

“Although the publics in Poland and Romania believe there are more similarities than differences in the quality of their lives after communism, external observers argue that Poland’s democracy is qualitatively better than Romania’s. The challenge is to explain why there is this difference when both countries are consolidated democracies inhabited by unsatisfied . . . democrats.”

The Unbearable Lightness of Democracy: Poland and Romania after Communism

ALINA MUNGIU-PIPPIDI

There is, as the novelist Milan Kundera might put it, an unbearable lightness to democracy: only after a nation has it does it realize how much more is needed for a government to be able to provide a reasonable quality of life for its citizenry. More than a decade after they shed communism for democracy, how have the countries of East Central Europe fared in shouldering this unbearable lightness?

Two of the region’s countries—Poland and Romania—offer a unique perspective on this question. Throughout the transition in the 1990s they were often seen as the child prodigy (Poland) and the dullard of the class (Romania). By 2001, however, both countries had experienced at least three rounds of elections deemed free and fair and had survived swings of government between anticommunists and postcommunists. And in a historic breakthrough, both had received invitations to start negotiations with the European Union on becoming members—a critical impetus for democratization.

The publics in the two countries had also developed comparable democratic attitudes: both consider democracy the best system of government despite shortcomings, and both give less support to authoritarian alternatives. In trying to understand how the prodigy and the dullard ended up with comparable democratic systems, we need to trace the similarities and differences that have marked their transitions. That history also explains why a certain dissatisfaction has emerged in both countries with democracy’s unbearable lightness.

ALINA MUNGIU-PIPPIDI is the director of the Romanian Academic Society and will be a visiting fellow at Stanford University’s Institute for International Affairs in 2005.

ON EUROPE’S PERIPHERY

Poland is mainly Catholic, Romania largely Christian Orthodox. This cultural difference is the only noteworthy one, since they otherwise have comparable histories: partial autonomy and foreign occupation for many centuries, formation of national states and limited modernization after the First World War, Soviet-imposed communism after the second. They also have similar social backgrounds: traditional agrarian societies with political rights largely confined to the landowning elites. And similar cultures: peripheral European societies endlessly discussing their position between the West and the East and blaming their underdevelopment when compared to Western Europe on the heroic, sacrificial history of defending “the gate of Europe” from the infidel Turk. Economically they also fared the same: by 1937 Romania had an average income of \$81 and Poland of \$100. It was only later that differences started to arise.

Poland historically had its main territorial problem with Germany, Romania with Russia. Unfinished territorial disputes from the First World War mattered enormously for the trajectory of Poland and Romania in the Second World War and the fate assigned to them at the end of the war. They led in World War II to the occupation of Poland by Germany, and to the invasion of the Soviet Union by Romania alongside Germany. Both countries fell behind the Iron Curtain, but the West’s interest in Poland was greater than its interest in Romania, which had fought for the wrong side during the war, had fewer exiles, and had an unsustainable strategic position, since it was surrounded by the new democracies.

At the fall of communism, however, the social structures of the two countries were remarkably

similar. The middle class, traditionally considered a prerequisite of democracy, was completely destroyed and replaced with a technocratic class created in Communist universities. The differences in income in surveys at the beginning of the 1990s were minimal: nearly all social stratification had been annihilated.

TWO PATHS TO DEMOCRACY

Two different patterns emerged in post-1989 Poland and Romania in terms of freedoms and rights. In Poland a political pact among elites swiftly produced an elected and legitimate government without bloodshed. Because nationalism had always been a common denominator among Polish elites, communism was easy to discard as an alien Russian import.

Poland's democratic consolidation was accompanied by amendments to its 1952 Communist constitution. But provisions of the old constitution respecting civil and religious rights were left intact. President Lech Walesa attempted to resolve this problem in November 1992, when he introduced in Parliament a "Charter on Rights and Freedoms" that contained 22 "basic civil and religious rights common to all liberal democracies," including freedom of religion, the right to privacy, and freedom from government censorship. In the end it took postcommunist Poland eight years, three different parliaments, and six different governments to adopt a new constitution in 1997, and that was bitterly fought over between anticommunists and postcommunists.

