the degree of societal fragmentation along ethno-national lines, mirrored by the development of distinct communal party systems, four major factors emerge as essential for explaining the failure of the pro-unity attempts. All these factors come out as consequences of the country’s post-communist heritage [See Table 1]. These may be typified as follows: *First*, the no

longer on paper ‘overequal’ provisions of the 1968 constitution adopted under the communist regime powerfully undermined the efforts performed by pro-unity elites, given the lack of a functional linkage between the ‘constitutional providers’ and the ‘users of the Constitution’. Havel’s disproportionate loyalty to the principle of legal continuity did the rest. *Second*, the still embryonic and unstable party system(s) characterized by ‘all nation’ umbrella movements and proto-parties proved to be unable to govern ‘across’ the ethno-linguistic cleavages and to develop a consociational inter-communal platform to overcome the divisions in the society. *Third* and consequentially, the rise of Slovak nationalism from the ashes of the communist regime was encouraged and functionally driven by Slovak elites primarily to counter-balance Klaus’ economic reforms. This behaviour created a hardly-breakable holistic linkage between the symbols (National question) and the issues (Slovakia’s economic backwardness) and jeopardized any further cooperative attempt. *Fourth*, the timing of post-1989 liberalization strongly impacted the final outcome. Given the constitutional impasse, the attempt to democratize the country and to decentralize its unstable structures at the same time appeared to be too ambitious for new Czech and Slovak elites. The process of nation(s)-building did inexorably jeopardize the restructuration of the state.

I wish to conclude by quoting Cox and Frankland as they nicely summarize the reasons which determined the failure of Czechoslovak consensualism: by definition, consensual elites hold a common belief in the desirability of institutional relations, and their disagreements center around specific decisions (policies) rather than the rules for making decisions (institutions). Conflictual elites, however, lack this common belief in the salience of existing institutions and center their disagreements on the institutional forms instead. Elite consensus may well be an important *precondition* for a successful federation⁵⁹.

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⁵⁹ Cox and Frankland, “The Federal State,” 88.

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Appendix 1. Belgium and Czechoslovakia: developmental paths of the two polities

		Belgium	Czechoslovakia
Initial environment (t0)	<i>Late state formation (Rokkan)</i>	Kingdom of Belgium (1831)	First CSR (1920)
	<i>Artificial merge of divided societies (language &</i>	Walloons + Flemish (+ Germans)	Czechs + Slovaks (+ Germans + Hungarians)
	<i>Economic imbalances</i>	Industrial Wallonia (Brussels) vs.	Industrial Czechia vs. agricultural
	<i>Political / institutional predominance of one unit within the centralist structure of the state</i>	French-speaking community	Czechs
Political consequences (t1)	<i>Development of anti-centralist political elites (Rokkan)</i>	Flemish autonomist movements (VU and VB)	Slovak nationalist movements (H'SLS and SNS)
Restructured environment (t2)	<i>Restructuration of the institutional setting towards higher decentralization</i>	Pact between the Belgians (1970), Egmont Pact (1977),	Košice Agreement (1948), constitutional
	<i>Development of intra-communal party systems</i>	Party split along ethno-linguistic lines (1970s)	Party split along ethno-linguistic lines (1989-1990)
	<i>Overconsensual constitutional arrangements</i>	Consensual bicameralism + 3 regions + 3 communities	Consensual bicameralism + Czech and Slovak National Councils

Appendix 2. Ethno-linguistic cleavages and Electoral Competition**Political Pillars and Linguistic Divisions in Belgium**

		Party Families			
		Socialists (Workers Party of Belgium)	Liberals (Liberal Party of Belgium)	Catholics (Confessional Catholic Party)	Outsiders
Linguistic Communitie s	French	PS	MR	CDh	FN
	Dutch	SP.a	VLD	CD&V	VB
	German	SP	PPF	CSP	PDB

SOURCE: The Federal Parliament of Belgium [<http://www.fed-parl.be/index.html>].
 LEGEND: Socialist Party (French: *Parti Socialiste*, PS), Reformist Movement (French: *Mouvement Réformateur*, MR), Christian Democrats (French: *Centre Démocrate Humaniste*, Cdh), National Front (French: *Front National*, FN), Socialist Party-Another Way (Dutch: *Socialistische Partij-Anders*, SP.a), Flemish Liberal and Democrats (Dutch: *Vlaamse Liberalen en Democraten*, VLD), Christian Democratic and Flemish Party (Dutch: *Christen-Democratisch en Vlaams partij*, CD&V), Flemish Interst (Dutch: *Vlaams Belang*, VB), Socialist Party (German: *Sozialistische Partei*, SP), Party for Freedom and Progress (German: *Partei für Freiheit und Fortschritt*, PFF), Christian Social Party (German: *Christlich-Soziale Partei*, CSP), Party of the German speaking Belgians (German: *Partei der deutschsprachigen Belgier*, PDB).
 NOTE: The names of the pre-1968 unitary parties are listed in parenthesis.

Federal Elections in Czechoslovakia

	1990				1992			
	Czech Republic		Slovak Republic		Czech Republic		Slovak Republic	
Party	% of Votes	Seats	% of Votes	Seats	% of Votes	Seats	% of Votes	Seats
OF	53	68	-	-	-	-	-	-
VPN	-	-	33	19	-	-	-	-
KSČ	13	15	14	8	-	-	-	-
KDU	9	9	-	-	-	-	-	-
SNS	-	-	11	6	-	-	9	6

Others (1990)	8	9	30	17	-	-	-	-
ODS-KDU	-	-	-	-	40	55	-	-
OH	-	-	-	-	-	-	-	-
HZDS	-	-	-	-	-	-	34	24
KSČM	-	-	-	-	14	19	-	-
SDL	-	-	-	-	-	-	14	10
Others (1992)	-	-	-	-	21	25	18	30

SOURCES: Inter-Parliamentary Union (IPU) [<http://www.ipu.org/english/home.htm>]; Carol Skalnik-Leff and Susan B. Mikula, "Institutionalizing Party Systems in Multiethnic States: Integration and Ethnic Segmentation in Czechoslovakia, 1918-1992," *Slavic Review* 61 (2: 2002), 309. LEGEND: Communist Party of Bohemia and Moravia (Czech: *Komunistická strana Čech a Moravy*, KSČM), Party of the Democratic Left (Slovak: *Strana demokratickej ľavice*, SDL). NOTE: The other abbreviations of the Czech and Slovak parties listed in the table can be retrieved from the text.

ASSESSING REGIME CHANGE THROUGH POLICY CHANGE: THE ROMANIAN CASE

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Abstract

The article addresses the issue of the policy-making process during the postcommunist transition and democratic consolidation in Romania, the legislative output of the Parliament being used as an account of the public policies adopted until this country has started accession negotiations with the European Union (2000)¹. It aims at assessing both regime change through outlining the main policy areas that were designed by the Romanian state while building (itself) a democratic and free market system, as well as the role of the Parliament in this process. The selected time span offers the advantage of assessing regime change and analyzing the above mentioned issues from two perspectives: the postcommunist transformations combined with the influence exercised by the EU accession process.

The relevance of such an endeavor is multilayered, but perhaps one of the main arguments could be that this research uses a less explored path of assessing the “transition and consolidation” processes that took place after the fall of the communist regime in 1989, namely by looking at the *outcome of the political system* rather than at its features (constitutional framework, institutions, party system, civil society, etc.). Such an approach is relevant precisely because it is the system’s performance that has been and still is constantly challenged ever since the new regime appeared, rather than its ability to become formally compatible to Western European political and economic models (and especially with EU requirements). The fulfillment of a series of policy targets in order to comply with foreign requirements does not constitute a satisfactory basis for analyzing system performance in terms of policy making; it only grasps a small part of scattered governmental achievements. Therefore, one needs to be acquainted with the entire policy framework in order to find explanatory factors that could shed light on the intricate processes that accompanied regime change in Romania and that constitute the background (framework) for current performance of the Romanian political and economic system.

¹ Romania was invited to start accession negotiations in December 1999 at Helsinki, but negotiations began the next year (2000), in spring.

In order to better understand the approach (and the rationale behind this research) at least three elements should be taken into account. First and foremost, it is the “backwardness” label that keeps characterizing the Romanian political and economic system and all the analyses dedicated to its evolution after the fall of the communist regime. While it is *not* the purpose of this article to challenge such a thesis, it strives to identify new ways to understand such a slow evolution towards Western / EU standards, as compared to countries such as Hungary, Poland, etc. In this sense, the thesis of this article is that while the constitutional and party politics framework, as well as the communist and pre-communist legacies, have been analyzed extensively in order to explain this country’s performance during the postcommunist period, one should look more carefully to policy decisions made by the new regime (state, government) in order to complete the explanatory design. In this context, the relevance of the present research lies precisely on this new set of data that it provides and analyzes, namely the policy outcome of the new regime. What characterizes the outcome of policy-making process in postcommunist Romania? What are the features of such outcome that could shed some new light on the relatively poor capacity of this country to develop and, for example, fulfill EU expectations (even ten years after the beginning of the transition process)?

