

# **TOWARDS SHARED SECURITY**

## **7-Nation Perspectives**

**Margriet Drent, David Greenwood, Peter Volten (eds.)**

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Towards Shared Security: 7-Nation Perspectives / Margriet Drent, David Greenwood, Peter Volten (eds.)

The contributors to this work are Irma van Dijk, Margriet Drent, David Greenwood, Joost Herman, Peter M.E. Volten, Jaap de Wilde and others (see the List of Contributors at the end of the volume).

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The Centre for European Security Studies is an independent and non-profit foundation engaged in research, education and training on foreign policy and security affairs affecting the whole of Europe. A key mission is to promote democratic structures and decision-making procedures in this field, especially throughout Central and Eastern Europe where it works to support those organisations and individuals striving to establish civil societies under the rule of law. By facilitating a comprehensive process of learning, it aims to contribute to mutual understanding on all security matters, thus helping to build a stable all-European order.

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## PREFACE

By Margriet Drent

This is a unique volume. At its heart are five essays on the foundations of shared security in Europe. Each reflects the outcome of a collaborative inquiry that involved contributions from seven countries: three which recently joined NATO and are 'fast stream' candidates for admission to the European Union (EU) – namely the Czech Republic, Hungary and Poland; three which aspire to join NATO and are also negotiating entry to the EU – Bulgaria, Romania and Slovakia; and the 'borderland' state *par excellence* – Ukraine.

These essays are presented as Chapters II-VI of the book. They are noteworthy because they present not seven separate national perspectives on the themes addressed but – as the title of the work makes clear – *seven-nation perspectives* developed in the course of co-operative research. The same synoptic vision characterises an introductory analysis which elucidates the concept of 'shared security' and examines the prospects for pan-European security community-building (Chapter I). This Chapter provides an intellectual framework for the material that follows. There is a final review of the main conclusions of the thematic essays to complete the work (Chapter VII).

The topics covered reflect a judgement that the promotion of co-operative security across the European continent depends, among many other things, on nation-states finding common ground in some key areas. Prominent among these are: (a) how to ensure respect for *human rights and minority rights*; (b) how to deal with diversity where issues of *democracy, political culture and civil society* arise; (c) how to handle the interaction of *economics and security* in today's conditions; (d) how to tackle *new threats on the security agenda*; and (e) how to manage the *reform of security structures* inherited from the Cold War era.

Having participants from the seven named countries address these subjects reflects another judgement. The two developments that are dominating European politics at the start of the third millennium are the enlargement processes of NATO and the EU. The tempo of these processes is such that, for the next several years at least, there will be (shifting) dividing lines in Europe, separating 'insiders' from for-the-time-being 'outsiders' and carrying considerable potential for tension and misunderstanding. In these circumstances, promoting a sense of widely-shared security requires dialogue, and where possible institutional arrangements, to bridge or blur those boundaries. Scholarly inquiry and analytical effort can, and should, take account of this. Hence the value of a venture in line-blurring collaborative research (and policy prescription).

The undertaking was conceived by the Centre for European Security Studies (CESS), located at Groningen in The Netherlands, and was conducted – in co-operation with partner-institutes in the seven participating countries – during 1999-2000, within the framework of a Programme on European Security (PROGRES, for short). Some remarks are in order on this endeavour in general and the research element in particular.

The exercise embraced an *education and training* effort as well as the research of which this work is the tangible result. Several conferences, courses and seminars were organised on aspects of European security. Most focused on the same themes as the collaborative research. However, the promotion of effective civilian oversight of security structures was given special emphasis and was the overall criterion when choosing audiences in (mostly) the capital-cities of Central and Eastern Europe.

The *research* itself was first shaped at a start-up conference held at Stirin Castle, near Prague, early in 1999. There five Working Groups were formed; and nominated Chairs plus 5x7 Working Group members – and a number of high-level guests – decided on a research framework and agenda. During the next 18 months, each Working Group held two intensive sessions at different locations in Central and Eastern Europe at which papers were presented and discussed and (again) guest contributions received. In November 2000, all the teams met again for a concluding conference in Groningen where their final reports were presented. As already explained, these texts – revised and edited – are the core of this book (Chapters II-VI).

It will bear repeating that these Chapters are not compilations of country case-studies but synthetic seven-nation perspectives. They thus represent a collective view (and one that is not overburdened with Western prescriptions). As presented now, the essays are the work of the five Chairs of the Working Groups, but they incorporate the material delivered by the Working Group members. The book is therefore the product of a concerted effort, synthesising contributed papers and the outcome of face-to-face discussions plus correspondence.

As co-ordinator of the PROGRES venture, I am indebted to many people and organisations for the success of the endeavour. First of all, I am grateful to the CESS staff who contributed to the enterprise: Judith Battjes, David Greenwood, Sander Huisman, Hinke Pietersma, Elzaline Schraa, Joke Venema and Peter Volten. They were supported in their work by excellent interns from The Netherlands (Heidi Bolt, Jos Boonstra, Martijn Klem and Koen Marquering) and from the PROGRES-countries (Ventsislava Atchova, Bence Bokor, Jan Jires, Matus Korba, Oksana Movchan, Dorlin Muresan and Paulina Swat) who augmented the permanent staff at various times over the programme's two-year duration. True partners for the venture were the co-ordinators at the PROGRES-country institutes: Nansen Behar and Kosta Ivanov, Institute for Social and Political Studies (ISPS, Bulgaria); Jiri Sedivy and Alex Zaitchik, Institute for International Relations (Czech Republic); Laszlo Nagy, National Defence University

(Hungary); Krzysztof Jazwinski, NATO Study Center (Poland); Liviu Muresan, EURISC-foundation (Romania); Sylvia Mihalikova and Dagmar Horna, UNESCO-Chair for Human Rights Education (Slovakia) and Ivanka Klympush and Tanya Kolosova, Ukrainian Center for Independent Political Research (UCIPR, Ukraine).

For their role in the research effort specifically I would like to thank those who chaired the Working Groups: our friends Koen Koch, Jaap de Wilde and Janos Matus; CESS Associate Joost Herman, our Research Director David Greenwood and Director Peter Volten. The Research Director's contribution deserves special mention. Not only did David Greenwood oversee the collaborative research, he also edited this text and, with Joke Venema's help, prepared it for publication.

Of course, the whole PROGRES-idea would have just remained an idea were it not for the financial support of generous donors. Thanks are therefore due to the European Initiative for Democracy and Human Rights (EIDHR), The Netherlands' Ministry of Foreign Affairs, the Dutch SFMO-Foundation, NATO Office of Information and Press, and the Faculty of Arts of the University of Groningen. In addition we greatly appreciate the indispensable in-kind contributions of organisations in the seven PROGRES-countries.

However, our greatest debt of gratitude is owed to the members of the Working Groups. They provided a wealth of information and insight plus their Central and Eastern European perspectives on the aspects of shared security that we addressed with promotion of an inclusive European security community in mind. Their names appear in a List of Contributors (Working Group Members) which follows the final Chapter of the book.

Margriet Drent  
Groningen, August 2001



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## I. STUDYING THE NEW EUROPE AND SHARED SECURITY

Peter M.E. Volten

*with additional material by David Greenwood*

### 1. Introduction

At the dawn of the third millennium the organisation of security in Europe reflects the ability of states to share such ideals as peace, stability and material progress, at least potentially. Anarchy and self-reliance, characteristic of European history, have given way to co-operation, in parts of the continent to community building and affiliation. Europe is leaving a century of bitter conflicts – from the hottest ever fought to the Cold War – and has now embarked on an era of reconciliation and integration. Peace, progress and prosperity, so it appears, can be *shared* and need not just be won at others' expense; they can now be strengthened, not just preserved; they may flourish in a pan-European security community, rather than just unilaterally serving as aspirations underlying national military-strategic planning and force structuring.

Is this really the case? Can we reasonably be assured by the current exceptional degree of military stability and the absence of the danger of large-scale war that the present mixture of communities and states will indeed evolve to deliver genuine security for all? Security and defence policy used to be a most traditional and resilient area of human behaviour. The post-Cold War environment seems to offer another option, perhaps even a unique opportunity in European history. Can Europe deal with the new possibilities? Can we entertain the prospect that time-honoured national approaches to provision for security and defence are being superseded?

The euphoria of 1989 is over, for sure. The institution formally best suited to promote collective security – the Organisation for Security and Co-operation in Europe (OSCE) – soon proved to be lacking both the political strength and the necessary military means to fulfil its potential. Even the most robust military organisation, NATO, was found wanting in the former Yugoslavia when civil war ravaged that region and completely new missions challenged forces structured and trained for Cold War roles. The experience in Bosnia and Kosovo brought new tasks for NATO in new territory: 'out-of-area' peacekeeping and peace-enforcing activities. Most importantly, though, remained the question of the future of the republics of the former Soviet Union, in particular the Russian Federation that took the part and the position of the former superpower. Given the painful political, economic and military developments in Russia, it is questionable whether Russia will be able to contribute to stability. In view of the strained relations with NATO countries, particularly the United States, it is very unlikely that Russia will be willing to partner them in building the new Europe alluded to as a “zone of peace” in the early 1990s.

Still, even if we cannot count all states from the Urals to the Atlantic as engaged in searching for a fundamentally different world from the one of

confrontation and military competition, we should be interested in why that is the case and to what extent some are included, others excluded. In the area, the Cold War security system has disappeared and a new system *is* emerging. No state can ignore the continuing political changes; no nation can exclude itself from growing economic interdependence and social inter-penetration on the continent. As a matter of fact, certain universal objectives – mentioned before and most visibly represented by the processes of democratisation and economic reform in the former east – are commonly acclaimed by many, if not all, 'European' citizens.

Should shared security not follow? And should this not be considered a condition *sine qua non* for achieving the other objectives of human well-being? Clearly, it is worth examining whether some countries are unable or unwilling to fully play their part, remain aloof or act only with lukewarm enthusiasm in this challenging, historic period. Equally, it is worth determining the extent to which nation-states and the remnants of failed nation-states are standing in the way of obtaining all-European shared security. Specifically, why some states have been able to reform their military institutions and capabilities whereas some have not, or only to some degree, is an essential question for understanding a European “security complex”, and one worth some elaboration.

The objective of transforming the military and integrating their institutions is a tremendous challenge in and of itself, because of the sheer size of the undertaking and the complexity of the process with so many actors involved. Moreover, that process often takes place under difficult and ill-defined circumstances, even under adverse conditions due to the other preoccupations of the actors and institutions that are supposed to lead the way. Obstacles and constraints abound, not least with regard to the political process. Reform here entails more than change in military institutions like the officer corps, the armed forces' structures and planning staffs. It involves political-societal institutions like parliaments, parties, voluntary public associations and the media as well as the security elites inside and outside governments. Last but not least, the requirement of an Alliance-wide or even all-European co-ordinated effort in light of the changes in international security since the end of the Cold War – this turns military reform into a truly Herculean task.

Political *control* over the military and its institutions is a prerequisite for the organisation that claims the exclusive right to use force, the state. This widely accepted notion and common sense wisdom of the primacy of policy do, however, beg the question of who is entitled to such extraordinary power and responsibility. Today the answer in Europe is quite simple, namely a democratically-elected government answerable to a representative legislature and constrained by a sound legal and constitutional framework. Gone are the days when the Communist Party of the Soviet Union (CPSU) or its sister parties in the so-called fraternal socialist countries could claim, and actually claimed, *uncontested* political control and the absolute primacy of *ruling party* policy. Since the collapse of communism, consolidation of *democracy* is the name of the game in the countries of Central and Eastern Europe (CEE).

Therewith, the nature of international relations in Europe has also fundamentally changed; and so has the organisation of security between East and West. Cold War terminology has been taken out of our vocabulary; so has the language of bipolarity based on mutual assured destruction (MAD). However, the enigmatic promise of a 'new world order' – made by (the first) President Bush in the euphoric days after the fall of the Berlin Wall – remains unfulfilled. No new names for this game yet, except for political catch phrases like “a common European home” and “a zone of peace and stability” and a mere change of title for the Conference, now the Organisation, for Security and Co-operation in Europe (CSCE/OSCE).

Europe is in a process of change, but where will this lead us? “Traveller,” says a Spanish proverb, “there are no roads. Roads are made by walking.”<sup>1</sup> The security arrangements have fundamentally changed. As long as the democratisation process is proceeding in the CEE countries and the prospect of all-European co-operation and even integration is present, or at least perceived as such, progress towards a truly peaceful order can be made. Indeed, we may even succeed in shaping what Karl Deutsch has called an “international security community”.<sup>2</sup> Already the European Union and NATO are organisations in which none of the member states contemplates the use or threat of military force in its relations with the others.

A core concern of the present study is whether – and, if so, to what extent – the political and security structures in the CEE states have been adapted to the new strategic realities in order to participate in a Europe of shared security. Clearly, this issue is not one affecting these countries only. Changes are necessary in Western Europe too. However, the circumstances in which the former-communist states are facing the challenges of reform differ from those present in NATO member-states. There is no doubt that the mainly mature democracies in the West – voluntarily allied for 50-plus years – have a significant lead over the former-communist states in implementing democratic and law-governed rule, sustaining market economies and practising transparent and balanced civil-military relations. The legacy of the long-time authoritarian as well as communist past of the CEE countries endures in formal and informal rules and behaviour. Some of these countries have fared better than others or started from a more promising position. For all, though, overcoming the burdens of subordination to Soviet rule and subjection to communist party style has represented a daunting challenge.

When NATO opted to aim at shaping a larger zone of peace and stability – in which endeavour its former Secretary-General, Javier Solana, proclaimed a pro-active role for the Organisation – Western tradition and experience were certainly a welcome asset. This can and should be beneficial for the transformations of the security and defence structures in the CEE countries. However, the end of the Cold War has taken NATO into uncharted waters as well, not in the least with regard to its own evolution. Even though this volume focuses on CEE, the processes of change in that part of Europe do not take place in isolation.

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<sup>1</sup> Quoted by Henry Kissinger, *Diplomacy* (New York 1994) p. 835.

<sup>2</sup> Karl W. Deutsch et al., *Political Community and the North Atlantic area* (Princeton 1957), p. 5.

As a matter of fact, developments here and NATO's evolution (and the EU's) are interwoven and we are witnessing processes of interaction. At the most general level, we see the West and its institutions as attractive poles for the liberated and newly independent states in CEE. Beyond that, there exist a vast range of actors and a great number of complex issues. Thus, while structural reform *is* a central issue, addressed directly in the penultimate chapter of the book, many others demand attention. How to deal with 'new threats on the security agenda'? How to manage the 'economics and security' interaction? How to handle diversity in the understanding of what terms like 'democracy, political culture and civil society' actually connote? How to accommodate the importance now attached to human security, and to safeguarding 'human rights and minority rights'?

In the collaborative research reported in this text, the seven-nation Working Groups which tackled these 'other' questions had to clarify and broadly agree on an analytical approach, identifying key actors and their inter-relations, and, most basically, consider what *is* security – and, in particular, shared security – and how the subjects tackled are related to that notion. Obviously, each of their essays is a self-contained examination, and there is a richness to their material which cannot be captured in a general overview. However, some important themes can usefully be highlighted.

## **2. Actors, interaction and the level of analysis**

When we speak about CEE, the first problem concerns the relationship between the principal actors under investigation and their environment. Who are the actors and where does the environment that is to be taken into consideration start and where does it end? The area easily divides itself into sub-regions. These in turn are folded into one another and set in a much wider geographical context. At the same time, although it is common practice to deal with states as the principal actor, the state is not a unitary actor, but consists of individuals, groups, ruling elites and political parties, more or less vocal segments of society. The so-called level-of-analysis problem entails asking where the focus of inquiry lies: is it the individual, the state or the international system or structure? To what extent do these different actors impinge on the security structures and vice-versa?

For example, on the spatial question the new republics of the former Soviet Union are by and large considered by Moscow as Russia's 'near-abroad': but most are linked in the Commonwealth of Independent States (CIS); some prefer more limited frameworks of co-operation, like that between Georgia, Ukraine, Uzbekistan, Azerbaijan and Moldova (GUUAM); a few operate within sub-regional structures in the Baltic zone. Moreover, the entire region is subject to American geo-political interests and activities in the energy business as well as to EU and NATO involvement. Not NATO as adversary, of course. This exclusive organisation for

collective defence – embodied in Article V of the North Atlantic Treaty – has moved in the direction of an inclusive organisation of collective security, thus becoming a security actor beyond its geographic borders (or out-of-area). In that sense NATO has become an organisation representing a community of shared democratic values and norms as pledged in Article II of the Treaty. As such, it can feature in a pan-European security regime. The nature of the actor has changed, albeit not completely, and the extent to which it will act according to the old or the newly-assumed role remains to be seen. It is not unthinkable that NATO in its latter capacity can be a stabilising factor, while the military dimension of Article V continues to breed tensions in the region *vis-à-vis* Russia.

There is no linear hierarchical relationship between the levels of analysis. If A happens on level 1, this does not mean that B will follow on another. Each level has its own rules and peculiarities. Reality is a mixed set of considerations, as in the EU at present where both integrationist and inter-governmental impulses are at play simultaneously. The point is that the analysis of changing security structures in Europe is not an *either-or* problem. The interaction between the different levels and different actors calls for a complex, yet more realistic, *and-and* approach. Analyses focusing on domestic policy cannot omit the international environment; studies addressing the international context cannot ignore the dynamics of internal politics.

This observation leads to consideration of the state as actor, a concept that is both disputed and indispensable. There are many conceptions of the state and there is lot of talk about the diminishing role of the state, both in the domestic and international context (though that kind of discussion is less an issue between security analysts than between, say, economists or global financial actors). The view taken here is that the ‘state’ will persist in whatever form. We will always deal with geographic units or territorially-defined groups of people in need of organising the future and safeguarding their security. Internationally, the role of the state has changed, but the institution has not necessarily been weakened. Few participants from CEE countries would ridicule the meaning of newly-gained state sovereignty embodied in government and few would underestimate the significance of building a national identity within society. These two notions remain crucial for the concept of the state as actor.

All the same, there are many forms of linking government and society, the rulers and the ruled. In every conception of the state, Hobbesian, Lockean or whichever since, there is always some form of *organisation* of the government or polity on the one hand, and of the nation or society on the other. Furthermore, some form of contract between government and society is mandatory in order to reach decisions and implement them. If not, there is disorder and instability.

In Western Europe we are familiar with the ‘contract’ between government and citizen/society. Whether the transmission of sovereignty is absolute (Hobbes), emerges by consent (Locke), stems from a rational *volonté générale* (Rousseau), or prescribes a *Trias Politica* (Montesquieu), they all imply in one form or another a contract between polity (government) and society (civil society). The modernist, Western-style contract is often lacking or underdeveloped in CEE. The relationship between government and society under communist rule was hierarchical and top-



down. The new state organisations are having problems as regards the establishment of capable and authoritative governments. Of no less importance is the fact that civil society has been an unknown and a repressed phenomenon for so long, complicating the daunting challenge of state building.

The crux of the matter may well be the interaction between these two sub-national – major and analytically essential – entities. More precisely, what is the degree of *government* and what is the degree of *governance* and how do they interact? The state, seen as government plus civil society, has a serious problem if one of the two is not “organised” or simply lacking. The first refers to the agent representing the state and focuses on top-down enforcement; the second on societal forces and their bottom-up influence on politics.

When we speak about the degree of government, we mean the degree to which the government is able to carry out its business. Can it, as the executive of the “state”, set political goals and, subsequently, implement policies to attain those goals? As Huntington says: “Organization is the road to political power, but it is also the foundation of political stability and thus the precondition of political liberty. The vacuum of power and authority which exists in so many modernizing countries may be filled temporarily by charismatic leadership or by military force. But it can be filled permanently only by political organization.”<sup>3</sup> Society is organised to some degree as well. National communities are part of the state just as the government is. They, too, are ruled by what we call a degree of *governance* – defined as activities within civil society, based on shared values and goals, that do not necessarily rely on enforcement from above. Governance implies that civil society may be the originator and sustaining power for political development, urging and forcing the government to act.

An activist state need not to be the same as an activist political community, comprised of various elite groups and political parties. The key is the distribution of power between the two. The government as agent of the state may wield too much power as a single actor and use it to the detriment of civil society. The participants in a political community and civil society are power contestants by definition and should be in practice. In modern societies, the distribution of power largely rests in the hands of political parties. They play a pivotal role between government and opposition, as power brokers between government and interest groups and as power mobilisers among these groups and society at large. Since they can be called upon to take responsibility in office, they are both power holders and mobilisers. Party organisations provide the vibrant public sphere between the agent of the state and civil society. Contestation and participation in democratic politics are most vividly expressed by the elites. Formal rules for a democratic order may be in place, but the elites may play their own game aimed at personal gains and power. Under circumstances of adversarial elite behaviour, fledgling democracies risk becoming ‘centrifugal’ democracies. However, if elites show ‘coalescent behaviour’, ready to seek solutions while respecting the existing differences and cleavages between

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<sup>3</sup> Samuel P. Huntington, *Political Order in Changing Societies* (New Haven 1968) p. 106.

parties, the formal democratic system might be strengthened by what Lijphart has called a ‘consociational democracy’. Consolidation and stabilisation of uncertain democracies are then feasible, for “under the unfavorable circumstances of segmental cleavages, consociational democracy, though far from the abstract ideal, is the best kind of democracy that can realistically be expected”.<sup>4</sup> Elites and civil society would then encourage diversity and pluralism between the various constituencies but simultaneously seek compromise in governance.

The dynamics of statehood-in-being can also be investigated through assessing the capability of new states to ensure the security of three principal state components: territory and population, political identity, and legitimate state institutions.<sup>5</sup> In some cases, the states in CEE had no independent, governmental institutions at all. They started from scratch. Other states started transition from a situation characterised by ‘misdeveloped’ institutions and absence of democratic style. The new independent entities lacked many essential conditions for a strong and secure state in the sense described here. The physical security of territory and population is the classic function of the state. With the demise of the Soviet Union, the integrated military structures disappeared and the new independent states in Central Europe suddenly found themselves on their own, while the new, more or less independent republics in the former Soviet space became rather vulnerable *vis-a-vis* the Russian Federation.

### 3. New meanings of security and shaping shared security

The classical (Cold War) definition of security of the state consists of two elements: the preservation of territorial integrity and political sovereignty; and the notion of reasonable confidence in an ability to safeguard these. The first concern is the objective element that applies to every state and is basically characterised by the ability to withstand a military threat; the second represents the subjective element and refers to the relevant perception of the threat and balance of forces. Obviously, the perception of security – and a sense of security – are as important as the capacity to deploy sufficient fighting power, if required. As the danger of large-scale military conflict in Europe has receded and is acknowledged to have done so, security preoccupations are nowadays restructuring defence institutions and addressing the wider societal dimensions of feeling secure. Policy analysts have accordingly had to broaden the definition of security they use and expand the designation of threats beyond the strictly military sphere.

In this collaborative research effort, we are dealing with the state as actor in an emerging system of shared security *broadly defined*. We have clearly differentiated

<sup>4</sup> Arend Lijphart, *Democracy in Plural Societies: a Comparative Exploration* (New Haven 1977) p. 48.

<sup>5</sup> See Barry Buzan, *People, States and Fear* (Boulder 1991).

between the various governmental and societal forces and institutions making up the state. What is threatened remains the state and its elements as conceived before (political organisation and civil society) but – as the argument of Chapter II shows – groups and even individuals enter calculations too, because 'human security' now claims political attention.

What now needs further elaboration is the notion of threats other than strictly military ones. Dissatisfied with the narrow definition – as well as with the highly militarised relations between East and West in the 1980s – Richard Ullman defined threats as follows:

A threat to national security is an action or sequence of events that (1) threatens drastically and over a relatively brief span of time to degrade the quality of life for the inhabitants of the state, or (2) threatens significantly to narrow the range of policy choices available to the government of a state or to private nongovernmental entities (persons, groups, corporations) within the state.<sup>6</sup>

(Note the reference to (individual?) *inhabitants* and *persons* – anticipating 'human security' ideas – in a formulation offered two decades ago.)

This broader definition maintains the state as a central, albeit diversified, entity and implicitly retains the essential Clausewitzian element of conflict and war, namely the (potential) act of violence. However, it clearly reaches beyond these boundaries. At the same time, the definition is not broadened to the extent that every political issue or conflict is a *security* problem. Politics is 'by definition' a struggle and confrontation of opposing wills, but that does not mean that there is a security risk. Political differences can be solved through negotiation and by using established channels of communication. Security risks and threats add another dimension. Even if we do not speak about the direct or imminent danger of war, there is an implied sense of urgency and of tension that might possibly lead to violence, and eventually to armed conflict. Political issues become security issues when the accepted, legitimate means of settling differences become insufficient or are seen as no longer valid and other modalities than discourse and negotiations are becoming part of the interaction. Such a process of 'securitisation' occurs when there is "the intersubjective establishment of an existential threat with a saliency sufficient to have substantial political effects."<sup>7</sup> Moreover, this can relate to the quality of life of individuals and groups (society) within political entities (states and nations) and can materialise well before military means are deployed or other forms of violence are mobilised and eventually used. Security thus conceived is a matter concerning all citizens. It is neither the prerogative of the king-warrior nor the monopolised concern of his modern, bureaucratised successor in the state system.

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<sup>6</sup> Richard H. Ullman, "Redefining Security", *International Security* (Summer 1983), p.133.

<sup>7</sup> Barry Buzan, Ole Wæver and Jaap de Wilde, *Security: A New Framework for Analysis* (Boulder 1998) p. 25. The concept is elaborated in Chapter V below (by de Wilde).



In this way security issues can arise at all levels of analysis, affecting individuals, states and the international structure. Ethnic tensions and the intimidation of minorities, the unsettling of the state as a sovereign political organisation, regional rivalry, doctrinal division and disputed spheres of influence – all are subject to securitisation.

Developing this argument – with the issues raised in Chapter II in mind – the systematic exclusion from decision making of a particular group of persons within a political order is incompatible with the concept of a stable democracy and – in the context of this volume – inimical to the establishment of shared security in Europe. The conditions put forward by NATO and the EU for membership include the establishment of democratic order and that, in turn, is believed to contribute to international stability and security community-building. Key to all this is the fact that security is nowadays conceived as an intersubjective phenomenon. Whereas the traditional concept underscores 'national security' and points to the responsibility of states to safeguard this on their own, shared security and the notion of the intersubjective establishment of security issues presupposes awareness on the part of all actors involved. If democratic rule is not seen in a particular country aspiring to NATO membership as a necessary condition for admission, there is a serious flaw in its understanding of membership and NATO's identity. Of course, the aspirant may simply be denied membership; but the issue could also be securitised, for instance by the opposition in that country highlighting the conditions imposed by the external actor. Transformation of the membership question into a security issue within the aspirant state denotes the (domestic) absence of, and the impulse to enter, what Buzan and others call a *security complex*, defined as:

a set of units whose major processes of securitization, desecuritization, or both are so inter-linked that their security problems cannot reasonably be analyzed or resolved apart from one another.<sup>8</sup>

If the democratic order, the ability to govern, the right of the state to enforce laws or minority rights is in jeopardy – in brief 'the quality of life' is one way or the other threatened – a security complex is a necessary condition for resolution of the issue at stake. That condition might not be sufficient, but it must be recognised by the actors involved. If it is not, the parties involved will seek unilateral ways to address the issues and, ultimately, force a solution and try to impose it upon the other actors.

This is not to say that imposed solutions and policies are a thing of the past. On the contrary, politics has always been and still is a struggle for power and the so-called Realist approach to international relations is very much alive. The point is that 'reality' in today's world is not merely or exclusively dependent on raw power and the balance of power. Intersubjective security can exist at the same time as a 'socially constructed reality'; and might even push the Realist's 'materially constructed reality' into the background. Exclusion may be substituted by inclusion of the non-state actors

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<sup>8</sup> Ibid., p. 201.

involved. Enforcement may be replaced by co-operation, perhaps even integration. Unilaterally guaranteed security may become shared security.

Obviously, we witness the reality of both worlds. The point is that reality is not an either-or question. Actors pursue their goals both ways: in competition *and* in co-operation. The ‘materially constructed reality’ co-exists *with* the ‘socially constructed reality’ if actors are able and willing to accept the condition of the security complex. To the extent that European security is intersubjectively defined and is addressed in co-operation, we can speak about shared security.

It is from this perspective that we may now pursue the question as to what kind of strategy – the realm between the political goals and means – is being followed in Europe. To phrase it somewhat differently and in terms of the pursuit of shared, co-operative security: what should be a new strategy after the Cold War? Where is co-operative security leading us and where are we heading in light of the competing views on ‘reality’ and strategy?

#### 4. ‘Strategy eternal’ versus strategy revisited

In the history of mankind, traditional strategy is the realm between the political and military domains. It connects political goals and military means. Studying the subject requires attention to the vast and widely varying factors determining the contents of strategy: like culture, technology, society and the economy; like weapons systems, military organisation, and concepts of operations. Strategy brings together aspirational and material realities, the desirable and the possible.

As argued earlier, the paramount security goal in Europe is the strengthening of a peaceful community of democratic states and prosperous societies. At least, this can be found in virtually all the political declarations of European governments and NATO and WEU.<sup>9</sup> Declaratory policy points in the direction of an international security regime in Europe as a whole, extending the security community from the West. This begs the question: What then are the states preparing for? If we are in the midst of a purposeful progression toward a stable and peaceful Europe, is there still a role for strategy in the organisation of security?

With the twentieth century's extremes and destruction – and 40 years of Cold War – behind us, it is difficult to imagine a world without the business of strategy. Is Colin Gray right when he claims “Strategy Eternal” and so forcefully argues that “there is an essential unity to all strategic experience in all periods of history because nothing vital to the nature and function of war and strategy changes?”<sup>10</sup> Obviously, here speaks a realist *pure sang* (and former Cold War hawk). Gray fulminates against critical theories contending that “peace is socially constructed” and attainable

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<sup>9</sup> See Chapter 24, “The Role of Semantics,” in Przemyslaw Grudzinski and Peter van Ham, *A Critical Approach to European Security: Identity and Institutions* (London 1999) pp.146-149.

<sup>10</sup> Colin S. Gray, *Modern strategy* (Oxford 1999), p. 1.

“through learning.” He invokes human history and the incidence of the scourge of war and says: “Of course, people should learn the ways of peace through the practice of peaceful arts. The problem is not that people cannot so learn, rather it is that at least a significant minority of them seem unable or unwilling to do so.”<sup>11</sup> At the very least one should strive for “peace *with* security”, he insists; and politicians and military alike should understand the eternal truth of strategy. Peace may well be the objective of policy. Even so, the “use that is made of force and the threat of force for the ends of [that] policy” – that is strategy – remains an indispensable means.

History is a process. Clausewitz’ concept of *Politik* means both policy and politics as a process. “Strategy is a process, a constant adaptation to shifting conditions and circumstances in a world where chance, uncertainty, and ambiguity dominate.”<sup>12</sup> Political and military considerations merge in strategy. Rationality and irrationality exist next to each other in Clausewitz’ paradoxical trinity. Luttwak, too, reminds us that “the entire realm of strategy is pervaded by a paradoxical logic of its own, standing against the ordinary linear logic by which we live in all other spheres of life.”<sup>13</sup>

In Europe today, NATO is in a process of change, as we have seen. At the same time, the European Union (EU) is flexing its military muscle. It has developed a Common European Security and Defence Policy (CESDP) and has decided to create the machinery to field a European military force. Let us assume that the goal of acquiring the ability to deploy a robust military force of 60,000 men is going to be attained. Let us assume, as well, that frictions with the US about the venture can be overcome. Then, the EU would have added military capacity to the already impressive range of instruments it has for conducting the Union’s external relations. It would have both the carrot *and* the stick. The norms and values that the whole EU edifice asserts – its institutions, its role in promoting legitimate governance in international society beyond the practice of sovereign, governmental rule in interstate relations and its broader understanding of the concept of security, no matter how incomplete and fallible these, indeed ambitious, aspirations are – would be backed up by material power. Conditionality, persistently used in dealings with CEE countries aspiring to affiliation, would be supplemented by a capacity for intervention, so far selectively used against regimes disregarding and rejecting those ‘civilised’ ideas of humane values, security communities and inclusive relationships. The EU would become a security actor to be reckoned with. The ‘socially constructed reality’ of peace and prosperity beyond the EU frontiers – existing partly in fact, partly in declaratory policy and visions – would be backed by force, reinforcing diplomacy.<sup>14</sup>

<sup>11</sup> Ibid. p. 197.

<sup>12</sup> Williamson Murray and Mark Grimsley, “Introduction: On Strategy”, in Williamson Murray, MacGregor Knox and Alvin Bernstein (eds.), *The Making of Strategy: Rulers, States, and War* (Cambridge 1994), p. 1.

<sup>13</sup> Edward N. Luttwak, *Strategy: The Logic of War and Peace* (Cambridge, Mass. 1987) p. 4.

<sup>14</sup> In the constructivist view, institutions and practices are based on collective understandings. A ‘socially constructed reality’ of the EU or NATO is based on common values and shaped by identities of the partners, their values and norms. Understanding of a threat is not (merely) based on the objective existence of material power and balance of power. To paraphrase Wendt, “security is what actors make

This picture of the EU in 5-10 years may not be so unrealistic, particularly if the strategic perceptions of the EU and the US diverge as William Pfaff has suggested they might.<sup>15</sup> Disconnection could even be disturbingly close if the EU and the US would indeed make a trade-off based on suppression of their respective reservations about the American national missile defence and the European defence force. Would this mean the end of the transatlantic strategic dialogue, the end of consensus decision-making? Then, something serious could happen in the long run: a mismatch in the 'socially constructed reality' on the opposite side of the Atlantic; a possible confrontation of the 'strategy revisited' in post-Cold War Europe with Gray's 'strategy eternal'.

The CSCE/OSCE process and NATO's arrangements like PfP have significantly contributed to what is known as 'co-operative security'. Russia and other former Soviet republics are firmly embedded in an international arms control regime. Huge force reductions have taken place and almost countless confidence-building measures have been put in place within the OSCE. The CFE Treaty prescribes ceilings and sub-ceilings for military hardware. It works; and the necessary revisions of the original Treaty have passed rather smoothly. Strategy in the context of co-operative security has a different meaning. Military means have lost a good deal of their traditional relevance. 'Strategy eternal' is not irrelevant, but may be undergoing significant mutation.

Russia and the former Soviet Union as a whole are a security problem because of the many and serious instabilities: political, economic, social and even geo-strategic. These are not going to be overcome by military means and 'strategy eternal'. Political institution-building and economic reform are not furthered by military instruments. They are first and foremost dependent on domestic willingness and ability to change. Meanwhile, co-operative security can allay traditional fears of military threats and alleviate political and economic pain and disorder. Although co-operative security is no substitute for internal change, state- and nation-building will have better chances than under circumstances of enhanced rivalry. Neither the EU, nor any other international institution, can solve the problems in the region; nor is any foreign power able to enforce stability and peaceful development. That is not the point. Strategy is being revisited by the EU, combining politico-economic strength with some military interventionist power that could be used in the framework of co-operative security – that is, with the consent of the parties involved. This is a very different approach from that of 'strategy eternal'. As Howorth concludes about such an implementation of the CESDP: "In this, the EU will genuinely be in a position to offer an alternative approach to security – particular in its 'near abroad' – than that traditionally offered by the United States. This will indeed represent a revolution in

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of it". See for a leading study on constructivism, Alexander Wendt, *Social Theory of International Politics* (Cambridge 1999).

<sup>15</sup> William Pfaff, "Atlantic currents Flow toward Disconnection", *International Herald Tribune*, February 8, 2001.

European affairs.”<sup>16</sup> A ‘socially constructed reality’ would be created in which a process of ‘desecuritisation’ – reduction of perceived tensions – on a range of issues could take place. This is not to say that the EU has reached that point. There is no clear formulation of a ‘strategy revisited’ even after a fundamental debate on the future of the EU. But the ‘revolutionary’ approach does compete with the Realist or traditional ‘materially constructed reality’; and in that sense the EU might turn out to be a strategic rival of the US in shaping shared security.

In a broader sense, the American predilection for ‘strategy eternal’ – and the strong unilateralism shown by the (second) Bush Administration – would underline a growing differentiation of two political and security cultures. European integration has emerged from pluralism and inspiring ideas. Integrationists have been working on the basis of a European ‘socially constructed reality’ even when that reality appeared distant and progress towards it was fitful. In a sense the ‘idea of Europe’ since the 1950s was a projected reality under construction. So is the CESDP. It does not represent a European security culture, but its institutionalisation is aimed precisely at bringing together pluralists’ views on the role of the EU as an international and security actor in Europe. Military capacity and force are gradually and prudently introduced in this process in which there is little or no room for an either-or approach. American unilateralism, and narrowly defence-driven decision-making could be seen as a dangerous interruption of that process and as an unwelcome disruption in the extension of Western security and prosperity into the Eastern part of Europe, including Russia.

The present volume – and the collaborative research effort that produced it – fall clearly under the rubric of ‘strategy revisited’. Security is understood in its broader sense and more recent use. The range of subjects bearing on the development of a shared security is recognised, as are the many interconnections linking issues. Furthermore, events taking place somewhere – at the domestic or regional level – are viewed in the context of a ‘socially constructed reality’ characterised by shared security reminiscent of the original ‘idea of Europe’ as a projection under construction. That is not to say that the analyses foresee unequivocal success. The search for a strategy bringing closer the idea of shared security is, like the strategy itself, a process and a difficult one (as has just been argued in the case of the EU). “Traveller, there are no roads. Roads are made by walking.”

This particular expedition has, of course, been especially difficult because the transition in CEE has also been accompanied by setbacks and failures; and the struggle continues (as the following chapters show). At the same time, experiences with failures and efforts to overcome them have not taken place in a void. They are described in this study, but also analysed within the context of a ‘socially constructed reality’. The lessons learnt and the conclusions drawn will hopefully reach a large audience among those interested and involved in the processes of change in Europe, indeed on both sides of the former East-West divide. Uneven developments in CEE

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<sup>16</sup> Jolyon Howorth, *European Integration and Defence: The Ultimate Challenge?* WEU Institute for Security Studies (Paris November 2000) p. 91.

and the gradual enlargement of originally Western security structures may inevitably create new lines of division, but works like this one – and the recommendations yielded – might help to blur these lines.

## 5. Structure of the book

Against this background, what are the directions of inquiry that the seven-nation research has followed and what are some of its main conclusions?

That ‘human security’ now ranks alongside ‘state security’ in policy calculations is reflected in the decision to charge one of our study teams with the task of exploring shared perspectives – and developing agreed prescriptions – on the issue of safeguarding human rights and minority rights (as an aspect of shared security). This work is summarised in Chapter II, composed by Joost Herman but incorporating a lot of material more or less as written by the country-specialists who deliberated under his direction. The Chapter records consensus on some general propositions. All states must both properly incorporate internationally-agreed norms in domestic legislation *and* ensure that the law is then properly enforced. At the same time international law must evolve in response to new needs. This group's study also highlights the special challenges to policy-makers presented by particular minorities – specifically the Roma and Ruthenians – and suggests some ways in which these might be addressed.

A broader challenge to security community-building in Europe is that concepts of ‘democracy, political culture and civil society’ are not uniformly understood. The nature and extent of diversity – among our Seven and elsewhere – are noted in Chapter III. Prominent among the conclusions recorded here – by Koen Koch who led the expert group which examined this topic and Irma van Dijk who wrote the Chapter based on his outline – is that the complete elimination of differences in this context is neither desirable nor necessary. The group nevertheless acknowledged that democratic consolidation in CEE states is an important prerequisite for emergence of a pan-European security order, and that democratisation should itself be a security-building process. The trick is to ensure that the democratic-security relationship is, indeed, a virtuous circle.

The starting-point of Chapter III is how economic considerations enter security policy calculations. Its core thesis is that ‘economics and security’ connections too have to be taken into account in pan-European community-building. Throughout it, while making extensive use of the papers produced by his panel, David Greenwood keeps the ‘shared security’ notion firmly in his sights. He notes the seven participating countries’

- *shared inheritance*, of economies distorted by Soviet-mandated military provision;



- *shared experience*, in seeking to correct these distortions in the post-Cold War environment despite adjustment problems and the emergence of new insecurities; and their
- *shared aspiration(s)*, to establish for this purpose close ties with Euro-Atlantic structures (and, ideally, to join them); which are, however, accompanied by a
- *shared anxiety* about the tempo of the NATO and EU enlargement processes.

This line of argument leads naturally to the conclusion that sub-regional co-operation – *below* the Euro-Atlantic/European level – ought to be encouraged, especially where arrangements linking NATO (and EU) ‘insiders’ and for-the-time-being ‘outsiders’ are practicable. This applies to military arrangements (including multinational units or formations) and to economic associations which yield security benefits (as most such affiliations do). This is not, of course, an original prescription. There are many vehicles for sub-regional co-operation on the European scene already, especially in South-Eastern Europe. Some, though, are of little more than symbolic significance. The clear message from our ‘economics and security’ specialists is that these ‘cosmetic creations’ are of dubious worth; and energy needs to be directed to consolidating the more successful ‘concrete constructions’ and maybe establishing a few new ones.

This is an unexceptionable recommendation. That emerging from Chapter V – concerned with ‘new threats on the security agenda’ – is more controversial. Because of the attention paid to economic insecurities by the economists (in Chapter IV), the group tasked to examine this topic opted to focus on *organised crime* as a ‘new threat’ of special significance in CEE. Being an original theoretician – and a pioneer of the ‘securitisation’ approach to policy analysis – the leader of the team, Jaap de Wilde, naturally insisted on addressing this phenomenon within a rigorous intellectual framework. The result is a compelling analysis, skilfully combining conceptual innovation and empirical evidence. The conclusions are a robust challenge to the conventional wisdom on tackling organised crime – which stresses strict containment, diligent law enforcement and tough punishment. If the pervasiveness of the phenomenon in CEE is, as contended here, symptomatic of a breakdown of the social contract between governments and citizens, the question arising is: should not policy reflect this? Should not advisers at least acknowledge the possibility of ‘legitimate illegality’ and see where such recognition leads? In fact, does the policy studies community not need to look very seriously at the whole ‘legitimacy v legality’ question in this context, as it has begun to do in thinking about admissible intervention operations (for example)?

This ‘intervention’ debate – which has been intense since NATO's bombing of Serbia in 1999 – is one element in a broader discourse that is central to any exploration of ‘shared security’ and of the prospects for community-building on a European scale: what are we going to want armed forces *for* in the twenty-first century? That question is still a matter of animated discussion in policy-making circles, in CEE and elsewhere. At the present juncture it is answered, more often than

not, by another question: who knows? However, there is broad agreement that old roles and missions are giving way to new ones, and that this brings with it the requirement to reform security structures. In recent years, such reform has been a major preoccupation of all the seven states participating in our venture, and there has been much introspection in international organisations too. Moreover 'reform' is just one of a family of 'r' words that have commanded attention: (force) reductions, rationalisation and restructuring are others.

What has been done under this heading, how it has been done, and, most important, what remains to be done – these are the topics which the fifth of our study teams examined and the matters on which Peter Volten reports in Chapter VI of this volume. It is impossible to summarise this material here. Suffice it to say that the Chapter notes that the domestication and democratisation of defence decision-making has not proceeded smoothly anywhere and still has some way to go everywhere (and a long way to go in one or two places). There are several reasons for this. For one thing the reference points for nominally desired change in CEE – NATO and, to a lesser extent, the EU – present moving targets to aspirant members or affiliates, because these organisations themselves are adapting to altered conditions. Moreover, these and other western institutions have not always been as forthcoming as they might have been with constructive assistance to CEE states, neither in helping membership preparations nor in supporting reform efforts generally. There could, and should, be more coherence to aid in the security field.

Having said that our 'security structures' specialists acknowledged that outside agencies can really only help the Seven (and others) to help themselves. In this connection they recognised also that the commitment in CEE states to thorough institutional reform has not always been wholehearted; that there has been much reluctance to ask fundamental questions about required security provision in the post-Cold War world; and that there has been a distinct lack of enthusiasm for allowing – and a lack of effort in demanding and exercising – democratic control, including effective legislative oversight, of national security structures.

The key conclusions and policy recommendations to which this analysis gives rise, and those suggested by the other seven-nation research teams, are summarised in Chapter VII. By and large they are fully agreed conclusions and recommendations; and as such we count them a vindication of our belief that there *is* common ground among 'insiders' and for-the-time-being 'outsiders' so far as Europe's institutional evolution is concerned. In that respect an inquiry begun to elucidate what are (some of) the foundations of shared security demonstrates that the beginnings of a construction clearly exist already.



## II. HUMAN RIGHTS AND MINORITY RIGHTS

Joost Herman and others

### 1. Introduction

During the Millennium Summit of the United Nations on 6 September 2000 Secretary-General Kofi Annan addressed the many challenges facing mankind. Among them he placed the search for better methods to enforce the law on human rights and minority rights which, he said, was one of the most important and necessary UN tasks for the near future. Protecting the vulnerable by ensuring that gross human rights violations do not go unpunished, and repudiating the argument of sovereignty behind which human rights can be violated, should lead to the full realisation of what American President Franklin Delano Roosevelt more than 50 years ago described as 'freedom from fear'.<sup>17</sup>

On 5 November 2000 the Council of Europe (COE) celebrated the fiftieth anniversary of the European Convention on Human Rights. Hailing its rather unique supervisory mechanism, the Council stressed the importance the Convention has had – and still has – in the domestic legal order of its member states. The COE pointed out also that the last decade had challenged the system to the utmost now that almost all Central and Eastern European countries are party to the Convention. The number of appeals to the Court has risen dramatically because of the influx of these new members. Moreover, they brought with them new legal issues of a highly sensitive (minority-related) nature in such fields as non-discrimination, respect for native languages and equal opportunity.<sup>18</sup>

Some weeks earlier, representatives of 38 indigenous peoples, national and ethno-cultural minorities had gathered in Berlin to issue a declaration of liberal democratic principles concerning ethno-cultural and national minorities and indigenous peoples. This very elaborate document stresses, amongst other things, the need to improve the minority rights codex as a complementary element of general human rights protection. The participants stated that "Exactly as in the case of classical human rights, national sovereignty is in no way acceptable as an excuse for denying these principles, even in the absence of binding international instruments".<sup>19</sup>

The emphasis on human and minority rights by the intergovernmental organisations and the non-governmental group reflects a global recognition that over the past decade thinking about the nature of security has changed dramatically. The traditional focus on state and territorial security has been superseded – or is at least

<sup>17</sup> "Report of the Secretary-General 'We the peoples: the role of the United Nations in the 21<sup>st</sup> century'", A/54/2000 (New York 2000) p. 47.

<sup>18</sup> "The 50-year European Convention on Human Rights", <http://www.echr.coe.int/>.