Yet, by that time Freedom House had already qualified Poland as a consolidated democracy, the Council of Europe was satisfied with its respect for human rights, and this symbolic battle had little practical consequences for the country. It was informal institutions—the result of a consensus among elites and civil society on fundamental values—that produced a democracy that respected human rights before they were formally invested in a constitution. So small was the threat to basic freedoms in postcommunist Poland from elements of the old regime and its authoritarian structures that the main scare in the early 1990s—as it turned out, greatly exaggerated—was concern over the possibility that Walesa might impose a dictatorship.

A completely different pattern emerged in Romania. The spectacular and bloody fall of President Nicolae Ceausescu in 1989 left unfinished a power struggle between elements of the former Communist establishment led by Ion Iliescu and the unorganized street rioters who had contributed decisively to the end of the regime. There had been no real opposition

to Ceausescu prior to 1989, and political parties only began to form in January 1990. Iliescu, the self-appointed interim president after Ceausescu's execution, turned the ad hoc committees of the Romanian revolution into a mega-party, the National Salvation Front (NSF), which won the 1990 elections with nearly two-thirds of the vote. This party, supported from the onset by the army and the secret service, was initially a mix of spontaneous elements and former apparatchiks, but after the elections members of the latter group secured the presidency and the chairs of both houses of the legislature.

It took the small anticommunist parties—many based on interwar historical parties—some time to become viable contenders. This meant that Romania had the most belated democratic shift in the region. To control the urban opposition, which was fearful of a Communist restoration, Iliescu more than once resorted to vigilante groups, including coal miners who in June 1990 attacked the University of Bucharest—the headquarters of the opposition parties and press—creating hundreds of casualties.

RIGHTS: A MIXED PICTURE

During its first years after the fall of the Ceausescu regime, Romania was the textbook example of an "electoral democracy." All resources were concentrated in the hands of NSF members, strongly supported by the army and the secret services. Even though praise for both Ceausescu and Ion Antonescu, Romania's wartime fascist dictator, was often heard in the constitutional assembly, a liberal constitution was adopted in 1991. (A national security law sealing for 50 years the archives of the Communist Party was, however, rushed through the constitutional assembly before the constitution was adopted.) Moreover, freedom of the print media began in the early hours of Ceausescu's downfall as students, intellectuals, and journalists started newspapers without waiting for any regulations. The provisional government also on the first day of the Romanian revolution granted freedom of association, and hundreds of political parties and thousands of NGOs had surged into existence by the end of 1990.

Throughout years of political unrest and uneven competition between old and new elites, Romania's democratization progressed steadily, with media and civil society gaining ground. Three rounds of elections held in 1992, 1996, and 2000 were judged to be free and fair. Yet the state oscillated ambiguously between being the main defender and the main violator of human rights. Despite its formal constitutional arrangements with their full complement of

rights, Romania still lagged in terms of actual behavior. Out of fear of seeing communism—and themselves—on trial, senior judges, police officers, and generals invested more in defending the authoritarian past than in ensuring the growth and maturation of Romania's nascent democratic institutions.

If progress nevertheless was made in the end, it was the result of a combination of foreign and domestic pressures that played a large role in the Romanian transition. Pushed by the Council of Europe, Romania gradually adopted charters and treaties regulating concerns that ranged from the treatment of prisoners to the use of minority languages. Domestic civil society, especially an exceptionally well-organized Hungarian minority, pushed from within.

Despite the different patterns in Poland and Romania—informal democratic institutions first, laws after in Poland; laws first, informal institutions later in Romania—there are also important similarities in the two countries' democratic progress. The most important is the underdevelopment of organizations responsible for the implementation of rights. This underdevelopment, more than a conscious will to infringe an individual's rights, is the frequent cause of problems. The treatment of those arrested or sentenced to prison, for example, has remained closer to Communist than Western European standards and is still a source of concern.

Romania has also experienced a religious revival, bringing it even closer to Catholic-influenced Poland, which has always been the most religious nation in the region. This means that the church and religious nongovernment organizations occasionally display illiberal attitudes, feeding conservative government policies and complicating the two countries' political evolution.