Second, an overview of the policy output of the Romanian governments during transition and consolidation provides an additional analytical tool and framework for identifying the main features of regime change (seen as process) and, what is more, of its consequences (seen as system output). Such a research strategy offers additional insight concerning the *direction and the pace of the changes* that the whole system (political, economic, social, etc.).

Third, at a lower level of analysis, focused on the internal functioning of the political system, such a research design is a good starting point for an examination of the relationship between the political actors in power the first ten years after the fall of communism and the policy outcome of the system – a classical research objective for the “politics does matter” school². What is the correlation between the political parties that have held office during three legislative terms and seven cabinets and the main policy areas that dominate the policy making process of the time? In this case, specific elements of the political history of Romania further increase the relevance of such research. For example, the length of the dominance of former communist leaders over the executive and legislative powers (until 1996) creates incentives for a comparison between the policy output before and after this moment – especially when taking into account the “gradual” approach to transition that such political actors have chosen to impose on the system. Similarly, EU influence can be assessed. Then, it is

² A detailed presentation of this topic can be found in Kurt Richard Luther, Ferdinand Muller-Rommel, eds. *Political Parties in the New Europe. Political and Analytical Challenges* (Oxford: Oxford University Press, 2002).

the confused constitutional framework, in particular the legislative – executive relationship, which has been constantly criticized for its negative impact on the performance of the system and also on the policy performance of the government. In this context, the article also indirectly offers supplementary data concerning the role played by the legislative branch of government in the policy-making process during the first postcommunist decade.

As stated from the beginning, the research is based on an analysis of the legislative output of the Parliament, which is considered to be the best substitute for describing and analyzing the framework of public policies, given the position of laws at the top of the hierarchy of legal act. The data is extracted from a complex database of all the laws adopted by the Parliament (1700) between 1990 and 2000 (covering the first three freely elected legislative terms). They are coded according to three main criteria – the content of different policy areas, the dynamics of the legislative / policy-making process (including policy change indicators), and the identity of and the relationship between the main veto players involved in this process.

In order to describe the *content of the policy outcome*, laws are coded in 30 policy areas, based on a coding scheme intended to reproduce the policy areas covered by the parliamentary committees in Romania. Nevertheless, those initial categories have been progressively diversified in order to refine the analysis and increase its accuracy. Furthermore, two additional variables are used, namely the “degree of (policy) relevance”³ of each law and its “foreign vs. domestic” character. Differentiating between the degrees of relevance of laws is necessary in order to refine the analysis of the legislative output. Actually, it is this variable that best emphasizes the real weight of different policy areas for the various cabinets and parliamentary majorities that existed during this period. This weight seems to be also the best predictor for the actual performances of Romania in different policy areas – looking at the European Commission’s yearly reports during the accession process. The second variable differentiates between laws that are the consequence of international agreements signed by the Romanian state and laws that are solely the product of domestic politics. It shows the openness of the state and the degree of compatibility between Romanian and international public policies. During the transition and democratization process, this variable also measures the speed, the weight and the directions of the harmonization between Romanian and international legislation (see EU and NATO accession processes).

³ The laws are coded into three categories of relevance: low, medium and high. The evaluation of each law is based on the weight of its subject matter for the policy area to which they belong. For instance, laws that constitute the legal background of an area, such those for the organization and functioning of key institutions (Presidential Administration, National Bank, various governmental agencies) or laws that involve high financial costs / investments are coded as highly relevant. On the contrary, laws such as those that serve for changing the administrative status of a village, although relevant as a policy decision, are of minor relevance. It should also be mentioned that the coding is based only on the title of the law.

Two main types of variables are used in order to measure and assess the *direct involvement of the Parliament in the policy-making process*, namely the MPs' legislative proposals (number, political identity of MPs, policy area, etc.) and the governmental ordinances amended and rejected by the Parliament (amount, policy area, etc.). Several other indicators relevant for the content analysis of the policy output (such as the degree of relevance of these laws) are used to refine the assessment. It should be emphasized here that the analysis is restricted to the legislative output, the data gathered for this research does not cover yet the whole policy making process on the parliamentary level.

The data used is extracted mainly from the Romanian Parliament legislative database and from the records available on its website concerning the stages of the legislative process. This second type of data has proven to be particularly scarce for the period analyzed, especially before 1996. The timing of the legislative process, the parliamentary commissions' activity and the political identity of initiators of legislative proposals are not available for the public⁴, which hinders the analysis concerning the policy making process. Therefore, it is difficult to assess accurately the Parliament's role in the policy making process in Romania prior to that year. Meanwhile, the reliability of the data concerning the policy output is more than satisfactory, providing a high quality background for the analysis.

Theoretical Framework and Considerations for the Romanian Case

The theoretical approach combines the literature concerning the policy-making role of legislatures (special attention being paid to the thesis of the centrality of Parliaments during the postcommunist period) with studies about the political, institutional and policy challenges that CEECs have faced before becoming mature enough to be part of the EU.

Providing a clear-cut analytical framework is quite challenging given the complexity of the nature of the research questions and objectives. There is a significant amount of theoretical considerations that bear upon each element of this research, the background of which cannot be extensively addressed in this article. Consequently, the aim of this section is to point to the main research areas that are considered essential to an analysis of the policy output during post-communism. It is important to notice that, in this context, *regime change* is seen as a continuous and long process that has only started in 1989, the magnitude of which fades away progressively until the present, without ending suddenly at a certain moment. The most significant cornerstone was, indeed, the moment Romania acquired full membership to the

⁴ It is highly possible that the quality of records themselves is extremely poor for that period, taking into account the quality of verbatim records of plenary meetings of the two chambers, available in the Official Gazette. Nevertheless, accounts of executive involvement in this process are even nowadays scarce, leaving the parliamentary activity the main source of information for such research.

European Union, without really ending the process but acknowledging the progress achieved.

The literature concerning the policy-making role of legislatures offers one of the most comprehensive theoretical frameworks for scrutinizing and assessing regime change through policy change - given the multilayered nature of factors influencing the policy-making and regime change processes as well as the parliamentary involvement. Moreover, since the data employed by this research refers strictly to legislative output, the relevance and the adequacy of such a framework is further enhanced. In this respect, the works of Michael Mezey, Philip Norton⁵ and David M. Olson represent the starting point of the theoretical framework. They have designed an extremely comprehensive tool that takes into account general political system traits (the environment in which public policies are created and parliaments function), the traits of the legislature (which, irrespective of its actual strength in a system, is the only actor that validates/ legitimizes the legal basis of public policies) and the traits of the public policies themselves (which influence heavily the quality of the system's performance). Furthermore, this framework has already been applied to the CEECs during the first five years of transition⁶, providing a more accurate basis for the analysis of a postcommunist country. Reviewing all the factors they include in the research design offers the opportunity of evaluating the weight of several variables considered relevant to the present study and making specific comments about the Romanian case.

The first type of factors refers to the *external environment*. In legislative studies, it represents the sum of factors that create the setting in which the policy making process takes place and the Parliament operates. Such factors are the ones that influence the policy making process in general and, what is more, they constitute the key elements that also participate in regime change. According to Mezey, Olson and Norton, there are four major categories of such "environmental" factors: the constitutional setting / type of regime, the administrative structure (decentralized vs. centralized), party system and electoral system and, fourth, the interest groups (civil society). The discussion will focus on the first two factors given their higher relevance for the present research endeavor. Every one of these factors bears heavily on the way a country endures the transition and consolidation processes and on the performance of the system from the point of view of regime change. The communist regime has had a tremendous impact on each of them and the democratization process they underwent covers almost everything that can be included under the concept of "regime change".

⁵ David M. Olson, Michael L. Mezey, eds., *Legislatures in the Policy Process: The Dilemmas of Economic Policy* (Cambridge: Cambridge University Press, 2004).

⁶ David M. Olson, Philip Norton, *The New Parliaments of Central and Eastern Europe* (London: Frank Cass, 1996).

In postcommunist countries, each factor undergoes a process of re-shaping, which directly influences the policy making process and the quality of the outcome. First and foremost, it is the constitutional setting that is completely renewed, and during the first years of transition it has been subject to important reassessments and challenges. In Romania, the new constitution was adopted only at the end of 1991, one year and a half after the first freely elected parliament started work. The lack of clarity concerning the definition of the constitutional powers of the legislative and of the executive as well as their mutual relationship was constantly the object of criticism⁷. Even after the 2003 constitutional amendment it is still considered one important cause of the poor performance of the system – including the policy-making process and its outcome. The status of the Parliament within the system has never been a significant one, arguments in favor of its strength being difficult to trace even during the first years of transition, when the “centrality” thesis was crafted in East Central Europe⁸. The Romanian Parliament could be considered a relatively weak one, constantly submitted to the executive, be it in the name of democratization reforms or accession to EU⁹. It is difficult to consider the Parliament a true veto player¹⁰ in the system, although, formally, it has enough scrutinizing and initiating power to dominate the policy-making system. Political parties that have represented, since the beginning, the real “engine” of the policy-making process and they have never made use of the Parliament’s formal prerogatives in order to allow it to play a significant part in this process.