<sup>19</sup> *The Rights of Minorities. A Declaration of Liberal Democratic Principles concerning Ethnocultural and National Minorities and Indigenous Peoples* (Berlin: Friedrich-Naumann-Stiftung, 2000).

being challenged – by the concept of human security. This focuses first and foremost on human rights and minority rights as determinants of security *per se*; and it defines traditional state security as derivative from human security. In other words, states and the community of states should be appraised according to their human and minority rights performance when gauging security around the world. Formally speaking, nowadays it is impossible for states to hide behind impregnable borders and barriers of sovereignty while violating human and minority rights. Indeed, the emerging new approach to security is much more human-centred than ever before.<sup>20</sup> As a consequence, since the 1990s all major institutions of international co-operation, regionally and universally, have started to stress the importance of abiding by the rule of (human and minority rights) law as fundamental to peace and stability for humanity, one of the foundations of shared security, crucial to security community-building.

Respect for human rights – both in the vertical relationship between state and citizen and, also, in the horizontal relationship between individuals – has become the contemporary touchstone for states to be recognised as a member of the democratic and peaceful international community of states. Adherence to these legal principles helps to create a shared view on values and to eradicate the possibility of war, by continuously reinforcing recognition of the level of interdependence between humans. At the European level, the COE and the European Union (EU) have made acknowledgement of the concept of human security a prerequisite for (future) membership, through their constitution and the Copenhagen criteria (1993) respectively. Countries from Central and Eastern Europe must embrace these principles as sure signs of their rehabilitation.

None of this is to say that there is room for complacency. On the contrary, all too many countries in the world pay only lip-service to the notion that respect for human and minority rights represents the dominant principle of security in the twenty-first century. As a consequence, research into the subject-area remains an absolute necessity. In this connection, a useful tool is the so-called 'boomerang model' (originally devised by Keck and Sikkink) concerning the impact of human rights on the domestic legal order as well as the impact of domestic demands for better international human rights codification.<sup>21</sup> While on the one hand the existing universal wisdom of international norms of codified human and minority rights law is and remains in need of better and continuous implementation at the domestic level, one should not forget on the other hand that it is exactly at the national level that new needs are formulated, some of which deserve to be translated into international law. In the final analysis, law is both capable of influencing behaviour as well susceptible to being influenced by behaviour.

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<sup>20</sup> "Report of the Secretary-General", p. 43; O. Tunander, "Post Cold-War Europe: a synthesis of a bipolar friend-foe structure and a hierarchic cosmos-chaos structure?", in: O. Tunander, P. Baev and V.I. Einagel ed., *Geopolitics in Post-Wall Europe. Security, territory and identity* (London 1997) p. 37.

<sup>21</sup> Th. Risse, S.C. Ropp and K. Sikkink ed., *The power of human rights. International norms and domestic change* (Cambridge 1999) pp. 18-19.

This dual approach to existing and called-for human and minority rights legislation provided the framework for the inquiry reported here. What insights are yielded by applying the 'boomerang' model in the geographical area of interest: Central and Eastern Europe (CEE)? What issues arise concerning human rights and minority rights realisation in this region, either taking the perspective of existing norms which have to be fully and correctly implemented at the domestic level or identifying human rights needs at the national, even local, level which should be incorporated in universal human rights and minority rights law?

Clearly these are massive questions. Even an 18-month-long effort engaging half-a-dozen dedicated scholars from different disciplines could not hope to cover them exhaustively. What follows does, however, elucidate both the importance of certain general principles and the challenges posed by particular cases.

## 2. Acquisitions and demands

Prime interest centres on the implementation record of the regional states and the experience of specific minorities who remain disadvantaged.

Just over the threshold of a new century the COE has rightly stressed the progress made recently in widening the shared respect for human rights law in Europe. Most CEE states are indeed members of the Council and, as a consequence, obliged like all members to abide by the European Convention on Human Rights as well as the related jurisprudence of half a century of Strasbourgian wisdom. Nevertheless, the number of claims forwarded to the Court in Strasbourg has risen dramatically. Furthermore, many of these claims originated in CEE and confronted the Court with new interpretations of articles from the Convention: for example, in the field of non-discrimination, concerning the use of minority languages as well as in relation to equal opportunity through education.<sup>22</sup> These two observations invite further reflection.

First of all, given the importance of CEE for any shared feeling of security on the European mainland, it is interesting to assess the impact of established human rights and minority rights law on the newcomers in the COE. Being one 'leg' of the boomerang, the implementation record will provide knowledge on the true extent of respect for human security. True to its nature the international body of human rights legislation only gains substance at the domestic level, being implemented by national actors (the state, its servants and the citizens). In the next section of this Chapter, Monika Weller analyses the implementation record of the region. Taking a normative approach, she descends from the international level to the various national levels to investigate compliance with or deviation from the established human rights

<sup>22</sup> R.A. Lawson and H.G. Schermers, *Leading cases of the European Court of Human Rights* (2<sup>nd</sup> ed.; Nijmegen 1999); R.A. Lawson and E. Meyjer, *50 Jaar EVRM* (Fifty years ECHR) (Leyden 2000).

framework in Europe. More specifically, she highlights the role played by the judiciary in the process of implementation. It has been shown for the original (Western European) members of the COE that the independent judiciary can wilfully – through unfamiliarity with substance and proceedings – or not – because of political parameters and/or a deficient national legal framework – play a negative as well as a positive role in the progressive implementation of human rights law.<sup>23</sup> Interestingly, her findings point to the respective national legislatures in CEE being best suited for resolving discrepancies between international legal obligations and deficient national legislation. Easing access for all to courts, as well as provision for legal aid before courts, are her recommendations for strengthening the rule of international human and minority rights law at a domestic level, redressing wrongs and securing the quality of life for all inhabitants.

This is the top-down approach to human and minority rights implementation in CEE. The reasoning behind this normative method is that the basic elements of proper human and minority rights protection are in place but need to be effectuated conscientiously. The other contributors to the Chapter chose the opposite point of departure: at the level of the beneficiaries of human and minority rights – the people – it is pertinent to inquire whether new provisions or interpretations should be devised. This empirical, bottom-up approach shows that groups of people do not benefit from the legal system as they should for various reasons: socio-economic circumstances, historical grievances or outright majoritarian political dominance. The destabilising effects of denying human security to certain groups of people in societies are self-evident and therefore key cases invite investigation. In this collaborative research exercise, two – the Roma and the Ruthenians – were selected for scrutiny.

The Roma are present throughout CEE, but conspicuously so in the Czech Republic, the Slovak Republic, Romania and Bulgaria. In section 4 of the Chapter Vasile Prodanov, Miroslav Kusy and Dan Oprescu analyse the poor socio-economic position of this group in the region and the lack of societal benevolence towards them. Despite positive measures taken by governments in some cases, the economic hardships experienced by the majorities in CEE have generally nurtured latent discriminatory feelings towards the Roma, stereotyping them as thieves and parasites with a threateningly high fertility rate.

This material shows that it is extremely difficult to better the situation of the Roma. The first problem is of a general nature. As long as the socio-economic situation in CEE is less than satisfactory, the Roma will be cast as scapegoats. In other words, it is not so much particular Roma needs that should be acknowledged and respected but rather the fact that human rights also apply horizontally, meaning in direct relationships between humans. The media are to be singled out here for their importance in this respect. The second problem stems from the diversity amongst Roma themselves. Even if states were to acknowledge the need for a collective legal approach or, at best, a benign interpretation of individual rights to be enjoyed

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<sup>23</sup> Y.S. Klerk, *Het ECRM-toezichtmechanisme : verleden, heden, toekomst* (The ECHR mechanism of supervision: past, present and future) (Nijmegen 1995) passim.

collectively, it is difficult to address the Roma community as a homogeneous ethnic group. Within this 'community' there are great differences in ethnic perception, political awareness and acceptance of leadership. Repeatedly reaffirming the validity of existing human rights for all, including members of Roma, seems the second best political strategy at this stage.

A different group altogether are the Ruthenians, dispersed over the territory of Poland, Slovakia and Ukraine. In section 5 of the Chapter, Natalia Belitser, Dagmar Kusa and Kazimierz Krzysztofek elaborate upon the political situation of this less-known group, their feelings of shared identity and their need to be approached as a collectivity with very little chance of survival with only an individual regime of rights protecting them. Especially Ukraine seems unwilling to 'go the extra mile for peace', while Slovakia and Poland seem less worried about forms of autonomy for better identity preservation. In the end, however, Krzysztofek points out that only a region-wide transcultural state of mind will dissolve 'us-them divisions' in the twenty-first century.

These case studies are a reminder that for groups situated at the fringes of society, for whatever reason, the full realisation of the human rights codex is not assured. Governments and organisations need constant reminders 'from below' that continuous vigilance in implementing and supervising existing standards is of paramount importance. In addition, states and organisations should be open to the possibility of having to (re)formulate human and minority rights to meet the needs of specific groups that because of (extreme) socio-economic neglect or ethnically-inspired discrimination are not capable of claiming what is rightfully theirs – namely the same level of human rights enjoyment as all other European citizens, albeit perhaps in a differentiated manner. As the Permanent Court of International Justice already stated in 1935 – after having established that equality in law does not necessarily also mean equality in fact – "... equality in fact may involve the necessity of different treatment in order to attain a result which establishes an equilibrium between different situations".<sup>24</sup> In other words, as noted earlier, the implementation of internationally codified human and minority rights law has had a tremendous and benign effect upon the domestic legal order of states; however, this codex should always be open to influences 'from below' to fully realise equality in law and in fact. Only then will human security really be shared.

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<sup>24</sup> *Avis Consultatif de la Cour Permanente du 6 avril 1935, écoles minoritaires en Albanie*, Série B nr. 64 (Leiden 1936) p. 15.

### 3. Judicial protection of human rights in Central and Eastern Europe

Monika Weller<sup>25</sup>

#### 3.1. Introduction

Democracy, the rule of law and protection of all human rights – including civil and political, economic and social, as well as minority rights – are a precondition for maintaining international peace and the internal security of states. Therefore, a more effective system of human rights protection can contribute to the prevention of international and internal (armed) conflicts. As indicated already, the judiciary has an important role to play in this process. Provided they are independent and impartial, judges are best suited to reconcile conflicting interests and solve disputes based on the principle of the rule of law. On the other hand, the improper functioning of the judiciary can be detrimental to human rights, legal certainty and public confidence in the 'peaceful' settlement of disputes. From this perspective how might we evaluate the role of the judiciary in the field of human rights protection, especially in Central and Eastern Europe?

#### 3.2. General aspects

##### *Justiciability of human rights*

Human rights are often divided into two categories: justiciable and non-justiciable rights. At the international level, the primary means of supervising the implementation of human rights conventions is the reporting procedure. However, there are some examples of judicial or quasi-judicial supervision. Full judicial protection is provided for by the European Convention on Human Rights (ECHR) and quasi-judicial protection (with judicial methods of examination but without legally binding judgement) is given by the UN treaty bodies authorised to receive individual communications – the Human Rights Committee (HRC), Committee on the Elimination of Racial Discrimination (CERD) and the Committee Against Torture (CAT). Judicial protection at the international level is (almost) exclusively linked to civil and political rights.

At national level, courts invested with the competence of constitutional review play an important role in human rights protection, provided that the respective constitutions recognise these rights or give a constitutional place for internationally recognised human rights norms. Ordinary courts – depending on the traditions of national legal systems and having in mind particularly the continental legal systems – can rely on constitutional or international human rights only in interpreting national laws or in balancing conflicting interests, but they can hardly ever disregard (nullify) national laws conflicting with human rights standards. It is for the legislature to ensure compliance.

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<sup>25</sup> Dr. Monika Weller has written this contribution in her capacity as a private scholar.



In order to strengthen the role of the judiciary in the protection of human rights, clearer and more precise standards should be formulated by the international community in the sphere of economic and social rights as well as minority rights. Ensuring justiciability of human rights – both at national and international level – presupposes the clarification of notions and contents of certain human rights: for instance (re-) formulation of second generation human rights as individual rights and defining the notion of collective rights and finding the appropriate means of protection, judicial or other (especially examining the possibility of introducing class action and the possibility of collective complaints). Before addressing these challenges in the geographical space of CEE, the position of the judiciary must be explained in greater detail.

*The judiciary as the protector of human rights: the right of access to court and the application of international human rights standards*

Article 13 of ECHR provides that an effective remedy be available to everyone whose rights guaranteed by the Convention have been violated. This need not necessarily be a judicial remedy but in most cases Article 6 will apply; and this, according to the case-law, guarantees a right of access to court in cases having an impact on one's civil rights and obligations, not to mention the determination of a criminal charge. Due to the autonomous interpretation of the key notions in Article 6, there has remained a very limited area of state action (or individual, inter-personal relations) where access to court is not required by the Convention.

Judicial review of administrative decisions is also a constitutional or public law principle in most European legal systems. Courts are thereby entrusted with the power of – and responsibility for – remedying human rights violations committed by the administrative authorities. So, without the judiciary, human rights could not be protected effectively.

Judicial protection can be effective when this remedy is not only formally available but is substantively accessible. Therefore an appropriate system of legal aid and assistance should be made available for those who would be prevented from seeking justice on account of the costs of the legal procedure. And this holds true not only for cases falling under Article 6 (determination of civil rights and obligations or a criminal charge) but all cases of human rights violations. It should be noted here that access to court at the international level is very limited as yet: it is practically confined to Europe and the rights enshrined in ECHR. Its coverage should be extended.

If courts are to protect human rights effectively, judges must be trained in order to improve their knowledge and understanding of constitutional and international human rights standards. A special emphasis should be given to international standards because constitutional human rights standards are more accessible (without linguistic barriers) and obviously part of domestic law (and even on a higher level of hierarchy than ordinary laws usually applied by courts) whereas judges are less used to applying international law and many questions relating to the application of international treaties (self-executing, hierarchy, etc) are still unresolved

by both legislation and legal doctrine (at least in Hungary, to which some special attention will be devoted in this contribution). Therefore judges do not feel at ease in this area. The linguistic barriers and the volume of international human rights case-law pose further problems which could be overcome by appropriate training.

*The judiciary as a possible violator of human rights: the right to a fair trial*

Article 6 of the ECHR provides for the guarantees of a fair judicial procedure: independence of the judiciary, impartiality of the judge, public trial, equality of arms and special guarantees of the criminal procedure, as well as the reasonableness of the length of the procedure. Some of these guarantees can be secured by law (e.g. independence), others depend mostly on the conduct of the judicial authorities (length). In this field, courts are possible violators of human rights. This is even more detrimental to public confidence in the judiciary than when they do not provide proper protection against other human rights violations. Preserving this confidence is essential for the rule of law, otherwise people may feel inclined to take 'justice' into their own hands. Therefore the right to a fair trial – constituted by the above elements – has become one of the most important rights in a democratic society. Here, the role of the international protection mechanisms is especially significant since, primarily due to the principle of independence of the judiciary, other State organs are in a very weak position to remedy such human rights violations (having in mind particularly the excessive length of proceedings).

### **3.3. The domestic situation in Central and Eastern Europe**

*Legal culture*

Countries in Central and Eastern Europe share a lot in history and legal traditions; but history – including Soviet repression – has left different marks on them. Some of them had the privilege of enjoying independent statehood for longer periods in history, others had less time for developing their own legal culture before communist law had to be introduced. They experienced softer or harder dictatorship during communism and the changes came about at different speed: Poland and Hungary had a long period to prepare for institution-building, while in Czechoslovakia and Ukraine the changes came rather suddenly.

All CEE countries have continental legal traditions influenced by Austrian, German or French law. After the changes, these traditional ties have been taken up as a basis for building new democratic, market and legal institutions. Moreover, legislation in large areas has been influenced by European Community law since very early after the transition. There are some common features in these countries' reaction to post-communism:

- in reaction to the experience of political dependence of the justices, they establish self-governing *judicial councils* which guarantee the independence of the judiciary more rigidly than in the West;



- in reaction to the experience of repression, they introduce constitutional review separate from the regular instances of the judiciary but at the same time binding regular courts to its interpretation of statutory law;
- and in reaction to the lack of remedies against public administrations, they develop a dual system of formal action before administrative courts, and informal complaints with an ombudsman on the other.

The culture of *the rule of law*, however, takes time to develop deep roots in society in general and within the legal profession.

There are many reasons for this. Causes shared by many Central and Eastern European Countries can be listed as follows:

- Many people still fear authority, and many officials (consciously or not) still behave like masters, or else they simply refuse to act out of an inherited fear of taking responsibility. In addition, most basic elements of the law are not yet part of society's education, and many citizens have not the slightest idea how to protect their rights.
- Although judges now enjoy the legal guarantees of independence and tenure in office, many of them still behave as if these guarantees did not exist. The rule of law is diluted by judges who still fully expect the executive to interfere and who make decisions or act in anticipation of this interference.
- The rule of law is blithely ignored by members of the judiciary when personal feelings – such as intolerance to what is “different” – are at stake.
- Police brutality is another area of concern. Although unlawful, police brutality is widespread and, to a large extent, goes unpunished. The old rules and old thinking that leave the police with excessive power over individuals are still alive, and the current attitudes of both the police and the public foreshadow continued police brutality, the more so since, under post-communist conditions, crime is on the rise and organised crime is spreading rapidly.
- The media's shortcomings slow the process of building a culture respectful of basic rights. In effect, the great majority are ignorant of their rights and tolerate or ignore violations. Many people still believe that citizens are servants while government officials are masters. Thus the “new” legal system still fails to provide for fully adequate remedies when constitutional rights are violated by ordinary laws or through their enforcement.

On top of all this, the rule of law in CEE is heavily drawing upon the doctrine of positivism. This very characteristic feature of the continental legal system has left its mark on the legal culture.

The problem is that in a society where moral values are uncertain, also the judiciary is not sure of its role. Due to historical experience the principle of separation of powers is very important but the principle of “checks and balances” is not quite understood yet; and positivist thinking is hard to reconcile with principles of natural law, human rights and other constitutional principles. Ordinary courts are denied the

power of constitutional review which is vested in separate Constitutional Courts. More often than not they are also denied the right to set aside or to nullify any positive law conflicting with international human rights standards. In extreme situations, ordinary courts are so positivist that they do not even respect the authority of the Constitutional Court (as has happened in the Czech Republic).

Besides positivism, the Central and Eastern European legal systems share the equally strong tradition of dualism. This principle is very important from the perspective of human rights protection having regard to international human rights standards but does not have a great significance in practice when human rights treaties are incorporated or transformed into domestic law and are applied as such. What does have a significance is, however, whether domestic courts are prepared and willing to apply them in individual cases. Having said that, the willingness in CEE will be influenced less by monist or dualist perceptions of international and domestic law than by the above-mentioned aspects of legal culture, especially positivism.

#### *Institutions for the protection of human rights*

After the changes, countries in CEE set out to build their democratic institutions. They have now freely-elected parliaments and new constitutions have been adopted with a Constitutional Court to guard its enforcement. Constitutional Courts in the region have been modelled after the German Federal Constitutional Court (*Bundesverfassungsgericht*) or the French *Conseil d'État* or other West European constitutional courts. However, those models have never been copied fully. The structure and competencies of constitutional courts in the region have been influenced by local political aspirations and compromise and, to a certain extent, by legal traditions. Some of the countries concerned had established (some kind of) constitutional courts even before the changes. Poland set up a Constitutional Tribunal in 1985 and Hungary had a Constitutional Council between 1984 and 1989 though it had no power to set aside laws and remained inactive.

The constitutional courts established after the changes have a real constitutional role with the necessary powers. Their competencies vary from country to country, especially as regards the competence to deal with individual cases (constitutional complaints) and reform is always on the agenda. In Hungary, there are currently plans to extend the competence of the Constitutional Court to hearing complaints similarly to the German Federal Constitutional Court and thereby complaints of unconstitutional application of laws could be brought before the Court besides complaints on the application of unconstitutional laws.

In order to extend the guarantees of the protection of individual rights against the public administration, full power of judicial review of administrative decisions was introduced in these countries coupled with the reinforcement of the independence of the judiciary. This latter purpose was served by the establishment of Judicial Councils (in Poland as early as 1989, in Hungary 1997), institutions of self-government by judges under varying composition, and administrative powers as regards nomination of judges, promotions, as well as budgetary issues.

Finally, other guarantees of ensuring the proper functioning of the administration have been the creation of the ombudsman institution. Poland was again the first to establish a Commissioner for Civil Rights in 1987. In Hungary, besides the Commissioner for Civil Rights with a general competence, two other, specialised ombudsmen were elected by Parliament: a Commissioner for National and Ethnic Minorities' Rights and a Commissioner for Data Protection and Freedom of Information. These Commissioners may examine complaints against any measure or failure to act by the public administration violating or threatening the constitutional rights of citizens when all available remedies have been exhausted. The Commissioners may not, however, consider complaints falling within the competence of the courts or complaints against courts.

*Application of the ECHR by domestic courts. A Case Study: Hungary*

In order to support this general description, it is instructive to look at developments in a particular country. Hungary is an illuminating case.

Many judgements of Hungarian higher courts (County Courts and the Supreme Court) on human rights contain references to the ECHR with a view to giving weight to arguments based on corresponding national legislation. It is very rare that provisions of the Convention – that is the Act promulgating the text of the Convention and its protocols – are referred to as an independent basis for decision, and the courts very rarely refer to the case-law of the Strasbourg organs. In this context, two cases are interesting to mention.

The first judgement (published as BH1996.189.) concerned the right to defence in the case of two juvenile offenders where legal assistance was compulsory. Each of the defendants had a legal representative assigned to them by the court; but one of the lawyers was substituted by the other at the first hearing, and both were substituted by a third one at the second hearing without authorisation by the court or the defendants. The appellate court held, with reference to Article 6(3) b of the Convention, that compulsory legal representation must not be interpreted formally: the mere presence of a lawyer is not sufficient, he must have enough time to prepare for the defence of his client. Also, the court must satisfy itself that the lawyer is well prepared.

The other case (BH1998.132.) concerned parental rights and the placement of children after the divorce of the parents. In the divorce proceedings, in which religious convictions were held against one litigant by the other, the Supreme Court held that earlier judgements were unlawful because they were based primarily on the mother's religious conviction and failed to take into account other relevant factors favourable to her. With reference to Article 8 and 14 of the Convention, as well as the judgement of the European Court in *Hoffmann v Austria*, the Supreme Court stated that the religious conviction of a parent cannot be a decisive factor in custody cases, neither in favour nor to the disadvantage of the parent concerned. With reference to Article 5 of Protocol No. 7 to the Convention, the Supreme Court held that the equality of the spouses required that when there was a conflict between the religious

or philosophical convictions of the parents each of them should equally be responsible to resolve this conflict in the interest of their children.

As to the role of the Hungarian Constitutional Court, this institution is not so much asked to decide in individual cases of human rights violations although it may do so under constitutional complaint procedures. Its primary and very important role is to control the constitutionality of legislation. As human rights are guaranteed by the Hungarian Constitution and Article 7 of the Constitution provides for the observance of international obligations, the concept of constitutionality includes the observance of human rights and the standards of the ECHR.

Within the Hungarian Constitutional Court's jurisprudence in the field of human rights protection are a number of decisions based on or referring to the standards of the ECHR. One of the most important and most debated was that declaring the unconstitutionality of the death penalty (Constitutional Court decision No. 23 of 31 October 1990). The judgement had been delivered a few days before the Convention was actually *signed* by Hungary. In item V/4 of the comments to this decision, reference is made, among other documents of international law relating to capital punishment, to Protocol No. 6 of the European Convention as a demonstration of European legal development towards the abolition of the death penalty; but the decision was, of course, based on arguments stemming from the text of the Constitution itself. The Constitution prohibited arbitrary deprivation of life and a subsequent amendment to another provision declared that substantive content of fundamental rights must not be restricted by law. The Court held that the right to life and human dignity was a source of, and a precondition for, many other fundamental rights and capital punishment led to a total and irreversible destruction of these rights, and therefore was in contravention of the Constitution.

A decision of equal importance for the domestic application of the ECHR was Constitutional Court decision No. 63 (12/12/1997). The Court found that the lack of judicial review in cases of regulatory offences before the administrative authorities – a field covered by Hungary's reservation to the Convention – was contravening various provisions of the Hungarian Constitution. So it set aside this provision (Section 71/A of Act No. I, 1968 on proceedings for regulatory offences referred to in the reservation) *pro futuro* (as of 31/12/1998). So the provision restricting access to courts, covered by Hungary's reservation, ceased to be in force from 1 January 1999 and new legislation had to be adopted. After the entry into force of the new provisions in conformity with the requirements of the Constitution, the reservation to Article 6 (1) of the Convention was revoked in March 2000.

### **3.4. Supervision at the international level: conclusions for Central and Eastern Europe**

In CEE, as elsewhere, it is primarily for the legislature to ensure compliance of the legal system with international human rights standards. Courts can apply the laws. They cannot create them. They can interpret national laws in the light of international

human rights standards and fill in the lacunae to a certain extent, but in most legal systems they do not have the power to nullify conflicting national laws or to fill in the lacunae where this could be seen as amounting to law-making.

In order to minimise occurrence of the latter phenomenon, questions concerning the self-executing character of international human rights conventions and their place in the hierarchy of laws should be answered by legal doctrine and settled by legislation. The seven countries participating in our research collaboration – Bulgaria, Czech Republic, Hungary, Poland, Romania, Slovakia and the Ukraine – have all ratified the European Convention on Human Rights, although at different dates and by different methods. All countries signed the Convention on the date of their accession to the COE. Following signature, Bulgaria ratified the Convention quite “hastily” while Hungary adopted a more careful approach: before ratifying the Convention, a team of experts carefully examined the entire Hungarian legal system as regards conformity with the requirements of the Convention and the case-law of Strasbourg. This screening process has become known as a compatibility exercise and the "Hungarian Model" was set as an example for the new Member States of the COE supported by technical assistance from the Organisation (even pre-accession).

Ratification of the Convention brought about a flow of applications from these countries to the European Commission on Human Rights; and all of them – except for Ukraine where no final decision has been reached as yet – have been found in violation of the Convention to differing extents.

Evidence shows a considerable increase in the number of cases against the countries concerned albeit in line with general tendencies. The number of decisions reached in respect of these countries can be summarised as follows (based on decisions available on the Court’s website in March 2000):

	Judgements		Friendly Settlement	Reports (31) by the Commission		Applications pending after admissibility
	violation	no violation		violation	no violation	
Bulgaria	3		2	6		5
Czech Rep.	1	1		1		4
Hungary		1	3	4		2
Poland	4	3	1	15	3	9
Romania	5			1		
Slovakia	3		2	5		1
Ukraine						7

Source: <http://www.dhcour.coe.int>

By way of comment on this tabulation, note that the Ukrainian cases have not been decided yet, but the presentation shows the applications that have been declared admissible. Poland has the highest number of judgements and decisions *and* was

found to be in violation on the widest range of issues. The Czech Republic has the lowest number of violations found, but it is interesting to note that there are applications declared admissible and pending decision as to the merits which concern length of detention on remand and length of criminal procedure. The length issue is common to all Central and Eastern European countries either in civil proceedings (Hungary, Poland, Slovakia) or in criminal proceedings (Bulgaria, Poland). Romania and the Czech Republic have not yet been found in violation for protracted proceedings. Ukraine faces a flow of applications under Article 3 concerning conditions of detention on death row. Problems related to detention on remand – lack of lawful grounds, length and lack of sufficient judicial guarantees – are typical of Bulgaria and Poland and also of Slovakia. Slovakia was also found in violation of Article 6 (1) on more occasions until its Constitutional Court found restrictions on access to court in cases of minor (or regulatory) offences unconstitutional. In the case of Hungary, this issue was covered by a reservation which is currently being withdrawn after a similar decision by the Hungarian Constitutional Court and the country is enacting a new law on regulatory offences providing for the right to judicial review.

Four out of the seven countries were found in violation for controlling a prisoner's correspondence with the Commission, although the facts were slightly different (*Mironov v Bulgaria*, *Sárközi v Hungary*, *Owczarzak v Poland*, *Petra v Romania*). The Hungarian case differs from the others in that it concerned a letter from the Commission and interference was restricted to opening the letter and checking the identity of the sender without withholding or delaying the letter. The other cases concerned the stopping of letters addressed to the Commission followed by threats from the prison authorities in the case of Petra in violation also of Article 25 of the Convention (Article 34 in new numbering). Poland was found in violation in another case for stopping a letter to the Ombudsman (*Niebdala v Poland*).

It is interesting to conclude that there have been relatively few cases concerning classical freedom rights enshrined in Articles 9, 10 and 11. Maybe freedom from interference by the state is relatively easily achieved by deregulation and, inefficient though state authorities are after transition and reorganisation, with lack of sufficient material and human resources, they can easily comply with the task of refraining from action while efficient procedures – for the purposes of Article 5 and 6 – are much more difficult to be put in place. They require legal guarantees, training, material resources and most of all a change in mentality.

In order to further the role of the judiciary in the effective protection of human rights, the right of access to courts must be extended and should be supported by an effective legal aid system. Furthermore, more human rights should be made justiciable. Civil and criminal procedures must be simplified as much as possible – with due regard to the guarantees of a fair trial – in order to ensure that cases are decided speedily.

International human rights law has a very important role to play in setting standards for national laws (especially in areas where internal constitutional law is



deficient) and also in providing for (both preventive and reactive) protection mechanisms. Only then might a common human security level in Europe emerge.

#### **4. Discrimination or socio-economic backwardness? The Roma in Central and Eastern Europe**

Miroslav Kusy, Dan Oprescu and Vassile Prodanov

##### **4.1. Introduction**

The needs reviewed in the preceding section of this Chapter apply generally. However, there are particular groups in CEE countries whose rights are systematically denied. In April 2000 the High Commissioner on National Minorities of the Organisation for Security and Co-operation in Europe (HCNM-OSCE), Max van der Stoel, presented to member states the most recent and extensive of his reports on the situation in the OSCE area of two such groups, the Roma and Sinti.<sup>26</sup> The contentions of his submission are frank and shocking. Regarding the Roma, the High Commissioner says that "ten years after the Iron Curtain fell, Europe is at risk of being divided by new walls [and that] among those persons being left outside Europe's new security and prosperity are the Roma" and that "discrimination and exclusion are fundamental features" of their experience.<sup>27</sup> Highly significant also is his remark that, although the majority of European Roma live in CEE, widespread discrimination and even racially-inspired violence occur in Western Europe too. Moreover, victims of this violence "often face significant obstacles in securing justice; many have been denied effective protection of the law".<sup>28</sup>

Shared security cannot exist without acceptance of the rule of law, including respect for human and minority rights. The HCNM-OSCE clearly demonstrates that much remains to be done to secure full and equal respect for those of Roma. Fundamental in his analysis is that much remains to be done in the *vertical* human rights relationship between state and citizen in order to secure proper implementation of the human and minority rights codex for this group – states must guarantee to the Roma protection by the rule of law. At the same time improvement is necessary in the *horizontal* relationship between citizens – majority populations and non-Roma minority populations nurture negative stereotypes about Roma, resulting in prejudice, intolerance and sometimes arbitrary violence.<sup>29</sup>

Prompted by this signalling of the importance of the horizontal axis – the level of inter-human relationships – three scholars with expertise in the field of minority protection in general and the position of Roma in particular were tasked to explore

<sup>26</sup> *Report on the situation of the Roma and Sinti in the OSCE area*, High Commissioner on National Minorities of the OSCE (Vienna 2000).

<sup>27</sup> *Ibid*, p. 3.

<sup>28</sup> *Ibid*, p. 4.

<sup>29</sup> *Ibid*, pp. 162-163.

this issue of societal prejudice and stereotyping. Empirical determination of required improvements in human rights implementation in this context leads to policy recommendations. These reflect the analysts' conclusion that more than anything else the specific socio-economic situation in key areas is what explains the wretched position of Roma.

#### **4.2. The Roma issue and human rights implementation**

##### *The Roma and Central and Eastern Europe in the third millennium*

Sincerely or perhaps a bit hypocritically, most present-day governments have expressed a desire to 'solve the Roma problem' by ensuring better respect for Roma rights and improving their socio-economic position. In many countries governmental agencies have been set up to map the existing difficulties and to offer suggestions for policy. Examples are the Governmental Council for the Minority Issue in Slovakia and the Romanian National Office for Roma. In all, these institutions and others – like the Bulgarian Governmental Programme for the Integration of Roma (1998) – show the concern in CEE. So too does the quick acceptance of obligations under the ECHR and the Framework Convention on National Minorities (in most a cases a more willing act than many Western European countries were to display).

Against this background it is astonishing that persistent racially-motivated hatred and violence directed against Roma keeps on being a blight on the record of European society. Ghosts from the past as well as ghosts from the present explain the discrepancy between kind-hearted policy-making on the one hand, failing policy implementation – as well as the attitude of Roma themselves – on the other.

Firstly, remnants of past policies linger in a negative way. Two models of the relationship between the majority and Roma have been observable in CEE over the past century – the so-called national model and the discriminatory model. The *national* model covers cases where the (forceful) assimilation of Roma into the mainstream of society was attempted. For example, in Bulgaria it was policy to baptise Roma, to change their names into Bulgarian ones and to provide for state education – in short to turn them into ordinary citizens. Although the majority populations revealed feelings of superiority and condescension, integration (willing nor unwilling) occurred.

This approach has been supplanted since the 1990s by the so-called *discriminatory* model – a direct result of the economic difficulties, if not collapse, experienced by all CEE countries after the changes. Rising levels of impoverishment and unemployment combined with a general societal sense of disorientation and moral confusion led to rising levels of hostility towards Roma. Never (fully) integrated, clinging to traditional occupations that are less and less in demand in a modernising and globalising world, Roma were more and more depicted as a group outside modern reality, and parasitical. Openly expressed racial prejudice and arbitrary or even orchestrated violence became commonplace, although in some countries worse than in others.



The consequences are manifold and disastrous. Not only has a group been singled out for blame because of developments outside its control, the mode of prejudice and discrimination has developed a self-sustaining and reinvigorating capacity because of the persistence of socio-economic distress in many areas. Also as a consequence of this, the social structures of the state have proved (if willing at all) no longer capable of offsetting popular negative attitudes. Another closely related consequence is the growing social isolation of Roma and their deteriorating position in terms of education, social and economic status and political awareness. This, too, is self-sustaining. The more isolated and backward the Roma get, the more the majority sees its own prejudices confirmed, justifying the view that societies would be better off without Roma.

The second explanation for failing governmental policy in ameliorating the Roma position is to be found within the Roma community itself. In many countries all over Europe Roma have difficulty (or are unwilling) to unite and present themselves as one. In Slovakia, Romania and Bulgaria they represent a very heterogeneous group, not capable of a united representation of interests. For example, in Bulgaria in the census of 1992, only one-half of the estimated number of Roma living in the country identified themselves as such. The other half declared themselves to be ethnic Bulgarians or Turks. In Romania similar patterns occur. In any case, the Roma *are* a very diverse group, often lacking the internal cohesion to legitimise an overarching elite to represent Roma interests at the political level. As a consequence it is only the outside world that sees the Roma as a group, while cleavages within this 'group' are actually higher than elsewhere in society, because of differences in status and education and the tendency to furtive integration.

In all we are a long way off the wished-for model of relationships between Roma and society: a *democratic* model. In order to secure the full enjoyment of human rights for all, the Roma position should be respected in the democratic framework of society. It means honest acceptance of the Roma for what they are, based on their own feeling of identity. It means accepting the Roma as part and parcel of a society's history (and educating all children on the part Roma have played in the history of the region). To achieve this many bridges still have to be crossed, even though willing governments and an improving socio-economic situation in Central and Eastern Europe are lessening the impact of negative stereotyping. However, the effort should be made.

*The identification of bottlenecks and the recommendations for policy*

The present day situation is complex, as has been shown. The consequence is that even when disposed to 'affirmative' action governments find it difficult to know where to start. At least there seems to be a consensus in most countries that a *collective right* approach is called for (in the true sense of the word, meaning the allocation of rights to legal personalities – the collective, instead of natural persons – the individual). The weakly-developed consciousness of group identity, as well as the desire of many Roma not to stand out because of a separately-fostered identity, is problematic here;

but proper and better implementation of existing human rights (vertically as well as horizontally) certainly requires a collective *approach*.

Turning now to specific areas of trouble and specific recommendations for policy aimed at improving the situation at hand, it is appropriate first to register that the numbers of Roma in many countries are huge. One to two million in Romania, half a million in Bulgaria and up to a million in Slovakia – these numbers demand redress of possible wrongs. Abuses require serious political attention. A checklist of problem-areas would include the following:

- the emergence of discrimination, racism and racial violence, the victims of which are mainly Roma;
- a consequent growing isolation of the Romany community and its consequent slide to the status of an 'underclass' within societies;
- the lack of political representation to attend to legitimate Roma interests;
- growing dependence of the majority of Roma on social allowances and welfare, reinforcing the parasitical stereotype;
- the deteriorating school attendance of Roma children, diminishing access to vocational training for Roma adolescents and adults;
- the resultant insufficient preparation for (re)entry to the labour market due to a lack of modern and more and more demanding skills;
- a host of social problems, concerning housing, health and reproduction rate.

Small wonder that the HCNM-OSCE and others find the position of Roma extremely worrisome. For Slovakia, one 1998 study concluded that the social distance between the Slovak majority and the Roma minority was at the heart of the problem, despite the benign new post-Meciar government.<sup>30</sup> (According to sociological surveys on the relation between the Slovak majority and minorities the 'distance' to the Roma minority was greatest. By and large, these results go for the other countries in the region as well.)

Every research study dealing with this topic since 1990 has shown that antipathy towards the Roma is universally distributed among all social classes regardless of age, education, sex, occupation, religion, political preferences or economic status. Moreover, the image of Roma in the media is, more often than not, presented from the point of view of the majority. Subsequently, this image substantially influences and reinforces public opinion. In fact it goes further. There is racism and intolerance among the majority in society. The prejudices and stereotypes presented by the media, however, are not interpreted by them as racism but presented as facts. The media speak about *Roma criminality*, instead of about criminality in itself or lawlessness originating from other ethnic groups; yet only very rarely can one find some positive information.<sup>31</sup>

Clearly all problems related to the position of Roma in society are strongly interrelated. On the one hand society-at-large is guilty of, or at least accessory to,

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<sup>30</sup> L. Vabac ed., *National report on Human Development: Slovakia 1998* (UNDP report; Bratislava 1998).

<sup>31</sup> M. Vasecka, "The Roma", in: G. Meseznikov and others ed., *Slovakia 1998-1999. A Global Report on the State of Society* (Bratislava 1999) p. 406; *OSCE report on the situation of the Roma and Sinti*, chapter 2.

widening the social distance with the Roma group, pushing the latter downwards, sometimes literally to the gutter. On the other hand the Roma lack the sense of unity for successful group interest representation. Even worse, intra-Roma relationships are in some cases worse than Roma/non-Roma relations, weakening of course the campaign against prejudice.

There are, however, positive elements to be discerned. Both governments in CEE and Roma groups themselves do make an effort to combat prejudice and discrimination. First and foremost, many governments have (Romania and Slovakia) or are about to develop (Bulgaria) national programmes to improve the Roma situation. For one thing, it is good politics. Thus, all parties in Romania recognise the limited but important electoral weight of the Roma vote, especially when it comes to presenting an acceptable pre-accession strategy to Western Europe. Channelled through the PHARE-programme the Romanian government has opted for jointly devising a new national strategy on Roma. Elsewhere, 1998 meant improvement of Slovak policy towards Roma. The newly-elected government issued a statement in November 1998 declaring its wish to restore the confidence of all ethnic groups in governmental institutions, whose first and foremost task should be protection of the rights of all Slovak citizens. As of 1999 the Slovak government chose a trilateral policy: meetings of governmental representatives, charities and independent experts on the Roma issue, including Roma themselves, produced several policy recommendations. Sadly, Bulgaria lags behind in positive measures, although the government is attempting policy initiatives. It has enacted a so-called Framework Programme for Equal Rights for and Integration of Roma and ratified the European Framework Convention on National Minorities. Also, the NGO community in Bulgaria is stimulated to seek improvement of the Roma situation. However, at the time of writing (late 2000) results have been small indeed.

For all countries in the region – and in Europe as a whole also – the governmental focus should be on combating discrimination and racism at the same time as enhancing the socio-economic position of Roma. The existing norms on the prohibition of discrimination should be buttressed by comprehensive anti-discrimination legislation coupled to a strict and relentless enforcement of the law. Especially people employed by governments should be made aware of their exemplary role, neither engaging in discriminatory behaviour nor accepting citizens' wrongdoing in this respect. The role of government in providing for educational programmes to the public as well as ensuring balanced and objective media coverage of events is self-evident.

All governments also agree upon the necessity for better education for the Roma themselves. Equal opportunity in the modern world (including the labour market) hinges on proper education, without which a person is condemned to a marginal existence. In Slovakia the authorities have started a programme of school reform and better communication with Roma parents, so as to escape the shame of sending normal Roma children to schools for the mentally handicapped. Re-channelling funds and better use of Phare-support should enable school and educational policy to improve considerably, with the definite option of affirmative action whenever necessary. Again, knowledge fairly distributed to all is the best tool against prejudice and worse. In these efforts,

though, governments do need the benign breeze of economic recovery and growth in order to implement their programmes.

Last but not least, also on the part of the Roma community itself positive developments are to be valued. Roma leaders appear more and more disposed to cooperate with each other and with governments to better serve the interests of their communities. For example in Slovakia, the Roma are trying to establish their profile as just one of the country's ethnic minorities and to reconstruct the Romany language, plus their own traditions and values, adding to the weight of the group in Slovak politics. In Romania several Roma organisations declare support for (or withhold support from) the main political parties, forcing the factions to devote attention to Roma issues. Also the creation of more Roma non-governmental organisations contributes to this growing visibility at the political level, leading (in Romania) to political consensus on the importance of the issue. Finally, it is promising to see an emerging professional and educational stratification of the Romany community – and the emergence of Roma representatives in the business sector – holding out hope for a more independent and self-sufficient positioning of the Roma in society, doing away with the stereotype of addicts to welfare.

To be sure, much remains to be done and the worrisome tone of the OSCE-HCNM's report quoted at the beginning of this chapter is justified. However, the present-day governments in CEE are fully aware that security and prosperity for their societies are just around the corner, provided that these benefits are shared by all in their respective countries, including the Roma population.

## **5. Human rights and minority issues. The Ruthenian communities in Poland, Slovakia and Ukraine**

Natalya Belitser, Dagmar Kusa and Kazimierz Krzysztofek

*“...Nobody knows exactly who, how many, or where they are. They live in six states and in none. They are loyal to each of these states, and to none of them. Their language is written in five different versions; in the Cyrillic alphabet, but also in the Latin. Some regard themselves as Ukrainians, others as Slovaks, others as Poles. Or Romanians. Or Hungarians. Or Yugoslavs. But many insist they are “Rusyns,” or “CarpathoRusyns,” or, rusnatsi. Or they throw up their hands and give the ancient answer of the peasant from Europe’s Slavic borderlands: “We’re just from here”.*

(From: “Hail Ruthenia!” by Timothy Garton Ash, The New York Review of Books, 22 April 1999).

### **5.1. Introduction**

A second interesting case is that of the Ruthenians who are an identifiable group in three of the seven countries represented in the collaborative research effort reported in this

text, though they are formally acknowledged as a 'minority' in only two of them. The exception is Ukraine, and the Rusyns living in the Transcarpathian region. As William McKinney from the European Centre for Minority Issues has justly noted, "it is only in Ukraine that Rusyns are not recognized as a distinct ethnic group"<sup>32</sup>. The main reason for this non-recognition is that, from the first re-appearance of the Rusyn question in still-Soviet Ukraine in 1989, it has become heavily politicized. The main issue at stake has been not so much the ethno-cultural identity of Rusyns – within the local population of Transcarpathia – but, rather, so-called "Political Ruthenianism" perceived as a potential threat to the territorial integrity of Ukraine and its sovereignty after independence.<sup>33</sup> However, with less political controversy involved, the Ruthenian minorities in Poland and Slovakia also have gone through a process of ethnic revitalisation and self-definition, possibly leading to wishes for political representation of the group's interest.

The rather complicated history of the Ruthenians and their region – it was subjected throughout the twentieth century to multiple changes of status and jurisdiction imposed by various states and empires – has recently influenced not only academics studying the history, but also state authorities and, to some extent, public opinion. This itself justifies examination of their 'case'. It is also interesting to consider why the attitude towards the notion of the Ruthenians' right to a separate self-identity has been less favourable in Ukraine than in Poland and Slovakia. More important for present purposes, there is an opportunity here to explore the grass root identification of human and minority rights needs not yet covered by the normative international instruments.

## 5.2. Ruthenian or Ukrainian?

The disputes over the very existence of Ruthenians or Ukrainians as a distinct ethnic group have been present for around 50 years. Some claim the term Ruthenian (or Rusyn, Rus) was simply used to identify the people living in Kievskaya Rus – that is in the territory of present-day Ukraine and the Transcarpathian oblast – as a consequence whereof Ruthenians cannot form a separate nation. Representatives of the Ukraino-philist group claim that *Rusyn* or *Rus* are just an old term for *Ukrainian*. According to Ukrainian historians, the Slavic population appeared in the Transcarpathian region in the early Middle Ages. In the ninth century, the territory was conquered by Hungarians, while between the tenth and thirteenth centuries rule over this territory was transferred from the Hungarian crown to the Kyiv or Halitsko-Volyn princes.<sup>34</sup> In 1381, it was again taken over by the Hungarian kingdom, and

<sup>32</sup> William McKinney, *Message to the Ethnopolitics List of 13 January 2000*, author's archive.

<sup>33</sup> For a detailed analysis on the topic, see: M. Panchuk, "Political Ruthenianism", in: *Demons of Peace and Gods of War* (Kyiv 1997) p. 323 (in Ukrainian); Oleksandr Mayiboroda, "Political Ruthenianism", in: *A Transcarpathian Version of a Peripheral Nationalism* (Kyiv 1999) (in Ukrainian), and the references within.

<sup>34</sup> For more detailed history of Transcarpathia, see: "Rising Ethnic Self-Awareness: Carpathian Rusyns – Birth of a New Nation or a Political Game?" by Yaroslav Pylynskyj (Copenhagen 1998), and the references within.



remained under such rule until 1918. During the period of Enlightenment in the late eighteenth century, the Austro-Hungarian Empire took steps to develop Greek-Catholic religious traditions and to provide education for the local population. As a result, the latter had developed a gradually growing consciousness of affinity with the people living in Little Russia, Poland, Galicia and Bukovina, and of sharing with them the same language that was then named “Ruthenian”. However, following the revolution in Hungary in 1848, a kind of forced assimilation (Magyarization) began, and lasted almost until the end of the First World War. Similar processes of assimilation of the Ukrainian population by Poles and Austrians took place in neighbouring Galicia and Bukovyna.