FOR RICHER AND POORER

"Transition" in a postcommunist context is understood to mean the evolution from a collectivistic to an individualistic society, from the ideal of equality of income to that of equality of opportunity. Liberal discourse—which is in fact libertarian—has become the sole "legitimate" intellectual discourse in Eastern Europe. Postcommunist countries are the only transition countries where intellectuals praise capitalism and poets dedicate hymns to consumption society. Trade unions, workers, and pensioners

have other ideas. But their voices are heard only during elections and strikes. In newspapers and on television, everyone who is not a former Communist shies away from being even a moderate leftist. There is a consensus among all parties on the subject of equality of opportunity, but as in the case of human rights, there are both formal and informal obstacles to its enactment. Except for limited sectors (all of them new and related to higher-level skills such as computers), the culture of Poland's and Romania's postcommunist society is deeply entrenched against offering opportunities equally or randomly.

Inequality should not have become a problem in postcommunist societies. When they embarked on their transitions, the countries of Eastern Europe, unlike those in Latin America, showed a remarkable level of equality. The economic transition was supposed to break with this social uniformity and initiate a capitalistic regime under which incomes would differ according to entrepreneurship and skills. But

economic reforms and fraudulent privatization created first and foremost a class of the new rich based partly on merit, partly on chance, and mostly on the shameless

exploitation of opportunities—conflicts of interest and illegality included.

Resentment against the newly enriched class is high in both Poland and Romania. And the signs of the rich are readily apparent: luxury goods, especially ostentatious autos such as Mercedeses and Hummers, have been top sellers. A survey question that asked whether the "same people enjoy privileges regardless of the regime" met with a widespread yes. The cleavage between the new rich and the rest of the population is a source of concern, especially since it is reminiscent of what might be called the particularistic pattern under communism.

In particularistic societies, individuals are treated unequally, and their treatment depends strongly on their position in society or their status. Status in this context refers to an individual's distance from the groups or networks holding power. The closer an individual is to the source of power, be it a charismatic leader or a privileged group (such as the nomenklatura or secret service during the Communist era), the better positioned he or she is to enjoy a superior status. Influence was the main social currency during communism, and it has now been converted into cash. This uneven distribution is accepted by a large part of society because status

Trust in government is a scarce resource throughout the postcommunist world.

groups are not closed: some degree of social mobility based on connections or exceptional merit is possible. Therefore many strive to become part of such status groups rather than trying to change the rule of the game: this is the culture of privilege underpinning status societies.

Particularism creates inequality and subverts the rule of law and social trust. Data from both Romania and Poland show that bribing is only a minor component of widespread particularism. There seems to be one privileged category: people who have the right connections. For this group the state works for them. The next category in the social and economic hierarchy is composed of those who lack good connections but possess the resources to bribe. Their satisfaction with the state is mixed. Finally, there is the large majority with neither connections nor money. They are quite unsatisfied with what they get.

It is difficult to compare quantitatively Poland and Romania in this respect. NGOs in the two countries would claim unequivocally that theirs is the most corrupt and they compete in producing reports on corruption. Identical stories surface in the media, and privatization horror stories sound like carbon copies from one country to another. Transparency International, Freedom House, and the EU's European Commission usually rate Romania as more corrupt, but as Romania is overall less developed than Poland, this is only to be expected. The case of Greece shows, however, that European integration is compatible with some degree of particularism, which retires gradually and slowly as universal institutions become stronger.

IN SEARCH OF ACCOUNTABILITY

The histories of the imposition of the rule of law in postcommunist Poland and Romania are similar. The new governments of both countries had to rule on the basis of Communist legislation since they were unable to replace it overnight. New laws regulated first and foremost political competition, and legislators slowly moved to other areas. In both countries that meant that the corpus of law in force remained internally contradictory. New legislators also often proved inexperienced and incompetent, with a high turnover. The judiciary remained poorly paid and the court infrastructure was inadequate to the task of dealing with new legal claims.

For a democracy it matters more that the courts are able to deliver justice in a fair and nonpartisan fashion than if they work promptly and effectively. A nonpartisan justice system, even if underdeveloped, can evolve through capacity building. A justice system like the kind communism planted—one designed to side with the government against the citizen—is much more difficult to change. Here the story of Romania's higher courts shows a marked difference not only with Poland but also Hungary and Bulgaria.

The Constitutional Court in Romania has not once defied the government on an important matter. Members of the Romanian Supreme Court of Justice tried for years to become independent, but they were not granted lifetime tenure until this year. Nevertheless, the Romanian Supreme Court endorsed lower court decisions to reconstitute property confiscated by the Communist government, thus going against the policy of President Ion Iliescu. Iliescu was an outspoken critic of the high court, and the general prosecutor he appointed filed extraordinary appeals of

Postcommunist countries are the only transition countries where intellectuals praise capitalism and poets dedicate hymns to consumption society.

the sentences the Supreme Court of Justice imposed. In practice this meant that a new panel of judges of the Supreme Court was appointed (the court has more

than 100 judges) and asked to try a case again until they ruled in favor of the government.