The traits of political parties and the party system in general are usually considered the key factor in the policy making process¹¹: not only do they influence the relationship between the legislative and the executive, but they provide the input that lies at the center of policy-making process and of its output. Furthermore, given the central position they occupy in each modern government and their involvement in

⁷ Giovanni Sartori, “Sul sistema costituzionale romeno”, *Studia Politica. Romanian Political Science review* 1 (2002): 9-12.

⁸ Attila Agh, “The Parliamentarisation Of The East Central European Parties”, in Susan Bowler, David M. Farrell, Richard S. Katz eds., *Party Discipline And Parliamentary Government* (Ohio: Ohio State University Press, 1999), 180; Attila Agh ed., *The Emergence Of East Central European Parliaments. The First Steps*. (Budapest: Hungarian Centre Of Democracy Studies, 1994), 291-306; Attila Agh, “Parliaments as Policy-making Bodies in East Central Europe: The Case of Hungary”, *International Political Science Review* 18 (1997): 417-432.

⁹ Jean Michel De Waele, Sorina Soare, Petia Gueorguieva, “Parlamentele din Europa Centrala si de Est”, *Studia Politica. Romanian Political Science Review* 1 (2003): 141-161

¹⁰ Veto players theory is described by George Tsebelis in various books and articles. George Tsebelis, “Veto players and institutional analysis”, *Governance: An International Journal of Policy and Administration* 4 (october 2000): 441- 474; George Tsebelis, *Veto Players: How political institutions work?* (Princeton: Princeton University Press, 2002).

¹¹ Hans Dieter Klingemann, Richard I. Hoferbert, Ian Budge eds., *Parties, Policies and Democracy* (Colorado: Westview Press, 1994); Michael J., Laver, Ian Budge, *Party Policy and Government Coalitions* (London: Macmillan Press Ltd., 1992); Ian Budge, Hans Keman, *Parties and Democracy: Coalition Formation and Government Functioning in Twenty States* (Oxford: Oxford University Press, 1990); Michael J. Laver, Kenneth A. Shepsle, *Making and Breaking Governments. Cabinets and Legislatures in Parliamentary Democracies* (Cambridge: Cambridge University Press, 1996).

every level of the decision-making process, the features of political parties and the party system are considered crucial for a successful regime change and for good system performance.

In postcommunist countries, there is equally an extensive literature dedicated to the importance of political parties for the transformations that these countries underwent, especially in what concerned democratization¹². Romania is no exception to the rule, the impact of political parties' development being more obvious since the pace and the quality of their maturity and institutionalization has been relatively slow and poor. If the issue of fragmentation and fluidity could be considered progressively solved, the clarification of identity and the capacity to participate to programmatic competition represents the biggest problem even nowadays. It is precisely this incapacity to define a clear identity and sustain stable patterns of political and policy preferences¹³ that most hindered the democratization process in Romania (and, consequently, regime change).

The changes in the partisan landscape at the parliamentary level are illustrative in understanding / explaining some developments on the Romanian political scene, even at a systemic level. The first legislative term saw 15 political parties entering the legislative arena. However, it was the so-called democratic movement National Salvation Front, run by former communists, which dominated the legislative and the executive. Three small historical parties played the part of the opposition and a large amount of political factions gravitated around the National Salvation Front without influencing in any way the decision making process. It is only during the second legislative term that the balance of power between the power and opposition as well as between the former communists and the anti-communists becomes more equilibrated; the number of parties also decreases. Nevertheless, the former communists remain in power¹⁴, although this time they can only form a minority government. Four nationalist small parties grouped around other representatives of the former regime sustain the parliamentary majority for the new cabinet. It is only after 1996 that the democratic opposition (Democratic Convention of Romania) wins the election and forms the government. However, their eagerness to promote the democratic and free market reforms is not matched by an authentic political and administrative capacity to govern the country. If the parties formerly in power illustrated the system's resistance to change (not only at a policy level but also at a political one), the performance of the democratic opposition parties while in

¹² One example of the many works dedicated to this topic, Paul G. Lewis ed., *Party development and democratic change in post-communist Europe. The first decade* (London: Frank Cass, 2001).

¹³ Herbert Kitschelt, Zdenka Mansfeldova, Radoslaw Markowski, Gabor Toka eds., *Post-communist party systems. Competition, Representation and Inter-party Cooperation* (Cambridge: Cambridge University Press, 1999.)

¹⁴ After serious quarrels concerning the pace and the direction of reforms, the NSF splits and it is the hardcore communists that take the power in the next elections. The more democratic wing joins the historical parties in order to create a stronger opposition.

government illustrated the lack of skills and knowledge of the new political elites concerning government processes and requirements.¹⁵

The second type of factors refers to the *internal environment* (in this case, that of the legislature), namely MPs (professional and political experience), parliamentary parties (party system in the legislature, decision making process and relationships with the party-outside-the parliament), committees (strength, quality of staff), chamber organization (standing orders, resources, autonomy in setting the agenda) and constituency relations. During post-communism, each type of factor is characterized by serious shortcomings: MPs lack political experience and the necessary skills to participate in government, parliamentary party groups lack the discipline necessary to act as real actors in the parliamentary arena (either in power or in opposition), committees lack the expertise to fulfill their advisory and scrutinizing tasks, procedural regulations are incomplete and confusing and MPs' relation with their constituency is quasi-inexistent¹⁶.

The relevance of parliamentary institutionalization and maturation for regime change processes rests on the central place occupied by parliaments in transitional and democratizing systems, the socializing function they perform leading to political parties and political elite maturation¹⁷, and the central place they formally occupy in the policy-making process through their legislative function.

In Romania, all those assertions are applicable for longer or shorter periods of time. If most of them could be considered solved until 2000, constituency relations are still extremely weak, diminishing the quality of the policy input. The major democratic breakthrough in parliamentary life/practice occurs after 1992, when both chamber organization and parliamentary party life stabilize significantly. It is only after 1992 (following the adoption of the first constitution in 1991) that the Parliament starts to make full use of its initiating and scrutinizing powers. During this second legislative term, MPs begin to make extensive use of motions. It is interesting that only between 1992 and 1996 can one identify simple motions adopted by the Parliament¹⁸. Furthermore, it is only during the third legislative term that the executive starts asking for a vote of confidence from the Parliament (which will never fail to grant it to it, until nowadays). In the meantime, the legislative function seems to be used extensively and such use increases year by year. Nevertheless, such high level of

¹⁵ Lewis, *Party development and democratic change in post-communist Europe*

¹⁶ David M. Olson, "Party Formation And Consolidation In The New Democracies Of Central Europe", *Political Studies*, XLVI (1998): 432-464; Attila Agh, Gabriella Ilonski eds., *Parliaments and Organized Interests: The Second Steps* (Budapest: Hungarian Center for Democracy Studies, 1996).

¹⁷ Jean Michel de Waele, *L'émergence des partis politiques en Europe Centrale* (Bruxelles : Editions de l'Université de Bruxelles, 1999).

¹⁸ After that legislative term, only in 2005 is a new simple motion adopted by the Parliament. What is more, a censorship motion has never been adopted by the Romanian Parliament after 1989.

activity never seems to have been accompanied by an increase in strength or efficiency.¹⁹

Form this point of view, and given the object of analysis of this article, one final aspect needs to be pointed out in this section – namely this paradoxical connection between the extensive usage of the legislative function which places the parliament at the core of the governmental process and the marginal position it occupies in the system given the dominance of the executive over the policy making process. On the one hand, legislation seems to be the very essence of government since governing equals legislating.²⁰ But, on the other hand, the logic of contemporary government in modern democracies coupled with the adoption of western models by postcommunist countries²¹ leads to a situation where parliamentary institutions are dominated by the executive.²²

The third type of factors refers to the public policies themselves, namely to what the authors call “policy attributes”: *policy content and dynamics of public policies*, the different stages of the policy making process, as well as the circumstances under which policies are considered. Form this perspective, there are policy areas that are more susceptible to undergo extensive bargaining processes than others²³, at least at the parliamentary level, leading to a broader variety of choices available for the main veto players. Furthermore, new and highly salient issues provide the same incentives/opportunities, in this case the postcommunist context being of particular importance since most of the issues are new and salient. The postcommunist context also imposes a specific list of topics that need to be addressed, given the inevitability of simultaneous reforms in almost all policy areas.²⁴ On the one hand it is the economy (including free market, property rights, and competitiveness) accompanied by the welfare system (needing in-depth reform and new institutional formulas after the communist regime). On the other hand, it is the constitution making / institution building and adoption of new rules of the political game²⁵. Furthermore, it is expected that the policy-making process is influence by the stance of different veto players toward the old regime.²⁶

¹⁹ De Waele, “Parlamentele din Europa Centrala si de Est”.