In the context of these historical events, a terminological confusion emerged which can be perceived as lasting up until today, and which determined, to some extent, uncertainties with regard to recognizing Rusyns as a separate ethnic group in Ukraine. As Yaroslav Pylinskyj has commented, the terms “Rus” – and “Carpathian Rus” in particular – were used by scholars of the nineteenth century to describe the native population of both Galicia and Bukovina, as well as that of Transcarpathia, the latter known also as the “Hungarian Rus”.<sup>35</sup> Meanwhile, Polish scholars had been using the term “Rus” to define the whole Ukraine until 1918. The population of the areas in question was named “the Austro-Hungarian Rusyns” or “the Rusyns of the Austro-Hungarian State”. It is important to emphasize that nowadays many local people continue to use “Rusyns” in parallel with, or rather as a synonym for, “Ukrainians”.

This terminological uncertainty continues in contemporary research studies. For example, Norman Davies in his famous *Europe: A History* uses the term Ruthenia (Ukraine) to define not only the Transcarpathian area of the earlier centuries but the whole territory now occupied by Ukraine.<sup>36</sup> At the same time, many scholars and academics appear to rely mostly on the numerous writings by Paul Robert Magocsi<sup>37</sup> – the assertive promoter of a separate Rusyns’ ethnicity and Rusyns’ language. At the same time, numerous research studies, some by Transcarpathian Ukrainian scholars, remain unnoticed or ignored.<sup>38</sup>

The aftermath of the First World War, the emergence of the Soviet Union, the Munich Conference of 1938 and, self-evidently, the Second World War and its outcome, further shaped the complex situation of the area and the local inhabitants. The story of the turmoil accompanying the fate of the population of Transcarpathia throughout the twentieth century is reflected in a number of local jokes and anecdotes: like the one

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<sup>35</sup> Ibid., p. 6.

<sup>36</sup> This book is quoted according to its Ukrainian translation published by the “Osnovy” (Kyiv 2000).

<sup>37</sup> See, for example, O.R. Magocsi, *Historical Atlas of East Central Europe* (Seattle & London 1993); Harvard Ukrainian Research Institute, *An Historiographical Guide to Subcarpathian Rus.*; “*A New Slavic Language is Born: The Rusyn Literary Language of Slovakia* (New York 1996).

<sup>38</sup> Among the latter, Oleksa Myshanych, Uzhhorod University, should be named. He published a number of papers hotly substantiating Ukrainian identity of Transcarpathian Rusyns (for example, his “From Subcarpathian Rusyns to Transcarpathian Ukrainians” in: *The Persistence of Regional Cultures*, P.R. Magocsi, ed., New York 1996) pp.7-52. This author sharply criticizes Prof. Magocsi for what he calls “political manipulations around the artificially created Rusyns’ question,” see, for example, his paper “Self-Named “Fathers” and “Leaders” of the “Rusyn People”, 1996, author’s archive.



about the old man who says that he was born in Austria-Hungary, went to school in Czechoslovakia, married in Hungary, worked most of his life in the Soviet Union, and now lives in Ukraine. “Travelled a lot, then?” asks his interviewer. “No, I never moved from Mukachevo.”<sup>39</sup>

What, though, of the last years of that century – the period since the Soviet Union disappeared – when, as noted, separate attention to the issue of the Ruthenians in Poland, Slovakia and Ukraine is called for?

In Ukraine, so-called “Political Ruthenianism” became evident as soon as the Ukrainian movement for independence developed. Very soon Rusyns’ associations and NGOs, which at the beginning stressed their cultural orientation, became more and more politicized. As early as in September of 1990 the Society of Pidcarpatskykh Rusyniv issued a declaration “On the return to the Transcarpathian Oblast a status of Autonomous Republic”. In the following year, it addressed the government of Czechoslovakia with an appeal to renew the autonomy of the Pidkarpatska Rus within the borders of that country. In March 1992, the Pidkarpatska Republican Party was formed with the aim of: “Establishing the independent, neutral Republic of Pidkarpatska Rus with Switzerland as an example, ... To gain full political and economic independence...”. Its head V. Zayats emphasised his party’s orientation to the Pan-Slavic union and close cooperation with the pro-Russian and Great Russian forces in the CIS countries. He also hoped for support from the international human rights movement, and from some foreign governments.

In the summer of 1993, an illegitimate provisional government of the Pidkarpatska Rus was formed. Its main demand was to denounce a treaty between the Soviets and Czechoslovakia of 1945, according to which the Transcarpathian region had been transferred to the jurisdiction of the Ukrainian SSR. All these appeals were accompanied by accusations that the Ukrainian government had been pursuing a chauvinistic or even worse policy towards the Ruthenian people. Such addresses were sent, inter alia, to the Congress of the USA and to the Supreme Council of the Russian Federation.<sup>40</sup> Both the first and the second President of Ukraine were condemned for not taking measures to renew the autonomy of Transcarpathia, and not acknowledging the Transcarpathian Rusyns as a separate nationality. Attempts were even made to submit the Rusyns’ case to the European Court on Human Rights.

These and other actions undertaken by leaders of ‘Political Ruthenianism’ have resulted – no wonder – in the rather negative reactions from the Ukrainian authorities and society as a whole. Trying to calm down manifestations of the movement, and to shift it towards looking for solutions in the area of ethno-cultural identity, the State Committee of Ukraine on Nationalities and Migration worked out a special programme named “Measures to be undertaken to solve problems of Ukrainians/Rusyns”. That programme outlined some steps focusing on improving the socio-economic and cultural situation of the region. However, the proposed solutions, being articulated within the framework of a unitary state paradigm, did not appease “political Ruthenianism”. The movement continued to develop, establishing new NGOs with the officially proclaimed

<sup>39</sup> From: “Hail Ruthenia!” by Timothy Garton Ash, *The New York Review of Books*, 22 April 1999.

<sup>40</sup> See: “Political Ruthenianism”: A Transcarpathian Version of Peripheral Nationalism” by Oleksandr Mayboroda, Kyiv, 1999 (in Ukrainian), pp. 9-11, and the references within.

objectives of promoting the Rusyns' language and culture, but actually aimed at strengthening the position of political Ruthenianism or supporting its legal claims. An example of such activities was the Declaration of 20 September 1997 issued by the Rusyns' Scientific and Educational Society.<sup>41</sup>

Beyond Ukraine, such claims often met a sympathetic response. Special attention should perhaps be paid to the Recommendations of the European Centre for Minority Issues (ECMI) following a Conference held in Ushered in fall 1998.<sup>42</sup> Point 8 of these Recommendations states that: "Keeping in mind that, according to international law, "the existence of minorities is a question of fact, not of law", the right of freedom of association must be guaranteed to all persons belonging to national minorities. In this context, ECMI welcomes the establishment of direct contact between representatives of the higher echelons of the Ukrainian government and the Transcarpathian Rusyns within the framework of this conference". In such a way, ECMI confirmed the existence of Rusyns as a separate nation distinct from the Transcarpathian Ukrainians. The same position, suggesting indisputably a distinct Rusyns identity, can be found in ethnologists', sociologists' and other researchers' publications, taking for granted that Transcarpathian Rusyns are *not* Ukrainians.<sup>43</sup>

But is it so indeed? Or, at least, should this be accepted unreservedly as a firmly established fact? In an attempt to clarify the situation, a number of sociological surveys have been carried out in Transcarpathia. One of them, undertaken by the Faculty of Social and Political Studies of the University of Cambridge within a Project on "Ethnic and Sectarian Conflict in the Central European Region", was held in the summer of 1994 in the five regions of the Transcarpathian oblast. Almost 500 respondents, fully representative of the population structure, were interviewed. When questioned about the nationality the respondents considered themselves belonging to, the responses were: Ukrainians – 51 percent, Rusyns-Ukrainians – 3 percent, Rusyns – 6 percent, Slovaks – 6 percent, Hungarians – 20 percent, Russians – 11 percent, Gypsies – 1 percent, Others – 1 percent, Difficult to say – 1 percent.<sup>44</sup> It could be emphasized once more that the very term "Rusyns" is perceived by the majority of inhabitants of Transcarpathia as their own ancient self-name attributed to the local Ukrainian population.

Some of these considerations might shed light on the "puzzle" of Ukrainian democracy which is, in general, quite benevolent to the restoration of minorities' identities, but at the same time strongly denies the Rusyns' identity as separate from the Ukrainian one. So, is it a case of "Ukrainian democracy ends where the Rusyns'

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<sup>41</sup> Ibid. p.13.

<sup>42</sup> See Recommendations of the European Centre for Minority Issues (ECMI) based on the results of the International Conference "Inter-Ethnic Relations in Transcarpathian Ukraine", Unofficial translation from the Russian original, the author's archive.

<sup>43</sup> See, for example, a Working Paper on "The ethnic dimension to bureaucratic encounters in postcommunist Europe: perceptions and experience" by Ase B. Grodland, William L. Miller and Tatyana Y. Koshechkina, Glasgow University, March 2000. The comprehensive reference book named "World Directory of Minorities", published in 1997 by the Minority Rights Group International, contains no mention of Rusyns as a separate minority of Ukraine (see pp. 317-322).

<sup>44</sup> For more detailed data and original tables, see: "Rising Ethnic Self-Awareness: Carpathian Rusyns – Birth of a New Nation or a Political Game?" by Yaroslav Pylynskyj (Copenhagen 1998) pp. 21-33.

question arises"? For a better understanding of the essence of the debates, it should always be remembered that, in all other countries of CEE, Rusyns, or Ukrainians, or Rusyns/Ukrainians are minority groups whose current self-identification depends on many factors including an historical past and a desire (or lack of desire) to keep ties with fellow Ukrainians of Ukraine, while only in Ukraine is this group seen as being nothing else but belonging to the Ukrainian titular nation. Denial of this Ukrainian identity is particularly motivated and externally supported.<sup>45</sup>

Actually, this case is not a unique one: to some extent, it resembles efforts at establishing or re-establishing groups' identity made in other regions of post-communist Central and Eastern Europe. Thus there have been heated debates on Silesians' and Moravians' identities, and rather painful or indifferent responses from the Czech majority, providing grounds for accusing state authorities of "forced assimilation" and "denying ethnicities". This whole phenomenon might be regarded as a reaction to the recent past when any indications of either political or ethno-cultural preferences and orientations, differing from those officially prescribed, were brutally suppressed.

So, depending on the assessment and general view on the Rusyns' case in Ukraine (or similar cases in some other CEE countries), quite different approaches to settling this problem could be proposed. The two obvious, and incompatible, approaches consist of (1) unconditionally recognizing Rusyns as a separate nation or (2) fully rejecting their own identity, regarding them instead as one of a number of Ukrainian sub-*ethnoses*. In the first case, to protect and secure Rusyns' ethno-cultural identity, it seems impossible to proceed using the international instruments and mechanisms based on the idea of the prevalence of individual human rights: this would certainly be a case of dealing with collective (group) rights. It is not yet clear what international or European conventions or treaties could be applicable to this case. The most popular now – the Framework Convention on National Minorities of the COE – might be regarded in the national context as not fully suitable, or not suitable at all, because in Ukraine there is a disposition to consider "national minorities" per se as ethnic groups or parts of peoples that reached their highest level of self-determination by establishing their own nation-states. Therefore some obstacles in the practical implementation of such an approach might arise, because Rusyns have no such nation-state elsewhere (which otherwise might have been of great help in establishing and supporting Rusyns' cultural institutions, national education, mass media, textbooks for schoolchildren and so on). It means that this case differs from that of a "classical" national minority having their own ethnically related kin-state. Similarly, such a mechanism as a bilateral interstate treaty or agreement on mutual "symmetric" protection of appropriate national minorities – operating quite successfully in certain borderland regions, like between Denmark and Germany – is not relevant to this particular situation. If Rusyns are to be regarded as a kind of 'nation without state', whose situation is aggravated by being split by state

<sup>45</sup> See, for example, a paper on "Rusyns: a part of the Ukrainian people, a separate nation or a method of political blackmail?" by Leonid Pilunski, 1997, author's archive. In this paper, a comparison is being made between Transcarpathian and Crimean separatism, with the assumed analogy of the attempts to create artificially the "Crimean people as a subject of self-determination", and to establish "Rusyns nation".

boundaries – like Kurds or Saami people – then some special measures should be considered (or invented) to provide for their group rights protection. A multilateral agreement on collective support of Rusyns' identity, to be concluded between all of the countries where Rusyn groups are identified, might be an option. Realization of such a project seems hardly possible, however, because of the wide variety of languages/dialects, diverse political and cultural preferences and orientations, differences in religious denomination and other factors which prevent one from recognizing Rusyns' groups in different countries as a coherent ethno-cultural entity.

At the same time, complete and blind rejection of any claims for recognition looks indeed “non-liberal” and “non-democratic”, especially from outside Ukraine. What seems important here is that such an approach endangers the very principle of self-identification – “subjective criteria” of group identity – which is an indispensable achievement of international human rights law, especially where endangered minorities and indigenous peoples are concerned.

Therefore, it appears that for the time being, the whole Rusyns' (or “Ruthenians”) question remains open and without clear-cut solutions. Perhaps more careful, thorough and objective research studies, cleared of the obvious “political component”, are needed. Also, if some more time would pass, then clearer trends in the Rusyns' movement in Ukraine might develop. Taking such a “passive” position would allow the most recent turn in the story of the “political Ruthenianism” in Ukraine to be thought over and analysed. The self-proclaimed government of “Carpathian Ruthenia”, after seven years of virtual existence, has suspended its activity and declared its dissolution.<sup>46</sup> Moreover, its “prime minister” Ivan Turyanytsa, hitherto notorious for his extremely harsh statements against Ukraine and its authorities, has abandoned his usual antagonistic and aggressive rhetoric. Thus, he has said that “Ruthenians have appreciated the strategy and efforts of President Leonid Kuchma and his firm course toward democratic changes and the observance of human rights, the rights of ethnic minorities and their free cultural development”.<sup>47</sup> In the same statement, he simply expressed the hope that Ukraine might finally recognize the Ruthenians as a nation.

Does this mean that “Ruthenianism” as a political separatist movement has failed? Or have its leaders concluded that mass mobilization for this case is an unrealistic project? Or is it one more tactical step, conditioned by other considerations? Currently, it is difficult to either make an accurate assessment of this turn, or to give unequivocal answers to these questions. Suffice it to say that, whatever the future of Rusyns in the Transcarpathia, this public rejection of the pursuit of political separatism might indeed alter the general perception of the Rusyns' problem in Ukraine for a more favourable one based on legally protecting identities irrespective of the political-territorial conditions.

Like Ukraine and other countries in the post-communist bloc Slovakia went through a phase of assertive nationalism, especially shortly before and after the split with the Czech Republic in 1993. This also touched the country's Ruthenian minority. Around 1993 over 30,000 people identified with either a Ruthenian or Ukrainian

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<sup>46</sup> RFE/RL Poland, Belarus and Ukraine Report, Vol. 2, No 2, 11 January 2000: Ukraine: Has “Political Rusynism” ended?

<sup>47</sup> Ibid.

nationality. More than half of them, almost 17,000 people, addressed themselves as Ruthenians, even after the 40 years of official non-existence of this nationality. Unofficial statistics, however, estimate that there may be up to 125,000 Ruthenians in the country.

Whatever the exact figures, during the mid-1990s governmental contributions for minority culture and media were cut down and some cultural institutions, such as the Theatre of A. Duchnovič, were denied funds from the state budget. Support was only renewed after the elections in 1998. The sphere of education has also been widely criticized. While in 1948 there were 318 primary schools and 11 secondary schools using Ruthenian as a teaching language, in 1997 there were none. The language has since started to be taught in 6 schools (2-3 hours weekly). Another complaint relates to broadcasting in the Ruthenian language. There has been no special time devoted specifically to this.

Despite these set-backs, or perhaps because of them, since the Velvet revolution there has been a boom of Ruthenian civic associations, organizations, clubs, and so on. Among the most well-known are the Ruthenian Renaissance Society in Slovakia and the Association of the Ruthenian Intelligentsia of Slovakia. There are also Ukrainian organizations that promote the common nationality of Ruthenians and Ukrainians, such as the Association of Ruthenians-Ukrainians. Such ethnic identification is not a self-evident process. It is not enough to be born into some group, it is also not enough to point at someone and pronounce him a Slovak, a Roma, Ruthenian or anything else. Belonging to an ethnic group must offer some benefits for its member, who willingly identifies with it. These benefits include a sense of security, means of access to political, professional, cultural representation, "sense of place", perhaps some economic benefits, certainly a link to ancestry. If membership in an ethnic group does not offer any of these, it ceases to be attractive.

Ethnic identity has been defined as "that part of identity in which one feels a part of a certain group of people on the basis of common history, traditions and culture"<sup>48</sup>. The ties are more emotional than rational, therefore they change over the time: some disappear, new ones can be created. Part of the necessary conditions for the survival of an ethnic group is *differentiation* from other groups. This factor is nowadays strongly present in the Ruthenian community in Slovakia, which distinguishes itself particularly from the Ukrainian community. Another important attribute for survival is the *will* of the ethnic group to maintain itself through social construction using myths, legends, history, traditions, habits, culture, language. Modern ethnicity is also characterised by the urge to *control*. It is a means of access to management of the material and human sources in a certain territory. In practice this dimension means claims for representation in local as well as national politics, claims for equal distribution of resources – on an individual as well as on a collective basis – including requests for the support of the minority culture, education, media, and so on.

Because ethnic identification is up to the members of the group themselves, it

<sup>48</sup> V. Bacova, *Etnická identita a historické zmeny* (Bratislava 1996) 11.



is a process of **self-definition**. Every ethnic group is a socially constructed group. Adapting Anderson's definition of a nation, we can say an ethnic group is an imagined community. "It is *imagined*, because the members of even the smallest [ethnic group] will never know most of their fellow-members, meet them, or even hear of them, yet in the minds of each lives the image of their communion ... It is imagined as a *community*, because regardless of the actual inequality and exploitation that may prevail in each, the [ethnic group] is always conceived as a deep, horizontal comradeship."<sup>49</sup> Both the Ukrainian and Ruthenian minorities in Slovakia do define themselves on the basis of these aspects of ethnic identity, and there is no reason to doubt their feelings. If somebody feels as a member of certain community, nobody else has a right, or even a chance to take it away from him (or her). It can make one angry or happy or curious; but no one can forbid another to feel in a certain way. If a group of people would step up and proclaim themselves Pipins, we could not do otherwise but acknowledge them, no matter how ridiculous it may seem.

Be as it may, the Ruthenian minority in Slovakia is poorly organized politically. They focus mostly on the cultural and educational sphere. Due to a long break in the process of national development, which coincided with the Slovak national development, specific socio-cultural characteristics and tensions within the community itself, there is still a lot of work ahead getting legal recognition for certain rights in the field of self-identification and preservation that other communities (except the Roma) have behind them.

Multicultural policy in CEE may evolve to the benefit of Poland's Ruthenians as well. Although a revival of 'Lemko', the Polish variant of Ruthenian, occurred after 1989, the activities of the several Lemko organizations are focused on cultural activities. These include the yearly cultural festivals, which play an important role in reintegrating the Lemkos scattered all around the country. The first of these "Lemkowska Watra" (The Lemko Fire Camp) was held as early as 1983, initially organized by the Song and Dance Ensemble "Lemkovyna", later by the Union of the Lemko People (which today, incidentally, plans to erect a centre of the Lemko culture in Zdynia). The festivals are very popular and attract the Lemko from home and abroad. The Lemko Association of the Rusyn Orientation organizes its own festivals "Watra" – the feast of the Lemko culture – in Michalow, Lower Silesia.

The situation of the Polish Ruthenians has features not found elsewhere. Because of the dramatic events just after the Second World War (forceful resettlement to the Western and Northern parts of Poland) most of them have been deprived of their historical territory. This is also the case of the Rusyns who lived in Poland until 1947 and were forcibly resettled to the (then) Soviet Ukraine. In both cases it is a complex cultural phenomenon of a group which preserved its identity in *habits of heart* even when stripped of the territorial foundations of its culture. This gives specificity to the Polish-Ruthenian borderlands which are spread around the country.

Like their counterparts in Slovakia and Ukraine, the Ruthenian communities in Poland are divided into two groups: one declaring its affiliation to the Ukrainian

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<sup>49</sup> B. Anderson, *Imagined communities* (London 1991) 6-7.



people, and the other underlining separateness from the Ukrainians and building their own *ethnos*. In other respects they have much in common with kin in Slovakia due to the shared Catholic environment and rather less with kin in Ukraine because of the Orthodox environment in this country.

The phenomenon of political Ruthenianism self-determination is visible only in Ukraine where it may or may not be a long-lasting tendency. It is evident that most Ukrainians find it hard to accept the idea of the Ruthenian *ethnos* or even sub-ethos, because the Ukrainian Ruthenians are so similar to Ukrainians in terms of history, culture, language and religion. From this point of view it is rather difficult to explain why the strive for political self-determination is so much more powerful in Ukraine than in Poland or Slovakia where the Ruthenians should logically have a greater sense of separateness. Yet, in the latter countries Ruthenianism has a purely cultural character, which makes it easier to contemplate guaranteeing the collective rights of the communities.

The problem of collective rights, however, is complex. It can lead to a degenerated nation-state microstructure. We might achieve a stage – warns the Hungarian writer Gyeorgi Konrad (1991) – that each European tribe will claim its own nation-state with all attributes of its sovereignty. This is dangerous for at least three reasons: firstly, these creatures will be unable to live independently; secondly, built on ethno-cultural and religious rather than civic bonds such communities can hardly create a political nation; and thirdly, relationships between ethnic groups resemble the Russian “Matryioshka system” of enclaves within enclaves which makes delimitation of any rational boundaries impossible. Under such condition the nations’ right to self-determination becomes a curse.

It is pertinent, therefore, to pose some direct questions. What are the sociological, cultural, historical and political forces working for the emancipation of the Ruthenians? Which lie inside the Ruthenian communities and are of a specific nature and which are external and reflect general European cultural tendencies? Furthermore, what is the nature of the ethnicity-building process? Is it driven by nation-building impulses or by new elements connected with the logic of the cultural breakthrough (the post-modern trend to create new tribes, as Jean Maffesoli calls them)? And, finally, what will be the end-product of this process – A Ruthenian Nation?

Several factors are working for the emancipation of a significant part of the Polish Ruthenian Community. Firstly, after the hibernation of ethnic relations in CEE the systemic breakthrough brought about a radical change: the ethnic communities were able to express their feelings. For several decades multiculturalism – seen as relations between ethnicities in multi-ethnic societies – was frozen by politics and ideology. Any manifestation of national feeling was suspected and combated as nationalism or ethnocentrism. After “defrosting” ethnic issues became a very sensitive area of politics in the region. Currently the state of multiculturalism in this part of Europe is very differentiated and multi-faceted. On the one hand we have peaceful borderlands, animated exchanges. There are no more impenetrable “walls” separating neighbouring peoples. Examples are the Polish-Byelorussian, Polish-Ukrainian and Polish Russian

(Kaliningrad enclave) borderlands. In this case the benefits of more open frontiers are evident. But on the other hand there are examples of more turbulent boundary-zones.

Secondly, present-day cultural tendencies encourage an emphasis on differences (“be different or perish”) and multiculturalism. One can say that we all live in borderlands. In such an “age of identity” there are expectations of respect for collective, community rights. The more globalization imposes homogenized standards, the more peoples shelter in their own culture. Hence the newly-coined term “glocalisation”.

As for the roles of traditional nation-making factors and new forces, clearly traditional factors – culture, language, common historical past – remain important. The problem of territory is more complicated: only a relatively small number of Polish Ruthenians occupy their ancient land. The new forces are also operative, however: many young ethnic Ruthenians declare their affiliation to the Ruthenian community not even speaking the Ruthenian tongue and not very much aware of history and customs. This means that we have to deal with ethnicity *as a choice*. This generation's ancestors did not choose their religion: they were born into it and they could not imagine changing it to adopt another one. Something similar can be said about ethnicity today. For younger Ruthenians choosing identification with the group is a matter of belonging to an “imagined community”, a subjective rather than objective factor, a need to be together. This imagined community is not territorially concentrated but keen on assembling their rites and traditions, seeking after founding fathers.

Resolution of the Ruthenian and any other ethnic issue in CEE clearly lies in educating people to live in a multicultural environment, accepting multi-ethnoculturalism. It is important, however, to understand what this entails, by looking at multiculturalism in its two dimensions and by analysing both parts of Europe separately.

Multiculturalism's *first dimension* is the coexistence of the old ethnicities in Europe (multi-ethnic borderlands, old inner-European migrations and others). This multi-ethnicism has been a constant source of conflicts and discords. However, Western Europe has succeeded over the last couple of decades in settling most ethnic problems in borderlands by using many political instruments (notably regionalism, grants of autonomy for ethnic minorities, loosening the fabric of the nation-state). The idea of a Europe of regions older than one of nation-states has been one of the most important pillars of the construction of Europeanism. Moreover, Western Europe – the European Union in particular – has created a dense network of communication, cultural exchanges, market links, and inter-dependencies which makes tensions and conflicts unprofitable. Ethnic animosities do not exceed the level of political humour and anecdotes about neighbours. Of course there are some trouble-spots left – like the problem of the Basques – but they do not shape the face of Europe. Of course, difficult situations in inter-ethnic coexistence occur, but they have economic rather than ethnic background. Summing up: the first dimension of multiculturalism in Western Europe does not create major problems.

Much more complex and troublesome is the *second dimension*: relations between the old European nations and ethnicities and the newcomers, notably from

the extra-European world (Turkey, the Maghreb, Black Africa). At least Western Europe – with its long-established democracy and pluralism – is better prepared to cope with this problem than CEE. Present-day Europe is divided – and this is a product of *la longue duree* – along a cultural line separating Western European states, founded on citizen links from CEE countries based on ethnic, tribal links. Needless to say, the former are better disposed to multiculturalism than the latter. (When you do not belong to "my tribe" you are alien. This particularly refers to the new "tribe-states" which emerged after 1989.)

Multiculturalism in CEE is a much more complex phenomenon than in Western Europe in both dimensions. Several cultural lines pass through what we call post-communist Europe. For decades this part of the continent seemed to constitute a region. This was the view of many people in the West. Central and Eastern Europeans were persuaded that, even if countries East of the Elbe River did not form a community, Soviet-type socialism-related similarities were so pervasive that one could not attach too much importance to cultural frontiers. The downfall of socialism, however, revealed old fissures. This is very important for understanding the process of adaptation – of states to the international environment and of social groups to the market economy and open society.

Consider, for instance, the cultural boundary between Orthodox Christianity and that of the Latin rites, which impinges on Polish-Ruthenian and Slovak-Ruthenian relations. This border has not only a religious meaning but also – and probably first and foremost – a cultural and civilizational one. Even if Christianity of both rites is not practised or profoundly confessed, it still penetrates cultural values and patterns of human behaviour. It was not accidental that communism was more politically and ideologically robust – in terms of its rigidity – in countries professing Orthodox Christianity.

When it comes to desirable multicultural policies in CEE, the foregoing argument leads, first, to the conclusion that the role and place of minorities in security (and other) policy-making will be increasingly important for several reasons. Globalization, intensive communication, migrations, greater openness of societies as well as the consolidation of democracy in the area – all this alters the nature of many historically shaped phenomena, including nations across which new cultural lines pass. Some borders vanish or change their character, new ones emerge. This produces new borderlands. With the relative weakening of state boundaries, the cultural ones come to the fore. The very nature of minority is changing as well.

Yet, whatever we mean by multiculturalism, nowhere in the contemporary world have problems of multiculturalism and multiethnicity been effectively and successfully resolved, even though many measures have been adopted and different methods used – including cruel and uncivilized ones. Among the strategies used and still in use in CEE are the following:

- ethnic cleansing, expulsion of weaker group from a territory shared in common;
- assimilation, or forceful integration, depriving minorities of cultural rights recognized today as standard (right to culture, language, original family name);

- legalized ethnic pluralism, or realization of the liberal principle *live and let live*, which assures an ample range of freedoms but does not necessarily promote social integration and cohesiveness – on the contrary it quite often leads to ghettoization, exclusion, at worst to apartheid (e.g. Roma people separated by walls from the neighbouring community);
- civic integration respecting the right to difference, the most desirable and “politically correct” model – recommended *inter alia* by UNESCO, the Council of Europe and the European Union – postulates making people civically, but not culturally and linguistically, similar.

Only the last of these is based on tolerance (“them” as part of inclusive “us”) and “human fellowship” as a standard. No one overtly opposes this democratic strategy.

One of the central problems in the seven countries participating in our research exercise is on the one hand to avoid assimilation, and, on the other, not to push the Ruthenians and other groups into exclusion. Put positively, it is how to accomplish the option – *civic integration respecting the right to difference*. This is relatively easy to achieve in legislation, if there is enough political will, but much more difficult in everyday social practice. Moreover, nowhere has this course been fully successful. Yet it is the only way to resolve the Ruthenian and Roma issues.

Clearly, one ingredient in affirmative action must be imaginative cultural policy options and strategies. Looking at the problem of redress of Ruthenians’ grievances from the Polish view first of all – and this can be extended to other countries of the region – one can point to several policy possibilities.

*Raising the multicultural competence of people.* UNESCO has promoted this idea in many programmes (*Culture and the Future*, the *World Decade of Cultural Development*) and in the recent Report of the World Commission entitled *Our Creative Diversity*. Yet school curricula with respect to education for multiculturalism and cross-cultural communication still leave much to be desired in many parts of the world. Good standards in this field are needed. The social reality in most countries shows little success in resolving one of the oldest anthropological problems: “us” and “them”.

*Training culture administrators and 'managers of diversity' for borderland regions.* This is critically important in our area of interest. In Poland, eight years following the economic transformation and the introduction of local governments at the commune and municipality level, Poland is facing a big change in the public administration system with potentially serious consequences for ethnic minorities. New local government levels are being created – the county level (over 350 new counties) and 16 provinces. This affects the administration of multicultural regions because competencies are being decentralized. It means an enormous requirement for new administrators, including cultural ones.

*Working out patterns of development for ethnic borderlands.* There is a pressing need to overcome disproportions and inequalities (in many countries “ethnic” means “poor”). We need expertise on Europe’s ethnic borderlands seen as multicultural spaces: how they are managed, what problems and opportunities of civic

integration they present, what models of development have worked in Europe, what positive features they offer for an open society and what impediments they experienced, to what degree central, regional and local authorities can contribute to resolving multicultural problems, how borderlands can benefit from diversity in their promotion and positive image-making, and, finally, how the European institutions can help in development of ethnic borderlands.

*Promoting freedom of communication for minorities.* This can create conditions for community cultures (regional, local) to acquire international visibility. The Ruthenians and other communities feel an irresistible need of self-projection: not to be condemned to others' narratives; to have the possibility to express their own moral, cultural, political dilemmas *via* their own means of expression; to fight asymmetry in representation attributable to the domination of the media and culture industries exercised by the national majorities. Asymmetry in representational power generates huge resentment among minoritarian communities. It is a matter of asserting and displaying the sense of identity. That is why ethnic minorities must be encouraged to expose their being different, support community artists, have their own cultural events and demonstrate their living cultures.

*Strengthening the 'third sector'.* Ten years ago there were hardly any non-profit cultural institutions in Poland and other countries of the region. At present there are some. The non-profit sector – a very important partner of the public one – needs more room to act and better infrastructure. It can contribute to resolving many multicultural problems in borderland areas. In CEE there are many encouraging examples of such activities: for example the Centre “Borderland of Arts, Cultures, Nations” in Sejny which operates in the Polish, Lithuanian and Belorussian Borderland. Setting up such a centre (foundation) in the Carpathian region would be very beneficial for all ethnic groups living there.

*Promoting multiculturalism through market-driven strategies.* The marketplace can contribute to positive practices. Some are visible, because “political correctness” imposes certain standards of morality – respect for otherness, tolerance – and business ethics. This can be promoted by powerful means of social influence, such as advertising. Nationally and internationally, the public sector is shrinking. The market economy penetrates more and more spheres of individual and collective activity. Given these conditions it is hardly feasible to carry out an effective campaign of awareness (for example) without the partnership of the private sector. Transnational corporations – in particular those operating in the media and culture industries – have at their disposal a powerful machinery for promotion, thanks to their potential of advertising, marketing, public relations and image-making. Whether we like it or not, hundreds of millions of people, notably young people, are influenced by these activities. These are the people who will decide in the future what shape, if any, the culture of peace is likely to assume. As has been already said, increasing in number are the transnational corporations that strive to do something for the *global commons*. UNESCO has many possibilities to take benefits from these opportunities.

Concluding, in objective terms CEE – due to centuries of culture interconnections (trade, wars, face to face and media communication, cultural

exchanges, etc.) – is **transcultural**: one can hardly discern two totally different cultures in our region. In a subjective sense, however, peoples as a rule are not aware of this transculturality and are quite convinced about the pure, almost vernacular, originality of their own cultures. In most cases it is a fiction of an inner homogeneity and cohesiveness. Therefore, Wolfgang Welsh (1992) is right when he says that the “...individuals’ discovery and acceptance of their transcultural constitution is a condition for coming to terms with societal transculturality. Hatred toward foreigners is (as it had been shown particularly from the psychoanalytic side) basically projected hatred of oneself. One takes exception vicariously to something in a stranger, which carries within oneself, but does not like to admit, preferring rather repress it internally and to battle with it externally. Conversely, the recognition of a degree of internal foreignness forms a prerequisite for the acceptance of the external foreign. It is precisely when we no longer deny but rather perceive our inner transculturality that we will become capable of dealing with outer transculturality”. Concluding this reasoning, we can say that an external boundary “us-them” is a projection of an internal one, the hidden face of our identity.

These beliefs are often exploited for political reasons, especially in the process of nation-state building, as cultures apart from boundaries: “holy sites”, currencies, anthems and other symbols are very useful tools for such strategies. In CEE borderlands it is still premature to talk about transcultural areas and heritage shared in common. The history is still “monocultural”; it is useful as a “collective memory” for nation-state building. One generation's time life is likely to be necessary before the societies in Poland, Slovakia and Ukraine will understand that the mono-ethnicity so desirable for certain reasons can be an obstacle in resolving some wider problems.



### III. DEMOCRACY, POLITICAL CULTURE AND CIVIL SOCIETY

Irma van Dijk

#### 1. Introduction<sup>50</sup>

It is imperative that pan-European security community-builders find a way to ensure that minority rights, and human rights generally, are adequately safeguarded everywhere. It is no less important that they work out how to accommodate civil societies at various stages of post-communist development, diverse political cultures, and even different perceptions of the essence of democracy. The second of our seven-nation research teams was tasked to address this challenge, on the basis of an exploration of how ‘democracy, political culture and civil society’ are interrelated.

Some aspects of this interrelationship are well understood. The development and consolidation of democracy depends, as is acknowledged by many theorists, on such domestic factors as political culture and the existence of a vibrant civil society. Although the definitions of these concepts are disputed, it is generally accepted that a positive popular attitude to democratic institutions and rules is essential for success. Civil society is important because its institutions – like labour unions, media representatives, political parties and non-governmental organisations – are structures in which public support for democracy can be acted out and where democratic values can be realised in political forms.

The interdependent relation and reinforcing effect of political culture and civil society on the development and consolidation of democracy is nevertheless a complex question and therefore an intriguing object of inquiry. In particular Central and Eastern European countries (CEECs) are interesting, not least because these countries started democratisation backwards. Free elections, necessary but not sufficient for democracy, were introduced before basic institutions like the rule of law and civil society were established. To complete democratisation, however, these institutions are vital.<sup>51</sup>

In view of the complexity it is not surprising that our researchers opted to approach their theme from several directions. Some contributed country-specific studies (Jana Reschová on the Czech Republic, Ferenc Molnar on Hungary, Inka Slodkowska on Poland and Irina Bekeshkina on Ukraine), while others wrote analyses of democratisation in Central and Eastern Europe as a whole (Liliana Popescu from Romania on the gender dimension, Georgi Karasimeonov from Bulgaria and Silvia Mihalikova from the Slovak Republic on democratic consolidation).

<sup>50</sup> The author would like to acknowledge that Koen Koch was the chairman of the Working Group sessions on 'democracy, political culture and civil society' and prepared the framework for this text.

<sup>51</sup> Richard Rose and Doh Chull Shin, 'Democratization Backwards; the problem of Third-Wave democracies', *British Journal of Political Science* vol. 31, no. 2 (2001) 331-354, p. 333.

Categorised another way, the scholars covered three main topics. Some focused on the relative success of democratic transition and consolidation. Others explored the political struggle about the form and content of institutions during the democratisation process. Yet others highlighted the influence of political culture and tradition on democratisation. At the same time, the team found common ground on ‘security and democracy’ connections; and this is the subject matter of the next section. This discussion is followed by some observations on theories of democratisation prior to an examination of the process itself and the external and internal factors that influence it. The emphasis is on the interaction between civil society, political culture and the democratisation process. All this leads to presentation of the main findings and central statements on the development and consolidation of democracy in our seven authors’ contributed material.

## **2. Democracy as a foundation of shared security**

The first matter on which the group found common ground was the proposition that the development of shared security in Europe depends on the development of democracy in the post-communist countries. In other words, security in Europe will be enhanced when more and more European states are consolidated democracies. Defining *security* as a situation characterised by the absence of individual and collective expectations of large-scale violence and *democracy* as a system of values, norms, institutions, and procedures, aimed at non-violent problem-solving and conflict-resolution, it is clear that they are firmly interrelated. More mundane expressions of this relationship are “ballots instead of bullets”, or “better counting heads than smashing them”.

Put another way, all-round democratisation is necessary for a well-based ‘security community’. Such a community is described by Karl W. Deutsch as a group of people which has become ‘integrated’, in the sense that they have attained a ‘sense of community’ with institutions and practices strong enough and widespread enough to assure dependable expectations of ‘peaceful change’. Problems will be solved by institutional procedures without resort to large-scale physical violence.<sup>52</sup> Among the essential conditions that contribute to the development of a security community, Deutsch distinguishes such factors as the compatibility of the main values of the participating units and a distinctive way of life. Thus development of democratic systems in CEECs provides essential compatibility with the mature democracies in West European countries, thereby contributing to the development of a pan-European security community.

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<sup>52</sup> Karl W. Deutsch et al, *Political Community and the North Atlantic Area. International organisation in the light of historical experience* (Princeton 1957) p. 5.

Secondly, the group discovered that they agreed with Michael Doyle's thesis that by and large liberal democratic regimes do not fight wars against each other.<sup>53</sup> In this sense too the consolidation of democracy in as many European states as possible is instrumental for the consolidation and strengthening of European security.

By highlighting the relationship between security and democracy, we do not underestimate the fact that the process of democratisation in itself – including the complete overhaul of power structures in society – can be difficult and even violent, on the national and international level. By implication then, the shorter the period of democratic transition and consolidation, the better the prospects for the development of a European security community.

How, then, are these processes evolving in CEECs? Where do these states stand today, so far as democratic transition and consolidation are concerned? These are focal questions for this Chapter. Before addressing them directly, however, it is appropriate to review some theoretical notions about these processes. Theoretical insights provide a better understanding of the problems and prospects of democratic development in the countries in question, may offer valuable insights, and certainly furnish a useful framework for our individual collaborators' studies.

### 3. Theories on democratisation

With regard to processes of democratisation, we can distinguish between two schools of thought. On the one hand the 'classical' modernisation theories, as developed in the 1950s and 1960s by such authors as David Lerner and Seymour Lipset. On the other hand the more recent Rustow-Lijphart approach – sometimes described as the 'genetic theory' of democratic development – and the approach of O'Donnell and Schmitter which emphasise the role of political elites and the choice of institutions.<sup>54</sup> Although these two approaches differ in a fundamental sense, both concentrate almost exclusively on internal factors and neglect the influence of external factors on democratic development. As these latter factors have proven to be very important in explaining historical successes as well as historical failures of democratisation, we should take them into account too.

According to the modernisation paradigm, the development of democratic institutions and practices is connected to the realisation of a number of structural preconditions or, more specifically, some economic, social and cultural prerequisites. It is hypothesised, for instance, that the greater the level of economic development, the higher the level of literacy, education and urbanisation, the stronger the middle classes and the more secure the presence of civic culture, the greater the likelihood of

<sup>53</sup> Michael Doyle, 'Liberalism and World Politics', *American Political Science Review*, vol.80, no.4 (1986) 1151-1169.

<sup>54</sup> Guillermo A. O'Donnell, Philippe C. Schmitter and Laurence Whitehead, *Transitions from authoritarian rule: prospects for democracy* (Baltimore 1986).

democracy and democratisation. Economic development creates middle classes, promotes wealth, education and communication, and that in turn promotes democratic values. According to this theory, changes in economic life lay the ground for democratic development: the driving factor behind the process of democratisation is economic development.

This has important implications for policy making and for politics as such. The probability of success of democratisation is a function of GNP per capita and related indicators. By implication, the democratic prospects for poor and less-developed countries are bleak. When we have to accept that, for poorer countries without a high level of literacy and a sophisticated civic culture, democracy cannot be a viable option, the endeavours of the brave democrats to establish a working democracy in their countries are to be considered as courageous exercises in futility. Programmes to support these endeavours, as organised in CEECs and sponsored by the European Union and the Council of Europe, are similarly a waste of time and effort. The sceptical attitudes of many Western observers towards democratic performance in these countries reflect the perspectives of the modernisation paradigm: democratic development is a mission impossible when a well-developed capitalist economy and civil society are not in place beforehand. So, why bother?

During the 1960s, many adherents of this view accepted, and even advised, the introduction of authoritarian regimes in the then newly independent states in decolonising Africa, even when civil and political rights were grossly violated. Among others, Samuel Huntington thought that authoritarian regimes and even military dictatorships were necessary instruments to speed up economic development.<sup>55</sup> The attainment of democracy in the long run, as a consequence of economic development, precluded democracy in the short run. Keynes's remark – that in the long run we are all dead – is a fitting as well as a tragic epitaph for all those activists who wanted to establish a democracy in their own lifetime and fell victim to dictatorships sponsored by Western governments.

Apart from the moral drawbacks of Huntington's reasoning, it is, moreover, important to emphasise that the idea that authoritarian regimes are better performers than democracies with regard to economic development is unwarranted. The historical record of Western democracies is a case in point here. The complete neglect of the problem how well established and economically successful authoritarian regimes can be transformed into working democracies is another criticism of the modernisation paradigm.

Nevertheless, this idea of structural prerequisites as necessary conditions for democratic development contains a glimmer of hope for democratic development. When these prerequisites eventually are put in place, be it by undemocratic means, democracy will have a fair chance in the end. There is, however, a more radical interpretation of the structural prerequisites thesis, maintaining that some of these prerequisites simply cannot be realised by human agency. Specific cultural traditions are sometimes considered as crucial for democratic development. Without these

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<sup>55</sup> Samuel P. Huntington, *Political order in changing societies* (New Haven 1968).

traditions, such development is deemed out of the question. This kind of reasoning is reflected in those analyses holding that countries that did not share the heritage of the Reformation or of the Enlightenment – or that, for instance, are characterised by the so called uncivil and undemocratic tradition of Orthodox Christianity – are unpromising for democratic development. The political consequence of this conclusion is that these countries *cannot* join the European family of democratic states and must be excluded from such institutions as the EU, NATO and the Council of Europe. The outer limits of the European security community are then delineated, and very narrowly indeed.

In its most extreme interpretation, this line of reasoning effectively says that only those countries that have a democratic tradition can be democracies. When this is absent, the transition from dictatorship to democracy is impossible. This implies that democracy is the privilege of a few countries that – favoured by good fortune – were democracies from the start. Other countries and people have to settle for something else. Of course, this runs counter to the idea that democracy, and the concomitant ideas of (respect for) human rights and civil society, embodies universal human values, applicable without regard to the specifics of time and place. It belies also the simple historical fact that all existing democracies started out as political systems that were not specifically democratic at all.

In fact it is generally true that the modernisation paradigm does not stand empirical-historical scrutiny. Analysing developments in Latin America, Peter Smith noted that political conditions in the 1980s were getting better, in that more countries started their transition towards democracy, even while economic conditions remained remarkably bad. On the other hand, Smith observed that in the 1960s Latin American countries shifted towards authoritarian rule under conditions of relative prosperity and rapid economic growth.<sup>56</sup> Other examples also emphasise that the causal relationship between economic growth and democratic development is not so strong as is often assumed. Rustow reminds us that in countries like England, Sweden and the USA processes of democratisation started long before structural prerequisites were in place. The conclusion is that the presence of these prerequisites is not the essential element in explaining democratic development. We have to turn to the choices of relevant political actors to explain the phenomenon.

This is, indeed, the core of Rustow's argument, later elaborated by O'Donnell and Schmitter, Przewoski and others. According to Rustow, historical processes of democratisation start when antagonistic parties take a deliberate decision to institutionalise some power-sharing and democratic procedures, as was the case in seventeenth-century England when the Tory and the Whig factions agreed about plural and limited government. For all parties concerned, this decision is in most cases a second-best strategy, only chosen to avoid further political stalemate, conflict and violence. After this decision phase, however, a phase of habituation follows. Of course, urgent political questions (economic disaster, threat of war) can inhibit the process of democratisation, especially in its early phases. This is why a benevolent

<sup>56</sup> Peter H. Smith, 'Crisis and democracy in Latin America', *World Politics* 43 (1991) 608-634.

international environment is crucial for development. If the process of democratisation can be kept going, though, this can in itself have a healthy socialising effect on the actors involved. In the words of Rustow: “The first success, therefore, may encourage contending political forces and their leaders to submit other major questions to resolution by democratic procedures”.<sup>57</sup>

This type of analysis – emphasising political agency, the role of elites, grand compromises etc. – is very suitable for understanding the process of democratisation in Central and Eastern Europe. After all, in most cases in this region Round Tables in one form or the other were formed at the start of democratisation processes, rather than attention being paid only to the structural prerequisites for democratic development. The implication of this is that we have to concentrate on the behaviour and choices of political actors, on the way institutions are built during the process of habituation, on the way trust and understanding – between parties and between parties and electorate – and confidence in the democratic system are built.

#### **4. Development and consolidation of democracy: external and internal factors**

For any discussion on the development of democracy, the distinction made by Larry Diamond between electoral and liberal democracy is very useful.<sup>58</sup> The minimalist or electoral definitions of democracy are founded on the ideas of Joseph Schumpeter, who emphasised electoral competition as the basis of democracy. The current minimalist concept states that a procedural democracy deals with the formal institutions of democracy like multi-party elections. A liberal democracy is a more extended form, where not only competition but also the civil freedoms that are considered necessary for competition and participation are important. This liberal or so-called substantive democracy attaches importance to the degree of participation of the people in political life, the sharing of power among different groups in society, the possibilities for exerting control over the government, and in general influencing the situation in which citizens live.