Like judicial accountability, electoral accountability has encountered problems during the transition. One could not expect accountability in a postcommunist political environment to work properly. Voters, as well as governmental and non-governmental agencies, were new at the game. People who have just learned the basics of democracy cannot become sophisticated voters overnight.

However, in most Central European countries, some rough form of electoral accountability works as governments, including those that perform reasonably well by Western standards, are not returned to office. Poland is a clear example. Neither the government that managed to bring Poland into NATO, nor the government that completed its EU accession was rewarded by the voters. Romania has had a similar experience, albeit once its more peculiar transition to democracy was completed. In 1996 voters ousted President Iliescu, despite his large popularity in rural areas, his manipulation of state-owned media, and his control of the only partially reformed secret services. But the anticommunist coalition elected in 1996 performed poorly, the result of

infighting among member parties and government deadlock. It was voted out of office four years later.

Other forces that can bring accountability—unions, the media, for example—are also playing a role in Romania and Poland. Here Poland has an advantage over Romania: its unions are stronger and were tested against the Communist regime, and its independent media began in opposition to the official Communist media. In Romania, the media are dominated by former Communists who privatized their newspapers. Still, the media played an important role in both countries as agents of accountability during and after transition. The free media in Romania were largely responsible for the erosion of Iliescu's popularity. The electronic media are equally developed in both countries, with hundreds of radio and local television networks. The independence of state broadcasting remains a source of concern.

Scandals in this regard have plagued both countries, with the sacking of top media executives a common practice. Since parliamentary majorities reflect the same political interests as governments, passing the authority over top state television executives from the presidency to the legislature does not change much. The Italian model of *lotizzazione* (dividing influence over television networks among political parties) dominates the formal and informal arrangements in both Poland and Romania. Broadcasting boards reflect the composition of the Parliament, with no room for civil society or public interest as such. However, both countries have large private media that should theoretically provide meaningful opportunities to criticize the government.

SAME AS THE OLD BOSS

Regular use of the right to punish the government, whether in elections or the media, has not eased dissatisfaction with the way the political system operates in either Poland or Romania, or Eastern and Central Europe more generally. If we judge by popular perceptions of government responsiveness as measured in opinion polls, these are very low quality democracies. The parliaments continue to enjoy little trust compared to the legislatures in Western democracies. Voters do not appear to think that they can hold governments accountable. Instead, Poles and Romanians experience a feature of public life common to the entire region: the belief that even if a government is turned out, it will be replaced with the same unpopular political elites.

Trust in government is a scarce resource throughout the postcommunist world. Although majorities have come to declare in surveys a strong commitment to democracy, political parties and politicians

are extremely unpopular. There is little trust in law and order agencies. Both NGOs and ordinary citizens believe corruption is widespread among civil servants and top politicians, even though there is a lack of serious evidence to prove this. Citizens are not yet convinced that their state and government are there to grant universal access to public goods. They see them rather as vehicles to provide advantages to the same old profiteers. Only a handful of people say they trust government.

The way the new regimes dealt with the crimes of communism did little to help them gain legitimacy. In September 1994, two Polish generals were found not guilty for masterminding the murder of Father Jerzy Popieluszko in 1984. A Wrocław court freed militiamen who had repressed Lublin demonstrators in August 1982. The general prosecutor in Romania made an extraordinary appeal in an attempt to save the generals who had ordered the shooting of anti-Ceausescu protesters during the Romanian revolution in December 1989.

Ceausescu's "court poets," the founders of the ideology of national communism, have ended up in the Parliament and even government, while Romanian dissidents remained throughout transition mostly in the opposition. The Romanian Academy, where membership depended on current membership in the Communist Party, has notoriously given up only two Communist members since 1989—the Ceausescus, husband and wife, who were shot in the days following the Communist regime's overthrow. The rest have remained and have continued to select their peers throughout the transition, ensuring a continuation of the Communist academic establishment.