²⁰ Giovanni Sartori, *The Theory of Democracy Revisited* (Chatham, New Jersey: Chatham House Publishers Inc., 1987), chap. 12.

²¹ Agh and Ilonski., *Parliaments and Organized Interests*.

²² One of the earliest accounts of this executive dominance can be found in Ghita Ionescu, Isabel De Madariaga, *Opozitia*, Translated by Valeriu Mihaila (București: Humanitas, 1992).

²³ Areas such as domestic rather than foreign policy, or welfare rather than narrow economic issues.

²⁴ Claus Offe, “Capitalism by Democratic Design? Democratic Theory Facing the Triple Transition in East Central Europe”, pp. 29-49 in Claus Offe, *Varieties of transition. The East European and East German Experience* (Cambridge Mass.: MIT Press, 1997).

²⁵ Claus Offe, Jon Elster, Ulrich K. Preuss, *Institutional Design in Post-communist Societies. Rebuilding the Ship at Sea* (Cambridge: Cambridge University Press, 1998.)

²⁶ Oslon and Norton, *The New Parliaments of Central and Eastern Europe*, 239.

After a number of years it is the accession to EU that drives and shapes the policy-making process imposing new objectives and constraints²⁷. In Romania, the pace of postcommunist reforms is characterized by gradualism which generated a certain dynamic of the policy making process in the economic and welfare policy areas. A difficult break from the communist past has also slowed the pace of democratic reforms (inclusively at a formal level). The EU accession process also starts quite late, although Romania becomes an associate member of the EU in 1994 and submits its application for EU membership in 1995. Nevertheless, the slow pace of reforms delays the official start of the accession negotiations from 1997 to 1999/2000. The main areas in which Romania has received criticism are the economy (lack of working economy) and administration (lack of proper administrative capacity), but also areas such as human rights (children rights) and justice (anticorruption). EU evaluation of various problematic policy areas could be considered to bear heavily on the course of the policy making process during the whole accession process.

All in all, the multi-layered nature of the factors that need to be taken into account when looking at a map of the main public policies becomes, hopefully, clearer after reviewing all those aspects that shape policy making and, at least indirectly, regime change.

The map of policy-relevant legislation adopted by the Romanian Parliament between 1990 and 2000

One way of providing a comprehensive account of the policy output of the Romanian state is by looking at the legislative output adopted by the Parliament. This strategy can be considered valid given the position of laws at the top of the hierarchy of legal acts in Romania, which means that the most important and legally binding decisions concerning public policies need to be approved by the Parliament (in the form of laws). It should be emphasized here that the role played by the executive in the policy-making process is irrelevant in this particular case, since the purpose of the analysis is not to identify the relative weight of different veto players in the process. In order to “draw the map” of public policies, it is necessary to choose from among all policy decisions (acts) issued by the Romanian state a set of data that is not only comprehensive enough but also reasonably manageable.

This quantitative analysis of public policies is useful in order to provide a snapshot of the policy output, which offers an image of the areas that have received the most attention from the government/state after 1989, during an intensive process of regime change. The limits of a quantitative analysis of the policy / legislative output (one possible critique concerning the relevance of such an endeavor for capturing an image

²⁷ Gergana Noutcheva, Dimitar Bechev, “The Successful Laggards: Bulgaria and Romania’s Accession to the EU”, *East European Politics and Societies*, 22 (2008): 114-144; David R. Cameron, “Challenges of Accession”, *East European Politics and Societies*, 17 (2004): 24-41.

of the public policies) can be overcome by pointing out that two corrections are applied: first, by differentiating between three degrees of relevance of laws (policies) and second, by taking into account every modification of the legislation (which measures the amount of “attention” paid by the government to various policy areas). This way, even a simple quantitative account of the policy / legislative output offers relevant data for analysis, even if the content of public policies is not examined.

The total number of laws adopted during the first three legislative terms is 1701, out of which only 1645 (96.7%) can be considered relevant for the policy making process of the postcommunist Romanian state. The rest of the laws (56) refer to various national holidays, national symbols or commemorative events.

Two policy areas dominate the policy making process and the parliamentary activity form a quantitative point of view, namely financial (16.4%) and fiscal (9.3%) policies. Economic policies represent the second major category of policies enacted before 2000: 12.8 % of all laws adopted in ten years refer to commerce, privatization or to industry. The case of privatization is particularly interesting, from a regime change point of view, since the weight of this policy area is rather insignificant (not only as compared to other policy areas but also to the percentages it reaches after 2000).

Social welfare and labor-related policies occupy only the third place in this hierarchy (10%). Furthermore, it should be emphasized that labor policies (employment policies) have retained more often the government’s attention than pure welfare policies (unemployment, state aids, etc.), in spite of the “welfare-centered” image of the Romanian state / government. This percentage tends to contradict the general opinion concerning the “energy” spent by the Romanian state in the welfare area during transition and especially by the ex-communist / social-democratic government that ruled the country during the first six years after the fall of the old regime, seriously hindering free market reforms.

Justice and human rights policies cover 8.5 % of the legislative output and occupy the fourth place on the public policies map. One interesting aspect is that, during the period under scrutiny, anticorruption legislation is extremely scarce (compared to the rhetorical attention paid by various political actors to this topic and, most of all, to the huge emphasis put on such policies during the EU accession process) – only 6 laws (0.4%) being counted in this area. Meanwhile, human rights²⁸, including property rights – an area that has a special relevance during postcommunist transition, receive a considerable amount of attention and represent no less than 3.6% of all laws.

Institution building and public administration matters represent only the fifth largest policy area, 6.8 % of all laws belonging to this category. This percentage could be

²⁸ Most of those laws referred to child protection and adoption issues.

interpreted as being quite low, taking into account that this period of postcommunist transition and democratic consolidation is supposed to be dedicated to such purposes – building the new democratic state and, indirectly, a democratic society. In this sense, this figure could also be considered an interesting tool for measuring regime change, together with property rights or privatization.

Concerning the rest of the policy areas, at least five remarks should be made. A special interest seems to have been paid to national defense and public order policies, since no less than 5.9% of all laws were dedicated to such issues, an interest that is quite surprising since Romania did not face significant threats during this period. This percentage could be considered high when compared to areas where serious policy change or state assistance was needed after the fall of communism. It is equally interesting to notice that a similar interest was paid to cultural and educational policies (5.6%) – again, contrary to the general opinion concerning the amount of “energy” spent by the Romanian state in order to legislate in this domain during the first years of transition (until nowadays, as a matter of fact). Retrospectively, this amount of legislation does not seem to have led to high quality performance in those areas since education is one of the most criticized policy areas even nowadays. Another policy area that needs a special emphasis is the one concerning transports, an area that has received an important amount of attention, namely 5.1% of all laws. This case is similar to the one of the education in terms of policy quality. Laws concerning agriculture can be considered equally numerous since they cover 4% of all policies, the poor quality of which generating serious criticism from the EU even 15 years after their enactment. On the contrary, healthcare policies received an extremely low level of attention throughout the whole period, only 1.4 % of the whole legislative output, which is perfectly consistent with the system performance in this area ever since 1990. However, if focusing on policy areas such as transports or agriculture is expected taking into account the challenges (and the needs) that the country faced during the postcommunist period, a percentage of 2.5% for environmental issues is rather surprising. Meanwhile, a very small percentage of all policy output is dedicated to infrastructure (1.9%) an area that would also receive serious criticism from the EU during the accession negotiations.

Given the focus of this article on regime change it is interesting to mention the percentage of the laws grouped in the “transitional justice” category: only 1.5% of all laws are dedicated to it, which could be considered a relatively high percentage since it is so close to an area like infrastructure, or slightly bigger than the amount of healthcare laws.

The Dynamics of the Legislative and Policy-Making Process During the Post-Communist Transition

The dynamics of the policy making process constitutes a valuable account of the quality of the legal framework and, consequently, of the public policies enacted by the

Romanian state after the fall of communism and the beginning of the “transition to democracy and free market”. A high degree of instability characterizes the legal framework because of the high rate of amendments introduced continuously from one year to another to almost all major policies and also because of the rapid abrogation of an impressive number of laws adopted during those years. *Only 60 % of all the laws adopted by the Parliament during its first three legislative terms are still in place, a percentage that emphasizes a very low level of legislative and policy stability in Romania.* The main policy areas with high levels of instability are: fiscal policies (37%), welfare (almost 50%), labor (53%), privatization, electoral laws (63%), “transitional justice laws” (65%), media policies (75%) and public administration (87.5%) – some of them being exactly the policy subjected to the most EU criticism over the years, or at least, areas that clearly displayed low levels of policy performance.