For a transition period to be successful, the prerequisites of a liberal or substantive democracy – like political rights of contestation, opposition, and participation and civil liberties – are of fundamental importance. As our contributing author Georgi Karasimeonov (Bulgaria) has stated, this stage of transition to democracy can be defined as “a process of establishing major democratic institutions which have been legitimised by formal legal acts (adaptation of new constitutions or major revisions of the old ones) and the new rules have successfully been tested as part of a functioning democracy through elections and the emergence of new political institutions (parliaments, courts, political parties etc.)”.

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<sup>57</sup> Dankwart A. Rustow (ed), *Philosophers and kings: studies in leadership* (New York 1970) p. 358.

<sup>58</sup> Larry Diamond, ‘Is the third wave over?’, *Journal of democracy* vol. 7, no. 3 (1996) p. 21.



Consolidation of democracy is the last stage of the transitional process. We speak of a consolidated democracy when – referring to a phrase used by Linz and Stepan – democracy is “the only game in town”.<sup>59</sup> This means that a relatively stable situation has been reached whereby no significant national, social, economic, political or institutional actors seek to overthrow the democratic regime, and the democratic procedures and rules are accepted by the populace as the way to govern public life. Moreover, a democracy is consolidated when all forces, governmental and nongovernmental, become “subjected to, and habituated to, the resolution of conflict within the specific laws, procedures, and institutions sanctioned by the new democratic process.”<sup>60</sup>

It must be clear that there is no universal blueprint for consolidated democracies. The development of democracy is a dynamic process and therefore even mature democracies can improve to higher levels of stability and effectiveness, for example by economic and social development and enhanced participation. The development of democracy and the consolidation processes of every single democracy reflect its specific political, economic, historical, societal and cultural traditions and therefore differ in outcome.

The international environment is of great consequence for the development of the character of domestic political systems as well. The most obvious international effect is the spread of democracy by diffusion or ‘snowballing’. The developments in Central and Eastern Europe are a classic example of this phenomenon, since the first stage of transition (the breakdown of authoritarian regimes) in one state was almost immediately replicated in other countries. For this diffusion to take place and for further development of democracy the international setting must be favourable, which entails international political and economic stability.

In addition, the active support of the international community for democratisation could be a decisive factor. Consolidation of democracy is for the CEECs a prerequisite for membership of NATO and especially the EU. Jaques Rupnik identifies four motives why joining the European Union is the ultimate goal for these countries.<sup>61</sup> Firstly, the Central Europeans in particular have identified with European culture, civilisation and democratic values. Secondly, they see an invitation to become a member of the Union as a sign that their democratic transitions are successful and irreversible. Furthermore, there are economic reasons for seeking membership, since the EU is not only an organisation of democracies, but of *prosperous* democracies. The countries expect to reap the benefits of integration. Finally, Rupnik mentions the ‘democratic security’ motive. Armed conflict is unthinkable among member states that are interdependent in so many ways.

Nor is the pursuit of international or regional integration the only important external factor. In addition, direct support for the democratisation process from other

<sup>59</sup> Juan J. Linz and Alfred Stepan, *Problems of democratic transition and consolidation. Southern Europe, South America, and Post-Communist Europe* (Baltimore 1996) p. 5.

<sup>60</sup> *Ibid.*, p. 6

<sup>61</sup> Jaques Rupnik, ‘Eastern Europe: The international context’, *Journal of democracy* vol. 11, no. 2 (2000) 115-129, p. 123.

western countries and organisations is of great relevance. For example the European Union and the Council of Europe run support programmes for training politicians, journalists, and members of NGOs and other civil society institutions. Thus, the EU has programmes for the support of democratic transition processes, the rule of law, equal opportunities for all, and the promotion of economic and social rights. Immediately after the breakdown of communism, the EU established the Phare programme to support the restructuring of the economies of Poland and Hungary.<sup>62</sup> However, its mandate was extended very soon to other post-communist countries and eventually to embrace assistance to meet accession criteria. To be entitled to assistance under this programme, a country should not only make progress towards a market economy but it also has to meet the basic requirements of consolidation of democracy and human rights.<sup>63</sup> The Phare programme concentrates mainly on institution-building and institutional reforms. Since economic development and an active citizenry are considered to be prerequisites also, there were established two additional programmes to the basic Phare effort; the civil society development programme and the Phare Democracy Programme, which focuses on the development of civil and political rights by supporting NGOs.

Looking at international influences for our inquiry, Jana Reschová (Czech Republic) found that, as an applicant for EU membership, her country became subject to close external examination, which focused on the substantive as well as the formal democracy. This influenced the institutional framework of the Czech Republic. Reschová even concludes that during the time that the Czech Republic was closely monitored by the EU, in the period 1992-1996, it was assessed as a stable smooth-working pluralistic democracy. Yet, the democratic institutions may be subject to further constitutional changes and this leaves the final stage of the transition period open. Reschová expects that both external (EU and EU-members) and internal factors will affect the institutional frame in which Czech democracy eventually works.

Clearly, the core truth here is that external support on its own is not enough for a democratisation process to take place, but it can have a reinforcing effect on already existing internal impulses, especially during the first stages of the transition process. Later, it can make the difference between the success or failure of democratisation.

However, although international support is an important additional factor, it can only complement the national struggles of political elites and individuals to initiate and consolidate a democratisation process. What are the internal factors and which actors influence the development of democracy and what are the domestic conditions for the consolidation of democracy?

There is a substantial scholarly literature on these matters and several of the key texts have been mentioned already. One of these is the major work by Linz and Stepan on problems of democratic transition and consolidation. This study is noteworthy for the specification of interconnected and mutually reinforcing

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<sup>62</sup> Phare= Poland and Hungary Assistance for the Restructuring of the Economy.

<sup>63</sup> Bruno Simma, Jo Beatrix Arschénbrenner, and Constanze Schulte, 'Human rights considerations in the development co-operation activities of the EC', in: Philip Alston et al, (eds) *The EU and Human Rights* (Oxford 1999) 571-626, pp. 592-593.

'conditions'. These are: (1) the existence of a 'political society' described as an arena where political actors compete for the legitimate right to exercise control over public power and state apparatus; (2) an empowered civil society that monitors, debates and influences the conduct of affairs; (3) a set of sociopolitically crafted and accepted norms, institutions and regulations (an 'economic society') that mediates between the state and the market; (4) a working bureaucracy to implement policy disinterestedly and efficiently; and (5) a sound and respected legal framework for all political, economic and social activity ('the rule of law').

These five conditions deserve some elaboration. In a consolidation process, it is of vital importance that the democratic institutions of a *political society* take shape, meaning political parties, elections, electoral rules, political leadership, inter-party alliances and legislatures. A high degree of institutional routinisation is a key part of consolidation. A democratic political society, however, cannot do without being 'informed, pressured and periodically renewed [...] by civil society'<sup>64</sup>.

*Civil society* should therefore be seen as complementary to political society. It is the bottom-up process – embodied in an engaged and active civil society – making demands on and influencing the top-down political society. The qualifying terms 'engaged' and 'active' are the key to civil society as a condition of democratic consolidation. A definition of civil society of only comprising a network of associations and groups is not sufficient, because it is the extent of influence and leverage of these groups – but never at the cost of the legitimacy of the interests of other groups and also functioning relatively autonomous from the state – that contributes to the consolidation of democracy. In Working Group deliberations it was found that due to the post-communist legacy the development of such a civil society was in most cases the most important underdeveloped aspect in Central and Eastern Europe.

Contributing to a democracy-supportive type of civil society is also an *economic society*. An economic society works when sufficient freedoms in the economy are balanced and/or 'corrected' by adequate protection mechanisms. Only by finding this balance will the economic society breed an entrepreneurial, pro-active and involved attitude in society to nurture and sustain a civil society that can make its contribution to a democracy. Thus, an unregulated market economy or a pure demand economy have been found not conducive to consolidation of democracy.

Implementation of democratic decisions without distortion by a non-partial, honest and effective *bureaucracy* is crucial to the consolidation of democracy. However, it remains the political society that has to provide clear direction to the state apparatus. And, it is the political society that has to effectively oversee the work of this structure.

Eventual implementation, however, is not possible without a body of regulations and laws. This seems to be common sense and it is also this aspect of democratisation that was formally in place at quite an early stage in most of Central and Eastern Europe. To establish a *rule of law* is, however, more than that. It also

<sup>64</sup> Linz and Stepan, *Problems of Democratic Transition and Consolidation*, pp. 9-10.

implies that once a democratic constitution, laws and regulations are adopted, they are observed, respected, implemented, enforced.

These 'Linz and Stepan-five' constitute prerequisites without which consolidation towards democracy is not possible. Moreover, they are part and parcel of each other, flaws in one area have immediate repercussions in another and impinge on the process of consolidation of democracy. Also 'political culture' as a condition is implicitly entangled with all of them. Although Linz and Stepan find 'behavioural' and 'attitudinal' elements important indicators of a consolidated democracy, they do not cite 'political culture' as a separate condition. The term as such is of course a neutral one and indicates the context in which politics take place, for example in the definition of a 'broad pattern of values and attitudes that individual and societies hold toward political objects'<sup>65</sup>. In the Working Group the expression was used because this 'pattern' is an important influential and explanatory factor of democratic consolidation and thereby comes into the reckoning quite explicitly when considering the five conditions.

The value of the foregoing analysis is that it acknowledges that *civil society* – the informal machinery of politics – has an important role to play, yet also recognises, at least implicitly, that differences of *political culture* – from the deferential to the energetically participatory – need not impair operation of the virtuous circle. It is certainly a useful perspective to have in mind when reflecting on the CEE experience.

## 5. Development and consolidation of democracy in Central- and Eastern Europe<sup>66</sup>

Against this background, how did our seven-nation group evaluate the CEECs' experience? First of all, in considering the region, Georgi Karasimeonov (Bulgaria) made an important distinction between the *level* of consolidation and the *quality* of consolidation. He then used these concepts to analyse the results of the transition period.

For measuring the *level* of consolidation Karasimeonov's research was concentrated on the stage a specific post-communist democracy has reached and the efficiency of its institutions. The major variables are the constitutional and electoral framework (how do the new constitutions influence the working of democratic institutions and how do elections influence party formation and stability), government stability, the type of inter-elite relations and the existence and application of basic political freedoms. The *quality* of consolidation on the other hand refers to the economic, social, cultural and international environment in which democracy functions. Karasimeonov therefore considers sustainability, by gauging the legitimacy

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<sup>65</sup> William C. Mitchell, *The American Policy: A Social and Cultural Interpretation* (New York 1970) 105-121.

<sup>66</sup> The author thanks Heidi Bolt for her contribution to this section.

of democracy and its institutions, and by appraising the social and economic environment in which the new democracy functions and how conducive that is to consolidation. He examines also the role and influence of civil society institutions and political culture.

Concerning the *level* of consolidation in CEECs, except for Hungary (which revised an old constitution), all have adopted new constitutions. By this, they formally declared their break with the old, communist, regime and embraced the principles of liberal democracy. Moreover, most countries have adopted a parliamentary system to accommodate party pluralism and divergent interests and values. According to Karasimeonov, the orientation of almost all post-communist countries to proportional representation has also had a positive effect on the political process. He claims that “as a whole, electoral systems seem to be relatively effective in guaranteeing the normal rotation of political parties as governing parties and have helped to avoid the exclusion of major political players from the political process.”

By this, the electoral arrangements play a crucial role in the consolidation process, facilitating the formation of new party systems. Newly emergent political parties are of great importance to democratisation. A relatively speedy stabilisation of party systems – implying the overcoming of initial fragmentation of newly-established parties and coalitions – is of major importance also, however. Some countries – for example, Hungary and the Czech Republic – managed this. In others the process was a very lengthy one: Bulgaria, Romania, and Poland for instance. In yet others it is still going on (Croatia, Albania).

The study by Inka Slodkowska (Poland) on the party system in her country during the transition period supports Karasimeonov’s thesis. The Round Table negotiations in February-April 1989 and the elections of the National Assembly in June 1989 established important alignments, because “these two events gave birth to the still existing broad division between the camp rooted in Solidarity and that rooted in the Communist establishment.” At the same time, Slodkowska stresses that the Polish situation differs from some theoretical prognoses, where free elections are the final step of the first stage in the transition process. “The Polish elections of 1989 were not the symbolic crowning moment of the transition”, she writes, “they did not reduce political tensions, nor did they appease emotions.” Poland was the first country in the former Soviet bloc to allow the anti-Communist opposition to participate in elections. These ballots were, however, ‘managed’ – through an agreement reached by the communist government with the leaders of the opposition. The organisation of fully democratic parliamentary elections and the creation of a new constitution were the main goals of the interim government after 1989. However, this administration did everything it could to delay the convocation of free elections and the constitution-making process.

This is the main reason why the political system in Poland is still divided into the so-called ‘post-Communist’ and ‘post-Solidarity’ orientations. According to Slodkowska, the postponement “prevented the Sejm adopting from the beginning a firm position condemning the communist system as a criminal one; it assured the political survival of a large segment of the communist establishment by providing it



with an important role under the new conditions. Coupled with many mistakes of the Solidarity governments this led to the re-emergence of post-communists as a leading force in Polish politics ... the post-communists found it no longer necessary to cut themselves off from their past, claiming their former activities were legitimate under the circumstances of the post-Yalta European order.”

Karasimeonov sees three more factors affecting the party system that are important for the level of consolidation. First, it is of great importance that the anti-Communist forces form united parties, instead of only working together on an ad hoc basis. Secondly, the level of participation and integration of ethnic minority parties is very important for the stability of the party system and thereby of the political system on the whole. Thirdly, the presence and weight of antidemocratic and radical parties in the political process affects the level of consolidation. Karasimeonov concludes that the latter "are present in most post-communist democracies [but] they do not endanger at this historical juncture the consolidation process, although they remain a potential threat."

Still examining the *level* of consolidation, government stability is another important indicator, according to Karasimeonov. First of all, stability of the new democratic regime presupposes the orderly alternation in power of the major political parties. “When the old communist elite is peacefully removed from the main power structures and a new breed of public officials come to manage the resource of executive power the new democratic regime has achieved an important step on the road to consolidation.” Such stability – the peaceful competition between divergent political forces for office – is proven in most CEECs, Karasimeonov says, as there have been three or more orderly changes of government. The examples of Hungary and the Czech Republic in particular show that executive stability is closely related to the stability of democratic institutions, while in Bulgaria and Romania one can see the negative effect of instability on the consolidation process.

Elite relations also play an important role in this process. Democratisation starts with political deliberation among elites, which in many CEECs took place in Round-Table conferences. The continuity of elites in most countries helped stability. “Democracy has not constituted a direct threat to important sectors of the former *nomenklatura* which was ready to play according to the new democratic rules as long as its interests were not violently threatened”, concludes Karasimeonov. The change of power was therefore peaceful. In cases where the distribution of political and economic resources between the old and the new elites was achieved fast, their interaction lost its sharp ideological character quickly, marking a ‘consolidated’ stage in democratisation.

Finally, Karasimeonov states that the implementation of political freedoms is a major feature of the level of institutional consolidation: freedom of expression and the existence of a free press, freedom of political competition and free access to the major representative institutions, the exercise of minority rights, and the rights of the political opposition to influence public life. The author notices limitations of these rights in many CEECs. Moreover, there are serious deficiencies in the application of the rule of law because of instability in the legal system and corruption. In general,



however, such limitations and deficiencies are receding in all the nations participating in our inquiry. Thus, Karasimeonov is able to conclude, the research team concurring, that almost all CEECs are, or are clearly becoming, law-governed electoral or procedural democracies.

Turning to the *quality* of consolidation – whether democracy is clearly substantive and sustainable – more differences and ambiguities can be found. Public attitudes enter the reckoning here. The legitimacy of democracy and its major institutions depends on them being positive. The majority of the population in CEECs supported transition. However, Karasimeonov points out that, “the empirical data show various levels of fluctuation in the public mind in different countries [... and where] the levels of dissatisfaction with the functioning of democracy are highest the fragility of democratic institutions is also the highest.”

In considering how people view democracy we move to the debate on political culture. According to Karasimeonov, “the formation of a democratic political culture is by far the major challenge facing post-communist democracies.” Influential here are “historical tradition and experience with democracy before the establishment of communist regimes and the protest movements against the regime.” Commitment to democracy as ‘the only game in town’ is not gained overnight. The establishment of institutional democracy is child's play compared to convincing public opinion that democracy should be irreversible and inculcating democratic values.

Two of our participating researchers, Ferenc Molnar (Hungary) and Silvia Mihalikova (Slovak Republic), examined questions of political support and political culture.

Molnar concentrated on the prestige of democratic institutions and the political culture in his own country. He claims that a decrease in popular satisfaction with certain political institutions is mainly based on distrust of the ‘input’ institutions of politics (the parties, the trade unions and Parliament) as opposed to the ‘dignified’ institutions (the President of the Republic and the Constitutional Court) which are typically popular. He puts this down to the Hungarian political culture.

There are four characteristics of the national political culture, Molnar says. Firstly, due to the lasting dominance of central ruling bodies, there is no strong impulse to promote individual and community autonomy. Secondly, Hungarian politics are emotion-driven and there is an embedded grievance attitude. In fact, there is a tendency to let grievances rule politics. Thirdly, this disposition is inseparable from a paternalist approach to handling conflicts; citizens are always considered infants by the state. Finally, these three features have blended in a mixture where the most miserable characteristics of Hungarian sub-cultures have merged with the character-distorting dependency associated with the social-communist regime.

Mihalikova focused her research on what she calls the *subjective side* of democracy – the scope of substantive or informally institutionalised democracy – and examined indicators for specific and diffuse political support, especially in the Visegrad countries (Hungary, Poland, Slovakia and the Czech Republic). She distinguishes four indicators.

The first one, satisfaction with democracy, is strongly influenced by government performance and economic development. Research shows that temporary increases of dissatisfaction with democracy in some countries – caused by crises of economic adaptation, the social costs of transformation, structural and functional deficiencies, political polarisation and conflict among elites – contrast with a general move toward consolidation in others. On balance, Professor Mihalikova thinks that “discontinuity rather than linearity characterises system satisfaction in Central and East European countries.”

The second indicator is democratic orientation, or ‘the degree to which one can call the political community of an individual country a democratic political community’. Here Mihalikova agrees with Karasimeonov that the fact that democratic rules should be considered ‘the only game in town’ by a majority of the population is decisive for democratic consolidation. Diffuse support for democracy presupposes the acceptance of a multi-party system. According to statistics an overwhelming majority of the population of the CEECs favour such a system. The main indicator on diffused support is the choice between democracy on the one hand and authoritarian solutions on the other. In all CEECs studied more than 70 per cent of the population prefers democracy to a dictatorial regime. Mihalikova identifies three critical factors for the spreading and intensifying of basic democratic institutions in Central and Eastern Europe: the developed system of education and training in CEECs, because individuals with higher education tend toward pro-democratic orientations; “evaluations of the old regime, personal affinity or nostalgic feelings towards the old regime [which] weaken support for democracy as a form of government”; and initial expectations from regime change, because “individuals who regard their hopes and expectations ... as largely fulfilled are much more likely to become stout democrats than persons whose hopes have been disappointed, who have been disillusioned as a result or whose expectations have been primarily negative from the outset”.

The third indicator of popular support is *trust* in democratic institutions. On this test, Mihalikova detects a strong feeling of alienation from the ‘new power’ in the CEECs. This reflects generally low confidence in top political or state institutions. One reason for the lack of trust is a lack of confidence in the ability of the new elite to respect the interests of common people. Another is impoverishment. The administrative sector, the courts and the police are the least trusted institutions. Obviously, past experience colours judgements here, as do such phenomena as *nomenklatura* privatisation. Mihalikova found out that the Visegrad countries are also notable for a low level of confidence in political parties.

This is significant, since political participation – the degree to which citizens are motivated to engage in the democratic process and the actual degree of participation – is the last important criterion distinguished by Mihalikova. She concludes that, because of economic difficulties and the inability of the political elite to find quick solutions to diverse problems, people in CEECs are generally passive. They have lost their illusions about the necessity and benefits of participation in political life.

According to Liliana Popescu (Romania), *female* participation in current politics in CEECs is particularly low. In her study on the gender dimension of democratisation she finds a number of reasons for this. One is the situation of women before the transition. During the Communist regime there was a lack of free women's organisations, associations and action groups. Instead there was 'forced emancipation' from above: the political participation of women was imposed by means of a quota system and women's access to education and paid employment increased immensely. In countries like Romania, it was even compulsory for women to have a public workplace. However, in all CEECs women tended to work in low-paid jobs. Indeed, they faced a double burden under Communism: despite higher levels of education and economic independence women were still expected to perform most of the housework and care for children.

After the collapse of communist regimes the political representation of women in politics dropped significantly. Popescu identifies political, social and ideological reasons for this. For example, there is minimal support for female candidates within parties, the visibility and knowledge of politically skilled women is reduced, and there is therefore no critical mass of women in leadership positions. Main socio-economic factors are the newly-adopted economic policies that turn out to be more negative for women than men. As a result feminisation of poverty is taking place. Ideological factors are important as well, especially the negative way men and women view politically active females, a result of stereotyping social roles, and the lack of positive role models.

One of Popescu's significant conclusions however, is that, although female representation in 'formal' politics is low, this does not mean that women are not interested in politics at all. Many prefer less direct participation. In all CEECs for example females are very active in the non-governmental sector. In fact most work in this area is done by women.

The next stage in this examination of the *quality* of democratic consolidation brings us to the importance of a benign economic environment, since economic distress and low living standards challenge the stability of democracy. "High rates of unemployment, inflation and growing polarisation between a new class of *nouveaux riches* and a growing number of new poor are not conducive to democratic stability", Karasimeonov says.

Our analyst from Hungary, Ferenc Molnar, agrees. Certainly support for the democratic system and institutions is strongly correlated in his country with the success of the economic transformation. According to our contributing researcher from Ukraine, Irina Bekeshkina, the situation there is more or less the same. The working of Ukrainian democracy has been severely hindered by a succession of economic crises and much depends therefore on the success of economic reform. Although, at first glance, the country has a stable and functioning democracy, appearances are deceptive. There is a democratic constitution with separation of powers, a multi-party system and an active opposition plus NGOs that are relatively unhindered in their activities. Yet, Bekeshkina says, Ukrainian democracy is no more

than a 'decorative democracy'. The democratic institutions do not work as they should. The people are powerless to influence state policy.

The multi-party system in Ukraine is flawed because, according to Bekeshkina, the post-independence parties were generally formed top-down and constructed around political personalities or well-defined groups within the economic elite. They do not have grass-roots legitimacy. They are the most distrusted of Ukraine's political institutions.

As for the independent mass media – the watchdogs of democracy – in Ukraine they are economically, and sometimes politically, threatened. Economic conditions are also responsible for the alienation of Ukrainian civil society, says Bekeshkina. Most people are struggling to get by: and this means, on the one hand, that they have no time to invest in civil society activities; and, on the other, that they believe transformation is bringing only changes for the worse. Surveys confirm that negativism, the sense of powerlessness and apathy are growing year by year. The distrust of nearly all governmental and social institutions – except for the armed forces, the church and, to an extent, the independent media – shows that there is an alarming gulf between the Ukrainian state and government and the Ukrainian people. The only hope for the development of a sound and stable democracy is nevertheless to persevere in the effort to develop the institutions of a civil society. Success here, Bekeshkina concludes, hinges on the success of economic reforms.

That a vibrant civil society is a major indicator of the quality of democratic consolidation is also acknowledged by Karasimeonov. He believes that "this is especially important in countries which were under the umbrella of party-state proto organisations and civil society was practically non-existent." In some CEECs the rebirth of political parties appeared to herald the revival of civil society. But, Karasimeonov says, "the role of civil society reveals itself in the network of a multitude of autonomous (from the state) organisations and initiatives that influence the political process." The more extensive this network – the higher the level of its activity and participation in public life – the higher the quality of democracy, the more stable and consolidated is democracy.

Regarding the whole democratisation process, Karasimeonov concludes that most post-communist countries have significantly advanced in adopting formal democratic rules and attaining a satisfactory *level* of consolidation; but the *quality* of democracy leaves much to be desired. Some countries have reached a satisfactory standard and are en route to integration in the Western community. Some still have flawed systems and poor or more distant integration prospects. The seven-nation team concurred in this assessment.

## 6. Conclusion

Relating all this to the 'shared security' theme and the challenge of pan-European security community-building is straightforward. The starting-point of our researchers' progression of argument was the security-democracy nexus, or virtuous circle. Democratisation enhances security. A secure environment is conducive to the stabilisation and consolidation of democracy. Maintaining the momentum of democratic consolidation is therefore an essential element – perhaps *the* essential element – in security-community development.

That has been accomplished, throughout CEE, although some states have progressed further than others on the path from instituting formal electoral democracy to promoting substantive participatory democracy. To use the Karasimeonov distinction (and reiterate the overall assessment just recorded): while almost all states in the area have attained a satisfactory *level* of democracy, in most – if not all – the *quality* could be improved. Where improvement is most needed is in strengthening the institutions of civil society – the informal machinery of politics – and helping a democratic political culture to develop. There are also some gender-related asymmetries to correct.

The precise agenda for 'improvement' varies from country to country, however. That is because of the differences in the basic or inherited political culture and the diversity of transition experience to be found in CEECs. This should not, though, be translated into blanket judgements about the strength or weakness of democratic attainment and prospects in particular states. A pan-European community of nations ought to be able – and arguably must be able – to accommodate such differences and diversity.

Thus the policy-related conclusions to which the analysis leads are simply stated. Clearly,

- All Central and East European governments should be encouraged and helped to improve the quality of democratic life;  
And, equally clearly,
- Western governments should continue to assist democratic consolidation.
- However, there is not just one way to democracy, the task in Poland is to consolidate Polish democracy; in Slovakia, it is to consolidate Slovak democracy; and so on across the European space. The CEECs themselves should recognise this.
- More important, though, is that western governments and organisations should recognise it. They should not, therefore, urge adherence to their own preferred models of democracy based on practice in Washington, Westminster, or wherever.

This is, surely, unexceptionable advice. Even so, the implications for the *management* of NATO and EU enlargement ought to be recognised. The objective is integration: and that is going to involve asking, at some stage, 'how much conformity is enough' or 'how many variations on the theme of law-governed democratic societies can an

integrated community accommodate'. These are, however, questions for another place and time.



## IV. SHARED PERSPECTIVES ON ECONOMICS AND SECURITY

David Greenwood

### 1. Introduction

Economic considerations always have featured, and always will feature, in nations' security calculations. States have gone to war for economic motives: to acquire territory and natural resources. They have fought wars with economic instruments: blockade and the interdiction of commerce, for example. They have joined – and abandoned – military alliances for economic reasons. Even those who founded NATO were motivated in part by recognition that, for waging a Cold War, a joint security arrangement would be less costly than uncoordinated national defence efforts.

Where peacetime provision for defence is concerned, economic factors enter the reckoning in numerous ways. A nation's economic performance determines the availability of resources for all purposes – public and private, military and civil – and the allocation of resources among competing uses is the core economic function of government. The management of resources allotted to arms and armed forces is – or should be – conducted with effectiveness, efficiency and economy in mind. The acquisition of weapons and the disposition of troops are influenced by the impact of such activity, on the national economy, on particular regions and particular industries, on specific localities and individual plants.

Nor does this enumeration exhaust the possibilities of 'economics' and 'security' connections. Essentially economic affiliations, like customs unions and common markets, bind states in ways which breed habits of co-operation and create forms of interdependence thereby enhancing their sense of security. Such associations may be entered in pursuit of prosperity, but the security benefits they yield – 'soft' security is the fashionable term – are none the less valued for that. In fact, the major West European 'affiliation' of the last half-century – the European Union (EU) – traces its origins to a coal and steel community founded to link key sectors of the French and German economies in order to make further armed conflict between those two countries impractical and hence unthinkable. As we now know, it worked. Resort to arms in the resolution of inter-state disputes has been effectively outlawed across the western half of the European continent. This is largely attributable to Franco-German reconciliation begun in an economic agency dealing with pits and blast furnaces.

## 2. Overview

Given this diversity of ‘economics and security’ linkages, the first challenge for the present study was: in relation to which of them would it be instructive to explore the shared perspectives of the seven countries participating in our collaborative research? On what issues might there be common ground among three countries from NATO enlargement’s ‘first wave’ and the EU’s list of ‘fast track’ applicants, three ‘second wave’ NATO and ‘slow lane’ EU aspirants, and a geostrategic ‘borderland’ state? Thinking positively, with pan-European security community-building in mind, where in the ‘economics and security’ domain might there be opportunities for effort to transcend – or at least blur – the dividing-lines that must inevitably arise as the NATO and EU enlargement processes run their (different) courses? How in this field might one imagine a smoothing of the ‘sharp edges’ of enlargement’s shifting frontiers?

Examination of a *shared inheritance* commended itself. Like other Central and East European countries (CEECs), the Seven entered the 1990s with a troublesome legacy from the Cold War era. As one-party states and ‘command’ economies each had assigned defence a favoured place in the allocation of resources. Key decisions about force structure and force levels, the procurement and production of armaments, the configuration and deployment of armed forces – these had all been made on the basis of military imperatives, largely under Moscow’s direction and typically behind closed doors. The economic consequences were very much secondary considerations.

In such conditions, the incentives to pursue efficiency in resources management were not very strong. Indeed, they could not be, because the institutions of the centrally-planned and centrally-directed state operated – as they do in any ‘command’ economy – in a way that permitted no proper appreciation of costs. Somehow, national defences were run without anyone ever knowing the real resource costs of doing things (or the true opportunity costs, in the economists’ terminology).

Defence-related industry was run in this manner also. Enterprise managers had to meet plan targets (quotas), but organised their plants to do this without any appreciation of the real resource cost of inputs or the value-in-exchange of outputs. As for who should produce what, in what size of plant, with what capital and labour – these were decisions for central planners who were generally disposed to favour specialisation of output, large-scale production and mammoth manufacturing facilities.

The legacy therefore was one of distorted priorities in the allocation of resources to and within defence, inept resources management and excessive, inefficient military-industrial capacity. Still, the end of the Cold War presented – or appeared to present – an opportunity to put matters right: to correct distortions in resource allocation, to promote efficiency in resource-use, and to cut military-industrial complexes down to size (ideally by the conversion of capacity to civil uses). However, that was easier said than done.

In this respect and others, the *shared experience* of the Seven (and other CEECs) invited examination. Attempted as it was in the throes of transition from one-

party politics to plural democracy *and* from command economics to market-oriented arrangements, transforming the defence sector proved extremely difficult. The nature of ‘the legacy’ made realising ‘the opportunity’ acutely problematical. It was more so for some countries than for others, but it was a headache everywhere. In particular, managing ‘conversion’ turned out to be a chronic migraine.

In fact, the whole experience of politico-economic transition was painful everywhere. This was the case where ‘shock therapy’ was favoured. It was also the case where gradual adjustment was preferred, especially where reform was unduly delayed or criminally perverted. (For example, *nomenklatura* privatisation and many other forms of theft were widespread prompting the observation that some states sought democracy but got kleptocracy.)

Certainly there was much hardship, more protracted in some countries than others, and persisting in a number. One composite indicator here is that national income and output in most CEECs did not recover to late-1980s levels until the second half of the 1990s (and in some cases the earlier mark has yet to be reached). The corollary holds: the measure of individual prosperity – income per capita – has stood, and still stands, at distressingly low levels throughout the region. As a result, the past decade has seen the rise of new insecurities and new vulnerabilities. A later section of this Chapter examines these in detail.

On a more positive note, the CEECs – including our Seven – have found common ground in recent years most obviously in the realm of *shared aspirations*. Almost all want to join NATO. Three already have, others are preparing for admission under the Membership Action Plan (MAP) scheme. This offers a route to the Organisation’s ‘open door’. It does not, however, guarantee entry. Almost all want to join the EU. Most have had their interest in accession acknowledged. Negotiations are underway with two clusters of applicants. For these admission is no longer a matter of ‘whether’ but of ‘when’. However, the question is: when exactly? Brussels foresees entry in 2004 for those with whom negotiations are advanced. For the rest, with an already awesome *acquis communautaire* getting more demanding all the time, entry prospects may be receding. As for any other would-be entrants – a category in which some would place Ukraine, along with the Yugoslav successor states – attention is shifting to arrangements short of full membership (Stabilisation and Association Agreements, free trade areas, and the like).

It follows that realising central aspirations is going to be a long drawn-out business. Accordingly, even if the momentum of the NATO and EU enlargement processes is maintained, there will always be ‘insiders’ (or front-runners) and for-the-time-being ‘outsiders’ (or back-markers). That means ‘dividing lines’ and ‘sharp edges’; and, if the idea of pan-European security community-building is to be kept alive, a requirement for much ‘blurring’ and ‘smoothing’. It is natural to ask, therefore, what role there might be for further security co-operation *below* the Euro-Atlantic and European regional levels.

*There clearly is a role*, and an important one. Sub-regional security co-operation can perform valuable ‘line-blurring’ and ‘edge-smoothing’ functions. It can help groups of countries address both their traditional concerns and the ‘new

insecurities' of the post-Cold War period. It can do so through arrangements designed to safeguard security directly. It can do so through various kinds of economic association that deliver valuable security benefits indirectly.

### **3. Inheritance: legacy and opportunity**

By way of elaboration on the 'shared inheritance' theme, some observations are in order on the *legacy* of the Cold War era with which the Seven, in common with other CEECs, entered the 1990s; and on the *opportunity* to change which politico-economic transformation presented (or appeared to present).

#### *The Legacy*

In the defence field, the consequences of what Josef Fucik (Czech Republic) calls the 'real, rigid and humiliating subordination' of the CEECs to Soviet power during the years of East-West confrontation were profound and far-reaching.

In the first place, with preparation for all-out war in Europe as the driving force, the satellite states were induced to allot resources to military purposes to an extent that clearly damaged national economies. Czechoslovakia (as it then was), Hungary and Poland bore particularly onerous burdens in this respect. In the Czechoslovak case periodic bursts of incremental spending were especially damaging. Such a burst in the later 1960s was, it is true, accommodated reasonably well. A second, following the 1968 Soviet invasion and occupation of the country – and the imposed need to build infrastructure for the 200,000-strong Soviet Central Army Group and its weaponry – was not. A third, through the mid-1980s, in response to 'friendly recommendations' from Moscow, precipitated a crisis in the Czechoslovak state budget, provoking a display of insubordination which, Fucik suggests, foreshadowed the eventual end of Soviet dominance.

In the second place, within the planning frameworks of the Warsaw Pact and the Committee on Mutual Economic Assistance (COMECON) there was no possibility to practise wise resources management. National defence efforts were 'totally governed and manipulated', Fucik says, by the Soviet Communist Party apparatus, working through the Soviet General Staff and the main Engineering Administration of the USSR's Ministry of Foreign Trade. Deprived of all strategic decision-making authority, satellite armed forces' commanders and armament industry managers were thus concerned only to fulfil tasks and meet quotas on time and to requisite standards. Awareness of, and attention to, real resource costs were non-existent. This bred a mentality which, Josef Fucik thinks, persisted well into the 1990s and may not yet have been eradicated.

In the third place, the USSR had decreed that the CEECs should have

substantial state-owned and state-funded arms manufacturing sectors: to equip Warsaw Pact forces and those of ‘friendly’ Third World states. Thus from the 1950s, to take the Czechoslovak case again, that country built up a huge ‘military-industrial complex’ for the fabrication of a diverse range of products, from vast quantities of ammunition to such heavy items of equipment as tanks, armoured fighting vehicles, cross-country vehicles and aircraft. In the 1980s these factories had the capacity for annual production of 900 tanks, 1200 infantry fighting vehicles, more than 200 jet trainers – excessive by the standards of the day, with mutual force reductions under negotiation, and spectacularly superfluous when the Cold War ended and the Soviet bloc disintegrated. (These are the facts for one state. Similar stories could be told for others.)

### *The Opportunity*

With the fall of the Iron Curtain and the end of Moscow’s domination of CEECs, correction of distorted priorities in resource allocation became possible, new approaches to resources management could be introduced, and a start could be made on ‘downsizing’ the arms-producing industrial sectors in all the (now) post-communist states.

On the first count, in the early 1990s virtually all CEECs eagerly grasped the opportunity to cut defence budgets and begin personnel reductions. They also started retiring equipment (or otherwise disposing of it), because they wanted to free resources for other purposes but also because they were obliged to do so with respect to the categories specified in the 1990 Conventional Forces in Europe Treaty (tanks, armoured fighting vehicles, artillery pieces, combat aircraft and helicopters). In fact, in Central and Eastern Europe as in Western Europe and North America, the diminution of defence efforts proceeded apace, often to the consternation of the professional military.

Governments, defence ministers and military staffs showed less alacrity about getting resources management on a sound footing, by promoting all-round cost awareness and seeking better value for money in the procurement of arms and the administration of forces. In this field setting aside long-established attitudes of mind, habits of thought and patterns of behaviour – perhaps the most enduring legacy of communism and ‘command’ economies – was not something to be accomplished overnight. It would take years; and in some quarters the mind-sets of the *ancien regime* persist to this day.

In this context, because of the nature of ‘the legacy’, taking advantage of ‘the opportunity’ was far from straightforward. So it was also in the defence-industrial arena. Cutting ‘military-industrial complexes’ down to size, and achieving the ‘conversion’ of productive capacity to civil uses proved much more difficult than expected.

There is a substantial literature on conversion, and at least one independent research and policy analysis institute dedicated to studying the problem (the Bonn

International Centre for Conversion, BICC for short). No detailed analysis of the CEECs' experience in this endeavour will be attempted here, therefore. Suffice it to note that in any such analysis instances of policy failure would outnumber examples of policy success.

In the latter category one might place *Poland*. In this country at the end of the 1980s the Ministry of National Defence operated a modest 19 military manufacturing and repair plants, and there were about 80 defence-related enterprises subordinated to the Ministry of Industry, employing around 250,000 workers. Over 80 per cent of their products, however, were either 'dual use' or non-military. 'Special production' – the favourite Soviet bloc euphemism for arms manufacture – comprised only about 3 per cent of total industrial output. Only 6 per cent of Poland's total exports were military goods.

In other words, the military-industrial complex loomed less large in the Polish economy than was the case elsewhere. Consequently, it was possible to deal with the sector promptly and boldly. As early as 1992 arms production had dropped to 1 per cent of industrial output. There was unemployment and much capacity was simply left idle, but thanks to comprehensive 'adjustment' actions (like retraining) one could say conversion was successfully accomplished.

Contrast this with the situation of *Ukraine*. Here, in the time of the USSR, military production constituted almost 45 per cent of the republic's national output, and in research and development (R&D) about 75 per cent of activities were linked to the military-industrial complex. Altogether this sector employed almost 1.5 million workers plus over 600,000 R&D specialists. On the collapse of the Soviet Union in 1991, Ukraine inherited about 30 per cent of the Union's defence production capacity and 20 per cent of its R&D centres. We are talking here of 3,500 design bureaus, technological research institutes, plants and facilities, not to mention a huge arsenal of weapons. The sheer scale of this investment made conversion a daunting prospect and an early conversion strategy failed abysmally, resulting in considerable idle capacity, huge job losses and massive emigration of highly-skilled professionals. Persistence along this line threatened national *de-industrialisation*.

Small wonder, then, that the powers-that-be in Kyiv opted to try making their problem part of a solution, by developing selected areas of military-industrial strength – notably in the aerospace sector – rather than abandoning them, and by looking for gradual diversification in other areas.

Elsewhere in the Seven, one observes neither the kind of achievement that Poland can claim nor the sort of de-industrialisation threat that Ukraine encountered. 'Conversion' therefore remains a live issue, but one with which governments have been steadily coming to grips, each according to its own conditions.



#### 4. Experience: insecurities and vulnerabilities

Grappling with problems posed by their military-industrial inheritance has constituted a specific ‘shared experience’ of our Seven (and the CEECs as a whole). More generally, all have shared the experience of difficult politico-economic transition, producing *new insecurities* and *new vulnerabilities*.

This is not the place for extended commentary on how individual countries went about effecting the dual transition from one-party authoritarian – even totalitarian – politics to plural democratic governance *and* from centrally-planned and centrally-directed ‘command’ economies with state-owned enterprises and a plethora of price controls to more lightly-regulated market-oriented systems with liberalised price structures and increasingly privately-owned businesses. We know that in the political realm some countries went further and faster than others in the early months of transition, the extent and pace of change dictated by national circumstances and influenced by the ‘political culture’ of the reforming states. In the economic sphere, we know that in addressing the problem of macroeconomic stabilisation and introducing price (and exchange-rate) liberalisation some countries opted for ‘shock therapy’ while others chose the path of gradual adjustment. We know also that in organising the disposal of state-owned assets some countries were wiser than others in their decisions on the pace and practice of privatisation. Some are still burdened with loss-making enterprises for whom no purchaser has been found. Others simply allowed ownership and control to pass to old Party bosses and former enterprise managers – the practice of so-called *nomenklatura* privatisation, only one step removed from criminal theft.

Accompanying such diversity of transition experience, however, was a common element – disruption and economic distress. There were many reasons for this. Collective farms ceased operating before schemes for land reform had been worked out, so agricultural output fell precipitately. The collapse of intra-bloc trade under COMECON direction meant that the demand for much civilian output simply disappeared. Rapid defence rundowns meant that the demand for military goods evaporated. As the apparatus of economic regulation fell away, confusion reigned; and, as we know, unscrupulous individuals and more or less organised criminal fraternities were the quickest to take advantage.

Whatever the reasons, the evidence is clear. Output and income fell everywhere, in some cases spectacularly. What is more, in most CEECs the key macroeconomic indicators did not regain late-1980s levels until the second half of the 1990s, and in some instances have still not done so by official measures. (The proviso is added because the scale of the ‘shadow economy’ is a mystery and it is generally supposed that, throughout Central and Eastern Europe, there is systematic under-reporting of economic activity to avoid payment of duties and evade taxation.)

There is no doubt about the result, however. Throughout the region, the key indicator of individual well-being – (recorded) income per capita – has stood for years, and still stands, at alarmingly low levels. This is troubling because, first, it

accounts for the widespread disenchantment in CEECs with democratisation, ‘marketisation’ and reform generally. The experience was supposed to be better than this. Secondly, it does not augur well for accession to the EU. According to data collated by the *Financial Times*, in 1999 GDP per head in the Union averaged over 20,500 Euros. Among current applicants, only in Slovenia did the figure – calculated at purchasing power parities – exceed two-thirds of that value and in only two others, Czech Republic and Hungary, did it exceed one-half. In Slovakia the figure lay close to the latter level (46 per cent); but it stood nearer one-quarter of the EU average in Bulgaria (24 per cent) and Romania (27 per cent).

There is a third reason for disquiet. As noted earlier, protracted economic distress has generated new insecurities and new vulnerabilities, adding to – and, for the ordinary citizen, overshadowing – traditional security concerns in all CEECs (including our Seven). These have been enumerated by Inna Pidluska (from Ukraine) and one specific ‘vulnerability’ has been elucidated by Krzysztof Ksiezopolski (Poland). What does this material tell us?

### *New Insecurities*

The point of departure for Inna Pidluska’s ‘enumeration’ is the CEECs’ post-Cold War national security doctrines. She notes that these typically identify

‘potential economic security threats from (a) inefficiency of state governance of economic relations; (b) structural disproportions, monopolies and other obstacles to the development of market relations; (c) economic isolation from the global system; (d) the uncontrolled drain of intellectual, material and financial resources away from the country; (e) excessive resource, technological and financial dependence on other states; and (f) growth in the ‘shadow’ economy and its criminalisation.’

Regarding the items on this checklist it is appropriate to note two things. One is that point (f) refers to a theme also treated in Chapter V of this work under the heading ‘new threats on the security agenda’. The other is that point (e) is a question-begging formulation – it depends what you mean by ‘excessive’ – given that in the modern world interdependence is commonplace, with potential *security-building* attributes. Certainly high degrees of self-reliance in ‘resource, technological and financial’ relationships are becoming increasingly rare, while self-sufficiency is self-defeating. It makes sense, therefore, to concentrate on the earlier items.

On these, the essence of the Pidluska thesis is that all have materialised in the course of troublesome transition as ‘new insecurities’. Thus she argues that:

‘the decrease in production...was caused by a loose combination of some or all of the following factors:

- broken economic ties with former trading partners;
- demilitarisation and reduction in defence-industrial contracts;
- rapid growth of raw material and energy prices;

- competitive failure of unreformed industrial enterprises;
- reduction of the contribution of industry to national income;
- excessive taxation pressure;
- slow, unstable and inconsistent privatisation;
- substantial reduction of capital investment
- lack of finance for economic restructuring;
- lack of market institutions;
- underdevelopment of market ‘infrastructure’ (in the trade, finance and service sectors).’

This is a catalogue of *governance* failures, notably in addressing obstacles to economic rehabilitation (cf. Items (a) and (b) on the earlier checklist).

Inadequate taxation reform – driving enterprises to engage in barter transactions – and the resultant disorder in public finances are cited as exacerbating factors in many states, along with other developments for which the author quotes startling statistics for her own country. These include

- punitive interest rates (60 per cent on commercial bank loans in Ukraine at the end of 1998);
- depletion of hard currency reserves (Ukraine’s halved in 1998) and ‘involuntary’ exchange-rate realignments (devaluation);
- persistent misuse of public funds to subsidise loss-making state enterprises - to the detriment of the ‘profit-making competitive private sector’ – and in other ways (in which connection, Pidluska notes, subsidies, benefits and preferential loans accounted for 65 per cent of all ‘appropriations to the production sphere’ in Ukraine’s 1999 budget).

As for the ‘lack of market institutions’ and ‘infrastructure’ for effective markets, the experience of even relatively successful transition economies is alarming too. On property rights, for instance, Pidluska mentions the huge annual loss to copyright violations in the Czech Republic (an estimated US\$117 million in 1997) and to software pirates in Poland (where counterfeit products account for over 90 per cent of the ‘market’). She notes also the widespread continuation of price controls on ‘sensitive’ goods and services (such as public transport, fuel and water) throughout the region.

Red tape and corruption make matters worse, not least in impeding business start-ups. In Romania, for example, it can cost up to US\$1000 and take up to 3 months to *form* a joint-stock company. In Bulgaria, it is thought to cost around US\$8,500 to actually *launch* a small business. Nor is credit easy to come by there: many banks demand up to 125 per cent collateral. Even in routine activities – like obtaining zoning permits, property titles, licences and utility hook-ups – the businessman (or businesswoman) is likely to encounter the poorly-paid official who must be bribed to expedite affairs. In this respect, Ukraine is a bureaucrat’s paradise. ‘Regulatory barriers’, writes Inna Pidluska, ‘include registration, licensing, product

certification and export quota systems as well as strict oversight of business operations by the state through some 26 agencies, from the Tax Police and the Ministry of Labour to sanitary controllers and the fire inspectorate’.