THE QUALITY OF DEMOCRACY

Although the publics in Poland and Romania believe there are more similarities than differences in the quality of their lives after communism, external observers argue that Poland's democracy is qualitatively better than Romania's. The challenge is to explain why there is this difference when both countries are consolidated democracies inhabited by unsatisfied and to some extent inconsistent democrats. Some have tried to explain the difference by focusing on the peasant population in the two countries and the degree of communization of society under communism. But there are more similarities than differences for Poland and Romania in both these areas. The real difference lies in the early political history of the two countries after the fall of communism, which shows the contrast in the quality of Communist successor parties and political elites more generally.

The domination of the Romanian transition by Iliescu and his NSF party (they ruled 10 years out of the first 14) is the main difference between Romania and Poland. This dominance originated in Romania's difficult and disputed parting with communism. Iliescu's power grab in 1990 with his tactical arsenal, which ranged from conspiracy and revolutionary decrees to the use of popular guards, is closer to the tactics that accompanied the Bolshevik Revolution than to the smooth, legal-friendly pacts that brought the opposition to power in Poland. Once his power was secured, Iliescu started to revive the conservative elements of the former Romanian Communist party, especially from the nationalistic circles. By 1991 he had already pushed out reformers. (He only brought them back in 2000, when he won elections in a country already negotiating EU entry.)

The Polish Communists began the transition from communism by giving away power during talks with the opposition through a compromise formula suggested by a young, bright, nomenclatura member named Alexander Kwasniewski—who later became, and remains, the popular Polish president. The labor union Solidarity crushed the Communists in the country's first elections, but, because the Communist Party had reserved seats they maintained a presence until the next completely free round of elections. During that time the Polish Communist Party underwent substantial reform, turning into a social-democratic party. It has since played a positive democratic role, winning by a landslide in the last election in 2001 and displaying an excellent performance in the negotiations on Poland's accession into the EU.

Clearly, the Polish Communist leaders, with a tradition of internal party pluralism and patriotism, were far better prepared to build a modern social democratic party than the ruthless Romanian leaders who first shot the Ceausescus, then sealed the Communist archives. In Poland (as in Hungary), former Communist parties embarked on market reforms as convincingly as the anticommunists. In Romania Iliescu's party campaigned with antimarket and xenophobic messages, and turned more market-friendly only in the late 1990s.

The policy distance between incumbent and challenger elites was therefore smaller in Poland, and more generally in Central Europe, than in Romania, Bulgaria, or the former Soviet Union. The more elites agree on essential issues, such as privatization of state assets, the smoother and faster the transition. The Central European case is special because the consensus was for a different regime

from the onset of these transitions in 1989. This was so because the Communist parties had already exhausted the possibilities of reforming the socialist economy; where they had not, such as in Romania, they tried an in-between approach in the first years of the transition and failed. The misbalance of power among parties in the first part of the Romanian transition is the most powerful explanation of why Iliescu could afford to be so authoritarian. Once the political system had reached balance in Romania, important democratic steps such as tenure for judges could finally be taken, and Romania could become more like Poland.

SOCIETY AND ITS DISCONTENTS

The key factor that explains how Poland and Romania succeeded in reaching similar democratic benchmarks today despite different starting points in their transitions is the decision that both should become part of the EU. The EU accession countries of postcommunist Europe provide therefore the grounds for a remarkable institutional experiment; as these countries adopt identical institutions, they should end up quite similar. However, since their histories and especially their exit paths from communism were not identical, the main indicator of their success becomes the distance between the formal institutions adopted and the informal practices of a country's politics and society.

This history greatly affects perceptions of government responsiveness. People are impatient and they tend to attribute the distance between written rules and current practices to the hypocrisy of rulers rather than trying to understand all its complex determinants. Their anger, however, is not directed against democracy or the political system, which they continue to consistently rate above communism. The dissatisfaction of East European citizens is instead aimed at their societies, and they blame politics for what they perceive to be the injustices of postcommunism.

This may tell us something about the quality of democracy. More likely, it is a reflection on the quality of society. Regardless of whether they are democracies or not, some societies have always been better to live in than others at a moment in time, even if the reference point for this evaluation has been constantly shifting. Postcommunism, with its uncertainties and institutional upheaval, cannot provide an environment for a satisfying life, despite the enjoyment of freedom at a scale undreamed of during communism. It is this flux that is the source of the unbearable lightness of democracy. ■