Almost 350 laws adopted before 2000 have already been modified, which represents 21.2% of all policy relevant laws. They are mostly grouped in about five policy areas, but the most interesting are: anticorruption policies (where *all* laws have been modified), electoral laws (where 6 out of 11 laws have been modified), “transitional justice laws”, infrastructure, and property rights. Once again, some of these areas are exactly the ones that have caused most of the problems over the years, in what concerns their implementation as policies. They have also received a significant amount of criticism from the EU and other similar international actors. Another example could be provided in order to sustain such a thesis: the law that underwent the most frequent changes refers to the public pensions and social security system (39 modifications) followed by the law of education (37 modifications) and a law concerning the salaries of judges (28 modifications).

Meanwhile, the number of laws adopted in order to modify existing legislation is quite small since only 17% of the legal acts adopted during a very instable policy setting belong to this category. Nevertheless, a diachronic analysis of the frequency of these laws confirms the assumption that during the first years of each legislature (1993, 1997) their frequency is considerably higher than in other periods (during a legislative term). It is interesting to note the same also applies to the passage from the first to the second legislature, when the same political majority was running the country.

A *diachronic analysis* of the adoption of policy-relevant laws by the Romanian state shows the progressive diversification of the legislation relevant for policy making. The pace of diversification along with the type of policy areas regulated by the state seem mostly correlated to the government’s efforts to comply with foreign requirements²⁹ rather than with the policy priorities of the post-communist transition.

²⁹ In this context, “foreign requirements” refers the series of requirements included into the agreements signed by the Romanian state with international actors such as the EU, the Council of Europe, the IMF,

Given the political and economic transformations that the state targeted after the fall of communism, it could be considered that economic and institutional reforms would be placed at the top of the policy agenda and consequently on the legislative one. However, it is striking to notice the absence of interest in regulating matters such as privatization, institutional building or labor, immediately after 1989. The attention paid to those areas has increased *only* along with various agreements signed by the government with foreign actors such as the European Union or the International Monetary Fund / World Bank, often being highly motivated by direct (financial) assistance. Meanwhile, the results of the diachronic analysis match the actual policy performance of the Romanian state in several policy areas, testifying for the lack of in-depth policy reforms.

During the first years after 1989, only three to five policy areas dominate the policy-making process (according to a comparative analysis for each year). During the last legislative term taken into consideration (1996 – 2000), the legislative process focuses on no less than eight or nine policy areas. This increase in variety could be considered beneficial to public policy development, regime change and overall system performance. The number of laws adopted every year has also visibly increased, which cannot be interpreted so positively when it comes to public policy development, regime change and overall system performance. After a certain level, there seems to be an inverse proportionality between the number of laws and the above mentioned indicators.

The analysis of the frequency rates for all policy areas during the first three legislatures confirms previous statements. Except for foreign policy, an area that receives the Parliament / Government's attention only in 1992, there are 18 important policy areas where the largest amount of legislative work is performed after 1996 – mostly in 1997³⁰ - 1998³¹ and in 2000.³²

Moreover, it should be emphasized that there are important policy areas such as agriculture, welfare, healthcare or industry that seem to be systematically ignored by the government throughout the whole period, but especially during the first years. At first sight, this could be seen as a measure of policy/legislative stability in those areas, and, indirectly, as a proof of the high quality of the policies designed by the Romanian state. Nevertheless, the “policy results” observed over the years by the population and by different types of specialists clearly contradict such an assumption.

Except for the year 1990, financial and fiscal policies dominate the policy making process each year. Commerce and labor occupy the second place in this hierarchy of

etc., be it during accession negotiations, or through the substantial financial assistance granted to former communist countries by such actors.

³⁰ Fiscal policy, Finances, Public order, Economy, Labor, Agriculture.

³¹ Welfare, Education, Commerce, Culture, Healthcare, Property rights.

³² Public administration, “Transitional justice” laws, Environment, Defense, Justice, Industry.

annual frequencies. Since 1995 the state seems to have paid a special attention to the economic policy and between 1996 and 2000 transports accompany it. The rest of policy areas are unevenly distributed on the policy map of the Romanian postcommunist state. If the focus on public administration is observable only in 1990 and 2000, in what concerns justice most of the laws were adopted by the Parliament in 1992-1993 and in 2000. Policies concerning education had remarkably high scores between 1998 and 2000. Meanwhile, welfare policies had extremely low frequencies before 2000, only in 1992 and 1998 has the Parliament / Government shown a certain interest in this field. The same applies to agricultural policies which reach high frequencies within the legislative output only in 1997 and 1998. Although policy areas such as healthcare or culture have never reached high frequencies, other policy areas – defense, foreign policy and even public order have received enough attention in order to be placed in different years (at least two) among “the leaders”.

This extremely uneven distribution of the attention paid by the authorities to various policy areas, as well as the absence of any clear pattern in this respect, makes it very difficult to identify possible correlations with the postcommunist transition requirements or with the EU accession process. Except for a certain emphasis on economic issues perceptible since 1995, accompanied by the progressive diversification of the issues addressed by the state ever since in several policy areas (such as commerce, labor, agriculture or education), it is not possible to observe a clear pattern in any of the fields analyzed. This emphasis on the above mentioned policies could be further correlated to the entering into force of the Accession Partnerships with EU in 1998, which were focusing precisely on agriculture (SAPARD), infrastructure and environment (ISPA), administrative and institutional consolidation (PHARE).

In what concerns post-communist “classical” reforms, there are very few policy areas that could be considered truly relevant, most of the main areas that needed serious reforms never appear among the “frequency leaders” in the quantitative hierarchy of policy areas. Not only that, but, as mentioned previously, some of them are completely absent.

In the end, what is interesting to notice is that during each “electoral year” (1992, 1996, 2000) the amount of attention given by the Parliament (and by the government in general) to policy areas that are highly susceptible to generate “electoral support” for the incumbent parties was especially low – or, at least, lower than one could expect. The only exception could be considered 1992, since labor and welfare policies are quite well represented within the whole legislative output (of that year and of the entire period). Meanwhile, the general pattern of the distribution of policies does not sustain the assumption concerning the legislative output that could provide “electoral benefits”. Moreover, the analysis of the diachronic distribution of legislation concerning exemptions or various kind aids for the population is not correlated to electoral years.

The Role Played by the Romanian Parliament in the Policy Making Process

Parliamentary involvement in the policy-making process, seen as a substitute measurement for the role played in the larger process of regime change, is interesting to analyze given the thesis of the centrality of parliaments on the political scene of post-communist systems. Although the central role attached to parliamentary institutions is far from limited to their policy involvement, the complexity of the policy-making process offers a relatively comprehensive view in this respect. Nevertheless, the data gathered concerning the activity of the Romanian Parliament does not provide enough arguments in order to sustain the centrality thesis. This conclusion is consistent with the public perception concerning the Parliament's overall performance after 1989 as well with expert analyses.

The legislative initiative represents the most important tool available to MPs and to the parliamentary institution in general to actively involve themselves in the policy making process. Meanwhile, the Romanian Parliament has initiated only 7.7% (127) of all policy-relevant laws. Such a contribution is extremely meager given the legislative initiative is the one tool that allows the Parliament to participate *directly* in policy-making by imposing its will on the process, rather than indirectly through amendments or its scrutinizing function. The deputies have initiated 72 laws that represent 4.37 % of the total amount of laws and 56.6% of all the MPs legislative proposals. The senators have initiated 72 laws that represent 2.85 % of the total amount of laws and 37% of all the MPs legislative proposals. Only eight laws have been initiated by both senators and deputies.

The main policy areas the laws drafted by MPs cover are: public administration, labor, institution building / state functioning, agriculture and "transitional justice" laws. Most of the deputies' initiatives belong to the first two policy areas, while the ones drafted by the senators refer mainly to justice and media, beside the "omnipresent one" of public administration. Common legislative proposals are oriented towards institution building / state functioning. One interesting aspect is that parliamentary legislative proposals suffer much less (six times less) changes than those belonging to the government.

During the first legislative term, no law has been initiated by the MPs, but there is one law that has been adopted following a citizen initiative, of moderate importance (the law no. 9/ 1990, imposed a temporary injunction on land property exchange between individuals.).

During the second legislative term, only 9.66% of laws are initiated by MPs, covering 18 policy areas: public administration (the most numerous), "transitional justice" laws, labor, agriculture and justice. Some laws from the juridical field have a high degree of relevance, pertaining to issues like the Supreme Court of Justice, lawyers,

and amendments to the Criminal Code. In the first two policy areas most of the laws that were adopted were drafted by MPs. It should also be mentioned that, irrespective of their policy relevance, most of the laws have been already abrogated.

During the third legislative term biggest amount of laws initiated by MPs are adopted, although they represent only 8.8% of all laws passed between 1996 and 2000. Furthermore, the number of policy areas that these proposals cover has increased from 18 to 21. It is also the first legislature when some of the laws are initiated by both senators and deputies.