There is more to the Pidluska analysis. She explains how the foregoing features (and several others) add up to an unfavourable investment climate, especially for foreign capital. She notes how tariff and non-tariff protection creates an unfavourable commercial climate, especially for trade with other CEECs. She observes how international indebtedness casts its shadow over economic expectations, especially where it is apparent that borrowed funds have been either illegally diverted for private gain or simply used unwisely (for example, to cover wage and social payment arrears rather than to finance structural adjustment). She points out also how overt opposition to reform – both within administrations and where privileged ‘oligarchs’ and power-brokers operate – prevents or impedes progress.

Stripping away the detail and complexity of the argument, however, its central thrust is clear. Such conditions lead to insecurities, or better, perhaps, a pervasive *sense of insecurity*. Moreover, this is magnified in individual perceptions when unemployment rates are high, social welfare systems are not functioning as they should, and public confidence in governments’ ability to eradicate corruption is (perhaps justifiably) very low. At the state level, the fear is – in Inna Pidluska’s words (for the last time) – that while the separate impact of the shortcomings enumerated ‘may differ in scope, duration and impact...their cumulative effects may jeopardise the country’s national security’.

### *New vulnerabilities*

That last phrase explains why chronic international indebtedness has to be regarded as a vulnerability of a special sort. Put starkly, and in the context of Central and East European transitions, what if the CEECs have exchanged a situation characterised by subordination to Moscow – and exposure to coercion and intimidation, albeit disguised as ‘friendly recommendations’ – for one of *de facto* subordination to creditors – and exposure to explicit constraints (conditionality provisions) and implicit influence (to put respect for donor state interests on a par with, if not above, attention to their own) – with the ever-present threat of a crisis precipitated by destabilising speculation? Put succinctly, might the transition states have jumped out of Soviet communism’s frying pan into an international financiers’ fire?

Krzysztof Ksiezopolski (Poland) addressed this problem, focusing particularly on the ‘destabilising speculation’ aspect and invoking the spectre of the financial crisis that swept East Asia in 1997 and the earlier aftermath of Mexico’s inability to service a massive debt burden.

He notes that few CEECs have substantial foreign exchange reserves with which to counter speculative attacks. In some cases the amounts are in fact perilously low. High debt-to-GDP ratios are commonplace also. In mid-2000 for Bulgaria the figure exceeded 80 per cent, for Slovakia it approached 60 per cent, in Hungary it was

just above 50 per cent and in the Czech Republic just below. The proportion lay under 25 per cent only in Poland and Romania, in the latter case thanks largely to the Ceaucescu regime's aversion to dependence on foreign credit.

Having said this, it is necessary to add that – besides liberalisation of prices, exchange rates and trade – freedom of international capital movements is seen as part of the formula for integrating the CEECs in the wider European, Euro-Atlantic and global economies. In this sense, giving hostages to fortune is an inescapable part of economic rehabilitation. Still, the frying-pan-to-fire question represents a real concern, which will persist until the states involved have found a secure place in the Euro-Atlantic structures and the world economy.

## **5. Shared aspirations and the potential for further sub-regional co-operation**

What the 'international indebtedness issue' highlights, of course, is the tension between, on the one hand, a desire to capture the benefits of interdependence through affiliations offering a sense of security and the prospect of prosperity; and, on the other hand, the impulse to preserve some independence (sovereignty) and certainly to avoid dependence which amounts to 'humiliating subordination' (in Josef Fucik's phrase).

West Europeans have had a wealth of experience in managing this dilemma. Transatlantic disputes in NATO – about policy, strategy and burden-sharing – have punctuated the Organisation's history. Intra-European differences on the nature of the evolving EU – and, in particular, the perennial question of whether a federal or an inter-governmental emphasis should prevail – are a constant theme in community politics. Popular resentment at the power which national capitals have ceded to Brussels is expressed all the time.

Be that as it may, both NATO and the EU have survived and matured – effectively delivering, respectively, both 'hard' security and 'soft' security to the western half of the continent – and no existing member-state, of either affiliation, is clamouring to leave. 'Atlanticists' and 'Europeanists' argue in NATO. Euro-enthusiasts confront Euro-sceptics in debate on EU affairs. The two organisations' boats rock, but neither is in imminent danger of capsizing.

### *Central aspirations and enlargement timetables*

It is hardly surprising, therefore, that in recent years almost all CEECs – including our Seven – have found common ground in 'shared aspirations' for NATO and EU membership. *They* are queuing-up to *join*. Three already have entered the military alliance (Czech Republic, Hungary and Poland). Others are busily preparing – within the framework of the Membership Action Plan scheme (MAP) announced in April

1999 at NATO's 50th anniversary summit in Washington – for invitations to negotiate accession. Others value the connection they have through participation in the Partnership for Peace (PfP) programme and the proceedings of the Euro-Atlantic Partnership Council (EAPC). As for the EU, ten CEECs are negotiating for entry at the time of writing: half of them on a 'fast track' (the three 'first wave' NATO accession states plus Estonia and Slovenia), half in a 'slow lane' (Bulgaria, Latvia, Lithuania, Romania and Slovakia).

The problem is that the road-MAP to NATO's 'open door' is not an admission ticket. Which countries will be nominated as 'second wave' candidates will not be decided until 2002 at a planned summit in Prague, and the existing membership has said only that 'at least one' new entrant will be welcomed. Nor have the EU member-states readily allowed dates to be set for new entrants, not even for their fast track candidates. Early expectations that all these leading contenders might be admitted as early as 2003 have receded. The latest line from Brussels is that accession negotiations will be completed in 2002; but admissions before 2004 or 2005 are generally thought unlikely. For those in the EU's slow lane a favourite target-date is 2007, which not all may be in a position to meet. Regarding any other would-be entrants – in which category some would place Ukraine, along with the remaining states of the old Yugoslav federation plus, perhaps, Albania – it may be that, for the time being, only Stabilisation and Association Agreements, preferential trading arrangements and *ad hoc* assistance programmes will be on offer.

What all this means is that, for CEECs generally, realising these shared membership aspirations is going to be a protracted business. The full benefits of participation in *both* NATO and the EU are – for three or four states – a short-term prospect, for most at best a medium-term prospect but typically a distant prospect, and for Ukraine probably no more than the long-run ambition of Kyiv's pro-Westerners. At the same time for first wave/fast track countries their status represents significant differentiation.

Thus, we arrive again at the central theme of this book. Even if the momentum of the Euro-Atlantic organisations' enlargement processes is sustained, there will always be 'insiders' or front-runners and for-the-time-being 'outsiders' or back-markers on the scene. There will, therefore, always be 'dividing lines' and 'sharp edges' on the strategic map. What *this* means is that, to moderate tensions and to keep notions of pan-European security community-building alive, there should be an array of 'line-blurring' and 'edge-smoothing' activities – and, where practicable, institutions – in which first wave/fast track states 'engage' their contiguous and nearer neighbours.

In this connection, the obvious question arising from this Chapter's argument so far is: what role might there be for security co-operation, addressing both traditional concerns and the 'new insecurities', *below* the Euro-atlantic and European levels – that is, *sub-regional co-operation*.



*Sub-regional co-operation : general assessment*

For functional arrangements there is a major role. That is the message of papers written for our collaborative exercise by Adrian Pop (Romania) and Danes Brzica (Slovakia) who looked at (a) co-operation concerned with security *directly* ('hard' security) and (b) other possibilities, such as economic co-operation with a security aspect, which could be said to address both traditional and novel challenges *indirectly* ('soft' security).

These authors, writing their essays in parallel, did not reach uniform conclusions. Pop's assessment was upbeat, Brzica's more restrained. On balance, though, they support the case for effort to consolidate and extend those existing arrangements that have proved their worth (or seem likely to do so) and to explore what further initiatives might be promising.

At the start of his analysis Adrian Pop alludes to the designation of sub-regional frameworks of co-operation as 'the Cinderellas of European security' – a phrase coined by Alyson Bailes (and used by her at the opening PROGRES gathering in Štířín, Czech Republic, in May 1999) – and notes those inherent limitations of such arrangements which the label implies. However, Pop says that 'their assets are much more numerous and significant'. They are, he writes, 'confidence-building and security-enhancing instruments'; they have a stabilising value; and they are well-suited to dealing with 'new threats on the security agenda.' He also picks up a phrase used in a recent EAPC document to highlight their role in facilitating integration 'by laying stronger...foundations for integration and pre-adopting certain norms and standards' such as those mentioned in NATO and EU accession criteria.

There are further arguments as well. Sub-regional 'arrangements' can, Pop contends, 'bridge more or less false fault-lines related to religious, cultural and political traditions and orientations, as well as dissimilar levels of economic development and military strength'. Also, he observes, such 'arrangements' can constructively accommodate 'bottom-up' participation – involving 'local authorities, social and professional groups, managers, academics and so on' and thus complement the 'top-down' approach in formal inter-governmental contacts.

At the same time, there are caveats. Pop detects that 'countries which are members of the Euro-Atlantic institutions and/or closer than others to...integration tend to ascribe less importance to these arrangements...[while]...countries that have no immediate prospects...tend to take [them] more seriously'. He points out also that 'different sub-regional arrangements have different impacts upon the security environment' – implying that while some are effective, others probably are not (a theme taken up later in this Chapter).

Adrian Pop's general sentiment, though, is best encapsulated in a remark made in what might be thought the unpromising context – from the quoteworthy phrase-finding standpoint – of a discussion on bilateral and trilateral military co-operation, and with specific reference to the Romanian-Hungarian Peacekeeping Battalion. Here, the author says, is

‘a symptomatic example of how two countries have managed to overcome the legacies of the past, following the inspiring model of historic reconciliation between France and Germany’.

Some people may have reservations about how conclusively Romanian-Hungarian tensions have been resolved, but still this characterisation *is* noteworthy. In the first place it evokes the most notable example of seminal sub-regional co-operation in the European record – the Coal and Steel Community mentioned in the opening paragraphs of this Chapter. In the second place, it captures the positive spirit of not only our Romanian contributor’s personal analysis but also our overall co-operative enterprise.

This does not imply that we should view Danes Brzica’s parallel analysis in a negative light. To be sure, the tone of our Slovak author’s overview essay *is* different. The piece is more sceptical about what sub-regional co-operation can accomplish. On close examination, though, the differences between his assessment and Pop’s evaluation are not so profound. For example, a central element in the Brzica argument is the contention that sub-regional accords cannot ‘fully substitute the positive effects of full [Euro-Atlantic] integration in the long-term perspective’. Few would dispute that, certainly not Adrian Pop. Furthermore, Brzica concedes that, although in this sense a ‘second-best’ solution, participation in such arrangements can constitute useful ‘preparation’ for integration and ‘serve as a basis for future development of member/non-member relations’ as NATO and EU enlargement proceeds. That is entirely in line with his Romanian colleague’s analysis.

Part of the reason for differences of emphasis here may lie in the fact noted earlier: that ‘different sub-regional arrangements have different impacts upon the security environment’. It makes sense at this point in our analysis, therefore, to look at ‘arrangements’ already in place – maintaining the earlier distinction between *military structures* and *economic structures with a security aspect* – in order to discover which have worked and which have not, and, in particular, which appear to be cosmetic creations rather than concrete constructions.

For presentational purposes, a two-part examination is convenient, looking first at what has been attempted in North-East Europe then at the South-East European experience.

### *Sub-regional cooperation in North-East Europe*

There is a long-standing tradition of sub-regional co-operation in Europe’s North and there are well-established institutions, some in each of our twin categories as well as some that fall into neither. Moreover there are several whose membership transcends enlargement-related divisions.

Top of any institutional listing must be the *Nordic Council*. Created in 1952 by Denmark, Iceland, Norway and Sweden, and joined in 1955 by Finland, this consultative body can take up any subject of joint interest except defence. It has

accomplished a lot – including abolition of visas, creation of a common labour market, and co-operative law enforcement – but is nevertheless of only passing interest for the present exercise. That is because of, first, the defence ‘exclusion’ in its constitution; and, secondly, the fact that the Council is contemplating no enlargement of its own. Having said that, decades ago Council member-states independently pioneered the concept of multinational military units for contingency operations, with the creation of Nordic Stand-By Forces for UN peacekeeping duty. Also, the body does play a limited line-blurring role, in that it ties-in non-EU Norway and non-NATO Sweden and Finland with founder-members of both those organisations.

The security ‘exclusion’ applies also to a much more extensive post-Cold War creation, the *Council of Baltic Sea States*. This was founded 1992, with all the Nordic Council states as members plus the three post-Soviet Baltic States, Germany, Poland, Russia and the European Commission. Within its areas of interest this vehicle for informal sub-regional co-operation is very much a ‘line-blurring’ agency, indeed that is its *raison d’être*.

In the far North, the *Barents Euro-Arctic Council* plays a similar role (founded 1993, with the Nordic Council States plus the Russian Federation and, again, the European Commission as members, and with a number of countries with Arctic interests participating as observers). Active in the circumpolar wastes also – principally in the environmental arena and in relation to sustainable development issues – is the intergovernmental *Arctic Council* (founded 1996, with the Nordic Council states plus Canada, Russia and the United States as members, and noteworthy for embracing – as Permanent Participants – representatives of not only the Inuit or Eskimos, the Saami, and the inhabitants of the Aleutian Islands but also indigenous minorities in the Russian Federation).

In this initial enumeration – provided for us, incidentally, by Edward Halizak (Poland) – the only sub-regional, or sub-sub-regional, institution which does incorporate foreign and security policy concerns within a broader remit is the three-member *Baltic Council*. This is the body established post-independence by Estonia, Latvia and Lithuania to co-ordinate comprehensive trilateral co-operation. Within this broad framework, the former Soviet republics – individually weak and vulnerable – have engaged in practical defence co-operation. They chose the multinational formation ‘model’ as a shop-window vehicle for this, persuaded their neighbourhood (and other) friends to support the venture, and thereby started a fashion for such units. The pioneering creation was, of course, the Baltic Battalion (BaltBat, for short), conceived as a joint peacekeeping force – with UN missions in mind – and formally proposed in late 1993 at a meeting of Defence Chiefs held in Tallin (Estonia). Trilateral co-operation has since yielded other arrangements. These include BALTRON – a joint naval squadron for mine clearance and, possibly, ‘low intensity conflict tasks’; the BALTNET – co-ordinating air surveillance for the three; and the Baltic Defence College – a military staff training institution.

Where, though, is the ‘line-blurring’ to which we are attaching such importance in this study? In what sense does this sort of restricted sub-regional military co-operation facilitate the ‘edge-smoothing’ that we value? The answer is

two-fold. First, the part played in supporting Estonia, Latvia and Lithuania by those ‘neighbourhood (and other) friends’ had this effect. In 1994 the defence ministries of Denmark, Finland, Norway, Sweden and the United Kingdom undertook to help establish the BaltBat. Thereafter they did so, not least by generous donations of equipment. Secondly, the BaltBat has been emulated: notably by a Lithuanian-Polish battalion (LitPolBat) and a Polish-Ukrainian unit. The former came into being on paper in 1998, held its first exercise later that year and was formally activated in April 1999 – only weeks after Poland’s accession to the North Atlantic Treaty – and is clearly regarded in Vilnius as a ‘door-opener’ to NATO. The latter is noteworthy as one of two instances of practical military-operational collaboration involving Ukraine. (The other is a nascent Hungarian-Romanian-Ukrainian battalion.)

Be all this as it may, it does not amount to a dense network of security-related co-operation in the north-east. There are two reasons why there has not been more. One is the residual reservations about such entanglements that inhibit historically non-aligned Sweden and Finland. The other is geography. Once the Baltic States are incorporated in the penumbra that surrounds the current (2000/01) frontiers of NATO and the EU – as for all practical purposes they now are – the ‘next step’ is engaging the Russian Federation (and Belarus); and, except for contacts within the framework of Partnership for Peace (PfP) and under the terms of the so-called Founding Act on relations between NATO and Moscow, there is no great enthusiasm for that (on either side). It might be unwise, though, to rule out future dialogue engaging the westernmost parts of the Russian Federation – Karelia and the St Petersburg District, for example – and arrangements to manage the tensions that are looming over the geographical anomaly that is Kaliningrad.

As for the *military* value of the BaltBat, LitPolBat and so on – as opposed to their significance as political symbolism – it has to be said that the record weighs on the side of those who are sceptical here. Thus the BaltBat has yet to be deployed as an independent unit. It contributed to the Nordic Brigade in Bosnia. In South Lebanon during 1996-97 the Estonian company served within the Norwegian battalion. In Kosovo, the Latvians sent their initial contingent from regular forces, because their BaltBat company was still under training. The Lithuanian company with the Kosovo Force (KFOR) is incorporated in the Polish battalion assigned to an American brigade. On the other hand, it has to be acknowledged that this modular approach to the composition of field formations has virtues of its own, in the sense that it is pragmatic and pays no heed to who are ‘insiders’ or for-the-time-being ‘outsiders’ in terms of NATO (or EU) membership.

### *Sub-regional cooperation in South-East Europe*

Scepticism is in order also regarding the military worth of the multinational formations that have proliferated in South-Eastern Europe in the last few years, especially those established – or at least foreshadowed – under bilateral or trilateral arrangements. There have been a lot of these, as Tibor Voros (Hungary) discovered in

conducting a survey of *military structures* for the present exercise.

Voros does not, however, dismiss the initiatives as worthless on this account. Quite the contrary: he notes that many recent agreements are by-products of structural reform in participating states – of which there is more in Chapter VI of this volume – and that, in this context, most South-East European countries were keen to create rapid deployment forces for contingency operations. The penchant for bilateral and trilateral units is explained, he thinks, by a desire to make necessary military changes and at the same time exploit the economic and political benefits of multinationality. The political dimension should not be disparaged, he argues. ‘Multinational forces send an *inward* message...that the old frictions between neighbouring countries are a thing of the past’ and an *outward* signal that a putative adversary may be ‘confronted not with the army of one country but with an alliance of nations’.

The creations in question are, in the first place, a cluster of *bilateral* arrangements largely established at Romania’s initiative: viz. a Hungarian-Romanian mixed battalion; Romanian-Czech, Romanian-Polish and Romanian-Ukrainian battalions; and an accord covering Romanian-Moldovan co-operation. In the second place, *trilateral* efforts have yielded a Hungarian-Italian-Slovenian Brigade and a Hungarian-Romanian-Ukrainian Engineering Unit; and several looser agreements on co-operation have been concluded (Bulgaria-Romania-Turkey, Bulgaria-Greece-Romania, Romania-Moldova-Ukraine, Poland-Romania-Ukraine).

For all the value of political symbolism, however, Tibor Voros concedes that in a majority of cases there is less to these arrangements than meets the eye. To summarise some of his main observations:

- the Hungarian-Romanian ‘mixed’ Peacekeeping Battalion – formed from mechanised infantry units from the two countries – achieved an initial operational capability in 1999 and shows promise, but it will not be fully functioning until 2001 at the earliest;
- the Hungarian-Italian-Slovenian Brigade is to comprise a mechanised battalion from each of the participating states – with Italy providing command and communications plus the lion’s share of combat and combat service support – but it will not be operational until 2002;
- the Hungarian-Romanian-Ukrainian Engineering Unit – which Slovakia too intends to join – is seen as primarily an instrument for disaster relief (with employment in peace support operations as a secondary role) but, again, it will be 2002 before the unit is up and running.

Almost all the other bilateral and trilateral structures mentioned have been the subject of letters of intent and staff discussions but not much more than that. It is Voros’s charitable judgement that the signatory states ‘simply have not had the money, time and energy necessary to fill these organisations with life’; and he thinks ‘lack of funding’ is the critical constraint.

Ironically, where South-East European military co-operation has been most successful – and shows most potential – is in comparatively ambitious *multilateral*



undertakings. The pathbreaking formation here is the Multinational Peace Force South Eastern Europe (MPFSEE) – sometimes called the South-East European Brigade (SEEBRIG) – which is a joint venture that initially involved Albania, Bulgaria, FYROM/Macedonia, Italy, Romania and Turkey, but now takes in Croatia and the Federal Republic of Yugoslavia (FRY) as well. The force was established basically for UN, OSCE, NATO- or WEU/EU-led peace support operations. The participating states have assigned to it four mechanised battalions, an armoured regiment, an artillery battalion, a reconnaissance company, an engineer company and a (mixed) logistics company. It has a permanent staff at a headquarters in Plovdiv (Bulgaria) which was commanded initially – and, some would say, remarkably – by a Turkish general. This facility functions, as the force would function if deployed, under the direction of a Political-Military Council (initially under Greek chairmanship). Staff exercises have been carried out and field exercises will have been held by the time this text appears in print. Moreover, encouraged by the successful multilateral endeavour, some of the parties have now established another, namely a Black Sea Force (BLACKSEAFOR) to which participants will subscribe naval units plus, possibly, maritime-air and amphibious warfare capabilities.

If the MPFSEE/SEEBRIG venture is – or has all the makings of – a success story in military co-operation, it owes this to the fact that the defence ministers of the region (or sub-region) have kept its progress under constant (and close) surveillance and ensured that the enterprise has at no stage lost momentum. Crucial in this respect has been their commitment to regular meetings under the aegis of the Southeast European Defence Ministerial (SEDM) process. The SEDM arrangement now embraces frequent gatherings of Ministers of Defence, Deputy Ministers of Defence, Chiefs of Defence and Deputy Chiefs of Defence (CHODs/DCHODs). Security policy co-operation has, for all practical purposes, been institutionalised. Also, the generally positive experience of top South-East European politicians in this forum has encouraged regular dialogue in both more restricted settings, as among the six states building links with NATO under the MAP procedure, and where there is a wider agenda, as on matters of general policy co-ordination in relation to the Stability Pact for the region.

There have also been some specific collaborative efforts under the auspices of the Stability Pact, developed by its Working Table on Security Issues. Particularly noteworthy are concrete projects on de-mining and the destruction of small arms plus some regional confidence- and security-building initiatives. The latter include an ambitious scheme aimed at promoting greater transparency in security-sector budgets and budgeting and at encouraging and facilitating the development of ‘best practice’ in resource allocation and resources management.

Most of the effort, and most of the money, mobilised by the Stability Pact for South-East Europe has, however, been directed to post-conflict reconstruction and economic rehabilitation. In this respect the Pact machinery should perhaps be placed in the second of our sub-regional co-operation categories, designated as an *economic structure with security aspects*. In this role it has begun to deliver – after an excruciatingly slow start – and may yet mature into a powerful vehicle for bringing



this part of CEE ‘into the European mainstream’ (to use one of its champions’ favourite phrases). At least that is the view of Tilcho Ivanov (Bulgaria), who surveyed sub-regional economic co-operation for the present exercise. This is not a foregone conclusion, though. With its Regional Table, Working Tables and sub-tables – each with a Chair and Co-Chair – the Stability Pact is well endowed with talking-shop furniture. It is not particularly well equipped to act, depending as it does on the solicitation of funds for endorsed projects from its donor network of governments, international financial institutions and charitable organisations. In this respect it may be fortunate that there are other structures in existence, not so ‘high profile’ as the Pact but none the less effective.

These other ‘soft’ security arrangements in Europe’s south-east include a number dating from the later 1980s and early 1990s plus several which came into being in the second half of the 1990s, after the Dayton accords.

Among the longer-standing structures are the *Central European Initiative (CEI)*, established in late 1989. Despite its name the CEI has a clutch of South-East European members. Its role is to initiate fundable applications for specific projects, which explains why its secretariat is located at the European Bank of Reconstruction and Development (EBRD). South-Eastern Europe is also now within the purview of the EU’s *PHARE programme*, also started in 1989. In recent years this programme has supported investment in the sub-region’s infrastructure and some efforts to improve cross-border co-operation. Thus, Professor Ivanov reports, a Bulgarian-Greek scheme covered electrification of the Dupnitcha-Kulata rail link, improvement of the E79 road (Sofia-Kulata) and an optical cable between Haskovo and Kavala, while a Bulgarian-Romanian project facilitated construction of a winter harbour for (Danube) river vessels at Rousse.

Another Central European arrangement, the *Central European Free Trade Agreement (CEFTA)* – concluded in 1992 by the (now) four Visegrad states (Poland, the Czech Republic, Slovakia and Hungary) – also has South-East European participants now (Bulgaria, Romania and Slovenia). What this connection has done for the region has been overshadowed, however, by the success of a second 1992 creation: *Black Sea Economic Co-operation (BSEC)*, originally prompted by Turkey. This forum was extremely effective through the mid-1990s, to the extent that in 1999 it attained the status of an international organisation. It has a permanent Secretariat, even a Parliamentary Assembly, plus its own international financial institution (the Black Sea Bank for Trade and Development, curiously based at Thessaloniki on the Aegean).

As for the ‘post-Dayton’ schemes, foremost among these is the *Southeast European Co-operation Initiative (SECI)*, for short). This was founded in 1996/1997 after energetic effort by the Americans, notably Richard Shifter (by whose name the venture was initially known – the Shifter Initiative). Under a no less conscientious Co-ordinator, the experienced Austrian politician Erhard Busik, several modest but concrete co-operative schemes have been launched. These include a project to eliminate the obstacles (and frustrating delays) impeding cross-border commerce, one to establish an electricity grid, one to support the development of small- and medium-

sized enterprises (SMEs) and another for safeguarding the Danube's fragile ecosystem. It is also under the auspices of SECI that a regional centre for combatting trans-border criminality has been set up (in Bucharest). In sum, this exercise in the promotion of 'bottom-up' collaboration has made steady – if unspectacular – headway, building habits of co-operation and creating structures of interdependence of potentially lasting benefit to the neighbourhood.

## 6. Conclusions

It is impossible to summarise all the conclusions arising from our seven-country analysis of 'economics and security' connections. At least it cannot be done in a few short paragraphs. We have recorded the *shared perspectives* of the participating countries on economic issues, related to their shared *inheritance, shared experience(s)* of new insecurities and vulnerabilities, and *shared aspirations* for affiliation with the so-called Euro-Atlantic structures. From this our principal conclusion is that, because of the uncertain tempo of the NATO and EU enlargement processes, promoting association and co-operation *below* the European or Euro-Atlantic level is a worthwhile endeavour – for our Seven and others – and one deserving further encouragement.

In this connection an empirical examination of *the co-operation experience* has led to some quite specific conclusions which, we believe, are worth policy-makers' attention. Among these are the following.

- While there have been several 'concrete constructions' in sub-regional co-operation recently there have also been quite a number of 'cosmetic creations' – co-operative arrangements from which little of substance has materialised. *There should be no more of these; and statesmen should resist the temptation to mark every major diplomatic occasion with announcement of some brave new collaborative 'initiative' (unless, of course, they really do mean business).*
- It might be thought that some symbolic announcements have a purpose and that a certain amount of 'gesture politics' is harmless. This may be so; but, quite apart from the waste of time and energy involved, there are obvious dangers. This is especially true – as Josef Fucik pointed out, on more than one occasion – where the establishment of joint military formations is proposed and pursued, with a view to offering troops for use in peace-enforcement operations which may entail serious combat. *The individual units in such formations must be fully manned, satisfactorily equipped and properly supported. In addition, they should have liaised closely, harmonised concepts of operations, developed compatible communications, trained intensively together and become comfortable about mutual dependence. Otherwise their combat effectiveness may be low (even zero).*

*Indeed, they may be more trouble than they are worth, a liability rather than an asset to a force commander.*

- In the area of ‘economic co-operation with a security aspect’ the demands are, naturally, less stringent. These are not – not even potentially – ‘life and death’ affairs. Here too, though, grand but vague undertakings should be avoided. *In this connection, the real success stories are the ‘arrangements’ that have been institutionalised, like Black Sea Economic Co-operation; and those that have proceeded step-by-step (typically with a ‘bottom-up’ emphasis) and recorded modest but concrete accomplishments, like the Southeast European Co-operation Initiative (SECI).*
- Having said that, co-operation confined to ‘countries that have no immediate prospects of Euro-Atlantic integration’ may be of only limited value. Facilitating commerce and other ties is almost always worthwhile, of course. It can be the basis for improving all sorts of contacts, developing habits of co-operation, building trust, and creating that interdependence which can be a powerful solvent of differences (as Schuman foresaw when devising the European Coal and Steel Community). However, since ‘joining the European mainstream’ is their main objective, would-be EU members may be half-hearted about sub-regional connections. Moreover, there are practical limits to what less-developed and still-fragile economies can do for each other. *Thus ‘concrete constructions’ that link EU (and NATO) members and non-members – genuine ‘line blurring’ and ‘sharp edge smoothing’ enterprises – undoubtedly have the greatest potential.*
- This is true at the ‘micro’ level and at the ‘macro’ level, which is where we would place the now two-year-old Stability Pact for South-Eastern Europe. Here, though, we have to remember the cautionary note about ‘cosmetic creations’. Regarding the Stability Pact, for a while it looked as though there might be more ‘gesture politics’ than substance to this initiative. Certainly the early preoccupation with *furniture* was dispiriting: the Regional Table, the three Working Tables, goodness knows how many sub-tables and side-tables, all with Chairs and Co-Chairs. This was IKEA politics. As it happens, the Stability Pact has started to deliver. It is still appropriate, however, to note the danger. *Member/non-member co-operation should produce not just promises but real and tangible benefits to those temporarily in the ‘outsider’ category. This applies particularly to the Euro-Atlantic organisations’ major enterprises: the Stability Pact, of course, but also NATO’s enhanced Partnership for Peace (PfP) and its Membership Action Plan (MAP) scheme which supposedly offers a direct path to the ‘open door’ but not, as noted earlier, an admission ticket.*

It goes without saying that these five conclusions are not the only ones to arise from one-and-a-half years’ work. They are, however, those to which we have chosen to ascribe headline status, as points to which – in our opinion – policy-makers should pay serious attention in the years ahead.



## V. NEW THREATS ON THE SECURITY AGENDA

Jaap H. de Wilde

### 1. Introduction

There are references in the previous chapter to "new threats" to Central and East European security of an *economic* nature. It is argued there also that a shared aspiration to join the European Union (EU) and NATO is one of the things that links the seven countries participating in our joint research endeavour. Noted there, too, is a related shared anxiety about the slow tempo of these organisations' enlargement processes, a concern felt even by the three countries which joined NATO in 1999.

In these respects the 'economics and security' specialists have anticipated themes which entered the deliberations of the analysts who were asked to look broadly at new threats on the security agenda or problems that have recently become *securitised* – in the sense in which that term is used in the opening chapter of the present volume (and elucidated later in this one).

This group's initial effort to define the 'security agenda' – applying the 'securitisation' approach – led to the conclusion that the principal 'new threats' arise in three issue-areas.

- The *prevailing unstable economic conditions*, affecting all the Seven, are perceived as a threat to living standards (at the individual – or human security – level) and to social-political stability (at the state – or national security – level).
- The *uncertain prospects for entry to Western international organisations* (principally the EU, but also NATO) are perceived as a threat to further political and economic development.
- *Organised crime* is perceived as a threat to overall social, economic and political stability.

In the latter case, threat perceptions appear to be linked to, on the one hand, the structure of the international system and, on the other hand, the specific circumstances of transition countries. The process of globalisation has increased the options for illegal transnational activities, and transition countries have weak structures to deal with both this and national crime. The concerns about anchoring society in the West fluctuate between sub-system dynamics (how to become a member-state of the EU and NATO) and system dynamics (how to get superpower, i.e. US, support). In the background is the general sense of economic insecurity. These dominant economic concerns are mainly securitised at the substate level.

Because the first two of these issue-areas are related to economic insecurity (the subject-matter of Chapter IV) and to themes touched on by fellow researchers looking at democratisation (Chapter III) and structural reform (Chapter VI), it seemed

sensible to focus the 'new threats' examination on the third topic, organised crime. At the same time, it was decided that this phenomenon should not simply be *described* but seriously *analysed* within an explicit intellectual framework. Our country-specialists were therefore enjoined not to document the nature and extent of organised crime in their respective states but rather to illuminate threat perceptions and their securitisation using a common, structured approach.

## 2. Methodology

That approach is based on the work of Buzan and others as presented in their 1998 book *Security: A New Framework for Analysis* (abbreviated hereafter as Sanffa). It is an approach which combines three notions: securitisation theory, levels of analysis, and sectors of security concerns.

Securitisation theory is discussed at greater length in section 3 of this Chapter in relation to the specific circumstances of transition states. It suffices here to say that the theory focuses on the process of raising specific threats to the status of a security issue or issues.

Levels of analysis are a familiar concept in International Relations theory. An abstract formulation is given in Sanffa (pp. 5-7). Since the European level – a regional subsystem – is the dominant referent object in the collaborative research effort of which this study is part, and since the central focus is on variations among the participating states, we have operationalised this approach as follows:

- The *global* level is about all developments outside of Europe that have an impact on Europe. This includes truly global phenomena, but also inter-regional developments.
- The *regional or subsystem* level is about all multilateral international relations of European states and multilateral transnational linkages between their societies that can be understood only by taking a European perspective. (We treat the words international, intergovernmental, and interstate as synonyms; transnational refers to nongovernmental activities across state borders.)
- The *unit* level is the *state* level, and is about all bilateral relations of European states and bilateral transnational linkages between their societies that have an impact on the regional level, i.e. on the European subsystem.
- The *sub-unit* level is about all domestic developments that have an impact on the subsystem level.

The reason for emphasis on the regional level follows from the goal of the broad investigation in which we are engaged: it is issues that affect the prospects of creating a pan-European security community that are most relevant.



The notion of ‘sectors’ is introduced in order to deal with the wider security agenda. Traditionalists restrict the notion of security to military-political threats and vulnerabilities. This limited interpretation may be sufficient to conduct strategic studies, but is insufficient to comprehend the present concern about existential threats and major vulnerabilities in European states. We need to go back to all aspects of Karl Deutsch’s original formulation of the notion of a ‘security community’. During the Cold War this concept was taken hostage by the dominant military-political interpretation of security. It was restricted to situations of ‘stable peace’, meaning the absence of the threat of war, preparation for war and expectations of war among a group of states (Boulding, 1979; Booth, 1990). In this limited context much of Europe forms a security community already. In military-political terms only two risk scenarios remain: the instability of the Russian Federation, and the further fragmentation of South-East Europe. In general, however, the threat of traditional interstate war in Europe has gone. In none of our seven project countries are traditional security concerns prominent.

In the original formulation of a ‘security community’ military threats, however, are but one of the elements. It is worth citing Deutsch at length.

“A *security-community* is a group of people which has become ‘integrated’. By *integration* we mean the attainment, within a territory, of a ‘sense of community’ and of institutions and practices strong enough and widespread enough to assure, for a ‘long’ time, dependable expectations of ‘peaceful change’ among its population. By *sense of community* we mean a belief on the part of individuals in a group that they have come to agreement on at least this one point: that common social problems must and can be resolved by process of ‘peaceful change’. By *peaceful change* we mean the resolution of social problems, normally by institutionalised procedures, without resort to large-scale physical force.” (Deutsch, *et al.*, 1957)

Peaceful change is the outcome, community-building the means, and integration is the source of a security community. Crucial are a sense of community, the institutions in society and social practices. This implies a widening of the security agenda to other ‘sectors’ of social life.

An abstract formulation of sectors is given in Sanffa (pp. 7-8). Sectors are defined as lenses through which one can observe social life. They are constructed in terms of ‘existential values’. A leading question for research has to be: which values are at stake in a security discourse? Sectors do not stand apart from each other; they highlight different aspects of the same reality. The task is to classify the specific types of securitisation. Sectors are a tool to this end. Sanffa distinguishes five sectors, but that selection is arbitrary, i.e. coloured by the arguments of the ‘wideners’ in dominant security discourse. The ‘levels of analysis’ schema is indisputable: once a system’s analysis is accepted, there is no other way of breaking this down than into sub-systems, units and sub-units. Debate here occurs about defining these elements, not the logic of their existence. Sectors, however, are dimensions of things observed,

or are ways to look at them. Every academic discipline tends to put forward its own lens as a candidate for a ‘sector’ with its own specific type of securitisations. Lawyers like to add a ‘legal sector’; criminologists like to split off ‘policing’ from the military sector; medics may want to add a ‘health care’ sector, and so on.

For the purpose of the present inquiry it was decided to accept the existing division, and to define sectoral concerns as follows.

- The bottom line in the *military* sector is (preservation of) the territorial and physical integrity of actors and/or societal orders. In our widened conceptualisation this includes the law enforcement and order-preserving tasks of both the military and the police.
- The bottom line in the *political* sector is (preservation of) the administrative integrity of societal orders and of the ideologies that confer legitimacy on the administration.
- The bottom line in the *economic* sector is (preservation of) welfare and well-being, and the development (or growth) of actors and societal orders.
- The bottom line in the *societal* sector is (preservation of) the identity of actors and societal orders.
- The bottom line in the *environmental* sector is the sustainability of eco-systems that support civilisation.

Sectoral types of securitisation can be combined with the levels at which threat assessments can be analysed as illustrated in the matrix at Table V.1:

Table V.1 Levels and sectors in the international system

LEVELS \ SECTORS	military	political	economic	societal	environmental
system					
subsystem					
unit					
subunit					

Using this frame of reference the following practical research questions were formulated for the present inquiry:

- What types of securitisation (military, political, economic, societal, environmental, or other) can be identified over the past decade in government policies and public opinion *within* state ‘X’, and in foreign risk assessments *about* state ‘X’?
- At which level of analysis (sub-unit, unit, subsystem, or system) can the sources of the perceived threats be located?
- At which level of policy-making (local, national, European, or global) are security policies looked for?

As for sources for empirical research, country-specialists were urged to examine as many as possible of the following.

- *Public Opinion Polls*: national opinion polls; polls conducted throughout CEE by the Institute of Advanced Social Studies in Vienna and by Eurobarometer.
- *Government Policy Statements*: general government policy statements; ministerial policy statements (particularly those of Foreign Affairs, Home Affairs, Economic Affairs, Justice, Environment, and Defence); security policy statements (including military doctrines, and legal rules for declaring emergency situations).
- *Risk assessments* by international organisations: the EBRD, the Council of Europe, the European Union, and NATO/NACC.
- *The Academic Discourse* on the security agenda of country 'X': reports of governmental 'think tanks'; leading articles in the press; academic publications in books and professional journals.

The same materials were suggested for use in order to establish the nature and urgency of organised crime in the respective countries, as well as the political responses to it, once the investigation focused on this topic (as explained earlier).

Notwithstanding this structured approach the results presented here are tentative in various respects. Despite the effort of working with a common template, its application and interpretation are open to debate. Consequently, the country information assembled was uniform in neither scope nor depth. Therefore this text does not pretend to provide final answers about patterns of securitisation and policy responses (Section 3), nor detailed empirical material about the nature and scale of organised crime (Section 4). It does, however, provide new insights regarding theoretical and practical policy approaches to attainment of the overall objective of the collaborative research effort: to explore options and prospects for extension of the security community formed by the current EU/NATO countries.

### **3. Securitisation in Central and Eastern Europe**

Assessing 'new threats to security' in Central and Eastern Europe (CEE) implies that 'security' is a referent object in its own right – a value that can be threatened in its existence. At closer look this is problematic. Obviously a state, a society or any other actor can be, or feel, secure in various degrees. However, in the previous sentence the referent object is not 'security', but 'the state, the society or any other actor'. So-called 'threats to security' are in fact threats to specific actors or structures. The actors can use the word 'security' to express their concern about these threats. (Or observers can use this word to express concern about actors or structures.) By doing so, they point at issues of extreme concern to them. Hence, they surround these issues with a security discourse. Security itself can only be defined in negative terms: the absence

of threat. A security discourse is about the presence of a threat and a plea to do something about it. The phrase ‘new threats to security’ is quite common, but should be read to mean ‘newly securitised threats’.<sup>67</sup>

### *Transition and Desecuritisation*

The practice of *securitisation* has a strong (inter)subjective nature. Not all threats, however existential, are securitised. Conversely, trivial threats may be high on the agenda. Some people like living dangerously, e.g. racing drivers. Other existential threats are simply taken for granted: in the European Union, traffic takes a yearly toll of some 45,000 lives, but this preposterous figure seldom hits the news. Marginal political conflicts, like the status of Northern Ireland, have a much stronger security discourse around them. The annual number of casualties in Belfast is negligible in statistical terms, but alarming in political terms. Similarly, terrorism is high on international security agendas, whereas the actual menace in terms of assaults and associated fatalities is not very great.

Security concerns may be linked to manifest actions, but they are not dependent on them. The imagination of specific facts suffices to feed the discourse. The Cold War image of Mutual Assured Destruction is a clear example. Sustaining a ‘credible deterrent to a contingent threat’ was the essence of security policies during the Cold War. The virtual reality of a third world war had enormous impact on the military-political structures of states both east and west of the Iron Curtain. Security Studies blossomed in the context of the Cold War. Confronted with structural problems like the ‘security dilemma in anarchic structures’, it is quite obvious that security becomes a quasi-referent object itself.

The optimal position *within* a security discourse is one of being or feeling secure – but this awareness has to be manifest, and maintenance of this preferred situation requires continuous investments (especially in defence policies, armies and secret services). Traditional security discourses focus on the dimension that the referent object faces an existential threat, which is either permanent or recurring. The question is how to balance permanent threats (with police forces, intelligence and armies) and how to extinguish occasional threats (using fire brigades and ambulances). This practice of deterring enemies and managing crises has led to the institutionalisation of all kinds of ‘security’ organisations; most prominently the state. The state itself is essentially a security organisation: concerned with its domestic monopoly of power and its external political-military independence, which are under constant threat.

After the Cold War a debate evolved about whether the scope of the security discourse should remain limited to its Cold War military-political context or

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<sup>67</sup> This approach to the analysis of security has been developed by Ole Wæver (1995), is further elaborated in Buzan, Wæver and De Wilde (1998), and is often referred to as typical for the so-called Copenhagen School in International Relations studies. For the present exercise this approach was accepted as a useful methodology to make sense of the plethora of issues that travel under the label ‘security’.

broadened to include new 'structural' problems. There were various candidates: environmental security (about the crisis in ecological conditions), economic security (about the crisis in market conditions), civilisational security (about the clash of civilisations and the many local ethnic conflicts), and so on. In principle every threat perception or risk analysis can be securitised, i.e. can be turned into an existential issue.

Such practices point at a *process* of securitisation. Securitisation dramatizes the issue, and presents it as a matter of supreme priority. If an issue becomes a security issue, dealing with it legitimises extraordinary measures. This makes it a stronger form of politicization. Politicization means that a specific issue enters the political agenda, securitisation gives it top priority on that agenda; it defines 'high politics' for the actors involved. The result is a discourse in which 'security' is the optimal position. In principle, the participants discuss what kinds of investments are needed to balance or extinguish the threat. Once these investments are made, the institutions created by them add a new form of securitisation to those that legitimised their formation: they want to survive themselves. As argued elsewhere (Werner and De Wilde, 2001): the absence of threats is fatal for the legitimacy of the state. As a consequence, security organisations tend to feed the security concerns they rely upon.

What is lost in these discursive practices is the original and ultimate purpose of calling something a threat: to mobilise effort to get rid of it, i.e. to arrive at *de-securitisation*. Security as a conscious condition is the optimal position *within* a security discourse. 'De-security' kisses the entire discourse goodbye. The issue is settled once and for all; the threat perceptions disappear. The word 'desecurity' does not even exist in proper English because it is an unconscious condition. As soon as you start to think and talk about it, inevitably you enter a security discourse. As a consequence the position in which the absence of threats is pronounced will be called one of 'security' (meaning the absence of threats). Desecuritisation points at the disappearance of threat perceptions and the disappearance of a specific security discourse. During the Cold War it was an illusion to even think about such a prospect. To go beyond 'security' – to think beyond a balance of power, mutual assured destruction, or detente – was utopian. The threat was permanent, its perception paramount, and investments to address it huge. Insecurity was a fact of life and was there to stay, requiring the institutionalisation of security concerns. In 1990, worldwide, US\$ 1,000 billion were spent on the military – to make the world safe for war.

This image of crucial and permanent investments in 'security' frustrates the notion that the underlying risks and conflicts can be either solved or neglected. Nevertheless, this is why the notion of desecuritisation is crucial for the CEE countries. These are called 'transition states'. Use of this term implies a temporary state of affairs: the present problems are transient. These states have to be able to escape the threats they are confronted with: building constitutional democracies and liberal market economies should bring about the changes. Desecuritisation is perceived to be possible; it is inherent in the word transition. If their present problems turn out to be structural, they are misnamed. Then they are no longer 'in transition'

but have become some type of weak state (see below). Happily, the research reported here supports the image that desecuritisation of existential threats in these societies *is* a real option. The dominant issues on the security agendas in Central and East European states and societies *are* related to the transition process.

### *Sanffa Applied and Tested*

Applying the analytical framework outlined here to assembled country information – and especially that on Bulgaria, the Czech Republic, Slovakia and Ukraine – yields interesting conclusions.

In the first place, it is often difficult to identify the dominant values at stake in the specific threat perceptions mentioned. The concern about *crime*, for instance, is political (threat to administrative integrity of societal orders and to the ideologies that render legitimacy), but also economic (threat to well-being and development), societal (threat to the stability of multi-ethnic societies, in case specific groups are identified as ‘criminal’) or military (threat to law and order, and the use of organised violence). For practical reasons crime is listed here in the political sector, because the dominant referent object of its securitisation appears to be domestic stability. A similar problem arises with the politicization of *health care*. Public health is partly an indicator of environmental problems (the quality of physical life), and partly an indicator of economic-political problems (quality of public and private health care systems). Both aspects can be emphasized, resulting in rankings in various sectors.

Material provided by Nikolay Slatinsky (on Bulgaria) and Olexandr Potekhin (on Ukraine) showed great similarities, suggesting these two may be typical of non-Russian East-European countries. Likewise the reports by Alexander Duleba and Jiri Sidivy (on the Slovak and Czech Republic respectively) show similarities probably typical of Central European countries, and maybe the Baltic States too. (Material about Poland and Romania was not forthcoming, while our information about Hungary concerned only the societal sector. Key generalisations about the slight differences in the security agendas of Central and Eastern Europe, however, were confirmed during discussions.)

Information for the four countries ‘properly investigated’ has been tabulated, for presentational convenience, in Tables V.2, V.3, V.4 and V.5 [at the end of the Chapter]. The technique has its drawbacks, however, because cryptic language can mean different things. Some terms refer to a politicised or securitised threat (e.g. ‘Terrorism’); some refer to a politicised or securitised ideal (e.g. ‘Western integration’) behind which there is a threat perception (“what if we don’t get there?”); others refer to a politicised or securitised issue in a neutral sense (e.g. ‘Regional stability’, or ‘Democratic order’). In the latter case securitisation expresses both a threat to achieved standards and to ideal improvements necessary to arrive at a desecuritisation of the issue.