Some of the laws belonging to “institution building/ state functioning” have a particularly high degree of relevance since they refer to issues like the Constitutional Court, the Ombudsman, the secret services, the Court of Audit, etc. MPs have also drafted laws concerning health social insurance, social security system, unemployment management, insurance firms, foreign investments, referendums, or even the law of the Central Bank of Romania (in this last case it is only a law proposing amendments). Meanwhile, less than half of the laws drafted by MPs are still in effect.

Concerning the political identity of initiators, the limited number of laws available for analysis because of the lack of data does not allow the identification of a correlation between policy preferences and party label. Nevertheless, it must be mentioned that all parliamentary groups (and all the parties forming them) are represented among the initiators of drafts that became laws, although most of them are from the parliamentary majority.

The relationship between the legislative and the executive power and more precisely, the Parliament’s ability to actively participate in the policy making process, can be further assessed through the analysis of its response to the ordinances submitted to its approval. In what concerns the ordinances that the Parliament has only modified, the percentage is considerably higher: 36.3% of all ordinances have been modified during the legislative process that took place in Parliament. They belong to important policy areas such as: privatization (33%), infrastructure (21%), industry, labor, education, healthcare and agriculture. Meanwhile, it should be noted that no governmental ordinance concerning anticorruption or media has been adopted with amendments by the Parliament. The percentage of such laws increases dramatically after 1992: if between 1990 and 1992 it concerns only one law, until 1996 it arrives at no less than 50.46% of ordinances submitted to its approval and during the last legislative term to 32.79%. However, the Parliament rejected only 30 ordinances during its first three legislative terms, which represent 5.6% of all ordinances that were submitted to its approval. They belong to two policy areas – financial and fiscal policies. Actually, except for one ordinance rejected during the second legislative term, all of them were rejected after 1996. It should be mentioned that the degree of relevance of these laws was medium to high, which could diminish somewhat the perceived weakness of the

legislative body in this matter, given the extremely low level of ordinances that it rejected.

Conclusion

Starting from the main objectives of this article and the key points of the theoretical approach, the following conclusions can be drawn.

The map of policy areas is fairly consistent with the general developments observed in Romania in the political, economic or social fields, as well as with the transformations that the rest of the CEECs underwent. Furthermore, they seem to juxtapose very well with the (policy) achievements that characterize the Romanian postcommunist history – representing, in the same time, measures of the pace and direction of regime change. Retrospectively, this map of policy areas has an explanatory power concerning the overall development of the country during the postcommunist years, although it does not provide a full account of the policy performance, given that the focus of the analysis is on the legislative output rather than on pure policy analysis.

On the time dimension a series of interesting observations can be made concerning the pace and direction of regime change – seen as a substitute for “transition to democracy and free market” / “democratic and capitalist oriented reforms”. One of the clearest patterns is the progressive diversification of the policy output, namely the state’s interest in and capacity to address more and more policy areas. Furthermore, the most powerful connection seems to be established between the policy output and the government’s efforts to comply with foreign requirements. From this point of view, the relation with the EU or other European organizations and in particular, the EU accession process seem to be the best indicator for the pace and content of the policy making process and of its output. The separate analysis of the policy output of each legislative term and cabinet provides, however, a better and clearer image of the relationship between the requirements of different stages of the democratic transition and the EU accession process.

At the same time, a comparative analysis of (the policy output of) all three legislative terms and seven cabinets shows that their policy profiles are almost never consistent with their expected “political” attributes, as defined by the ideological and policy claims of the parties in government. There seems to be an almost systematic lack of a clear connection between the parties / coalitions in power and results of the *quantitative* analysis of the policy output. For example, it can be noticed the surprising international openness³³ of the policy output while the former communists

³³ Measured, as stated previously, as the number of policy-relevant international agreements ratified by the Parliament.

were still in power (1996) as compared to the last legislative term when the so called “democratic opposition” came to power. At the same time, considering the diversification of the policy areas addressed by the state after 1996 and the degree of relevance of the respective laws, the increase in the pace of reforms seems quite well connected to the moment the democratic opposition came to power.³⁴

Concerning the role played by the Romanian Parliament in the policy making process during the first ten years after the fall of communism, the available data show that it was relatively weak, although not as weak as it is considered by less systematic researches. However, the results of this policy analysis based on the legislative output do not sustain the thesis of “centrality of parliaments” – not even during the first years of transition. Nevertheless, the validity of the analytical framework presented in the theoretical chapter is sustained by most of the data available - mostly in what concerns the weight of the “internal” and “policy attributes” factors for the Parliament’s role in the system and in the policy process as well as in the regime change process.

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³⁴ This observation does not necessarily contradict the previous statement concerning the existence of a stronger connection between the time dimension and the policy output, as compared to the political dimension. The fact that the new political actors in power were keener to comply with the foreign requirements proves only the existence of an indirect link with the content of the policy output. Based on the results of the quantitative analysis, such content cannot be considered connected with the political identity of those in power.

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BOOK REVIEWS

Cynthia Enloe (2007). *Globalization and Militarism: Feminist Make the Link*. New York: Rowman & Littlefield Publishers, INC., 187 pp.

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Written by one of the leading feminist scholars, Cynthia Enloe's latest book *Globalization and Militarism: Feminist Make the Link* offers a unique insight into the complex issues of globalization, militarism and international politics. The book fills in a gap in the literature related to gender, militarization, and globalization and casts a new light to these phenomena. Enloe, provocatively, draws a *feminist link* between globalization and militarism by exploring why and how the globalization of militarization and the militarization of globalization happens (p. 8). She discusses topics such as women's "cheap" labor, the U.S. invasion of Iraq, national security as a militarized male agenda, the global and gendered aspects of the Abu Ghraib scandal, and fashion as a political statement. She also uses these examples to illustrate, from the feminist perspective, the events occurring in global politics today which are often considered by the general public "trivial" and challenges us to recognize militarism in its various forms such as security, fashion or labor. Her feminist, international and political inquiry is motivated by a *feminist curiosity* which does *not* "take things for granted" but rather asks tough questions about the relationships of women to families, to men, to companies, to institutions, to the state, and to globalizing trends (p. 10). Enloe provides a fresh insight into militarism and globalization and looks beyond the impacts of global affairs on women, focusing on their causes. She employs and develops a *feminist curiosity* and a *feminist causal analysis* in order to discover how and why the world works the way it does (p. 12-18). With her new work, Enloe shows yet again that taking women's lives seriously in creating local and global policies is the key explanation of how world politics works. As she argues, women's lives are too often used for achievement of various global and militarized projects created by men.

In her inquiry, Enloe uses various examples and simple but provocative and sophisticated language to discuss how and why women are often used to sustain and assist the globalization of militarism. For example, she makes a link between globalized factory work, women's labor and militarism. She argues that the government's military and the militarized police have helped keep thousands of women who work in Nike and other global sweatshop companies unorganized and have thus ensured that their labor remains cheap (p. 33). Whenever women sweatshop

workers protest, governments call in the men from the police and army to confront them with shields and guns as they express their own manliness (p. 34). Thus, Enloe warns that, similar to the sneakers made in South Korea in 1970s, sneakers produced today in Indonesia may be *threaded with militarism* (p. 34).

Enloe also conducts a feminist analysis of international and national security and uses the example of the U.S. military invasion of Iraq to illustrate her analysis. She describes an investigation undertaken by a few prominent feminist scholars prior to the invasion that concluded that the U.S. military invasion of Iraq was in fact a contest between masculinities. According to them, military masculinities led by the Bush administration dismissed and made *less worthy and less credible* the findings of civilian UN inspectors *less committed to a demonstration of physical force*, and thus considered more *feminine*, who reported there was no evidence the Iraqi government had a program of developing weapons of mass destruction (p. 50). Thus, Enloe argues that investigating questions such as who holds what views of manliness, who wields them in political life and what consequences those views might have, are important feminist questions to be asked in the study of national and global security (p. 51). Yet, in order to ask these questions, one needs to develop a feminist curiosity and look through gender lenses at events that happen in the international political arena.

Furthermore, by using examples of wives of military men and women soldiers, she draws our attention to females who, by being part of highly military institutions such as armies, play a crucial yet invisible role in sustaining “national security”. According to Enloe these women have not received enough attention and she calls for more research into their lives to explore what roles they play, if any, in the globalization of militarism. She critically analyses the presence in the military of women who break traditionally masculinized domains and she raises discomfiting questions about the roles and privileges of men (p. 65). She rejects simplistic arguments that more women in the military means less masculinized armies, but offers insightful and unique explanations as to why government strategists would prefer some women to join the army. Rather than having a desire to *liberate women*, Enloe claims, such strategies are motivated by their desire to continue military operations at a time when they were *losing easy access to young male recruits* (p. 72). Regardless of the motivation of the governments, the fact is that women increasingly join the army with the expectation that they can pursue a military career on the same merits as men. However, what Enloe fails to explore is women's understanding of where the government strategists' desire to recruit more women comes from and how or if that understanding would change their decisions to join the army.

Enloe broadens her discussion on masculinities, femininities and militarism in her feminist analysis of torture inflicted on Iraqi men by the U.S. army and American women soldiers inside the Abu Ghraib prison. She suggests that wielding feminization and using feminized rituals to humiliate males inside Abu Ghraib and Guantanamo became a technique of prisoner humiliation (109). Enloe also draws a

link between military organizational culture and sexism and violence. While Enloe highlights causes and consequences of global militarization and its effects on women and men, she also gives various examples of individual and group actions being taken nowadays towards demilitarizing a global world. By naming several demilitarizing campaigns that have taken place in different corners of the world, Enloe sends a message that pushing a demilitarization process beyond tokenism requires *dismantling patriarchal structures* in the public realm, but also in the private sphere as well (135). She concludes by calling for the fostering of demilitarization through cooperative investigations, multiple skills, and the embrace of different perspectives (164). Indeed, Enloe's book could be seen as an example of an individual campaign and personal contribution to a global demilitarization processes.

In sum, Enloe in her latest book is urging women and men, particularly men in positions of power, to listen to women, and to use gender analyses in their work. She urges policy makers to consider how policies will affect men and which men especially; how they will affect women and which women in particular; and, finally, how certain policies affect relationships between men and women (p. 13). The book targets primarily policy makers, but it is of great importance to scholars, students, activists and everyone else interested in discovering a link between militarism and globalization through gender lenses. While Enloe answers the questions she raises, her book is limited in its scope of the few examples used in her illustrations. However, Enloe is aware that inquires she makes are only the beginning of a larger project that should be taken on and developed by feminists around the world.

Chris Brown and Ainley, Kirsten (2005). *Understanding International Relations, Third Ed.*, Houndmills: Palgrave MacMillan, 285 pp. + index.

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In its third edition, *Understanding International Relations*, now authored by Chris Brown with the collaboration of Kirsten Ainley, continues to provide “an overview of the current state of International Relations theory” (p. xii). Designed as a textbook on international relations for both undergraduate and graduate students alike, it aims to introduce the key theories and debates that dominate or have helped to shape the field. While undertaking this task, the book also takes a bold stand against those works that downplay the role of theory in understanding international relations, and “present . . . International Relations Lite as a kind of a-theoretical discourse, ‘current-affairs-with-a-twist’” (p. xii). Instead, it proposes to view the discipline from a theory-centric

approach while applying them to contemporary world events, where possible. As an extension of this self-imposed quest, the current edition also promises an expanded focus on globalization. To that end, a considerable portion of the book is dedicated to exploring its many facets, including the rapidly integrating world economy, the impact of terrorism, nationalism and religion, combined under “identity politics,” human rights and the asymmetrically rising US power in international politics.

Understanding International Relations consists of twelve chapters, each ending with a concluding section summarizing the key themes and concepts covered. In addition to the conclusion, each chapter also includes a ‘further reading’ section at the end with a list of up-to-date works the authors find interesting, noteworthy and/or relevant to studying the subjects tackled in each chapter. Although not explicit, the book roughly divides into three parts. The first part, comprising of Chapters 1-6, begins with an almost standard practice in IR theory textbooks, focusing on the meaning and role of theory in the field, followed by an outline of the history of International Relations as a discipline. Placing political realism, the dominant theory in the field, at its core, a general road map of the key arguments appearing throughout the book follows. Beginning with chapter 7, which also marks the beginning of the second section, the book starts to shift its focus and tackles the terrain not often covered by political realism, but by international political economy, including global governance and international regimes. In the third and final part, the book makes yet another shift from “the development of the discourse itself” into the current topics in IR. This is also when the book—perhaps unavoidably—adopts its most speculative tone.

As its chief author readily admits (p.xiii), *Understanding International Relations* is not meant to provide a surgically neutral approach to the discipline and its issues. In addition to an explicit aversion of neorealism and its underlying methodological underpinnings, the authors also express open disdain for concepts such as a “borderless world,” which they regard as “ridiculous” (p. 6, 164). While introducing a discipline that it claims to defy borders and cultures, the book itself ironically adopts an unapologetically British/Western approach to world events and theoretical issues, sometimes to the point of sounding colloquial: “passengers to the UK who land in private jets at Northolt Airport still have an easier time of it than the rest of us who use nearby Heathrow” (p. 164).

Nonetheless, the overall tone of the book remains undoubtedly scholarly and theory-centric, as promised at the beginning, which also proves its most outstanding strength. A particularly noteworthy quality of the book is its ability to offer a recognizable pattern of theories out of the tangled skein of complex concepts and arguments that otherwise freely floats in the literature. Another remarkable characteristic is the friendly and informal tone of the book, which is laden with candid suggestions, such as “if you want black and white, buy an old television, don’t be an IR theorist” (p. 15). Apart from serving to break the ice for students taking an IR course for the first

time, it also considerably increases the appeal of the book to undergraduates—a group it explicitly targets.

Meanwhile, along with these merits, a number of shortcomings also exist. For instance, the overall effort of the book to serve as a legend for all major theoretical debates in the field at times leaves too much out, at the risk of sounding simplistic, and contrasts with the adage the book has set for itself at the outset. As a consequence, some of the chapters in the book feel truncated (e.g. Chapter 3 on the general outline of the dominant theoretical debates, Chapter 8 on the introduction of international political economy and its key issues and theories, and Chapter 10 on the politics of nationalism, religion and ethnicity united under the title “The International Politics of Identity”). Also, the book's argument that US hegemony verges on imperial sounds dated in the face current developments, the snowballing economic crisis that the US is currently facing, compared in its scope and potential effects to that of the Great Depression of the 1930's by some experts. A stylistic shortcoming of the book is its tendency to verbosity and long-winded sentences, which may prove problematic to students who speak English as a second language.

Although the book targets both graduate and undergraduate students (p. xii), it is probably more useful for the graduates, or young scholars in need of a concise yet comprehensive handbook of IR theories, than undergraduates with little or no background on the field. With considerably wider scope than many other currently available textbooks on IR theory, *Understanding International Relations* can prove particularly invaluable to those graduate students or young scholars preparing for a comprehensive exam, or simply looking forward to expanding their knowledge of the field.

Paul Collier (2007): *The Bottom Billion: Why the Poorest Countries are Failing and What Can Be Done About It*. Oxford University Press, 195pp. + Index.

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While over a billion people live in extreme poverty, defined as living on less than \$1 a day¹, celebrity and governments' mobilization in collecting money for the poorest has become more a matter of fashion than effective and goal-oriented action. Collier identifies about fifty-eight failing states that constitute this bottom billion, whose problems defy traditional approaches towards poverty reduction. The author uses

¹ See: http://www.netaid.org/global_poverty/global-poverty/

comparative analysis and quantitative methodology in explaining why there is no improvement for some of the poorest countries in the world, such as those in Africa, yet other countries, such as India and China, have managed to move from being underdeveloped to developing.

The central problem Collier discusses in his book is the absence of economic growth for the “bottom billion” which represents the biggest challenge to both the developing and developed world. In the first part of his book, Collier introduces the notion of traps, which represents his main argument explaining why development efforts fail in the poorest countries regardless of the money influx. In the second part of the book, he draws on the outcomes of his analysis to lay out instruments and proposals that should serve as an action plan for G8 and other developed countries to act upon.

He identifies four “traps” developing countries face, including conflict, dependence on primary commodity export, and being landlocked with bad neighbors and bad governance. Collier’s attachment to structural approaches in analyzing a country’s inclination to four poverty traps might be seen as deficient by some political scientists, as he sidelines the importance of possible socio-cultural, grievance-based and historical causes that lead to a country’s inclination to conflict, bad governance and subsequent poverty. The social dynamics of countries of the bottom billion is multi-faceted and it would be presumptuous to assume that international policy prescriptions based on generalized economic, geographic and political factors can serve as appropriate models of development across the bottom billion. As Collier clearly states, most of the countries of the bottom billion are African countries. Those countries are invariably multi-ethnic with communities with deeply entrenched value systems and cultural boundaries, which tend to be very difficult to change and are reinforced in times of competition over power and resources. Such primordial traits define community and individual identities in these countries. As elites emerge to struggle for power and resources, they construct claims and grievances while manipulating these boundaries, using ethnocentrism as a tool of mobilization to construct groups of support for their claims. According to Fearon and Laitin “the construction of ethnic antagonisms is the result of individual strategic action.”² Collier ignores such primordial and ethnographic factors, which are primary and central to the formation of conflicting communities, but these are the very factors with which external intervention and aid should appropriately interact to foster development. Upon launching structural intervention in a particular country, there are dominant behaviors and sentiments on the ground, such as cultural and traditional practices, that have to be considered. Interventions cannot work without positive interaction with indigenous values, traditions and norms that inform and shape communities. Thus to suggest that solutions to underdevelopment in the bottom

² James D. Fearon and David D. Laitin, “Violence and the Social Construction of Ethnic Identity,” in *International Organization* 54, 4 (Autumn 2000), pp. 845-877.

billion do not require generalized structural policy recommendations, but context-specific approaches relevant to varying local conditions.