With these provisos in mind, some comment on the tables is in order. Marginalisation seems to be *Ukraine’s* biggest concern. The main ambition is to land in ‘Europe’ – particularly the EU. The Commonwealth of Independent States (CIS) is not welcomed as a good alternative, though the military think differently. According



to Potekhin, NATO is more important for Ukraine than the EU, which seems to reflect a fear of interference in domestic affairs. There is a striking difference of opinion between the Foreign Policy elite and the Defence elite in terms of military threats: the former seems to fear regional instability and especially developments in Russia, whereas many top soldiers appear to be drawn to Russia, doubtless a reflection of their role in the former USSR. Also 35 percent of the public wants to unite with Russia. Relevant here, of course, is the country's geopolitical position in between two security complexes, centred around the EU and Russia respectively. It appears that Russia is at present the best ally of the Ukraine as well as its principal potential threat – a new type of security paradox for Kyiv.

*Bulgaria's* position reflects the same peripheral status in European politics (provided that we look at Germany-France/EU as its core). With the enlargement of the EU and NATO, most of 'Central Europe' will disappear politically. States like Bulgaria, Romania, and Ukraine are in the dark about where they will land: inside or outside 'Europe'? They run the risk of being marginalized – which may explain their interest in sub-regional alternatives (Black Sea Region, South-East Europe as discussed in Chapter IV). The securitisation of failing to enter the EU is strongly linked to the most dominant concern in these countries: how to improve living standards. More than one-third of the population lives in poverty, which explains the securitisation of the economy. Economic insecurity is high on the agenda, mainly at the domestic level. 'Western integration' is a policy response to this: political alignment brings the promise of economic development, especially encouraging foreign investment. At present alternative markets are absent. In Bulgaria crime scores high in terms of securitisation: 60 percent of respondents are willing to limit citizen rights in order to cope with crime, according to a survey cited by Slatinsky.

In *Slovakia*, the divorce from the Czech Republic marked the separation of two peculiar phases in post-Cold War securitisation. Overall, from 1989-1993/95, *uncertainty* about the future of the Slovak state and society was strongly securitised. The locus of causation can be found at the system level (political: end of Cold War), the state level (political: bilateral relations with neighbouring states), and the substate level (political: new state institutions). "Everything had to be faced by emergency measures", Alexander Duleba says. At the birth of the new state all public issues had to be settled. In the end, the *identity* of the State was the umbrella of all these stakes: it would determine the domestic balance between authorities and (civil) society; and it would determine diplomatic – bilateral and multilateral – contacts. Since 1993/95, a process of desecuritisation has set in here. Recognition of Slovakia by the 'international community' (read: the West) was an important input in this process. Since the mid-1990s *economic issues* and *crime* have been considered dominant threats. They are mainly politicised at the substate level. In the fight against crime, public opinion "is ready to accept extraordinary measures by the state authorities", Duleba says. To a lesser extent also 'Western integration', especially in the EU, is still high on the agenda, perhaps even securitised, but probably more so by the ruling elite than by public opinion.

A striking lack of securitisation is found in the environmental sector. Both public opinion and governing elites see issues like pollution and nuclear safety as add-on dimensions of social-economic conditions. Given the prominent role of environmental and public health movements in the final years of the Soviet Union, as well as the impact of the 1986 Chernobyl disaster in Ukraine, not to speak of the out-dated, polluting and resource-wasting communist industrial machinery, this is rather surprising.

Overall three issue-areas prevailed, ranked as follows:

- Unstable economic conditions;
- Uncertain prospects for entry into Western international organisations;
- Organised crime.

As argued earlier, the group decided to examine this third issue in more detail.

#### **4. Securitisation of Organised Crime**

##### *The Social Contract Pendulum*

The classic approach to organised crime is to condemn it: it exploits and impoverishes society, it undermines the state, is secretive, violent and dehumanising. Organised crime, in the words of the UN Crime Prevention and Criminal Justice Division (1996:2), “misdirects economic activity, undercuts democracy and social solidarity and threatens the security of individuals and families”. Yet part of the history of organised crime in CEE – most notably in the former Soviet Union and, to a lesser extent, its erstwhile satellite states in Central Europe – shows a different image. During the Soviet era (1917-1991) several forms of illegal action emerged in response to the repressive regimes in CEE. In Stalin’s prison camps ‘criminals’ created their own shadow social order. After getting amnesty from the Khrushchev administration some of these groups turned into mafias (Handelman, 1994). The failures of the planned economy throughout the CMEA-world stimulated the growth of black markets and a shadow economy. Criminal groups and corrupted officials ran this economy. After the Cold War much of this activity simply became evident.

This shows how difficult it is to distinguish among criminals, terrorists, freedom fighters, dissidents and others. Their common denominator is ‘illegality’. We use the terms crime and organised crime in reference to ‘breaking the law’. Whether the motives behind crime are political, economic or ideological, serving individual or group interests, may be crucially important but it is also highly subjective. In order to get a hold on this, we start out from an indiscriminate position in which any breach of the law is called a criminal offence. *Organised* crime points at institutionalised patterns of illegal behaviour involving various actors, as contrasted to occasional crimes or sustained but individual criminal behaviour.

It is important to distinguish two images of organised crime. In the first, crime undermines the social order, in the second it creates an alternative social order. In

both cases we are dealing with illegal activities, which puts the state/society-nexus central to the analysis, because the sovereign state defines what is legal and illegal. It takes norms and laws to define crime. These norms and laws are generally located in the state and in ideological or religious institutions. Yet society shows, by compliance to or violations of the law, to what extent the state order is also the social order. In all cases organised crime is a symptom of state failure: a defect of the *social contract* between the authorities and the various groups of citizens on their territory. The causes of the defect can be societal (first image: disobedient groups) or statist (second image: malfunctioning authorities).

The first image of organised crime shows specific groups that sponge on the work and honesty of the majority of the citizens, politicians and government officials. Their illegal activities cause damage to persons, and to the economy, justice and democracy. Like all other profit-seeking organisations, criminal groups “take advantage of the opportunities offered by the institutional framework in which they develop”(Monzini, 2000: 13), albeit on the illegal side of the line. This type of crime presupposes legal and normative structures, as well as requiring repressive measures. In face of repression, stakes get higher, prices of illicit goods will rise, and profits grow. This phenomenon is well-known from the literature on the ‘war on drugs’. Nevertheless, the state has an obligation to deal with organised crime in order to marginalize the social, political and economic role of crime, and to reduce incentives for honest citizens to join the criminal ranks. The state, in this image, is the ally of the (potential) victims, the citizens and their work. The police and the penal system are its instruments.

The second image of organised crime shows weak states (where 'weak' has the meaning developed in Buzan 1991, pp. 96-107). Weak states come in various forms: either as a *kleptocracy*, in which (parts of) the ruling elite plunders society rather than serving it; a *dictatorship*, in which the ruling elite secures its position and ideology by severe oppression; or a *failed state*, in which the authorities lack the means and power to perform protective functions. Private security firms, including illegal ones, will fill the vacuum in case of state failure. Parallel power structures will develop out of functional need. In the case of dictatorships, criminal groups may be acclaimed as the Robin Hoods of society or as resistance fighters. The same may occur in kleptocracies, where at the same time groups of criminals are competing for state power. All of them have to organise themselves secretly and protect their members from intrusion. Here too, parallel power structures emerge. Black markets can be crucial to their survival. Moreover, states that perform ineffectually in economic terms trigger black markets: the continuing prevalence of demand over supply stimulates citizens (whether private persons or public officers) to try to obtain scarce goods and funds by engaging in nepotism, cronyism, and clientelism (Ivantysyn and Sicakova, 1999). Illegal activities in weak states can thus help to establish or maintain some kind of social order – though one which resembles the much-quoted Hobbesian state of nature in which life is nasty, brutish and short.

There are two interesting linkages between these two images of organised crime. Firstly, they coincide with the ends of a scale between weak and strong states.

Weak or strong here is not a function of the military and police power of a state but a matter of the stability of its state-society relations. Hence the image of organised crime as parasitical is linked to the strong states end of the scale, whereas the image of organised crime as survival mechanism fits the weak states end. The strong-state/weak-state scale is useful for understanding the transitions in CEE and the subsequent changes in the image of organised crime.

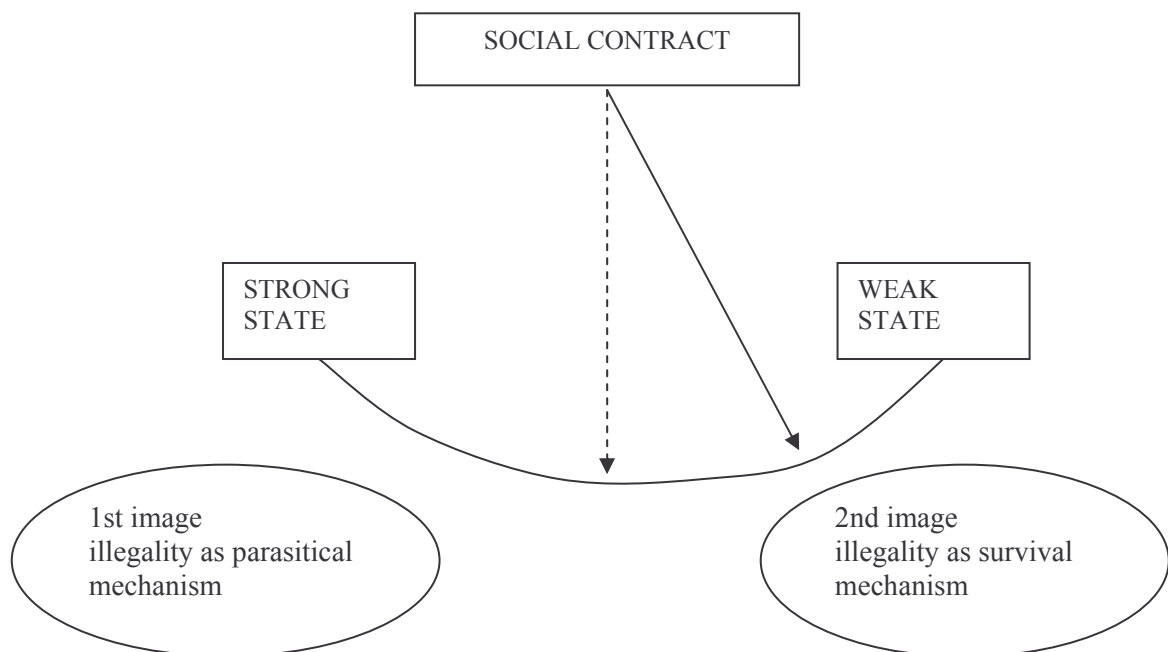
Of similar importance for understanding crime in transition countries is a second linkage. Charles Tilly (1990, 1994) has shown that in an historical context the process of state formation *resembles* the development of organised crime groups and vice versa. Just like states, crime groups tend to combine coercive and economic means to achieve their ends. These ends include mainly profit-making, but also control of the organisation's network and/or territory. European state formation can be analysed in terms of the accumulation of coercive means and capital. This represents the feudal wars of the Middle Ages and the trade wars of the Ancien Regime as early examples of gang-warfare. These struggles for power helped to create the Leviathans that are crucial for achieving social orders beyond direct kinship. Once these Leviathans are in place, a new struggle emerges: how to tame the ruling elite?

Much of the history of the sovereign state is about that question. Democracy – assuring *transparency and accountability* as well as *checks and balances* among the various institutions of the state and its society – is at present the preferred answer, both within Europe and in the UN-system. If successful, the centralisation of power in the state and its subsequent subordination to the interests of society, as mediated by the rules of a constitutional democracy, results in a strong *contrat social*. Coercion will be limited to marginal groups and individuals, while the majority of the people both within and outside of the government sticks to legality by willing compliance. What a wonderful world. If unsuccessful, groups in society and/or in the state will cross the border of legal action. In extreme cases they will build up a shadow state within the official one, and eventually turn it into the official state. Examples are the development of the PLO from terrorist organisation to Palestinian Authorities and almost to a sovereign state (announced for 13 September 2000, but postponed) and the shift of the South African ANC from underground organisation to official governmental party. In other cases the official state and non-official state-like organisations can arrive at a relatively stable balance of power, as may be the case, for instance, in present-day Italy.

Given the oscillation of crime between societal and statist distortions of the *contrat social*, and the linkage between organised crime and state formation, it is questionable whether one should look at these organisations purely from a negative perspective (see Figure 1). The public needs to be sceptical about both legal and illegal centres of power in society. The ideals of transparency and accountability, checks and balances should be applied to all organisations that steer the course of society including civil society and transnational corporations. Crime is an indicator of crisis in a social contract, and needs to be combated in all cases. But the question arises how this can be done most effectively.

The dominant statist strategy is one of repression and coercion. This means an increase of state control, large investments in its penal institutions, in its police and its secret services. This puts pressure on democratic procedures of openness and transparency. It also tends to harden criminal practices. Moreover, the battle against crime cannot be won. Therefore an alternative strategy needs to be considered: one of ‘domesticating’ crime. Especially in transition processes from weak to stronger states, when the existing authorities still perpetuate old practices, recognition of the power of illegal actors should be considered. They should be part of the new deal. In that case combating crime comes to mean fighting for transparency of all of the powerful organisations in society and fighting for checks and balances on their policies. If this fight fails, there is a risk that the new state develops from one type of weak state (the authoritarian state) into another type of weak state (a kleptocracy). But if the strategy of domestication is excluded beforehand, there is a risk that the new state will develop parallel power structures: those of the official government (which on paper can be a sophisticated democracy) and those of underground networks. Moreover, in practice all states and societies, however strong, strike some kind of a balance between law enforcement and criminal groups.

Figure 1: The Social Contract Pendulum & Crime



#### *Organised Crime in CEE*

It is estimated by the UN that worldwide crime syndicates take in some \$1,000 billion a year and that they “can outgun many national governments and outbid them for the allegiance of public officials” (UN Crime Prevention and Criminal Justice Division, 1996: 1). The same UN Report estimates a yearly crime growth of about five percent.

This hardly poses a threat to the stability of the state system as such, but it raises serious doubts about the functioning of democracies. Scandals in bulwarks of democracy – such as the secret funds of former *Bundeskanzler* Helmut Kohl – support the doubts. Relevant here is Patricia Rawlinson's characterisation of four ways in which legitimate and illegitimate structures relate and get blurred, as depicted in Table V.6.

Table V.6. The relationship between legitimate structure and organised crime (adapted from: Rawlinson, 1997: 30-31)

ILLEGAL ORDER	LINKAGE	LEGAL ORDER
Bandits, teenage groups. No desire or ability to negotiate and break into legitimate structures.	REACTIVE	Usually strong legitimate structure. Political and economic stability. No need to negotiate.
Integration into legitimate structures, usually as informant or low level bribery. Restricted level of money laundering	PASSIVE ASSIMILATIVE	Subtle weakening of structures, e.g. economic slump, law enforcement not in full control. Prepared to negotiate on pre-scribed terms.
Integration now more controlled. Bribery moves into higher level of legitimate structures. Money laundering widespread. Active and significant participation in legitimate economy.	ACTIVE ASSIMILATIVE	Political and economic structures significantly weakened. Power vacuums. Grey areas between legitimate and illegitimate structures increase. Negotiation strength on a par with organised crime.
Significant control of legitimate structures, particularly economic and law enforcement. Manipulation in politics.	PROACTIVE	Anomie. Acquiescence replaces negotiation.

These assimilations pose a threat to democracy but not necessarily to the state. The third column of the tabulation reflects top-down the strong-state/weak-states scale. State weakness implies an unstable or deficient social contract. However, despite their inherent instability weak states can last for generations. Crime syndicates rely on them and may support the institutional framework in which they flourish. Hence, it is utopian to expect an easy and automatic process towards a strong state, characterized by an optimal social contract. To repeat what was said earlier, there are two strategies to turn the tide: prosecution and domestication. Especially in times of transition it is hard to strike a balance between them, but there are pragmatic reasons to favour the domestication approach.



Transition periods offer fertile ground for growing crime. This is not merely true for the post-Cold War period. Crime also boomed after the Second World War (Lotspeich, 1995; Ruiter, 2000). Firstly, in such times maintenance of law and order is difficult. The replacement of dated legislation and the restructuring of juridical and penitentiary institutions, combined with new private property arrangements, obstruct effective law enforcement. Moreover, market regulations are in constant flux and a normative tradition of delineating legal and illegal activities still has to develop. Country reports from the Seven show that every change of government since 1990 has brought new 'grand schemes' to combat crime and reinforce law and order. This state of affairs is typical of all transition states.

Secondly, transition leads to disruption of social balances. There is a new deal of the cards. Privatisation of state firms and property turns formerly disreputable bureaucrats into 'decent citizens'. Even those who earned their new positions honourably will be looked at with suspicion. Hence, a respected elite is absent, and the way to the top is easily perceived to be one of corruption, bribery and extortion. Moreover, the perception may very well be right. This is certainly the image we get from country material. "The best example of 'organised political crime and corruption' ... is a process of privatisation", according to Alexander Duleba (Slovakia). Typical of the transition experience is that "business crimes such as racketeering and extortion did not even exist in the communist penal code" and the process of liberalisation was hardly an intended effort but a sign of weakening state power. The development of crime rates in Duleba's country shows two periods separated by the divorce between the Slovak and the Czech republics (a coincidence indeed!): From 1990-1993 crime increased dramatically. "Figures for violent crime – the most serious felonies (homicides and robberies) – jumped more than twofold from 1990 to 1992." From 1993 onwards the incidence of offences dropped gradually. It is not entirely clear what accounts for the reduction. The "Clean Hands" programme (1994-1998) of the Meciar administration – intended for combating political corruption – "ended in failure in the eyes of the general public", Duleba says. "Its implementation was considerably hampered by the fact that it was controlled by those who had been meant to be the programme's target group – the civil service." The Dzurinda administration, called to power in 1998, ended the programme and proved able to improve criminal law. In 1999 also clearing rates improved. They exceeded 50 percent for the first time in a decade. The corollary is that unsolved crime still amounts to one-half of reported instances.

Miroslav Nozina (Czech Republic) reports that crime likewise tripled in his country during the period 1989-1993. The figures, however, give a distorted picture, since data from previous years are worthless. In spite of the strong police and social control, black markets created a shadow economy run by the "socialist rich": a group of corrupted officials and corporate crime groups. Since 1993 there are about 400,000-425,000 reported cases per year, of which in 1998 about 43.5 percent were solved. Especially economic crime is flourishing. Privatisation has brought the 'socialist rich' to power again. The Vaclav Klaus administration prevented foreign competitors from bidding for state property, and "it was common knowledge that

privatised state property could not have been bought by citizens who earned money honestly”, Nozina says. Other types of organised crime entered the country from abroad, once the Iron Curtain fell. About 100 highly organised criminal groups are known to be active, and the number of delinquents from Russia, Ukraine, the Caucasus, the Balkans, Israel, Italy, Latin America, Arab countries, Sub-Saharan Africa and Eastern Asia has risen. Cosmopolitanism has its price. The Czech underworld and Roma communities create the domestic background for criminal gang-like activities, while various Czech companies are willing to offer their services in, for example, money laundering. Illegal migration is highly organised too, mainly to provide transit to Germany. In 1998 about 44,500 illegal migrants were stopped on the Czech borders. Additionally, the Czech Republic is a major illegal exporter of small arms and its explosive Semtex to the Third World.

The responses to these developments in the country are in line with the accession requirements of the European Union. A few details aside, the *acquis communautaire* has been incorporated in the Czech legal system, but its application is less successful: police and security forces are inexperienced, lack sufficient equipment and are understaffed. Also the judiciary is understaffed. Wages in the private sector are higher and this sector has higher social esteem. This makes it hard to find qualified personnel for public jobs. However, it should be realized that the facts and figures about the ‘grey’ economy and crime rates are comparable with those in many western states, Nozina concludes.

In his country too a discourse about organised crime only emerged after the Cold War, Laszlo Nagy (Hungary) reports. During the early transition period, crime proliferated. Hungarian gangs were built around ex-bodyguards of former party leaders. “Russian and Ukrainian ex-government agents, left without work, saw a wide horizon of establishing their financial well-being by expanding their influence to the West.” (i.e. to Hungary), says Nagy. As a spillover effect of the civil wars in former Yugoslavia, he adds, mercenaries crossed the border, offering their professional services to the highest bidder. But there is also a price of success. Economic development and westernisation have meant that “Hungary has turned from a transfer country to a destiny country as far as drugs, illegal trade of fire-arms etcetera is concerned.” – a kind of burden-sharing seldom highlighted in EU-enlargement debates. Nagy insists that crime comes from abroad: “Most of the criminal organisations active in Hungary are of foreign origin.” There is a strong ‘mafia of the Russian tongue’ (Russians, Ukrainians and others from former-KGB networks), as well as a strong Slovakian group of criminals. Apparently, Hungary – since 1920 mainly surrounded by its own people (10 million Hungarians within the state and 5 million just across its borders) – has serious societal problems with accommodation to the realities of a multicultural society.

In Poland crime jumped spectacularly if 1989 statistics are the point of reference: in 1999 figures are “five times in the case of robberies and four times higher in cases of assault”, Robert Rybicki says. He rightly warns about putting too much weight on figures: prior to 1989 “information regarding crime was under strict censorship, thus the public had a misleading picture ...” However, transparency is

growing. In 1999, the Polish police reported 423 criminal groups – involving 4,781 persons – including 459 foreigners from over 30 countries. Rybicki notices that Poland has the lowest crime rate in Europe – it is about one-third of those in Germany and France. But Poland’s previous location on the social contract pendulum probably still influences these figures.

Also Bulgaria shows the by now familiar picture: registered felonies jumped from 60,464 in 1987 to 224,196 in 1992. Penalised felonies, moreover, dropped from 24,145 in 1987 to 9,400 in 1992. The peaceful revolution had its downside. However, increased transparency in statistics may explain the huge difference. The arguments Nikolay Slatinsky has provided about the regional dimensions of Bulgaria’s problems make one wonder about the accuracy of the image of criminal networks during the communist era. He emphasizes the unique geostrategic location of the Balkan region, a crossroads for traffic of all kinds, including drugs. On Bulgarian soil, Slatinsky argues, the illicit trade routes bifurcate: one goes to Western Europe, the other turns to Albania. The first one is post-Cold War, but the other may have a longer tradition. The kleptocratic nature of the old-regime continued in the new one. The transition towards a liberal democracy and a free market was controlled by the “most aggressive and unprincipled representatives” of the *nomenklatura*. It has resulted in embezzlement of state property rather than liberalization. The restoration (or better the creation) of a social contract between citizens, civil society and formal authorities has a long road ahead.

Romania is in a similar situation. According to Andrei Mociarov the old kleptocratic regime was followed by a transition period in which regulations for the correct administration of economic transactions were absent. Catch-as-catch-can capitalism replaced catch-as-catch-can socialism. This author too emphasizes that Romania’s location has turned it into a transit-country for drugs and migration. This pulls in criminal organisations from the former Soviet Union in particular, though much of the illegal trade stems from Turkey. The “ambiguous legal framework” results in a social order in which the legal structure is permeated by the illegal structure and vice versa. In these circumstances one wonders why the fight against crime – in particular international interference in it – pretends that there is a clear distinction between the two.

The complications of Romania’s social contract run deep into its history. It is illustrative how, in his autobiography, David Mitrany (1888-1977), ‘godfather’ of the functionalist integration theory, characterizes his native country:

“Born and educated in Romania, I had seen the mass of the people of a naturally rich country living in worse conditions than in the much-decried period of Turkish domination. A country with compulsory state education which still had some 70 percent of illiterates; a country with an advanced suffrage, and the great mass of the people living on the land, which did not have a single real peasant in Parliament ... a country in which a most liberal written Constitution and endless patriotic incense-burning proved no embarrassment at all to the most ill-found ways of government.”

(Mitrany, 1975: 4)

This was the situation at the beginning of the twentieth century, but just write the Soviets for the Turks and it is accurate today. There is no need to summarise the present governmental policies against crime, nor the EU pressure on the government to improve its policies. Things should change rather than words.

In this commentary on country contributions we are travelling eastwards. This is not by chance. A Europe of concentric circles is a fact. The Czech Republic, the Slovak Republic, Poland and Hungary are closest to the heart of Europe (defined by the EU, NATO, and German-French co-operation). They can be sure to land in 'Europe' – in many respects they already have. An offbeat indicator of their ability to join is their conversion from narcotics transit countries to consumer countries. The Baltic States are in the first circle too, due to their Nordic connections. So too is Slovenia. Bulgaria and Romania are still in the transit country stage, and thus one circle down or distant in this imperial image of EU-Europe. Bosnia, Croatia, Yugoslavia, FYROM and, less so, Albania are in a mode of international community overlay, i.e. most their policies are shaped by the UN/USA/NATO/Russia-nexus.

Where does this leave Belarus, Ukraine, Moldova and the Russian Federation? The Russian Federation still has the potential to form a core by itself. Belarus and probably Moldova too would end up in its first circle of influence. Ukraine desperately seeks another destiny, but at present its position is peripheral to Europe's heartland. Its failure so far to profit from the transition gives it a marginal position in European politics. During the transition period Ukraine's economic position deteriorated. Elena Denezkhina notes that: "by early 1999 Ukraine's real GDP was less than 30 percent of its pre-independence output. During 1990-1997 the level of industrial output dropped by 50 percent and by 42 percent in agriculture." Though pre-independence figures are a rather unreliable yardstick for such comparisons, there are specific circumstances that explain the negative developments: slow structural reorganisation, broken economic links with the former CMEA-countries, not enough foreign investors, and lack of knowledge and experience in dealing with the world market. Experience in building a shadow economy, however, is growing. Olexandr Potekhin reports a speech by Leonid Kuchma, at a session of the Coordinating Committee for Corruption and Organised Crime Prevention (14 December 1999), in which the president observed that "due to the incomplete nature of the transformations ... literally all spheres have been criminalized or 'shadowed'. ... We have information that at present the share of the shadow economy is in fact equal to that of the official economy." In the same speech Kuchma revealed the government's failure in 'decriminalisation' of the fuel and energy sector and the total criminalisation of the state's external commerce. Meanwhile public confidence in politics in Ukraine (and in Kuchma himself) is nil. *Transparency International* (December 1999) lists Ukraine in the 21<sup>st</sup> position with a corruptibility level of 2.6 on a 10-point scale. It is behind such countries as Azerbaijan, Uzbekistan, Yugoslavia, Kyrgyzstan, Kazakstan, Georgia, Albania, Russia and Armenia (1.6-2.5), and near Moldova, Croatia, India and Colombia (2.6-2.9). A score below 3.0 indicates extreme corruption. What to do if half of the economy and half of the authorities belong to the shadow-side of public life? Here again the domestication of crime – recognizing its societal role,

legitimising many economic aspects of it, while persecuting its human rights violations – should surely be considered.

A final curious aspect of organised crime in the CEE countries under consideration is that all of them point at the large role of groups from abroad. Thus Ukrainian criminals are mentioned as a serious threat in Romania and Bulgaria. Potekhin, however, argues that Ukrainian crime has not developed to the level of transnational organisation yet. Both views may be right: crime by foreigners can easily be associated with their national identity, whereas crime by nationals tends to be individualized; while at the same time criminal groups have an advantage working abroad, since their distinct foreign features (e.g. language and culture) make it harder for the police to infiltrate them.

## **5. Conclusion: Karl Deutsch in the 21<sup>st</sup> Century**

The main question is how to tame the illegitimate structures in society: that is, how to recognise their economic turnover, control their coercive power, nationalise their normative orientation and combat their human rights violations. The ultimate goal is the desecuritisation of crime: the removal of this issue-area from the security agenda in CEE- and EU-countries. Total elimination is utopian. State, crime and civil society will always coexist in some kind of precarious balance. Referring to the concept of a ‘negotiated order’, Paola Monzini of the UN Interregional Crime and Justice Research Institute in Turin concludes that “the ‘normal’ mechanisms guaranteeing public order tend to give legitimacy to some types of illegality which, in their own way, encourage and maintain law and order” (Monzini, 2000: 13.). The question is: how much ‘legitimate illegality’ on the one hand, and how much state control on the other, can the state/society nexus take before a self-destructive spiral spins it into one of the weak state positions: failed state, kleptocracy or police-state?

Awareness of this fragile equilibrium shows that the question of building a security community in the wider Europe goes beyond international relations and beyond the traditional security discourse. Whenever states have difficulty sustaining a social contract they, in fact, fall back into a security-community mode. A ‘stable community’ is unconcerned about its coherence, a ‘security community’ voices serious concern. A security community is a halfway house between securitisation and desecuritisation of the social contract. Taking account of securitisation theory we need to add an element to the conceptualisation of a security community (see Section 2). A security community loudly trumpets its own achievement: there is a social consciousness of past insecurities; the existential threats to the members of this society belong to the past, but their image still colours contemporary politics. A good example is the North Atlantic Area, central in Deutsch’s seminal work on security communities. This group of states has escaped from its war-torn past, is aware of it, proud of it, and afraid to lose it. The need to stress the ‘common sense’ that peaceful



change can and must be possible implies the presence of a violent alternative. Only when this remembrance has faded is desecuritisation complete – instead of a *security* community, there would be just a community.

A first step in getting there can be recognition of the second image of organised crime: its in-group social order that is built around a mixture of policy instruments mimicking state practices. This does *not* imply acceptance of wrongdoing. Human rights violations are human rights violations, whether conducted by a dictatorial state or by a dictatorial crime syndicate. But the most promising way of taming majestic Leviathans has been the promotion of (sometimes hard fought) democratic practices. Bringing dialogue with criminal Leviathans out in the open needs serious consideration. The risks of accelerated corruption of the legal structure are high. Acquiescence ambushes. But in the absence of strong states – which is typical for transition periods – active and passive assimilation of organised crime should not be perceived as threats to the stability of state and society. Rather, they are strategies for bringing organised crime under public control.

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See also the *List of Contributed Papers* which follows Chapter VII below.

Table V.2. Securitisation in BULGARIA, 1990-1999 summary

LEVEL \ SECTOR	MILITARY	POLITICAL	ECONOMIC	SOCIETAL	ENVIRONMENTAL
<b>INTERNATIONAL SYSTEM</b>	Arms control (el); International terrorism (el)	Participation in IO's (el); Unipolar dominance of USA (r)	Attract trade and investment from North America (el); Invest in Middle East, Far East, Africa, Latin America (el)		
<b>SUBSYSTEM</b>	NATO-membership (el vs. po) / Neutrality (po vs. el); OSCE (el); Stability of Balkans (el); Stability of South Eastern Europe (el)	Western integration (el, po); Isolation in Europe (el); South Eastern Europe Regional Table (el); Organised crime (el)	EU-membership (el); Isolation & costs due to boycott of Yugoslavia (el)	Western integration (el); Spill-over from ethnic conflicts in the region (el)	
<b>NATIONAL STATE</b>		Relations with Russia & Ukraine (el)			Transboundary environmental hazards (el)
<b>SUBSTATE</b>	Poor condition of the army (r)	Improve diplomatic service (el); Crime: corruption, threat to democracy (el, po); Democratic order (r)	Stable economy (po); Living standards, social security (el, po); Crime: shadow economy, threat to market economy (el)	Demographic crisis, emigration, brain-drain (el, r); 'Identity crisis' in society (r)	Nuclear power plants (el, eu)

Type of issue: **Securitised issues** / Politicised issues / none = explicitly non-politicised areas

Securitising/Politicising actors: ruling elite (el); public opinion (po); specific groups (sg); the EU (eu); the reporter (r);

vs. = versus; to indicate opposite views between actors.

Source: Slatinsky, 1999.

Table V.3. Securitisation in UKRAINE, 1990-1999 summary

LEVEL \\ SECTOR	MILITARY	POLITICAL	ECONOMIC	SOCIETAL	ENVIRON- MENTAL
<b>INTERNATIONAL SYSTEM</b>	Nuclear war (el); Military <b>isolation</b> (el)	<b>Marginalization</b> (el, sg1)	Economic <b>isolation</b> from LIEO (el; sg1)		none
<b>SUBSYSTEM</b>	Regional stability, 'stability belt' against Russia (sg1); Polish- Ukrainian-Turkish Triangle (sg1)	Western integration (el, sg1);			none
<b>NATIONAL STATE</b>	Crimea (sg1); Military build-up in neighbouring states (el); Territorial integrity (el); [no mil.threats (sg2, po)]	Encroachment of sovereignty (el); Relations with Russia, Belarus and Rumania (el & sg1 vs. sg2)		Crimea (sg1); Protection of Ukrainian minorities abroad (el)	none
<b>SUBSTATE</b>	Crime: Illegal military formations (el); Poor shape of army (el)	Public disobedience (el); <b>Crime: Ineffective law enforcement; organised crime; corruption (el, sg2, po);</b> Democratic control over army (el) vs. disrespect for army (sg2);	Crime: Shadow economies (el, sg2); <b>Living standard, unemployment &amp; social security (el, sg2, po)</b>	Separatist tendencies (el) [but no ethnic conflicts, despite its potential (po)]; Human rights violations (el); Censorship (el); Emigration, brain- drain (el)	Catastrophical situation (el) [but hardly politicised (po)]; Decline of health standards (el)

Type of issue: **Securitized issues** / Politicised issues / none = explicitly non-politicised areas

Securitising/Politicising actors: ruling elite (el); public opinion (po); specific groups (sg); the EU; the reporter (r)

vs. = versus; to indicate opposite views between actors.

Source: Potekhin, 1999.

Table V.4. Securitisation in SLOVAKIA, 1990-1999 summary

LEVEL \ SECTOR	MILITARY	POLITICAL	ECONOMIC	SOCIETAL	ENVIRONMENTAL
INTERNATIONAL SYSTEM	none		none (not LIEO)	International migration: refugees, asylum seekers (po)	none
SUBSYSTEM	NATO-membership or Neutrality (el vs. po);	'Western Integration' (el & po) Balance Germany-Hungary-Russia (sg)	EU-membership (el & po)	History of foreign rulers (po); Roma question (EU); Transit country for (il)legal migration (po)	none
NATIONAL STATE		Crime: change visa-regimes (po)	Border problems with Ukraine and Hungary: illegal economic migration (po)	'Hungarian agenda' (po);	none
SUBSTATE		Crime (po); Democratisation (EU); Non-democratic populist & ethnic parties (r)	Living standard, Unemployment & Social security (po)	Potential conflicts with Hungarians, Roma & illegal migrants (po); Ethnic nationalism	none

Type of issue: **Securitized issues** / Politicised issues / none = explicitly non-politicised areas

Securitising/Politicising actors: ruling elite (el); public opinion (po); specific groups (sg); the EU; the reporter (r)

vs. = versus; to indicate opposite views between actors.

Source: Duleba, 1999.

Table V.5. Securitisation in CZECH REPUBLIC, 1990-1999 summary

LEVEL \\ SECTOR	MILITARY	POLITICAL	ECONOMIC	SOCIETAL	ENVIRON- MENTAL
<b>INTERNATIONAL SYSTEM</b>	Terrorism (el)	Transnational crime (el, po); Political stability in various world regions (el)	Long-term growth of world economy (el); Stability of LIEO (millennium problem) (el); Hegemony of foreign capital (po)	Massive international migration: refugees, asylum seekers (el, po)	Protection regimes (el); Spread of epidemics (el); none (po)
<b>SUBSYSTEM</b>	Regional military stability (el, po); Military conflict in Central Europe (po); Kosovo conflict (po);	Regional political stability in states of CEE (el); 'Western integration' (el); Russian politics (el, po); Fear for regional great powers (r)	Regional economic stability (el); German economic subjugation (po)		none (po)
<b>NATIONAL STATE</b>	State sovereignty & territorial integrity (el); [no mil. threat to CR (po)]	Special attention for Germany and the Balkans (po)		Cultural values (el)	none (po)
<b>SUBSTATE</b>		Democratic constitutional order (el); Crime (lack of civilised values) (el)	Socio-economic development (el);	Extreme nationalism (el); Minority problems with Roma, Chinese, Muslims & Jews (po); Civil unrest (po)	Natural disasters, industrial accidents (el); none (po)

Type of issue: Securitised issues / Politicised issues / none = explicitly non-politicised areas

Securitising/Politicising actors: ruling elite (el); public opinion (po); specific groups (sg); the EU; the reporter (r)

vs. = versus; to indicate opposite views between actors. // Source: Sidivy, 1999





## VI. REFORM OF SECURITY STRUCTURES IN EUROPE

Peter M.E. Volten

### 1. Introduction

Notwithstanding the involvement of many actors, and the wide range of policy issue-areas under the broader definition of security, the organisation of security remains first and foremost the responsibility of the state. In international – interstate – relations, the state has the exclusive right to employ military force. In Europe, it is the central political institution that guarantees national security. At the same time, states – notably their governments – are responsible for the organisation of international security. The so-called security dilemma of each state means striking the ‘right’ balance between one’s own security and that of other states. Both military and diplomatic means are available to create an international order in which such a balance is established, or is perceived to be, and which gives reasonable confidence that military aggression is unlikely. That is the kind of international order taking shape in Europe – an international security *regime*.

As earlier chapters in this work have shown, traditional security concerns have become less prominent as this evolution has proceeded. Under the new circumstances, security arrangements have had to be reformed, national and international structures have had to be adapted. The main question in this chapter is: in what ways and to what extent has this occurred?

States continue to play the leading role here, but they are not unitary actors.<sup>68</sup> Nor are they all acting in the same way as if they were *like-units*.<sup>69</sup> States are made up differently and are positioned differently. In that sense, the research team tasked to examine structural reform took into account the interaction between the various actors and the so-called level-of-analysis problem.

It analysed security reform from the system or international structure level (Karkoszka) as well as from the domestic level which exerts bottom-up influence on the international system (Vlachová, Jiskra and Ujj). Furthermore, attention was given to some themes at the intermediate level. Klympush looked at the position of actors on the periphery of the Western security structure, in her case that of Ukraine. Musetescu and Dobre focused on the impact of NATO’s policy on a hopeful aspirant state, Romania, while Ratchev expounded the regional policy of Bulgaria as purposeful activity by another hopeful *vis-à-vis* the Alliance. Samson, finally, addressed the changing perceptions of security and defence policy both over time and

<sup>68</sup> As assumed by most adherents to the Realist School and explicitly posited by the Godfather of the Realists, Hans J. Morgenthau in his *Politics among Nations* (New York 1948).

<sup>69</sup> As assumed by the most influential neo-Realist, Kenneth N. Waltz, in his *Theory of International Politics* (New York 1979).

in view of the position of the CEE countries in the emerging international system in the 1990s.

These topics are obviously subjective choices from an almost endless list of aspects of security reform. Nonetheless, the researchers tried to identify some of the most salient questions in this area.<sup>70</sup>

## 2. The transformation of the European security structures

“The most visible change in the security structures in Europe was and still is the evolution of the military alliances,” writes Andrzej Karkoszka in his essay. He points at the dissolution of the Warsaw Treaty Organisation (WTO), the new role and position of NATO, the development of a European military capacity and a Common European Security and Defence Policy (CESDP), as well as the Russian attempt to maintain or restore a military alliance of sorts within the framework of the Commonwealth of Independent States (CIS). No doubt, NATO represents the most powerful military organisation. The initiatives of the European Union (EU) are welcomed by Karkoszka as the final stage of the European integration process, but how the CESDP will evolve remains uncertain.

The European defence capability foreseen is an intervention force of some 60,000 troops. It is too early to tell whether European co-operation here will actually stand on its own feet and deliver real military clout. Any European military capacity will probably remain part of the NATO structure as ‘separable, but not separate’ forces. Duplication will be avoided. After all, there is the eternal question of *pecunia*. Who is going to pay for a European military capacity, not to mention a duplicated one?

However, there are reasons for looking seriously at this ‘final stage’ in European integration. First, the EU has shown a painful lack of resolve during the two major crises in former Yugoslavia. In 1991-92, the EU was divided in its approach to both Milosevic and the formal recognition of the newly proclaimed, independent republics. Moreover, the European member states of NATO were unable to live up to the expectations of the US and solve this ‘European security problem.’ American leadership appeared indispensable for any solution, as Dayton made clear. The second time that President Clinton belatedly interfered in the ‘European security problem’, the discrepancy between US military capabilities and those of the European allies was

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<sup>70</sup> Karkoszka’s contribution was entitled ‘The Transformation of European Security Structures: Basic Elements’; Ratchev’s ‘The Evolution of Region-Building in South-East Europe’; Ujj’s ‘Domestic Reform of Security Structures: the Hungarian Experience’; Samson’s ‘Perceptions of Security and Military Terminology: From WTO to NATO’. Vlachová and Jiskra addressed ‘The Establishment of a Security Community in post-Communist Countries: The Case of the Czech Republic, Hungary, Poland and Slovakia’; and Musetescu and Dobre focused on ‘NATO Conditionality: How has the Perspective of Membership Influenced Romania’s Foreign and Defence Policy?’ See Appendix A (after Chapter VII).

even more emphatic and irritant in the eyes of the latter. American-European competition has always existed, but has become particularly manifest since the NATO bombing in Kosovo.

Kosovo represented the stimulus to move on after a range of events in which the US acted on its own or forced the allies to accept its unilateralist conduct of foreign policy. Whether the enlargement process, the pressure to follow economic sanctions, the insistence on ballistic missile defence (BMD) or the regular bombing of Iraq – they were all irritants, not only in the eyes of Russia, but also in relations with the European allies. In that sense, the European reaction is a negatively invoked initiative; critical minds might add the – unspoken – thought of a “common foreign policy by default.” All the same, NATO is a crucial vehicle for American influence and continued leadership in Europe affairs.<sup>71</sup>

Second, although there have always been strong French views on European independence from the US, this time others – notably the United Kingdom – have moved closer to the idea of a ‘grown-up’ Europe *vis-à-vis* the only superpower. Blair's Britain is divided about Europe, but seeks at the same time ways to prevent isolation from the Continent. Defence involvement is the answer to France and to the US. With the UK in that role, there are opportunities for *European Defence: Making it Work*, to use the title of a recent paper from the WEU Institute for Security Studies. That organisation's Director, Nicole Gnesotto, even sees two revolutions. The first is “the fact that all countries of the Union [...] now subscribe to the political and operational objectives set out at Cologne and Helsinki, [which] represents a major political breakthrough in the deepening of European integration.” Second, “consensus among the fifteen on the requirement to attain the objectives set out in the ‘Headline Goal’ by 2003, have unquestionably moved the questions of European defence out of the realm of rhetoric and into that of practical achievement.”<sup>72</sup> At the same time, the new Foreign Policy Concept 2000 of the Russian Federation acknowledges that “the EU military-political dimension which is in the state of formation should be the subject of particular attention.”<sup>73</sup>

Third, the UK European defence card can also be played in favour of NATO. Something had to be done to diminish the discrepancy between American and European capabilities revealed in Kosovo and to tame the conspicuously unilateralist behaviour of the superpower. Re-nationalisation of foreign and defence policy has taken place in Washington, but has not been limited to the US. Some European allies went their own way in the 1990s to the detriment of the cohesion and military capacity of the Alliance. The European allies have re-nationalised their way, cashing the ‘peace dividend’ without much co-ordination in NATO. This is a major reason why they are unable to deploy sufficient numbers of combat ready troops. Not

<sup>71</sup> See for a strong American view on power politics and structural realism and its use within NATO Kenneth N. Waltz, “Structural Realism after the Cold War,” *International Security*, (Summer 2000) pp.5-41.

<sup>72</sup> Francois Heisbourg et al., *European Defence: Making it Work* (Paris 2000), Introduction by Nicole Gnesotto, pp. v, vi.

<sup>73</sup> Published in *Nezavisimaya Gazeta*, 11 July 2000.

surprisingly, the first issue raised in the fall of 1999 by the former British defence minister and newly-appointed Secretary-General of NATO, George Robertson, was the huge gap between American and European capabilities. This gap exists in spite of the fact that the European allies spend a sum equal to two-thirds of the US budget on defence. Citing the 2 per cent of overall European manpower fielded in Kosovo as the utmost effort of the European allies, Lord Robertson put his finger on a painful spot in the field of European defence co-operation. He clearly indicated the urgent and absolute need for better co-ordinated planning and organisation.<sup>74</sup> The Cold War is behind us and money can be saved; alas, business-as-usual on a national level has prevailed in the West and is now presenting the bill.

It seems only fair to say that “old thinking” and routine behaviour are quite natural after 40 years of peace and sporadic military-operational action. But it cannot be an excuse and will not be accepted as such by the population at large. If there is no value for money, no sizeable military capability and combat-ready forces for the hundreds of billions of dollars spent per year, the defence organisations and military institutions in Europe will dig their own grave under public supervision. “Without a military capacity”, says Lord Robertson, “Europe would be a paper tiger.” Strengthening a European security regime is not and cannot be an exclusively diplomatic effort. It will also depend on viable means to guarantee security and to strengthen confidence in one’s own diplomatic action. Defence budgets have been significantly reduced since the end of the Cold War, but money is not the only or even the essential problem. Budgets should probably not go down further, but throwing more money to the defence and military organisations *as they are presently performing*, is putting the cart before the horse. Drastic reform of integrated planning is needed. If not, the bottom line could be, as Karkoszka asserts, the worst of both worlds:

"No real Common Defence Policy (CDP) and a weaker NATO. On the other hand, a success of the Union’s CDP may also be in the long run pernicious to European security if not put into a proper transatlantic frame. A steady weakening of the link between NATO and EU defence policies could strengthen isolationist tendencies in the USA, undermining the political cohesion of the Alliance."

Clearly, it will require statesmanship of a high order to perform the act of tightrope walking called for here.

In the eastern half of the continent, the CIS under the leadership of Russia does not play a role beyond the so-called 'near abroad'. The act was a reaction to the sudden break-up of the Soviet military space rather than an answer to the fear that NATO would endure and eventually enlarge. Sentiments and pride – plus determination of the military, in particular, to maintain as much infrastructure as

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<sup>74</sup> See for example the interview with newly-appointed Secretary-General in *Le Monde*, 4 November 1999.

possible as well as to retain political influence in the former Soviet Republics – explain the present kind of security arrangement within the CIS. Earlier suggestions to make the organisation something like NATO, recognising the independence and national sovereignty of the participating republics, failed. When the Chief of the General Staff, General Lobov, raised such ideas around 1991, he apparently found Marshal Shaposhnikov, the man in charge of CIS command, in his way. The latter said to Gorbachev: “Either he goes or I go.” The Marshal won the battle, but lost the war. There is no way that the new Republics will be willing to form a close, integrated military alliance in the present structure. Some are largely dependent on Russian support and assistance; others have signed the Tashkent Treaty, but will leave as soon as possible.