Collier analyzes the cases of Angola, Uganda, Sierra Leone, Nigeria and Liberia to support his arguments on traps. He suggests the complexity of possible interventions and shows that each of these traps is not only a problem on its own, but in many ways, they overlap and reinforce each other to exacerbate their impact on the bottom billion. In the case of Nigeria, he mentions the abundance of oil and its huge revenues to the country which have not benefited the majority of Nigerians. Ironically also, the Niger Delta is a hot-spot for protracted and violent ethnic and inter-communal conflicts, e.g between two Ijaw community groups of Odimodi and Ogulagha over a piece of land on which Shell constructed a gas-gathering facility. But these same groups have had long standing conflicts over chieftaincy of the Ijaw community, implying strong historical disputes which the oil industry is now exacerbating. Thus, while revenues coming from extraction and export of primary commodities in those countries give incentive to corrupt politicians and crooks to seize power, there are also local dynamics in each of the bottom billion countries that require a more integrated and comprehensive approach to development to ensure that populations are not left without any benefits. This argument is particularly relevant to the countries where such revenues are a catalyst in financing and perpetuating civil wars and conflicts.

While Collier's analysis may largely apply to the majority of the countries in the bottom billion, recent developments in countries like Rwanda challenge the consistency of Collier's argument that being landlocked with "bad" neighbors is another trap for countries. Rwanda is landlocked with bad neighbors such as Uganda, Congo and Burundi, and despite the 1994 genocide, there is evident economic growth exceeding that of any country in the Great Lakes region, as well as a relatively stable political situation which points to good governance. This supports another point Collier's argument - that post conflict countries have less chance for incipient reforms to progress, but they have one advantage – the change is easier. Policy interventions should therefore differentiate between situations in the failing countries and treat post conflict situations as opportunities. The case of Rwanda again proves that a postconflict country under strong and reform-oriented leadership can have remarkable growth despite its landlocked position with bad neighbors.

When talking about solutions to the problems of the bottom billion, Collier offers instruments such as strengthening the indigenous reformers, international standard-setting and trade policy. He argues that military intervention and aid are both costly, "one in money and the other in political and soldiers' guts", and advocates for cheaper interventions like laws, international charters and trade policies. On the other hand, for the bottom billion it is necessary to come up with set of norms and codified behavior to pave the way for becoming market democracies. I would add that in multi-ethnic societies, communities should be empowered through education and

good leadership to develop internal capacities to exploit their cultural diversities, resources and strength towards transforming these traps into opportunities for development. Therefore, before launching development instruments and interventions, leaders of the developed world, as well as development agencies, should consider specific conditions, values and attitudes of the indigenous people that are crucial for the success of any reform.

This book is one of the most important recent works in the field of international development, conflict and international relations studies and it is a must-read for the future leaders and reformers from both the developing and developed world. Although Collier's structural and quantitative approach does not offer definite answers to the problems of the bottom billion, it can be very useful in synergy with qualitative context-specific research to ensure that all the issues are thoroughly examined and that solutions are applicable and comprehensive.

Colin Hay, Michael Lister and David Marsh (eds.) (2006). *The State: Theories and Issues*. Palgrave Macmillan, 295 pp.

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As citizens of the state, we hardly interrogate or problematize the state taking its existence for granted. To political scientists, the concept of the state raises doubts regarding its validity in understanding politics. Even when political scientists make use of the concept of the state in their political analysis, the bulk of theoretical approaches on state theory come from what the editors of this volume call the "traditional triumvirate", namely: pluralism, elite theory, Marxism. The theoretically rich volume edited by Hay, Lister and Marsh provides quite a range of diverse theories of the state. Besides the "traditional triumvirate" theories, this volume presents approaches that challenge the mainstream theories of the state and problematize or debunk the concept of the state, such as Green theory of the state, feminism, or poststructuralism and Foucauldian poststructuralism in particular. Questioning the prevailing theories of the state by including non-mainstream approaches in a volume on theories of the state is not the authors' only overall aim. Rather than contending to be a sequel book on "the return of the state", this work seeks to foreground the conceptual relevance of the state in political analysis regarding the state as an "institutional contextualization of politics" (p. 10). Convinced of the centrality of the state, by drawing from the diverse theories and concepts presented in this volume, the authors bring forth their theoretical

contribution which is a novel understanding of the state. Claiming that the Weberian understanding of the modern state is no longer valid, the authors argue for the replacement of the modern state by the contemporary state. As to the effects of globalization on the state, the authors maintain the state being transformed rather than hollowed out. Their ultimate aim is providing a convergence of a theory of the state.

The authors rightfully and convincingly delineate the validity of the concept of the state in understanding politics, contrary to behaviorist or systemic-theory approaches to politics that do away with the notion of the state, construing politics primarily as dependent on the will of political actors alone regardless of institutional structures or context. Deploring the missing attempt to attest the centrality of the concept of the state, the authors provide such a defense. Considering the state as “institutional/historical contextualization”, the authors claim that using the state as a concept increases the understanding of politics and takes into account the limits that political actors encounter (p. 11). However, they seem to leave aside such a conceptualization of the state in the following chapters, focusing more on providing an ontology of what the contemporary state is, to the point of inadvertently raising the contemporary state to the level of a concept.

The first part of the book approaches the state by juxtaposing mainstream theories and non-mainstream theories and their offshoots. It remains quite valuable, theoretically and conceptually enhancing the analytical purchase on the state. Starting with the traditional triumvirate, the authors forcefully argue that pluralism, conceiving politics as an aggregation of competing interests and considering groups as the main actors in politics, and elite theory, as an inverse image of pluralism, both fail to interrogate or problematize the state. Furthermore, the pluralist and elite theory and their contemporary variants, such as governance, epistemic-community and policy-network approach, are considered as not having a theory of the state. While the Marxist theory, according to the authors, could be quite useful in understanding the continuity of the capitalist state. The institutional approach replacing the concept of the state with that of the institution hollows out a theory of the state. Henceforth, the authors have critically assessed the impossibility of mainstream theories to interrogate the state.

Whereas even the most salient theoretical approaches of contemporary pluralist and elite theory, such as governance and epistemic-community/policy network approach, do not problematize the state, the alternative theories of the state included in this part of the book do, providing a critique of the state. The Green theories of the state, reflecting a critical theory, and a Weberian lineage, see the state as permeated by instrumental reason, seeking domination and accumulation, constructing certain knowledge as ‘resource managerialism’, consider the state the central site of decision-making leading to the degradation of the environment. Acknowledging the diverse feminist approaches, and despite the essentialization of the state the authors correctly admit, the importance of feminist theories of the state is that they disclose “the gendered ...patriarchal character of state institutions, practices and policies” (p. 118).

Postructuralism and Foucauldian postructuralism reject the centrality of the state as a concept and as an abstract materiality, conceptualizing it in terms of agencies, practices, knowledges, discourses, embedded in power networks controlling, categorizing its subjects in their daily life (p. 167). Although the authors succeed in counter-posing alternative theories of the state that interrogate the state and challenge the mainstream theories enriching our understanding of the state, their attempt to establish a theoretical convergence between such diverse theoretical and methodological approaches to the state attenuates the issue of problematizing the state.

The second section of the volume, which represents the core of their arguments, shatters theoretical claims that the state, faced with the effects of globalization, is in decline and no longer the central actor. The authors, recognizing the limits placed by globalization on the state, do not view the state as passive, and globalization as an end process, which cannot be shaped by the state itself. Hence, the state has been transformed and changed rather than hollowed out, without losing its central role in the globalization process. The issue of dismissing the “decline of the state” and endorsing the transformation of the state in the globalization process is coupled with the clear intention of the authors to start delineating another conceptualization of the state, which they name the contemporary state, going beyond the Weberian modern state. Clearly stated, their incipient argument sees “a shift from the state exerting power through coercion, to a state acting as a coordinator or facilitator” (p. 256). Therefore, the state relies less on the monopoly of legitimate violence to discharge its functions and more on a coordinating, consenting and legitimating role enmeshed in a network of multi-level governance, where private or parastatal bodies act as agencies of the contemporary state having obtained the legitimacy of the state. Hay, Lister and Marsh quite vigorously assert that the state still remains the only actor to legitimize any curtailment of its powers.

Even though the authors provide a novel conceptualization of the state that challenges the Weberian understanding of the modern state, they do not shy away from espousing a theoretical position which legitimizes the (contemporary) state, rather than problematizing or interrogating the state as non-mainstream theories of the state accomplish. Striving to provide an *ontology* of the contemporary state based on a convergence between the contemporary mainstream and alternative theories of the state, the authors have in fact established a theory for the contemporary state, with certain pluralist undertones.

This edited volume remains a necessary and quite satisfying contribution to the literature on state theory for academics and students by going beyond the mainstream theories of the state, consequently expanding our theoretical understanding of the state and ambitiously beginning to unsettle the Weberian conceptualization of the modern state.