With the demise of the Soviet Union, the integrated military structures disappeared. Even if no major threat was imminent, the loss of the nuclear umbrella and their truncated, obsolescent conventional forces – in particular the air defence forces – made these states vulnerable. A potential, external threat in a volatile region can turn quickly into a real military confrontation. Such fears could hardly be smoothed over by the Collective Security Treaty with Russia to which the Republics were to adhere during the 1990s. Moreover, the willingness of the Russian Federation to take the lion’s share of so-called peace-keeping operations was viewed with suspicion (and correctly so in, for example, the conflict between Georgia and Abkhazia). Military assistance – under the guise of peace-keeping or otherwise – could be a means for Russian power politics. Throughout the region, internal security was hard to guarantee with frail state institutions and weak armed forces. This, too, increased dependence on Moscow. In any event, the authoritarian style of power-holders who are driven by the desire to maintain and enlarge their sweep over the country is not conducive to institution building. Nor have decisions reached so far been for the sake of the community as a whole. Many leaders simply do not know anything else from the past but authoritarian rule; others identify with particular interests and ethnic groups. Under such circumstances of power politics and ‘privatised *raison d’état*’, the quality of government may be questionable. Haphazard decisions and actions fuel insecurity and regional instability.

Then there are alternatives to CIS co-operation like GUUAM – comprising Georgia, Ukraine, Uzbekistan, Azerbaijan and Moldova – as yet an unstructured network. The states co-ordinate their views in international forums like OSCE and in the talks on the Treaty on Conventional Forces in Europe (CFE), but they are unable to flex muscle in any significant way. Moreover, all are energy dependent and need the co-operation of Moscow for reaching the world's oil and gas markets.

In brief, power politics and geopolitical considerations are still with us. The security structures in the West are solid, but slow in accommodating the new realities. The dialogue about the second President Bush’s ‘new world order’ has barely begun and has not proceeded beyond political bickering on how to rearrange roles and responsibilities and how to approach the most needy and unstable parts of CEE. The lack of resolution of the Western powers does not make it any easier for the CEE

countries to embark on the ‘right’ course. Does it pay off to do A or B? If so, is it worthwhile to spend money on restructuring the defence institutions?

The answer is not clear for the West, much less for the Eastern part of Europe. Except for the three new member states of NATO, the CEE states do not know for what contingencies to plan their future forces. NATO gives no clear signals about a next round of enlargement, but what can countries like Bulgaria do when facing the question of the structure of armed forces, say, ten years from now? Should it anticipate membership anyway? Should it participate in NATO-led peacekeeping missions and thus improve interoperability with NATO systems and forces? Or, should Bulgaria, Slovakia and the other CEE countries – even Ukraine as a potential strategic asset of the West – primarily focus on territorial defence relying on their individual, perhaps regionally organised, military power? Planning is a long-term activity and militaries are shaped in decades not years. Clearly, politicians and planners in these countries want early answers to questions about alliances, national commitments and planning parameters.

Meanwhile, Russia has not shrugged off its tradition of power politics. The new documents on foreign policy and military doctrine – written under the personal supervision of President Putin – underline the ‘firm defence of national interests’, even though Putin’s focus seems to be on the ‘near abroad’. The security structure in terms of hardware and arms control arrangements may be considered robust and solid. Anyway, there is no money to change the balance. However, the security structure in the minds of men in restive areas is fragile. The area of NATO is safe and none of the aspirant members wants to fall within a vacuum of power, let alone in a buffer zone between NATO and areas with uncertain or conflict-prone futures.

### **3. Domestic assets and liabilities in the CEE regions**

Like the contributors to the other studies in this book, those involved in the investigation reported in this Chapter come from seven countries that represent the various zones into which one could place the CEE countries *vis-à-vis* the West and its institutions. At the risk of oversimplifying things, one could argue that there are a number of identifiable clusters of countries. First, there are the three new member states of NATO and prospective first members of the EU. Second, there are the medium-term aspirants to NATO membership including Bulgaria, Romania, Slovenia, Slovakia, and, somewhat less realistically, the Baltic states. Third, the former Soviet Union falls into two categories: the Russian Federation and Belarus that have no expressed intention of joining the Western security organisation; and the new independent republics west of the Urals. Finally, former Yugoslavia represents an extremely complex array of republics plus more or less autonomous regions within their borders, which may or may not survive. For the time being, foreign powers, in particular NATO member states, deploy their peacekeeping forces there,



consolidating the imposed peace. This latter cluster is not a direct subject of research in our case, but certainly exerts a significant influence on the other areas and actors under investigation.

Basically, we have first and foremost to differentiate between the new states of the former Soviet Union and the former so-called non-Soviet Warsaw Pact countries. The second group have freed themselves from Soviet dominance, in fact occupation. Moreover, these countries had in store – to a greater or lesser degree – an alternative to the ruling communist parties. The governments of these states opted very eagerly for joining the Western community and for the establishment of democratic rule and a market economy. Their leaders were not used to independent action, the least in the field of security, but there was a government structure at hand.

The republics of the former Soviet Union were the unexpectedly fast and sudden result of the exhaustion of the Soviet Union – dramatically and in a very unorthodox way admitted by the three Presidents of Russia, Ukraine and Belarus on a late night in December 1991. Except for the Russian Federation, central and independently-run governmental institutions simply did not exist. This is an essential difference with the CEE countries. Most importantly, an alternative for the ruling elite did not exist and no clear perspective of democratic rule and a market economy was in sight. Today, the Caucasus and the Caspian Sea region is a conflict-prone, explosive area in and of itself and the Chechnyan war is a stark illustration of possible developments. Moreover, Russia plays its geostrategic games for influence and energy, while the US has reciprocated, for strategically unclear reasons, nevertheless with conspicuously firm determination. State and nation-building will be a 'mission impossible' under those circumstances, possibly running out of control into Balkan-like disasters. There is little or no hope that these new republics will reach a degree of government and governance, as mentioned before, that would allow them to integrate in Western security institutions.

Ukraine deserves special mention in this respect. Is this former Soviet republic, key in the European security structure, ready to be affiliated or associated with the Western institutions? Are domestic government and governance capable of alignment with Western state and societal institutions? The answer is clearly no. Suffering from the same difficulties as other new republics, Ukraine has been unable to establish a degree of government that represents relatively strong and legitimising state institutions. No fair taxation and legal system is established; instead, corruption abounds at home and, unfortunately, but inevitably, corresponding images abroad. Moreover, Ukraine will have tremendous difficulties in shedding the incubus of being for so long under tutelage of Moscow, while part of two European cultures.

Like other former Soviet republics, Ukraine has been unable to restructure its security and defence institutions, the need for which was more or less imposed out of the blue. After independence, security concepts and military doctrines appeared on paper, but were overtaken by events – such as the appearance of new governments and new ministers who reversed the course time and again – or were not implemented by an incompetent defence bureaucracy. Whether the acting ministers have been weak and indecisive or beaten by insurmountable problems with an ungovernable structure,

Ukraine's restructuring of its security establishment has been extremely slow, to the extent that it has happened at all.<sup>75</sup> There is no political guidance; and simply copying some of the more or less acceptable management practices from the West is not working. Defence is still fundamentally veiled in secrecy, run by a small group of mostly military and former military. For example, a majority of the Defence Committee of the Rada consists of former military personnel and the committee holds its meetings behind closed doors whenever it sees fit. Examples of failed reforms abound and yet domestic efforts to change are the most convincing assets in building bridges with Western institutions and security structures.

Notwithstanding the declarations of the foreign ministers to direct Ukraine to the West, there has been no discernible progress in convincing the West of the country's genuine intentions. In this respect minister Tarasyuk was an outstanding and credible, even passionate, example and his sacking in September 2000 has raised rather than alleviated doubts about Ukraine's willingness and capability to join the West.<sup>76</sup> Reportedly, the planning departments of the French and German ministries of Foreign Affairs have produced an analysis in which Ukraine is doomed to be on its own. More openly, one hears in the west the role of Ukraine being a 'bridge'. The problem is: a bridge across what and between what ends?

In the country itself there is widespread fear of remaining a 'buffer zone' or, worse, being forced to become a political and military satellite of Russia. The GUUAM grouping offers in theory an alternative to absorption into the realm of Russian dominance, but expert polls find that Ukraine remains an outsider in regional integration efforts.<sup>77</sup> To be sure, seeking comfort in GUUAM co-operation might be useful in resisting Russian and CIS pressures and in uniting the efforts of moving towards the Western institutions. Still, it is not enough to convince the West of serious, genuine efforts to reform, to improve relations and to extract investments from the latter. References to the prospects of the 'Silk Road' and other attractions are not going to make a difference either. The volatility of the region, including GUUAM, is not conducive to Western receptivity, nor will it open ways to assist these countries in distancing themselves from Russian influence. Although the West has been slow in recognising its Western and European vocation, Ukraine's complaint that 'the West is closed for us now' cannot be attributed to the West. The development of political and economic relations is primarily dependent on domestic achievements in Ukraine (as is the case for the other former Soviet republics).

As to resisting eastern influence, Ukraine and the other Republics not only face the military proximity and economic levers of Russia, they also are encountering a more determined Russian President than before. "Kyiv is sure that from now on

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<sup>75</sup> See for example the frank and patriotic account of Anatoliy S. Gritsenko, *Civil-Military Relations in Ukraine: A System Emerging from Chaos*, published by CESS as the first Harmonie Paper (Groningen 1997).

<sup>76</sup> See James Sherr, "The Dismissal of Borys Tarasyuk", *Conflict Studies Research Centre Occasional Brief 79* (Camberley 2000).

<sup>77</sup> Centre for Peace, Conversion and Foreign Policy of Ukraine, *Quarterly Report No 3* (Kiev, September 2000); Ukraine Centre for Economic and Political Studies, *National Security and Defence No 3, 2000* is completely devoted to the subject.

Russian-Ukraine relations are going to be on a much tougher and more pragmatic footing than before.”<sup>78</sup> The concept for the new foreign policy, signed by Putin in June 2000, calls for a ‘firm defence of Russian interest’ and to put stronger emphasis on the rights and security of Russians abroad. By the same token, the new military doctrine, developed under Putin’s supervision in the National Security Council, is more interventionist in character than before and, accordingly, prescribes the development of the necessary forces. In September 2000, Putin underlined this course by announcing a new structure for the armed forces. It is interesting to note that the latest versions of Russian military doctrine (dated October 1999 and April 2000), not only refer to international and national employment of the armed forces, but also speak about conflicts of a ‘non-international’ [*ne-mezhdunarodnyy*] character. Is this another way of pointing to the ‘near abroad’? As with the ‘near abroad’, it is a new concept in international relations, a declining power’s invention. At the same time, it is not a mere game of words, but underlines the thrust of Putin’s policy. It also puts Russia's neighbours in a rather hazardous position. The ‘bridge’ seems under construction at one end rather than on both banks.

That is not entirely fair. American involvement in the region is significant and supportive for the GUUAM initiative; and Washington pays much attention to energy developments, in particular around the Caspian Sea. The strategic importance of Ukraine has not been ignored either. Ukraine considers its relations with the US most important. It is doubtful, however, whether geopolitical and business considerations are helpful in the framework of power politics *vis-à-vis* Russia and, moreover, in a volatile region. Any effort to stabilise the region should be aimed at domestic developments. Strategic and military assistance is not going to build up the most needed institutions. Moreover, some bilateral activities of the US take place under the label ‘in the spirit of PfP’, though NATO as such has little or nothing to do with these exercises, training or equipment ‘co-operation’.<sup>79</sup>

The relations between Ukraine and Poland are considered excellent and Poland, in general, plays a very constructive role in building bridges. The country has concluded treaties with all its neighbours and is not only a member of NATO but will also be one of the first new EU members. Poland cannot end Ukraine's detachment; in fact it can exacerbate the problems, first of all as regards the Schengen rules. At the same time, Ukraine and other republics face the pressure of Russia exerted in military, economic and, above all, energy issues. If Ukraine cannot be a ‘bridge’ or be anchored in Central Europe, will it then face the nightmare of a political vacuum? The region is of little help. Belarus is ruled by a communist *apparatchik*. Moldova cannot do anything to determine its own fate. Transdnistr is a stronghold of Moscow, the 14th Army still present. Romania is still looking for ways of getting ‘Greater’ in that area. History books in Moldova’s schools tell you three different stories; one according to Moldova’s history, the others according to Ukrainian and Romanian

<sup>78</sup> ORT television which is state controlled, 18 April 2000.

<sup>79</sup> See Robin Bhaty and Rachel Bronson, “NATO’s Mixed Signals in the Caucasus and Central Asia,” *Survival* (Autumn 2000), pp. 129-146.

scholarly work. All in all, the security structure in the area is deadlocked, both from within and from the Western perspective.

The situation of Romania, Bulgaria and Slovakia is different, but not necessarily much better. Slovakia is part of a different and calm area, but its political future is uncertain. Slovakia suffered for so long Prime Minister Meciar's stubborn unwillingness to join NATO and determination to hang on to personal power and privileges. Change came in 1998. But Meciar's party cannot simply be dismissed as out of the reckoning. There is still a persistent pattern of changing old guards and 'rotating elites' after elections in CEE. (The re-election of the Polish President, Kwasniewski, notably in the first round in October 2000, is an exception - even in Poland a novelty - and it may be one of the most significant signs of the matured democracy in Poland.) Just the same, under the present Slovak government, the new directions are so far so good. There should be no insuperable obstacles to joining the Western institutions. Slovakia would share many of the general problems of preparing for membership of western security structures.

Romania and Bulgaria are a different story in that their geo-political position is not Central Europe. Nevertheless they represent examples of problems that are very familiar to all Central European countries as well.

Romania is the 'Italy' of the region: spirited, talkative and gifted with charm in communicating with the West. 'Little Paris' - as Bucharest loves to be reminded - is a Western-oriented capital and the home of government, elites and intelligentsia. In contrast, the countryside is far less inclined to join the unknown, and therefore threatening, modernist western society. The 1996 elections showed, surprisingly to many, that Romanian society had indeed become more pluralistic and shed the sad uniformity of the communist days. But for how long? It is telling that the then elected president, Constantinescu, simply did not want - anymore - to participate in the political contest of November 2000 with the hold-over and former president, Iliescu. Economic performance has been poor, the fight against corruption is, if not lost, unfinished business and the elites remain the elites - that is, in place. "If democracy is to work in Romania, political accountability must be more than a mere electoral slogan, and politics must not remain an elite game as it has been the case thus far."<sup>80</sup>

Nonetheless, the contribution of our Romanian colleagues leaves no doubt about Romania being either already a part of the West or well on its way. The sincerity of the country's commitment to reform activities and peacekeeping efforts is not in question. Its efforts to restructure the armed forces and its participation in numerous multi-national, intra-regional structures are a matter of record. Musetescu and Dobre include in the main assets of Romania: their country shares the same values of democracy and tolerance with NATO countries; it has already the main instruments of a market economy in place; it has substantial military capability and it displays stability in the restive region. All of this is at least disputable. The fact

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<sup>80</sup> Aurelian Craiutu, "Light at the end of the tunnel," in Geoffrey Pridham and Tom Gallagher (eds.), *Experimenting with Democracy: Regime Change in the Balkans* (London 2000) p.187.

remains that Romania presents itself self-confidently, but not necessarily convincingly, sometimes even prompting a smile of embarrassment.

Of course, Romania has contributed to peacekeeping and supported NATO – at a very high price – in the Kosovo campaign. Like all the countries in old-communist tradition, it has set up countless committees and councils for the co-ordination of its foreign policy offensive. It has undertaken steps to reform its armed forces and pledged to modernise them through a restructuring of its industrial base. In reality, all these efforts have proven to be only a partial success and this should, according to Musetescu and Dobre, surprise no one given the extremely difficult start in 1989. Moreover, the West and NATO have not always given sufficient support to speed up the process of change. The Romanian view is as follows.

If the final destination (membership) is clear for both the organisation [NATO] and the aspirant country, the organisation should be more involved in supporting the efforts of implementing its *acquis* in this country, avoiding the burden to develop its own laws and strategies that would have to be changed again at the moment of accession. But this is a two-sided process, which implies the will of both the candidate and the organisation; sometimes there may be a gap between the two.

'Involvement' has increased since 1999. Even so our collaborators, while recognising the positive incentives for domestic reform, think that the conditions and lukewarm approach displayed by NATO have also carried their negative effects. Contrary to the praise for the Partnership-for-Peace (PfP) programme of Karkoszka, the Romanian view asserts that PfP marked “the moment when Eastern countries switched from co-operation in view integration towards competition between the Visegrad group and the rest and even among the former.” At the same time, there is a widespread understanding in CEE that NATO could not digest the simultaneous entry of all countries. In particular the size of Poland and Romania foreclosed the accession of both states at the same time. As a consequence, it has been accepted that the process would be gradual, deliberate and transparent. The candidates would experience dialogue, co-operation and the consensus-building that characterises the decision-making of the Alliance. On the other hand, a NATO official – quoted during the Madrid summit – may have expressed what many thought of Czech or Hungarian membership. “If it was just a question of military competence, we would be taking the Poles, Romanians, and probably the Slovenians.”<sup>81</sup>

One could argue, though, that Romania should have been accepted as a member of NATO in the first round of enlargement. The new government of the democratic opposition to Iliescu did its utmost prior to the Madrid summit and tried in a very short time to erase the record of mistreatment of minorities and strained relations with some neighbours. Constantinescu's government launched a fresh start on a fast track in order to still western criticism of Iliescu's half-hearted reforms and

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<sup>81</sup> *The Guardian*, 7 July 1997.



guarded enthusiasm for the western Alliance. Time was too short to take away all formal objections against Romania. Meanwhile, and perhaps more importantly, eligibility had been overtaken by expediency. In spite of the fact that eight member states were in favour of including Romania (and Slovenia), NATO decided differently – under American pressure.

The decision left Romania disappointed, notwithstanding President Clinton's reassuring words the next day in Bucharest. It also aroused fear that the gap between the new members and aspiring states would grow still further and that this would provide the former with the pretext “to become the main opponents to the next wave of enlargement as they would like to receive more aid from the Alliance.” President Havel has called the enlargement debate “mechanical, missing the real meaning of the Alliance.” Psychologically, NATO's decision left a scar in Romania's fledgling democratic conscience, fuelling doubts about the standards for democracy and transparency practised in the West; in military-operational terms, it was difficult to be convinced “that the Polish, Czech and Hungarian armies had attained standards that the Romanian army had not.” They are quite right; the decision was political, arbitrary and flawed in that it had very little to do with military-operational readiness.

Another hopeful for a more forthcoming and helping NATO hand is neighbouring Bulgaria. Regime change at the very start of 1997 – after the spontaneous outburst of the people against the ruling Bulgarian Socialist Party (BSP) and the disastrous rate of inflation – came too late for reopening decision-making for Madrid. Moreover, the BSP governments had never shown the same interest in joining NATO as Romania had from the very beginning. Nor did the public polls show overwhelming support. By and large, Bulgaria was split between a western and eastern orientation and lacked the determined foreign policy offensive other states had pursued. Perhaps most important were the political and economic developments in Sofia, arguably even more serious than in Romania. Frequent government changes and rotation of ministers and policy makers stood in the way of continuity and action in unison. The often bitter, domestic political fights hampered decision-making on reform measures and precluded implementation of those taken. Not the formal elections, but the ‘voting with the feet’ of a discontented population and elite bargaining led to change and, unfortunately, protracted yet insubstantial changes.

Political democracy in Bulgaria is entirely an elite affair, a competition between ‘circles of friends’ to milk the public domain for private use. Ideas and ideologies play an important instrumental/mobilizing role, but survival and enrichment of the competing groups remains their primary objective, allowing for the quick abandonment of principles. Daily politics is usually conducted in a warlike and acrimonious manner; yet when the survival of the individual group is threatened, or a benefit is immediately obvious, the



compromise is actively sought and found. Bulgarian politics revolves around dramatic quarrels and quiet compromises.<sup>82</sup>

This had not only its negative impact on institution building and economic reform, but also complicated foreign policy and Bulgaria's image abroad. Doubts about Bulgaria's eagerness to become a full-fledged partner in western institutions were reinforced by the gruesome state of political and economic affairs in the country.

The post-1997 government has changed course, encouraged by two major developments: the grown importance of the region and regional co-operation; and the emphatically elevated presence of the West in the region during and after the military intervention in Kosovo. These are going hand in hand. As Ratchev says in his contribution on region-building in South-Eastern Europe and European security structures: "The role of NATO is indispensable in providing the much needed stability in the complicated transitional period to a functioning South-East European security community and a stable sub-region within reach of the EU." The bombing, the economic damage to Bulgaria and Romania, the expected, long-term military presence in Bosnia and Kosovo and the intensified PfP in the form of the Membership Action Plan (MAP) process – as well as NATO consultation with the SEE countries – all have shifted attention towards the region. Meanwhile, the states in the region have intensified their contacts and established co-operation structures at the level of heads of states and ministers, notably the South-Eastern Europe Defence Ministerials (SEDM), including Albania, Bulgaria, Greece, Italy, the Republic of Macedonia, Romania, Slovenia and Turkey. These forums are important for the necessary stabilisation of relations between the parties, but also for a kind of 'damage limitation' in response to the shocks the NATO bombing has sent through the region. However wrongly Milosevic may have treated the Kosovars, many citizens were puzzled by the lasting, unrelenting and not-so-discriminate air attacks from 15,000 feet. How 'civilised' is our prospective western partner and what are the real stakes in the region beyond the rhetoric about humanitarian intervention? These were questions on the minds of many Bulgarians, Romanians, Slovenians and others.

Partly in reaction to the damage done, material support was granted through the initiative of the Stability Pact for South Eastern Europe (SEE). The Pact is focused on three areas, run by so-called Tables for (a) democratisation and human rights, (b) economic reconstruction, development and co-operation, and (c) security. So far, the effect of the Pact has been limited. Western participants have great difficulty co-ordinating programmes and mobilising funds. Again, disappointment in the region seems unavoidable, partly due to western inaction and lack of leadership. (In a number of cases, the countries had to wait for 'surveys' by banks and other institutions taking a year or longer.) On the other hand, the experience of ten years in CEE should have brought to mind that countries in transition do have tremendous problems in absorbing and dispensing large sums of money. The infrastructure for

<sup>82</sup> Kiril Drezov, "Bulgaria: transition comes full circle, 1989-1998," in Pridham and Gallagher (eds.), *op.cit.*, p. 213.

public investment is very limited, in Bulgaria among the lowest among comparable countries in the world. On top of all these impediments to efficiency, we are talking about competing states prone to quibbling about a range of perhaps minor but none the less very sensitive issues debated by people with long memories.

In some places help for recovery was expected to be commensurate with the post-Second World War Marshall Plan. The Stability Pact raised already unrealistic expectations. It has been presented as aid and assistance rather than a catalyst for domestic investment and indigenous growth. This misperception cannot simply be blamed on the Western powers, for the real economic incentives for the EU and the US are not in the same league as they were in the divided Europe of the late 1940s and 1950s. Ratchev notes this and adds:

The situation is also characterised by the fact that the ideas for a resolution are once again coming from the 'outside'. In contrast to the period after the Second World War, there is no inner integration process in the region and no political or civic leadership for such integration. In SEE, production with low added value prevails and services are almost absent. The economic, monetary and political instability of recent years resulted in exports to hard currency zones and not into the region.

Patterns of interaction among the regional players – as well as between them and NATO and the EU – are complex under all circumstances, but have been exacerbated by the Kosovo crisis and its aftermath. The choice to back NATO was a difficult and contested one, but those in favour saw no other future direction than moving towards the Western institutions. At the same time, the existing, bottom-up efforts in regional co-operation were somewhat overshadowed by the top-down attention of the domineering and intrusive western actors. A new balance has to be found. The efforts to reinvigorate regional security co-operation – like SEDM or the *Charter of Good Neighbourly Relations, Stability, Security and Co-operation*, signed in Bucharest in March 2000 – will have to be matched by genuine and substantial support for domestic reform and institution building. Weak and insecure states under pressure and involved in (potential) conflicts are unlikely to invest in regional, bottom-up co-operation or are simply not able to do so for the longer term. The West has to play its part and help avoid contagious disillusion. International and regional security structures can only be built on robust and confident national governments.

#### **4. Defence reform, security perceptions and public support**

Defence reform is a long process in which powerful and resistant forces are at work. As mentioned, the member states of NATO are overhauling their institutions and face the challenge of maintaining credible forces for much less financial input. So, first,

there is the danger of a condescending approach and behaviour on the part of NATO as regards the much more demanding change in CEE. The willingness of the early 1990s – to embrace almost any support and advice from the West – is gone and rightly so. National identities have been rapidly formed, in their own history- and culture-bound way. The strengthening of the security regime in the framework of the OSCE, but also in co-operation with NATO, is now developing on a two-way street. Like other international institutions, NATO has formulated a number of entry criteria or conditions, but these should be fair and business-like. Requirements which even the current member states themselves are not living up to are not only unfair but also hypocritical and run the risk alienating aspirants.

Second, there is no *Western* blueprint – if there is one at all - and the countries engaged in the consolidation of reform have to follow their own learning curve. They, too, experience ups and downs: sometimes of a general nature, sometimes country-bound, born of geographic or cultural dispositions. Third, the significant changes in the political and strategic situation have taken NATO into uncharted waters as well. Not only are the CEE countries moving targets going at different speeds, NATO itself and its member states are repositioning while not all being of the same mind nor willing and capable to adapt at the same pace.

The changes since 1989 have been immense, but often poorly understood, in particular as regards the extent they have altered the objectives and requirements in the individual CEE countries. Bulgaria or Poland cannot be compared to Czechoslovakia in many respects in spite of some general transformation characteristics. By the same token, a comparison between the Czech and Slovak republics prompts vigorous debate among the experts. Furthermore, while geopolitics may be of little concern to the western part of Europe, the history of Poland and its location may urge the Poles to disagree. Countries on the periphery and the former Soviet Republics are again of a different mind. Financial resources are infinitely more constrained in the eastern part of Europe than in the west. Finally, the phenomenon of renationalisation of foreign and defence policies has struck everyone, but the notions of statehood, nationhood and nationality carry very different flavours in the West than on the eastern side of the continent.

All this said, our seven-nation inquiry could address only a limited number of issues in the vast field of domestic security reform in CEE. Selected were issues pertaining to the efforts to modernise military institutions and armed forces and adapt them according to NATO's expectations. The team thought it important to examine obstacles encountered in meeting demands to develop independently – without the orders and the tutelage from Moscow – new security policies and structures. Their individual contributions covered perceptions of security and the need for a new terminology (Samson); new concepts and strategies; approaches to oversight and transparency in defence policy-making; institutional reform (Ujj); and the emergence of a security community as part of civil society (Vlachová and Jiskra).

Obviously, the security institutions – including the armed forces – are a reflection of the polity and societal forces they serve. Domestic stability and democratic behaviour, with respect for the rules, the opponents and transparent

procedures, are by no means a given in any established democratic order, much less during the transition from authoritarian rule under difficult circumstances. The first observation, therefore, should be recognition of the great leap forward many countries have managed to achieve. Complete secrecy, command economy practices, political control throughout the armed forces, the Marxist-Leninist *Weltanschauung* (among other things) – all have been relegated to the past. The question now is the degree to which government and governance, as described earlier, also take prominence in the field of security.

Because security is in the minds of leaders and people, the changed perceptions and new vocabulary – shared with the broader international security regime – are of paramount importance. Compatibility of language is crucial to coming to an understanding and grasping the existence of an inter-subjective reality. A practical, yet significant obstacle is, of course, the fact that English is the *lingua franca*. NATO's primary working language is English and strategic studies are predominantly written in English. Nuclear-strategic literature is largely an American art in the West. The command of English is one thing and not one that has come easily in CEE. The feeling for nuances and distinction among idiosyncratic, cultural subtleties is another, and one which has not been resolved in NATO's meeting rooms, corridors or over long-lasting lunches. The strategy of flexible response meant many different things just as its components did (deterrence-by-denial or deterrence-by-punishment) and the strategic, long-range, medium-range and short-range nuclear forces classification. More recently, the difference between the neutral term 'enlargement' and the more assertive term 'extension' – not to say 'expansion' – has become quite relevant in Brussels parlance.

The Warsaw Treaty Organisation was dominated by one power and its security lexicon was determined in Moscow. Whereas 'security' in Western languages is a positive expression (of feeling secure from something undesirable), the Russian language uses a negation of security (meaning 'not feeling insecure' or 'being *without* danger'). The word '*bezopasnost*' connotes an *active* stand and implies an offensive strategy in order to prevent the other party becoming a danger. The sense is not unknown in American thinking. As Samson describes the meaning of security in this superpower:

Security has been understood in the US as a synonym for defending long-term values and for promoting goals *vis-à-vis* other countries and international organisations. In this way it is possible to reach the condition under which one can guarantee the survival of the state, its independence and further development. In this sense, security means that vital interests of the citizens will be anyway defended against external or internal threats. It is of lesser importance whether these threats are real or have a potential, even a hypothetical, character.

Further refinements of security in terms of *interests* (vital interests, national interests, strategic interests), *military strategy and doctrine* or *state doctrine* were

incomprehensible and misleading terminology in Slovakia and other Slavic speaking countries.

This is not just a linguistic problem, but a result of a country's position in the world as well. Small states are unlikely to define security independently, but look for an ally. This is precisely the problem for countries that have lost one security arrangement without finding another. A further complication for defining one's security is a division of views within society and, worse, a gulf between the leadership and a majority of the population. Where to go for achieving security? Defence against what and whom?

Ukraine is divided both within the polity and society. Bulgaria under the rule of BSP was divided politically, while the people were confused or uninformed (or both) about national security policy. Many were not part of, or even interested in, the debate on the choice for or against NATO, but were worried about NATO's military support of Turkey and the ensuing military imbalance between the two historically opposed nations. Slovakia's security choices were at odds under Meciar, who shunned NATO's criteria and was inclined to seek stronger ties with Russia while the majority of the population refused to accept that option. In 2000, only 32 per cent supported the strengthening of relations with Russia, while a strong majority was in favour of closer ties with the Visegrad countries (77 per cent), the EU (75 per cent) and the US (57 per cent). Ironically, the stand-off between Meciar's government and the opposition at the time of the manipulated referendum on the issue had one unintended side-effect: the population in no other country of the region was so well informed about NATO. The implications of membership versus a continued estrangement from the West became clear to many. Fear of failure to find an ally and the threat of isolation grew stronger. The elected successor government to Meciar's energetically pursues the reversal of that sense of insecurity.

The sense of being isolated as a major component of the notion of security may not have played the same role in other countries that were not invited in the first round of enlargement. Geopolitical distance from Russian influence, and agreement between the government and the electorate about a European vocation, probably alleviate fears of being left out for the moment. Slovenia might be a case where disappointment can be overcome. In other countries – as we have noticed for Bulgaria – dispute, disappointment and unfamiliarity with the real issues may have a greater effect of securitisation. A strong sense of urgency and tension results from incomprehensible isolation and a crippled security policy. Samson says Slovak security policy reflects the interaction of three factors: “First, it is the ongoing discussion still alluding to a role of Slovakia in the game between East and West; second, it is the role of Slovakia of how to enter in the debate on EU enlargement; third, it is the language used to approach the ‘western structures’ in political, economic and security terms.”

In virtually all CEE countries security is still very much defined as a narrow, military problem. Security and defence become almost synonyms and, since the military professionals were the predominant policy experts during the militarised East-West confrontation, military-operational concerns tend to be elevated to a matter



of 'state' concern. Whereas 'military doctrine' and 'military strategy' are conceived in different ways, they are – or should be – subordinate to security policy (grand strategy, *Sicherheitspolitik*, *politique de sécurité*, and so on) expressing the long-term vital interests and political-strategic objectives. In practice, political and military considerations and objectives can be at odds. The military institutions will always try to cut the best deal from their perspective and may try to infringe upon political prerogatives. In other instances, politicians may actually 'think the military way'. In the Soviet tradition there has always been a tension between the 'military doctrine' as the domain of the CPSU and 'military strategy' (and 'science') as the domain of military professionalism. In that vein, the difference between 'military doctrine' and 'Defence doctrine' – as explained by Samson for Slovakia and other countries – must not be seen as only an inflation of military values and authority or the remnants of Soviet-style power of the military, but as a genuine concern and security priority as well. In many, if not most, countries the documents on military or defence doctrine preceded those articulating concepts of 'National Security'. The Slovak Defence Doctrine of 1994, for example, not only preceded the *Strategic concept of the Defence [sic] of the Slovak Republic*, but the latter merely "represents a military elaboration of the Defence Doctrine." It omits many "state security aspects like sovereignty of the state, adherence to international law, explicit reference to Article 51 of the UN Charter, or the defence of independence and the people." This approach is the rule rather than the exception. We often see the 'Defence Council' as the main decision-making body rather than 'Security Council' (and sometimes a mix of the two). In short, security is still very much a defence and military affair – in line with a narrow definition of security – also in political circles.

With confusion about what security is, and changing governments and policy-makers, it comes as no surprise that there are some curious security and defence concepts around. Competition for authority exists too. Presidential advisers play down the work done at ministries and vice versa. Co-ordination depends on personal contacts and loyalty. Ratchev notes that not until 1997 did conditions conducive to reform emerge in Bulgaria. Samson points at snail's pace progress in Slovakia. Ujj laments the Hungarian situation, in which mistrust among political figures and security-sector professionals, incompetence and indifference, and the absence of an integrated defence ministry and General Staff obstruct defence reform.

In the case of Hungary, a new NATO member, strictly national planning, initiated under Prime Minister Antall in 1990, is still the order of the day. A *défense tous azimuts* does not seem to make much sense now, but the Home Defence Forces and their highly independent Commander apparently practise business-as-usual. As Ujj explains:

Ten years after the democratic change, NATO-member Hungary still has no adopted, clear-cut strategy with respect to the posture, command and control and use of its defence forces. In the absence of such global guidelines, military doctrines cannot be elaborated, which means that there is not any



comprehensive, transparent conception at the disposal of citizens, allies and the political domestic players in general.

The situation in the Czech Republic is no different and cries out for a clear conceptual and widely-supported basis for the implementation of defence reform. Downsizing has taken place everywhere, but was driven by finance ministries rather than the security institutions. As a consequence, 'reform' took place haphazardly.

The likelihood of first wave NATO accession was always on the cards for the Czech Republic. Yet the population at large never convincingly expressed its enthusiasm for any particular security concept or defence strategy, reminding one of Samson's reference to a 'small country' inclination toward introversion and contemplation when there is no threat. Nor has the symbol of statehood and national unity – the armed forces – demanded a security identity in the Czech Republic. Here, as in Hungary, the general understanding of security and the pros and cons of NATO membership has been marginal.

A public poll conducted shortly after the Madrid summit showed that the public's interest in the event was quite low. About 25 per cent of Czechs did not know what the summit was all about, 28 per cent followed the proceedings just superficially, 37 per cent noticed the event just by chance and only 10 per cent followed the meeting in detail.

...[A survey in December 1997 found] that President Havel, who seemed to be the only enthusiastic proponent of NATO membership among the Czech officials, had had only little impact on public opinion. Other Czech leaders, like Prime Minister Klaus, would rarely discuss the importance of NATO in public.<sup>83</sup>

Only in Poland, the other new member state of NATO, has the notion of security been perceived differently. As a big player, conscious of its history and endowed with large assets including highly esteemed armed forces, Poland had no reservations about running to the Western security structures. The country knew where its destiny lay. It was fully aware of the need for *Westbindung* and the articulation of a security concept, national strategy and the missions of the armed forces.

Fear of isolation was not on the minds of the Polish leaders who realised with equally strong conviction that 'bridge building' should and would be its role as a Western-bound state. Poland's *Ostpolitik* has been remarkably consistent and successful. Neither time nor effort were spared to develop good relations with neighbours. Assistance to the difficult transition of the 'periphery' has been greatly welcomed and appreciated, notably in Ukraine. Poland has explicitly recognised the requirements and responsibilities stemming from the Western vocation. And not only the politicians but also the population. This is the country where people not only

<sup>83</sup> Karel Tesar, *Security Diplomacy, Policy-Making and Planning in post-Cold War Prague* (Harmonie Papers No 12, Groningen 2000) p. 58.

expressed their eagerness to join NATO, but where a majority, when asked, also approved hosting Allied forces and exercises, allowing foreign aircraft to fly over their heads and running the risk of participating in the protection of little known, new allies. A clear perception of security, and what it is all about, has deep-rooted historical, psychological and strategic roots here. Where the Poles were quick – at both the governmental and societal level – to see their vocation, other countries were (and still are) in search of their security identity.

Domestic developments are by far the most important determinants of reform, provision for national security and extension of the country's reach into international structures. Non-Soviet Warsaw Pact countries, as they used to be called during the Cold War, proceed at different speeds. Not all of the new members of NATO have necessarily a better record than the still aspiring states. Slovenia is often mentioned. Slovakia too is at present in good shape politically and, indeed, the state of shock at being treated normally at once should inspire further reform and evoke a sympathetic western response. The progression towards domestic 'normalcy' is, however, not over everywhere. Romania and Bulgaria face an uncertain political future: especially contemporary Romania which has been governed since November 2000 by hold-over communists lukewarm to domestic reform and to Western attractions. In a way, Romania has missed a shock and has continued a *politique étrangère tous azimuts* and half-hearted domestic reform in spite of fervent diplomatic efforts to encourage change. It is interesting that Bulgaria is on the way to exploit the shocks of 1997, when people voted with their feet; and of 1999, when serious security worries inadvertently reached the country's doorstep. Regional co-operation seems to be the option chosen in Bulgaria. In order to meet the challenges of NATO integration, Bulgaria now decidedly envisages participation in contingency operations (the lesson learned from the Kosovo crisis). It cannot and will not – for now – stay aloof. "Bulgaria's preparation for crisis management is the key element of its security policy and military reform," says Ratchev and he lists a range of organisational measures taken to underscore Sofia's seriousness of purpose.

## 5. Domestic reform of the security institutions

However difficult it may be to formulate policies and security concepts, there is no lack of them. On the contrary, there may be too many, while too few cross the threshold to concrete action and realisation. For the explanation we should perhaps look to de Tocqueville: "The remedy of the vices of the army is not to be found in the army itself, but in the country."<sup>84</sup>

Some crucial aspects of the difficulties in our seven countries are spelled out in detail in other chapters. Here it is instructive to consider the impact of domestic

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<sup>84</sup> Alexis de Tocqueville, *Democracy in America*, (Boston 1873), Vol. 2, p. 331.

difficulties on the organisation of security and defence and on the reform agenda. The all-pervasive limitation of financial resources and the challenges of mastering the economics of management are taken for granted. The focus is on civilian oversight, relations between the civil servants and the military, and issues of transparency and accountability – key aspects of what are in general known as ‘civil-military relations’.

The NATO formulation 'democratic-style civil-military relations' – one of the Organisation's eligibility criteria – has been elaborated by Marco Carnovale:

- First, a constitutional and legislative structure with clearly defined responsibilities and appropriate checks and balances among these institutions;
- Second, clearly defined civilian control over the Ministry of Defence and the military establishment with civilian officials of a government having key roles in both;
- Third, substantive and detailed, not just perfunctory, parliamentary oversight over security policy and spending; a parliament limited to a rubber-stamp role betrays poor democratic control of defence;
- Fourth, sufficient transparency of decision-making to allow for a thorough public scrutiny of defence matters. While there are obvious requirements for secrecy in defence programmes, these should not be pushed beyond what is strictly necessary and must not undermine democratic accountability;
- Fifth, an informed national debate on security, in which a special role is played by civilian experts in government, media, political parties, and by independent sources of advice and critical assessment, such as research institutes.<sup>85</sup>

As noted, in the seven countries covered by our collaborative research effort formal arrangements have been put in place rapidly, even though the division of responsibilities is not always clear and can be a bone of contention. Institution building remains a challenge. Civilian control over the defence ministry, for example, does not mean simply one civilian cabinet member at the head of that organisation, as many military officers initially thought might be sufficient. While respecting military experience and expertise, the minister should have at his disposal sufficient non-military perspectives provided in most cases by non-uniformed staff. Defence policy is part of security policy and the defence ministry must be capable of handling a wide range of subjects including finances, social affairs, foreign policy, industrial policy, international law and so on.

This requirement ran into two main problems throughout CEE: the lack of sufficient qualified civil servants, particularly officials with some understanding of military matters; and the lack of acknowledgement of the indispensable role of political and civilian input. Not surprisingly, civil-military differences led to frictions. The demands of fundamental change led to more than that. Irritations stemming from very human reactions to change burdened transition. Irritations are problematic if they stem from obstruction and stubbornness. They are more serious when they result from

<sup>85</sup> Marco Carnovale, “NATO partners and allies: Civil-military relations and democratic control of the armed forces,” *NATO Review* (March 1997), p. 33.

ignorance and arrogance, even provocation on the part of new civilian bosses. A new balance had to be found – or, better, to be created – between civilian and military roles and responsibilities.

The professional military everywhere has ample room to obstruct the process of reform, but may be more tempted in an environment perceived as uncongenial, even hostile. As a representative of his peers and sharing their *esprit de corps*, the corporate-officer is prone to damaged pride and tainted status. In the role of adviser to political masters, the military professional can be overruled for reasons he is not always familiar with (or, worse, because of lack of respect, a highly regarded principle within the armed forces). Once a decision has been taken, however, the military executors have plenty of room to frustrate or fail to fully implement the measures envisaged. After all, who would be able to pinpoint the source of obstruction? Given the sheer size of the organisation and the countless bureaucratic steps in implementing decisions, who cares about the consequences of being disloyal to political managers? Loyalty is owed first and foremost to one's peers, is it not? Why should a beleaguered institution act differently? All this explains the rather strong inclination to protect the near-monopoly of knowledge and military-professional expertise and to look inward for support.

Corporateness and professionalism may thus become a liability rather than an asset for the organisation as a whole. In some cases animosity goes so far as to embroil in scandal and demote 'uncooperative' colleagues and officers who have identified themselves too much with 'the other side' or risen to a political position. (For many military colleagues political responsibility might not be viewed as a way 'up': as, for example, the open-minded Romanian Minister of Defence, General Spiroiu, discovered in the early 1990s.) Finally, old-style bargaining – through one's own networks and informal channels instead of using and improving formal and regularised communication – still proves to be a viable means of safeguarding a vested interest. In the long run, however, the 'old-boy network' is no solution to the real problem at hand.

The 'brain of the army' and the defence establishment in Soviet times was the General Staff, the powerhouse of monopolised knowledge and the hub of a wide network of bureaucracies and political connections. This dominance had to be addressed, but in many cases was not ended institutionally.<sup>86</sup> In some places integration of the General Staff in the MoD did not happen at all, as in Hungary. In others, subordination of the Chief of the General Staff to the political leadership failed or was incomplete, as in Bulgaria or Slovakia. Elsewhere competition between the ministry and the General Staff led to unnecessary duplication, as in Poland; or the presidency used its prerogatives *vis-a-vis* the ministries by elevating the Chief of the General Staff to political stature if appropriate (as Walesa did in the famous Drawsko incident in 1994); or foreign and defence committees of parliaments said that "the military people should run the military" (in the words of, again, Walesa in 1995). That

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<sup>86</sup> See Jeffrey Simon, *NATO Enlargement and Central Europe: A Study in Civil-Military Relations* (Washington 1996).

had been daily practice in so many places. Evidently, these and other confusing signals to the military gave ample opportunity to exploit their privileged, strongly institutionalised position.

Transparency and rational decision-making are then very seriously and defiantly put to the test. Parliamentary and public scrutiny may sometimes happen through the method of ‘Democratic Control by Scandals’.<sup>87</sup> Generally, though, whatever the quality of the parliamentarians, there is a lack of communication by the military and even within the military. It is worth quoting an insider, Colonel Ujj:

It is surprising to see that while some political institutions and actors – Parliament’s defence committee, its members, parliamentary staff, and some NGOs – dispatched more and more information on defence related problems, the military establishment itself refrained from substantial communication between its leaders and subordinates. In general, it is from mass media rather than from official organs that soldiers first learn about ideas and decisions that affect them.

Within the Ministry of Defence competition is the rule rather than the exception. In part, this is natural because of the struggle for extremely scarce financial resources. Moreover, defence has to compete with a number of other, sizeable uniformed establishments such as border guards and the units of the interior ministry (which in the former Soviet Union outnumbered the regular armed forces). In these cases, the legacy of the former system frustrates attempts to establish a single all-state authority in charge of restructuring the security organisation.

Defence reform in Ukraine is paralysed by this situation, but even the Ministry of Defence is unable to get its act together. So it happened that four consecutive ministers reversed key decisions reached by their predecessors within the span of five years. The disturbing experience of 12 years *talking* about reform in Russia – and the ongoing fight between Defence Minister Sergeyev and Chief of the General Staff Kvareshin – is just another among countless examples of the poor performance of the military leaders themselves. Redressing these failures may take more than discrediting misplaced and unwarranted pride – as in the aftermath of the *Kursk* tragedy – and more than one ‘strong man’ like President Putin.

Elsewhere, the situation is not substantially different. Many armed forces are still organised on the basis of mass mobilisation and huge industrial wartime preparedness. Resistance to change is immense. Conscription, increasingly unpopular in society, is furiously guarded notwithstanding its obsolete, Cold War rationale and evidence of decreasing proficiency in a high-tech environment. Full membership of NATO and participation in multinational operations will *require* all-volunteer forces,

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<sup>87</sup> Zoltán Pecze, *Civil-Military Relations in Hungary 1989-1996* (Harmonie Papers No 2 Groningen 1998) p. 61. Pecze lists quite a number of scandals that led to public scrutiny of defence policy in Hungary and concludes: ‘The ‘Democratic control by Scandals’ is clearly a ‘negative’ form of civilian control; it is the political punishment meted out to the executive and particularly the Minister of Defence because of mismanagement or breaches of the law.’

or at least large numbers of them. The trouble is the social status and pay of civil jobs dwarf those of proud officers once respected in the streets of their town. This is, among other things, why so many competent colleagues have left the ranks. They are not, however, leaving fast enough from the right ranks. In Hungary, there are as many officers as NCOs and far too many high-ranking officers (some 50 generals for a total force of 50,000). Exercises are rare and inadequate in qualitative terms, units are undermanned and reservists not trained (if they show up at all) and equipment is outdated and not replaced. In spite of all this, the top brass by and large procrastinates and resists change for the better – for the state and for the armed forces. Democratisation, economic reform and unprecedented military stability may have changed the tune: many are not yet dancing to it.

If there is a serious lack of vigorous debate on security and defence matters, legitimisation of decisions – as well as of the considerable expenditures for defence – inevitably wanes. In the end, public support might evaporate altogether. This cannot be remedied by pointing at the formal existence of, say, a ‘Law on National Defence’, while the reality is that planning and implementation are conducted by the General Staff. In that case, security policy is not based on a national concept that has been discussed and approved in parliament. Nor should parliamentarians be forced to ask ‘the right questions’ before getting answers. Elected representatives should be alert and demanding. However, if less than one-half of the members of the parliamentary committees know about a major acquisition decision – as happened in the Czech Republic regarding the deal with Russia about a MiG 29 deal – how can a consensus based on socially shared values and views on defence ever be established?

Acknowledgement of the crucial role of legislative oversight is not always on the minds of politicians either. Core questions are too often evaded, or end in confrontation rather than being discussed in earnest between government and opposition. The Hungarian experience is illustrative. According to Colonel Ujj:

An agreement on the scope and the procedure of military downsizing proved to be impossible to reach over the [past nine] years, just like there is no consensus on the subject of decision making structures and areas of responsibilities, more precisely, on the development of the new command structure. In my opinion, the delay in establishing an integrated Ministry of Defence was not only due to relations between civilian MoD leadership and the military professional sphere. Should there have been a uniform parliamentary position as to the process and deadline of implementation, it would have been impossible for the socialist-led government coalition to simply invalidate the solutions reached by its predecessor like the integration of the MoD and the military High Command.<sup>88</sup>

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<sup>88</sup> Andras Ujj, *Problematic Features of Civilian Control over the Hungarian Defence Structure*, (EFP Working Papers, Groningen 2000) p. 37.



Nor is a docile or impotent parliament of help for correcting strange decisions like spending the defence budget of several years on the acquisition of a single weapons system. Romania almost agreed to buy armed attack helicopters for several billions of dollars whereas its total defence budget is less than one billion dollars a year. Fortunately, the Minister of Finance intervened. Such deals may be strongly advocated by western defence industries and be applauded by the privileged service – as in the case of the Czech Air Force that may still buy new combat aircraft in co-operation with American companies developing the costly fighter. This would not be a service to a balanced defence capacity for the Czechs: nor, for that matter, to NATO which already has enough combat aircraft to cover the extra piece of land called the Czech Republic. This has nothing to do with ‘Partnership’; it amounts to an industrial rip-off.

The promotion of transparent decision making and civilian oversight proceeds unevenly and more slowly in some countries than others. For example, the turbulent years in Poland – caused by the political games of President Walesa and the resistance to civilian control of the Chief of the General Staff, General Wilecki – stalled that process dramatically. At least, the institutional reform of 1996-97 put an end to this, enabling Poland to show NATO that it was serious in living up to the values and norms making up balanced civil-military relations. Under President Kwasniewski, elected in 1995, the scales turned to the civilians and the Ministry of Defence, forcefully led by Minister Dobrzanski and his Deputy Karkoszka. The role of the General Staff was curtailed and the proponent of military autonomy, Wilecki, was removed in 1997. The Law of the Office of the Minister of Defence of 1996 laid the institutional ground for a long-term development of defence policy. At the same time the professional soldiers of Poland should have room to do their job without undue micro-management by civilians, so that they can play their part professionally. As Andrew Michta writes:

The Polish army of today has travelled a long way towards defining its proper role in society. While problems remain, the Polish officers are closer to the democratic ideal now than at any point of the past. This reflects the prevailing public consensus that the armed forces do not belong in the political arena. [...] today Polish officers share with the civilian population the general acceptance of democracy as the system synonymous with national independence. Though they often argue about the proper institutional structure for civil-military relations, they treat the national security policy-making authority of the government as a matter of course. They also overwhelmingly support the notion of an apolitical military.<sup>89</sup>

Other armed forces in CEE are still travelling this route; and for many it is a journey to a still ill-defined destination.

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<sup>89</sup> Andrew A. Michta, *The Soldier-Citizen: The Polish of the Polish Army after Communism* (London 1997) pp.120-121.

What, though, of the other element in the 'democratic control' interface? In general, citizens do not relate to defence issues and popular protest is rare. Civilian expertise, inside and outside the security institutions, is nevertheless a prerequisite for sound policy, as is public support. Yet the influence of the mass media on defence policy in Ukraine is considered to be zero. Journalists in other CEE countries do not consider this policy area as important for their career either. Access to foreign databases is difficult and scholarly analysis is discouraged by the lack of official information. Decision-makers are few, sometimes concentrated in just one governmental organ like the presidential office or defence council; and they prefer to keep their cards close to their chests. How can a security community be established under such circumstances?

In their contribution to our seven-nation collaborative research inquiry Vlachová and Jiskra describe the characteristics of a security community as a social formation:

A security community can be defined as a free (institutionally not necessarily anchored) and open association of people united on the common ground of their professional, personal or other interests closely related to defence and security issues. A security community consists of groups dependent upon the military only by their professional interest – independent groups and research centres that are not financed by the 'think-tanks' of defence origin and NGOs, especially those co-operating with the military in area of conflict and peace-keeping. In addition scholars and journalists, possibly affiliated with associations, defence industrialists and governmental policy makers are also to count as part of this very broad group of members.

An exchange of views, mutual assistance in collecting facts and figures and sharing specific knowledge are prerequisites for the community to play a significant role in evaluating and critically assessing public decisions. This role should be to a certain degree an agreed objective of the community, which does not mean that the members should agree on the subject matter itself or cannot adhere to partisan views. Whether or not a security community functions can thus be judged according to (a) the mutual recognition of membership and individual identification with the community; and (b) the impact of the community on decision-making and policy-making plus public debate in general.

On membership and identification, CEE security communities are small and often fragmented. In many cases there are groups within groups. Those who have attended, say, the activities of Atlantic Commissions know that regular faces are numerous, but over the years pretty much the same. Once participants have left the meeting, many separate groups emerge. If one pays a visit to these more focused or research-oriented groups, the number present drops. There are inter-group enmities too. Differences of culture and profession – journalism and industry – quite naturally account for some, but not all, fragmentation and uneasiness. Clearly, fragmentation compounds the severe restraints on dialogue and on ventilating issues. Thus the Czech

Association for Soldiers and Youth finds that the Ministry of Defence and the General Staff do not pay attention to its calls for better living conditions and proper, respectful treatment of conscripts, because “they do not consider the Association a strong partner in negotiations nor a significant social representative of military interests.” In Poland, Valchová and Jistra identify a useful and diversified core group; but, they say, “the security community [in the Czech Republic, Hungary and Slovakia] as a whole lacks a spirit of cohesion and shared opinions. The individual groups are not receptive to possibly converging, workable views, with perhaps the exception of journalists who show respect for independent and informed expertise.”

The Polish Chief of the General Staff, Wilecki, once suggested that the Polish people very well understood the present military cause in the 1990s as they had in the days of Marshal Pilsudski in the 1920s. The problem was the press and politicians who had no idea of the professional knowledge and duty of Polish officers. This kind of demagoguery can still be heard in countries where transparency is resisted by a forceful appeal to the sacred secrets of the state. These tactics for deceiving the ‘enemy’ may be successful in the short run and even accumulate to strategic proportions in a war of self-defence. Yet Wilecki was wrong for political reasons and a disastrous strategist in his own defence. Precisely because he referred to a military predecessor, he should have realised that the Polish strategic culture *does* permit openness and scrutiny. The machinations of Wilecki and Walesa, confusing civil-military relations in transition, were unlikely to gain the upper hand in a country where the military institution scores the highest in popularity polls. In the end, the awareness in society and in the security community – of the defence needs of Poland and of shared basic values – prevailed. However small and scattered the security community may be, it is bound to have its impact in a country like Poland. “Along with changes in economic, legal or institutional frameworks and political systems in general, the historically formed and historically variable attitudes, evaluations and practices of politics are major indicators of transformation in the context of nationally specific factors of *longue durée*,” concludes the Slovak sociologist, Mihalikova.<sup>90</sup> In other words, popular interest in security matters and the recognition of the symbol of national identity, the armed forces, allow for the development of the security component of civil society.

The existence of such a culture and awareness is rare in CEE, with the possible exceptions of Romania and the fast increased standing of the military in Slovakia. Štefan Sarvaš has observed a ‘marginalisation of the military’ – that is, less popular interest in defence matters which, in turn, results in a return of the domination of military expertise. He also points at the negative effects of introduction of an American Planning, Programming and Budgeting System (PPBS) in the very different culture of the Czech Republic, encouraging centralisation of decisions in the hands of

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<sup>90</sup> Silvia Mihalikova, *Political Culture and Civil-Military Relations in Slovakia* (Harmonie Papers No.11, Groningen 2000). p. 59.

few participants and actually hampering access to the overall picture for the political and other members of the security community.<sup>91</sup>

More generally, Western techniques can be prudently applied to analysis of policy choices. Scholars and institutes should not be excluded, however, when the authorities adapt sophisticated defence planning techniques. Unfortunately, some institutes and academic departments in CEE fell victim to political bickering. The fate of the national institutes for international relations in Hungary or Poland is illustrative. Whatever their role during the communist days, they were valuable in many respects, not in the least in terms of expertise and contacts with Western communities. However, the institutes' staff were not trusted and, worse, became part of the political game. Some were disbanded when the opposition took office and then reappeared when the 'trusted' parties were again in power. A reappointed Director of an institute in Bulgaria, however, found his library rotting in a humid cellar. An invaluable academic asset had been sacrificed by childish rivalries. In other cases, institutes disappeared or ended up as unmanned and resource stripped 'Centres'. Vlachová and Jiskra rightly point to the following main barriers impeding the formation of regional security communities: low public interest in security and military issues; insufficient institutional foundations for expertise; ineffective communication between the security community and the decision makers; and unwillingness of politicians and military to accept controversial views.

The relationship between society and the armed forces determines the degree of transparency. For the military in countries like Slovakia and Romania this is something to ponder, if they want to retain popular support and trust. For the military in Hungary and the Czech Republic the strategic-cultural support cannot be taken for granted and reform of the defence organisation will have to originate and be sustained from the government itself. South-Eastern Europe is a special case after the bombing in the Kosovo war and the declared Western goal of rebuilding the area. In spite of a sense of guilt and political embarrassment after the controversial air campaign – certainly not a strategically meaningful accomplishment of the overwhelmingly superior military alliance – the West has not mounted an efficient assistance programme. The Stability Pact, launched in June 1999, yielded few results in 2000 because of bureaucratic incompetence and poor co-ordination in both Brussels and the capitals of the signatories. For the larger states in the area, Romania and Bulgaria, this lack of Western resolve is disturbing and discouraging.

In Romania, as this text goes to press, it remains to be seen whether the Iliescu government can deliver domestic reform and persuade the West and its institutions to support the effort. Bulgaria has oriented itself very clearly on NATO and on its regional role. Since 1998, the direction has been set and is no longer a subject of discussion. There is no alternative to reform guided by NATO's strategic concept, focused on participation in multinational forces – including rapid reaction forces – and the need for all-round interoperability of forces and systems. Integration is the

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<sup>91</sup> Štefan Sarvaš, "The shift from the Transitional to the Democratic Agenda: the Problems and the Future of Democratic Control of Armed Forces in the Czech Republic," *International Affairs* (Prague), pp. 42-51.

only way, even if participation in NATO activities is not always popular, as in 1999, and despite the fact that further enlargement is uncertain. (Planners may yet have to preserve territorial defence capabilities, rather than putting all their eggs in the NATO basket.)

Of course, fundamental choices are limited because of the severe financial restraints all CEE countries have experienced and still face. When more than 70 per cent of the defence budget is spent on personnel, as in Romania, there is not much room left for modernising the armed forces. Interoperability with the relatively modern equipment of NATO forces becomes a remote possibility, even for the better-off CEE countries, including the first new members of NATO. For example, the Defence Ministry of the Czech Republic found in 1993 that modernisation would require almost a doubling of the annual defence budget for a period of 12 years.<sup>92</sup> Given the socio-economic needs, the armed forces are stuck with their present, often obsolete, weapons systems and can expect few funds for new acquisitions.

There are many ways of comparing the output of money spent on defence, but some general data indicate the magnitude of the CEE states' problems in their attempt to catch up with the long-standing member states of NATO. The Netherlands exemplifies an average contributor to the Organisation. The Dutch spend around 2 percent of GDP on defence and defence expenditure per capita was US \$442 in 1999. Table 1 (see next page) shows a number of some main weapons systems as an illustration of both the current state of the military strength and the (financial and organisational) efforts necessary for CEE countries to match an 'average' NATO member state.<sup>93</sup>

Several comments can be made in addition to the raw numbers. First, the absolute size of annual budgets in CEE is very small. The personnel line takes the lion's share; and operations and maintenance often eat up the remaining money. Outlays are kept within budgetary limits by simply *not* spending, for example on exercises and routine activity. Second, the huge stocks of equipment are a burdensome Cold War legacy; proper maintenance is a Herculean task in and of itself. In any case, almost all equipment is obsolete. Soviet era T-55 tanks, for example, were the state of the art at the end of the 1950s; even the 'modern' T-72 dates back to the late 1970s. The combat aircraft inventory still consists largely of MiG-21s from the 1960s and 1970s. (Ukraine used to be the most western military district of the Soviet Union, facing the central front *vis-à-vis* NATO and has relatively more modern pieces of equipment.) Third, it is out of the question that the current inventory can – or should – be replaced on a one-for-one basis. Why invest in so many main battle tanks? Why buy expensive fighter aircraft when NATO has so many? The trouble is even small numbers of replacements are costly. Imagine the acquisition of 50-100 modern combat aircraft with a price tag of some US \$ 75 million each. Or a significant number of armed attack helicopters at US \$ 50 million apiece? Assuming an investment figure of 10 per cent of the 1999 budget of Hungary, for example, this

<sup>92</sup> Tesar, *op. cit.*, p. 31.

<sup>93</sup> All figures are taken from *The Military Balance 2000-2001* (London 2000).

would mean one fighter aircraft or one-and-a-half helicopters as the sole acquisition of the year. Even the Netherlands with a defence budget around ten times that of Hungary will have tremendous difficulty in replacing its F-16 fighter aircraft in the next 10-15 years. For countries like the Netherlands co-operation and a serious search for complementarity with allies are in order. For CEE countries and aspiring NATO members, multilateralism coupled with a rigorous division of labour with others – particularly in the region – seems to be the only route to the modernisation and interoperability of systems and forces.

Table 1. Some illustrations of CEE defence input and output in comparison with The Netherlands

	Czech Republic	Hungary	Poland	Bulgaria	Romania	Ukraine	Slovakia	The Netherlands
Defence budget 1999 (bill. USD)	1.16	0.74	3.2	0.39	0.61	1.4	0.33	6.94
Population (mill.)	10.2	10	38.6	8.2	22.5	50	5.4	15.8
Budget per capita	113	74	84	47	27	29	61	442
% GNP	2.3	1.4	2.1	3.3	1.8	2.9	1.9	1.8
Main battle tanks	792	805	1704	1475	1253	3895	275	330
Combat aircraft	110	68	267	181	323	911	84	157
Flying hours	60	50	60-120	30-40	40	?	45	180
Total Armed Forces	57700	43790	217290	79760	207000	303800	38600	51940

Source: The Military Balance 2000-2001 (IISS: London, 2000)

These and other considerations are undoubtedly important as the basis on which politicians and others can build. However, whether something will be built at all depends first and foremost on the actors. It is their reason and sense of the realistic management of the limited resources and constraints imposed on them that is crucial. The reform of security structures lies in their hands. It is a daunting challenge.

## 6. Conclusions and recommendations

Preservation of the existing security *regime* is essential at least for the time being. Its most tangible expression is the CFE Treaty. The OSCE process is also of paramount importance. This undervalued forum has contributed tremendously to the present-day regime. Since 1975, when the Helsinki Accords were signed, it has embodied the spirit of change in the area of arms control (among others). While its agreements are not legally binding, the ideational content of the OSCE is in no small part the political



and cognitive basis for strengthening European security structures. It deserves sustenance, not least because here the US and Russia are participants in a genuine all-European institution.

Yet the OSCE cannot be the main vehicle for a future pan-European order, because, among other things, the US and Russia *are* members; and big powers are unlikely to devolve too much power to an international organisation. Other states concur with this view and/or see more promise in other organisations. The political map of Europe, in other words, is a colourful geographic-institutional landscape. A palette of national foreign policies coexists with some bright areas of international organisation – notably the EU and NATO – and more muted areas of association, with more or less darkly contrasting hues on the horizon. The political entities – states, nations, elites, ethnic groups and cultural identities – show a chameleon-like variation in the composition and arrangement of shades.

We cannot speak about one new order. The manifold structures are confusing, their parts confused. The almost countless actors interact at so many levels. Simultaneous processes, sometimes contradicting each other, sometimes conflicting and sometimes mutually reinforcing, are continuously and dynamically structuring a new Europe. Declaratory policy notwithstanding, co-operation and integration are progressing slowly, intermittently accompanied by setbacks. In any case, they proceed unevenly and at varying speed. The success story of the EU integration has entered into some blank pages despite the absence of a playwright and too many stage directors of different minds.

The countries in the East, ‘misdeveloped’ for so many years, have a hard time to understand and to act. However, some things should be clear. First, leadership in building Europe should come from the most secure and prosperous part. Western policies have been seen, though, as a mixed blessing. The blessing is the appeal of almost two centuries of democratisation and market reform (and their results). Political assistance and hard currency aid have been welcomed and appreciated. Yet, their results were mixed. The West came forward with conditions. *Conditionality* is a relatively new concept, too new for the British dictionary, but in principle a quite normal or understandable part of integration. In practice, conditionality is not always so understandable. Western institutions sometimes display contradictory requests, like the IMF demanding a strict – and low – ceiling on defence expenditures while NATO urges aspiring candidates to spend more money. The eligibility criteria put forward in the 1995 *Study on NATO Enlargement* reflect an accumulated wish-list rather than a coherent set of requirements. Moreover, there is nothing about the degree of compliance sought or about a timetable. Individual member states pursue their own interests and hint in their assistance programmes at support in exchange for recognition of those interests – ‘buying American’, supporting NATO action in Kosovo or denying Russian influence anywhere. In the end, regarding NATO membership, conditions matter less than political calculation at the time accession invitations have to be offered (or withheld). Finally, criticism is often heard of preoccupation with Russia in the West, the exaggerated respect for its military power, and the condoning of its blackmail tactics. The key point is that Russia is seen in

Washington as a still significant power because of its nuclear warheads and missiles. The mismatch between nominal power and effective influence is enormous, but not recognised everywhere. For the foreseeable future Russia is likely to focus on its 'near abroad' and will be incapable of playing a global role. The Federation's GNP is inferior to that of South Korea or the Benelux countries. The West should be clear about a concerted answer to any problem posed by Russia and not play different roles in the former Soviet Union. Disagreements and lack of co-ordination in the West should be addressed; and if a unitary approach should appear impossible, as it is likely to be, a common 'damage limitation' policy should be considered.

Second, in spite of western shortcomings – which are inevitable anyway – our collaborative study on restructuring security institutions reveals consistently that the CEE countries have to do the hard work themselves. Lip service to reform and half-hearted reform measures are not only the wrong message to send to western states and organisations, they also hamper domestic development towards the 'example' of two centuries of democratisation and market reform. Three areas presented themselves clearly in our inquiry.

- *Slow institution building.* The most obvious obstacle is financial and economic resources and their management (addressed in Chapter IV). This is recognised. However, CEE countries could be more frank and open about reality rather than bombarding NATO with information about formal decisions on rules, committees, civilian ministers of Defence, science management, investigating authorities in educational reform and so on. There has never been a professional military without financial restraints: so admit it. The real problems of reforming the security institutions are lack of civilian competence, elite bickering, and the legacy of communist days. Money is not going to solve these problems.
- *Inadequate critical assessment of national security situations.* Security is no longer synonym for defence. Yet the military still act as if preparation for (a) territorial defence and (b) high intensity manoeuvre warfare were all-important; and armed forces structures do not differ significantly from those of the past. Particular attention should be paid to a redefinition of national security and to reshaping defence efforts accordingly.
- *Lack of openness (transparency).* Most institutions in CEE remain closed organisations. Little emerges about facts, let alone about thinking in defence establishments. Worse, the military are often unwilling to share information, even with their minister and parliament. Still worse, frequently they do not know among themselves what information is available and important. Defence policy has recently been primarily personnel management in a situation of downsizing forced upon them by the Minister of Finance. But without an information system and critical assessment of the state of the armed forces, problems will persevere and worsen. The military will eventually have to accept the necessity to engage with a wider domestic security community. Actually, they should welcome a broad spectrum of knowledge and support. Military expertise was monopolised by the uniformed in the communist era, and that has not been changed. PfP military-

to-military activities have even reinforced the ‘detachment’ of the armed forces from civil society and effective civilian oversight as well as their prominence in their own arena. Strictly professional sub-cultures are not the problem. On the contrary, let them develop professionalism. But these sub-cultures should not interfere with the essential demands of accountability and transparency.

The legacy of secrecy under the Cold War circumstances has to be overcome. The reform of security structures is going to proceed; and short sighted, tactical moves are doomed. The military do themselves a great deal of harm by not opening-up and will lose in the end if they do not. (If they somehow prevail, it can only be in a new ‘Garrison State’ environment that virtually nobody wants in Europe.)

These are, of course, only the headline conclusions of our seven-nation cooperative research. It is none the less noteworthy that they apply – to a greater or less extent – to all the participating countries. The three recent entrants to NATO are still wrestling with the problems that preoccupy the three aspirants and 'borderland' Ukraine. In this field as in others, the challenges do not respect the enlargement-related dividing lines in Europe. Nor should the search for sound solutions.



## VII. SEVEN-NATION PERSPECTIVES SUMMARISED

David Greenwood

### 1. Introduction

As explained in Margriet Drent's Preface to this volume, the investigation reported here is noteworthy because of its *participants* and its *purpose*.

The participants were reputable scholars and analysts from seven countries, namely the three newest NATO members and 'fast track' EU applicants (Poland, the Czech Republic and Hungary), three leading aspirants to NATO membership and 'slower track' EU applicants (Bulgaria, Romania and Slovakia) and the classic 'borderland' state (Ukraine). These contributors worked on the inquiry in five seven-country teams. Each group operated under the direction of an independent Chair and with the support of a pair of Co-ordinators. All concerned are named in the List of Contributors (Composition of Working Groups) appended to this Chapter.

The purpose of the exercise was to engage these 35-plus individuals in a collaborative research endeavour. Country representatives were urged to bring to this effort not only seven national perspectives but, more important, personal contributions – reflecting their diverse backgrounds and experiences – to the development of some shared *seven-nation perspectives* on the topics selected for scrutiny.

There were five such topics. While the selection of subjects could be deemed arbitrary, there was consensus at the outset that if solid *foundations of shared security* were to be laid in an evolving Europe attention to these themes would certainly be required. It was agreed that pan-European security community-building would call for:

- a) action to ensure that *human rights and minority rights* are properly safeguarded;
- b) arrangements able to accommodate some diversity of understandings about *democracy, political culture and civil society*;
- c) attention to *economics and security* connections;
- d) effective approaches to *new threats on the security agenda*, notably organised crime;  
and
- e) appropriate, affordable and acceptable *reform of security structures* at all levels.

It was further agreed that, in addressing these topics, the participants would not be content simply to air issues – as typical academic inquiries do – but would advance policy-relevant conclusions and perhaps even specific policy recommendations.

It is legitimate to speak of 'an evolving Europe' – in a non-trivial sense – because of the twin engines of evolution currently at work, viz. the enlargement processes of NATO and the EU. However, each of these organisations is enlarging at

its own pace and according to its own rules. For as far ahead as one can clearly see, therefore, there will be institutional ‘insiders’ and ‘outsiders’, front runners and back-markers among the potential members of any putative all-European security order. This fact was reflected in the inquiry in two respects. First, it underlay the choice of participating countries: the Seven include ‘insiders’ and front runners, for-the-time-being ‘outsiders’ and back markers. Secondly, it determined the directions to which our researchers looked for conclusions and recommendations: they were urged to consider particularly what might be done, within the five designated areas of interest, to blur the lines and soften the sharp edges that organisational boundaries inevitably establish (however temporarily).

## 2. The Conceptual Basis

What was not explicitly considered by the research teams was the *nature* of the ‘pan-European security community’ that is in the making. This could have been a sixth field of inquiry, or the subject of preparatory deliberation by all the research groups. Instead, the topic is covered in this volume by an introductory essay – Chapter I, written by Peter Volten – which sets out the conceptual basis of the investigation.

This is too complex a piece to summarise here, partly because it incorporates contextual matter. For example, it touches on how European security community-building may impinge on relations with the United States and on whether the Russian Federation and the now-independent Central Asian republics of the former Soviet Union may be drawn into arrangements pioneered in Western Europe but now extending to Central and Eastern Europe (CEE). That said, it is appropriate to record here some key features of the analysis which are directly relevant to the thematic inquiries (and on which all our researchers could probably have agreed).

- While *the state* is the central actor in the security domain, and is likely to remain so, it is no longer appropriate or acceptable to regard security (broadly defined) as exclusively a matter for governments.
- On defining ‘security’, at the state level preoccupation with *national security* calculations has already given way to emphasis on *collective security* and even *co-operative security*. Moreover, the situation of groups – even small groups – and individuals now enters the reckoning more than was the case hitherto, so *human security* has become a major concern.
- Indeed, it is the citizen’s *sense of security* that is paramount nowadays. Accordingly, we find that the issues that are subject to ‘securitisation’ in political discourse are often of economic origin or derive from domestic concerns (e.g. criminality and corruption).
- Back at the state level, what constitutes *strategy* in the contemporary world is undergoing examination too. On the one hand, some analysts promulgate the



‘strategy eternal’ of Cold War – and some contemporary American – formulations. On the other hand, we appear to be witnessing in Europe a ‘strategy revisited’ which is distinguished by the absence of stark confrontational characteristics.

- Certainly a security *regime* now exists across Western Europe which in all essentials constitutes a *security complex* and fulfils the criteria for a *security community*. With NATO and EU enlargement, the regime is being extended eastwards and may in the fullness of time embrace all the CEE states. The challenge is to ensure that the complex – a remarkable ‘socially-constructed reality’ – remains a community (in the Deutschian sense).

Peter Volten’s stage-setting essay says much more than this – for instance, on security structures (anticipating the subject-matter of the same writer’s Chapter VI) – but these are its main messages. Furthermore, the final observation in the listing here provides a natural link to reviews of our five study teams’ conclusions. These are about matters that would-be community-developers must incorporate in their blueprints.

### 3. Human rights and minority rights

The 1998/99 Kosovo crisis and conflict threw into the sharpest relief the extent of the transformation that has taken place in recent years in thinking about ‘security and the state’. Right up until the eventual *dénouement*, one protagonist – Yugoslav President Milosevic – asserted that, within its legal borders, a state’s writ runs: any dilution of this doctrine amounts to unwarranted interference in a country’s internal affairs. The other protagonist – the never-satisfactorily-defined ‘international community’ – disputed, denied, denounced and ultimately took it upon itself actively to oppose that view: even a government of (by some tests) impeccable democratic credentials cannot, with impunity, restrict political freedoms, ride roughshod over minority rights, abuse fundamental human rights and ‘restore order’ whatever that takes (and certainly cannot, on that pretext, practise ‘ethnic cleansing’, even genocide). The actual action taken by the ‘international community’ – notably NATO’s bombing campaign, ostensibly conducted to avert a humanitarian disaster but in effect doing no such thing – itself raised difficult issues of legality and legitimacy, of course. However, these do not concern us here. For present purposes, it suffices to note the nature of the contest over norms, values and authority.

This is the territory which our human rights specialists explored, under Joost Herman’s leadership. At the beginning of Dr Herman’s Chapter II – in which he has incorporated some contributed material directly – there is an immediate echo of the preceding chapter’s affirmation of the prominent place now accorded to ‘human security’ in global thinking and an initial elucidation of the international legal basis for this. Thereafter, the Chapter deals with some general matters before proceeding to

detailed examination of the circumstances of two minority groups – the Roma and the much less numerous Ruthenians – plus consideration of how such groups' rights might be better protected.

Several conclusions and a number of policy recommendations emerge from this analysis. Combining both the general and specific, they can be summarised as follows.

- In the subject area as a whole, action is called for that is both 'top down' – ensuring the incorporation in every state's domestic law of all that has been internationally agreed and codified; *and* 'bottom up' – ensuring that when new abuses come to light there is pressure to revise the international codex and to cover, and outlaw, them.
- The domestication of international norms is important because it is only at the level of the nation-state that enforcement is practicable. Ideally, of course, rules are simply accepted and observed; but enforcement – or the threat of enforcement – underpins compliance.
- Central to effective domestic enforcement is the possibility of action through the legal process. In this connection states must offer *all* their citizens the assurance of affordable access to the courts and of expeditious delivery of rulings by the courts. Moreover, the judiciary itself must be clearly independent, making its determinations with evident impartiality and free of political intimidation (or other extraneous influences).
- As for 'bottom up' requirements, a test for CEE countries is the treatment of the Roma (as a large group represented, and disadvantaged, just about everywhere). The obvious need is for a broadly-based approach, involving not only governments but also prominent Roma personalities, the media, and majority leaders. Administrations must be less ambivalent and more pro-active (in establishing the right to work and the right to education, for example). The Roma leadership must become more coherent (and resolve such difficult issues as deciding whether campaigning for group rights or individual rights will serve their constituency best). The media must be weaned from the practice of reinforcing stereotypes (in the reporting of crime, for instance). Majority leaders likewise must strive to counter the popular 'demonisation' of the Roma that is all too common (difficult though this may be in some societies).
- For other minority groups – like the Ruthenians (not so numerous as the Roma and more ambiguous about their identity) – action on just a few fronts is probably all that should be attempted. If the rights that such groups cherish relate predominantly to socio-cultural differentiation, as appears often to be the case, it may suffice simply to acknowledge their right to be different: to sing distinctive songs and wear distinctive costumes, for example.

Needless to say, the fundamental requirement in these affairs – across Europe as elsewhere – is the fostering of a culture of *tolerance* towards different histories, traditions, ethnicities, creeds and nationalities. This is the preferred solvent for all

tensions between host populations and ‘guests’, majorities and minorities, whether the latter are groups with no patron-state – like the Roma and Ruthenians – or expatriate communities (which in some countries of CEE are large and of long standing).

The expatriate phenomenon is one which Joost Herman’s group did *not* address directly. Perhaps they should have, because this is where some of the most troublesome conflicts of allegiance and demands for separate treatment arise. (Look at present-day Hungary and its neighbours or contemporary Macedonia.) Taking a broad and long-term view, however, it can be argued that a possible – and certainly a desirable – by-product of successful pan-European community building may be the growth of an overarching *European* consciousness. If ethnic Hungarians residing in Romania (or Slovakia) then worry less about whether they are Hungarians or Romanians (or Slovaks) and think of themselves as *Europeans*, just like those with whom they live within Romania (or Slovakia) – if that situation comes about, the gains are self-evident. Pending such an outcome, tolerance must remain the watchword.

#### **4. Democracy, political culture, civic society**

Success in community-building is also going to require toleration of *some* diversity in understandings about the theory and practice of democracy, and *some* differences in the political culture(s) of member states and in the level of ‘civil society’ development that they display.

The emphasis is added here advisedly. Both NATO and the EU have, rightly, laid down clear membership conditions and communicated to aspirants less well-defined expectations and requirements. Most are to be found in (a) the 1995 *Study on NATO Enlargement* and the 1999 prospectus for NATO’s Membership Action Plan (MAP) procedure; and (b) the so-called Copenhagen criteria articulated by the EU at the start of its current enlargement phase, plus the periodic reports of the European Commission on present candidates’ progress towards accession. These establish that both organisations welcome only law-governed democratic societies; and that establishes more or less definite boundaries for diversity and differences. The organisations do not, however, prescribe complete uniformity of policy and practice.

According to the second of our seven-country research groups, that is as it should be. As reported in Chapter III – outlined by team leader Koen Koch but written by Irma van Dijk – creating a sort of political homogeneity is not, and cannot be, what pan-European community-building is about. The progression of argument in this Chapter is as follows.

- There is a clear security-democracy linkage. Democratisation enhances security: in a secure environment the likelihood of democratic consolidation is enhanced. The consolidation of democracy in CEE must, therefore, be regarded as an

essential element – perhaps *the* essential element – in security community development.

- That there has been clear progress towards consolidated democracy throughout CEE is not in dispute. However, in some places post-communist governments have not moved sufficiently far along the path from instituting formal electoral democracy to promoting constructive participatory democracy. Put in another way, while almost all states have attained a satisfactory *level* of democratic development, in most (if not all) of them the *quality* of democratic practice leaves something to be desired.
- Exactly what it 'leaves to be desired' varies from country to country; but underdevelopment of the institutions of civil society – the informal machinery of politics – is one very common failing. Gender-related asymmetries are another.
- Differences here, however, are related to the fact that CEE states display a significant diversity of both transitional experience and basic political culture. Such diversity is not necessarily a sign of commendable strength here, unfortunate weakness there. In fact, a robust community of nations should be able to accommodate diversity.
- Thus CEE governments should be encouraged and helped to improve the quality of democratic life; and Western governments should continue to aid democratic consolidation. However, Poland must consolidate Polish democracy, Slovakia must consolidate Slovakian democracy (and so on), while western governments and organisations should not insist on strict adherence to their preferred models, based on practice in Washington, Westminster, or wherever.

This is wise counsel. At the same time, it means that *managing* NATO and EU enlargement will present some challenges to Europe's statesmen (and women). They will have to decide 'how much conformity is enough' or 'how many variations on the theme of democratic law-governed societies can there be within an "integrated" political, social and economic construct'.

## 5. Economics and security

Political philosophy, political theory and political sociology underlie the argument of Chapter III. The intellectual underpinning of Chapter IV – written by David Greenwood – is classical political economy.

After first noting the numerous ways in which economic considerations enter security calculations, our economists' research group opted to follow a (necessarily) focused agenda. To start with, the team discussed, and Greenwood summarises, the *shared inheritance* of the Seven: a legacy of distorted resource allocations, inept resources management and bloated military-industrial complexes; and, at the Cold War's end, the opportunity to change all that. The group then reviewed the *shared*

*experience* of its members' countries in seeking to effect change: an experience in which correcting distortions, improving management, and converting laboratories and plants to civil uses were anything but straightforward. In fact, new insecurities and new vulnerabilities emerged. This is part of the explanation for the *shared aspirations* of the Seven: to pursue affiliation with – and ideally become full members of – the 'Euro-Atlantic structures' (principally NATO and the EU).

The slow pace of the NATO and EU enlargement process has, however, bred *shared anxieties* among all Central and Eastern European countries (CEECs). The sense of security and prospect of prosperity which they crave may be a long time coming. Our seven-nation group thought that, in the circumstances, there should therefore be greater effort to promote collaboration *below* the European and Atlantic levels. This would complement the quest for accession and deliver useful benefits in the meantime.

Hence the analysts' decision to devote a lot of attention to the CEECs' experience of, and options and prospects for, *sub-regional co-operation*. In doing this, they elected to look at both arrangements of a military nature, capable of yielding security benefits directly, *and* arrangements of an economic kind, capable of enhancing security indirectly. In other words, they accepted the 'hard' security/ 'soft' security differentiation that has become fashionable.

The economists' conclusions and recommendations on sub-regional co-operation are very clear. The seven-country team agreed on five main points.

- There have been several sub-regional 'initiatives' from which little of substance has materialised. There should be no more such exercises in gesture politics.
- In the 'hard' security area, the proliferation of bilateral and trilateral military formations has probably gone as far as it should, at least for the time being. Many of those that exist are 'paper' creations which, if committed to serious peace enforcement operations (for example), might well be a liability rather than an asset to the force commander.
- In the 'soft' security area – economic co-operation with a security aspect – grand but vague undertakings should be avoided. The success stories of the recent past are arrangements that have been institutionalised, like Black Sea Economic Co-operation; and those that have modest but concrete accomplishments to their credit, like the Southeast European Co-operation Initiative.
- Under both headings, experience bears out what common sense suggests: namely that arrangements linking NATO/EU members and non-members – genuine line-blurring and edge-smoothing enterprises – have most to offer.
- However, care has to be taken to ensure that member/non-member collaboration produces not just promises but tangible benefits to those temporarily in the 'outsider' category. Until very recently the slow-to-start Stability Pact for South-Eastern Europe was open to criticism on this count.

There are no particularly controversial observations here. There is, though, sound practical advice for policy-makers; and we are indebted to the ‘economics and security’ specialists for that.

## 6. New threats on the security agenda

There are clear messages to policy-makers also in the conclusions of the seven-nation group that looked at new threats on the security agenda in Central and Eastern Europe (CEE). What these experts have to say, however, is seriously controversial.

Leading theoretician Jaap de Wilde directed the group’s work, and wrote the record of it at Chapter V above. Not surprisingly, de Wilde insisted that the group’s deliberations should be located within a clear analytical frame of reference. For this purpose he proposed – and the experts accepted – the ‘securitisation’ approach to policy analysis. Therefore the key question posed was: what ‘new threats’ – of whatever origin – have acquired such salience in the contemporary politics of CEE that they are perceived as endangering the security of the state and the sense of security of its citizens (and, on that account, call for ‘exceptional’ counter-measures)?

The group found three such threats. Of these, two were of an economic nature: essentially, the ‘new insecurities and new vulnerabilities’ to which, within our collaborative research effort, the economists were paying attention (as reported in Chapter IV). Accordingly the ‘new threats’ investigation focused on the remaining issue: *organised crime in CEE*, and all its attendant costs and consequences.

The point of departure for this specific inquiry was to ask *why* organised crime – and, indeed, criminality in general – has flourished in the region as the process of political, economic and social transformation has run its course. Put starkly, the answer is because of a breakdown in the social contract(s) between states and citizens. In such circumstances, an analytical conundrum emerges: when is a crime not a crime? Put another way, and working on the time-honoured ‘legality *versus* legitimacy’ distinction; is there such a thing as legitimate illegality, and if so, what is the most constructive policy response?

The solution to the riddle and the answer to the ‘legitimate illegality’ question are developed in Chapter V through a detailed argument better read in the original than in a précis. However, the essential conclusion is simply stated.

- Policies aimed at eradicating crime and criminality by working exclusively through containment, rigorous law enforcement and the severe punishment of offenders are almost certainly doomed to failure.
- It is necessary to recognise that wrongdoing is in fact part of the societal response to chronic failure of economic organisation (black markets, clandestine trafficking) and of political reform (corruption, cronyism, clientelism). On this



reasoning, crime – whether organised or opportunistic – is a product *of* social adaptation and a vehicle *for* social adaptation.

- Therefore *policy* should focus not on the symptoms but on the causes of the systemic failures and *policy-making* here should engage those involved in orchestrating the ‘societal response’ rather than simply outlawing them.

This is indeed ‘seriously controversial’. It certainly flies in the face of the conventional wisdom on these matters. It also raises awkward questions about the uncritical promotion of ‘the rule of law’ as an objective in the politics of CEE transformation. (What law? And what about ‘legitimate’ lawlessness?) On the other hand, these conclusions arise from a coherent line of reasoning. On this account alone, they obviously merit serious consideration.

## 7. Reform of security structures

So do the arguments presented by the fifth of our research groups, tasked to look at structural reform in the security sector. This team worked initially under the joint chairmanship of Janos Matus and Peter Volten. It completed its work under the sole direction of Professor Volten, who wrote the report on its deliberations at Chapter VI.

So far as *international* security structures are concerned, the Working Group reflected on several matters. It reviewed the post-Cold War evolution of NATO, paying particular attention to how the role and purpose of the Organisation have altered and to how enlargement is being managed. It debated how the security and defence personality of the EU is developing and how the other Brussels-based enlargement process is proceeding. It considered also the recent experience of the Russian Federation and the ‘near abroad’; and registered here Moscow’s failure to establish a CIS-based security community. At the same time the seven-nation team noted that for a variety of crisis prevention and post-crisis monitoring tasks it is to the much-maligned OSCE that nations turn, and that as a framework for regulating force levels it is on the (revised) CFE Treaty that states continue to rely. There was discussion too on what can and cannot be expected of the structures of sub-regional co-operation that have come into being in recent years, notably in South-Eastern Europe (see also Chapter IV above).

On these international themes there was agreement about a number of basic propositions.

- There should be further work within NATO to refine mission priorities for the twenty-first century and to define the terms of a new transatlantic partnership. Under the latter heading, recognising differences over issues like national missile defence and addressing American concerns about

burden sharing are just two matters calling for attention. There should be further enlargement.

- Development of the EU's common European security and defence policy should continue, as should the effort to develop a related military capacity. In these endeavours there must be effort to accommodate the concerns of those members of NATO-Europe that are not members of the Union (like Turkey) and those members of the Union that are not in NATO (like Finland and Sweden). More generally, evolutions with-in the EU must not undermine NATO. Enlargement should proceed.
- In all this it would be unwise to ride roughshod over legitimate Russian interests, but equally unwise to defer to Moscow whenever Putin protests. The plain truth is that there is no European security issue that is not easier to manage with Russian support (or at least acquiescence) and no matter that is not harder to manage in the face of Russian reservations (if not outright opposition). From an institutional standpoint this is an argument for breathing new life into the OSCE, perhaps even investing the one pan-European agency we do have with additional authority (and certainly endowing it with additional resources).

A cynic might argue that these observations are a poor return from an 18-months-plus research effort. Most of this is familiar argument. It is a fair charge, except for the fact that confirmation of the validity of mainstream thinking surely has a special value when it emerges as a seven-nation perspective based on intensive examination.

Moreover, the accusation is not one that can be levelled at the light shed by the Volten-led Working Group on questions of *national* security-sector reform. Research and reflection here highlighted a record of 'lip-service to reform and half-hearted reform measures' in most, if not all, CEE countries (p. 148 above). Even in Poland, the Czech Republic and Hungary – NATO's newest members – definitive post-Cold War defence reviews are only now getting underway (mid-2001). In Bulgaria, a blueprint for radical restructuring produced in 1999 has had to be revised. In Romania and Slovakia similar blueprints were still in the making as this text went to press, while for Ukraine one could not even claim that.

The conclusions of the PROGRES team in this context are brutally forthright. Transposing Peter Volten's formulations at the end of Chapter VI yields the following prescriptions.

- All CEE states need to pursue domestic structural reform with *greater urgency*. Invoicing change will not do. It is time for governments to deliver. This is going to require the final eradication of communist-era attitudes of mind and habits of thought where these persist; an end to 'elite bickering' about alternative reform agendas; and serious attention to the development of civilian competence in the security field.
- Reform must be characterised by *greater determination* to abandon outdated ideas – about the meaning of security and the management of

defence – and embrace new thinking wholeheartedly. It is impossible to prepare for the future if key players, especially in the uniformed military, are living in the past.

- There must be *greater transparency* in the conduct of business across the security sector. The enduring culture of secrecy in military, police and intelligence circles is not only at odds with professed respect for democratic accountability it is also counter-productive for those agencies themselves.

This is tough medicine. Our 'structural reform' specialists were under no illusion about the magnitude of the challenge it represents. At the same time, they were unanimous in their conviction that this challenge must be addressed.

## 8. Conclusion

It is impractical to write a summary of summaries, and it would probably be tiresome to read. But a couple of concluding observations are in order on our collaborative research endeavour.

First, the exercise clearly fulfilled its primary purpose: to engage analysts from 'insider' states and for-the-time-being 'outsider' states – from the standpoint of NATO and the EU enlargement – in a focused effort to develop *seven-nation perspectives* on selected aspects of shared security in Europe. It achieved its aim also in yielding policy-relevant conclusions and some policy recommendations, including a number of the 'line-blurring' variety (in relation to shifting enlargement-related boundaries). The preceding paragraphs testify to that.

Secondly, the experience of the *process* and the nature of the *output* suggest that the 'socially-constructed reality' of an all-European security order is not a flight of theoretical or rhetorical fancy but very much a practical proposition. Obviously, we are talking here about what is still, in important respects, a journey through uncharted territory to an unknown destination. However, echoing our favourite Spanish proverb (cited twice in Chapter I), while there is no route-map, 'roads' *are* being made by purposeful 'walking' over the ground this text has covered.



**APPENDIX A: LIST OF CONTRIBUTORS****Working Group A      Human Rights and Minority Issues**

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## APPENDIX B: LIST OF CONTRIBUTED PAPERS

### Working Group A: Human Rights and Minority Issues

- Natalya Belitser, *Political and ethno-cultural aspects of the Rusyns problem: Ukrainian perspective* (Kyiv, December 1999).
- Kazimierz Krzysztofek, *Human rights and minority issues. The case of the Ruthenian communities in Poland, Slovakia and Ukraine. Suggestions on cultural policy options and strategies* (Warsaw, April 2000).
- Dagmar Kusá, *The Ruthenian minority in Slovakia* (Bratislava, April 2000).
- Miroslav Kusý, *The Roma question in Slovakia* (Bratislava, December 1999).
- Dan Oprescu, *Roma issues in Romania. The year 2000 and beyond* (Bucharest, April 2000).
- Vassil Prodanov, *The Roma issue in Bulgaria and minority rights* (Sofia, April 2000).
- Monika Weller, *Judicial protection of human rights in Central and Eastern Europe* (Budapest, April 2000).

### Working Group B: Democracy, Political Culture and Civil Society

- Iryna Bekeshkina, *Democracy, political culture and civil society in Ukraine* (Kyiv, March 2000).
- Antoni Kaminski and Inka Slodkowska, *Democracy, political culture and civil society in Poland* (Warsaw, September 1999).
- Georgi Karasimeonov, *The process of consolidation of democracy in Post-Communist Central and East Europe* (Sofia, March 2000).
- Silvia Mihalikova, *Understanding democracy and political culture in East Central Europe* (Bratislava, September 1999).
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- Ferenc Molnar, *The prestige of democratic institutions and the political culture in Hungary* (Budapest, March 2000).
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- Danes Brzica, *Indirectly safeguarding national security: can sub-regional economic accords contribute to solving the problem of the "new economic securities?"* (Bratislava, February 2000).
- Josef Fucík, *Economics and security in Central and Eastern Europe: the legacy and the opportunity* (Prague, October 1999).
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- Tibor Vörös, *Sub-regional co-operation in South-Eastern Europe* (Budapest, February 2000).

#### **Working Group D: (New) Threats to Security**

- Alexander Duleba, *Criminality, organised crime and corruption in the Slovak Republic: development trends and governmental policies* (Presov, March 2000).
- Alexander Duleba, *Slovak Republic: threat perceptions and their securitisation* (Presov, November 1999).
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- Miroslav Nozina, *The Czech Republic: current security situation and emerging parallel power structures* (Prague, March 2000).
- Olexander Potekhin, *Problems of Ukraine's security: organised crime* (Kyiv, March 2000).
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- Jiri Sedivý, *Czech perceptions of security and securitisation* (Prague, November 1999).
- Nicolay Slatinsky, *Bulgaria, new threats to security and its securitisation* (Sofia, November 1999).

#### **Working Group E: Reform of Security Structures**

- Radu Dobre and Radu Musetescu, *NATO a decade of influence and co-operation* (Bucharest, February 2000).
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Herman W. Hoen, and others, *Governance Structures in Central and Eastern Europe*, September 2000, €14 (incl. postage).

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