Southeast European and Black Sea Studies

From an omnipresent and strong to a big and weak state: Democratization and state reform in Southeastern Europe

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To cite this Article Sotiropoulos, Dimitri A.(2002) 'From an omnipresent and strong to a big and weak state: Democratization and state reform in Southeastern Europe', Southeast European and Black Sea Studies, 2: 1, 63 — 74

To link to this Article DOI: 10.1080/14683850208454672

URL: http://dx.doi.org/10.1080/14683850208454672

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INTRODUCTION

Traditionally, throughout the nineteenth and the early twentieth centuries, the state in Southeastern Europe has been simultaneously overpowering and distant. It has been overpowering in the sense that it has frequently required the participation of citizens in military endeavours, it has helped suppress revolts ‘from below’ against the upper classes and the oligarchic political elites and it has controlled economic activity to some extent, steering or impeding the flow of banking and industrial capital. Despite the fact that various collective actors, such as the military or the large land-owners, enjoyed influence, the state as an institution in Southeastern Europe was strong even before it became a socialist state. At the same time, the state was distant in the sense that, first, it excluded whole regions from recurrent attempts at modernization, letting them continue a life without basic infrastructure and, secondly, it neglected the needs of the less well-off citizens by providing inchoate and very unequal welfare services.

The latter aspects were taken care of by the public administrations of the socialist regimes that emerged after the end of the Second World War. In addition to the authoritarian or totalitarian aspects that characterized such regimes in Southeastern Europe, there appeared, in each of the relevant countries, what Zygmunt Bauman calls a ‘caring patronage state’ (Bauman 1993: 20 and 22). In these countries in the post-war period, while there was improvement in terms of infrastructural modernization and social welfare, the price paid was too high. It included the restriction of political freedoms and the unaccountability of governments. Moreover, with the advent of socialist regimes the state ceased to be distant. It became omnipresent, penetrating the political and economic, if not also the social life of the
citizens, while it remained strong compared with any other organizations or associations.

One area in which the state’s double identity as overpowering and strong is particularly felt is the area of public administration. In the one-party states built in Southeastern Europe in the post-war period, the powerful role of the secret police, the army and a very politicized higher civil service dominated by the communist party, cannot be overstressed. At the same time, bureaucratism, that is, bureaucracy not as an administrative tool of modern societies but as a pathological set of structures and processes, alienated and kept citizens of the former socialist states under control, while curtailing any political and cultural pluralism (at least in the totalitarian regimes of Albania and Romania).

This type of state administration may have had positive results in providing the population with educational, health and other social welfare services, regardless of income, in the context of a command economy. On the other hand, it has also had negative effects associated with the prolonged presence of the same political elite in power and the lack of accountability of the public administration to any political institutions other than the governing party organs. Elster et al. summarize the issue here: ‘The administrative apparatus was centralized and used to a top-down style of governance under the new regime. Those administrative structures are likely to constrain the design and implementation of reforms at the start of transition’ (Elster et al. 1998: 61–2).

Why is this so? We may argue that while many things changed dramatically after the fall of socialist rule, the state apparatus has been transformed only to some extent, that is, it has become weak but remains big. In the words of Eyal et al., ‘In terms of their institutional arrangements, post-communist societies are likely to be characterized by big, weak states’. Writing mainly about Hungary and Poland, those authors go on to say that ‘The Central European State is not necessarily strong, but it is very big. It is ironic that after the fall of state socialism, the anti-statist post-communist bureaucracy continues to grow, often in the shape of ‘privatization’ bureaucracies. Indeed, some economists have suggested that the incomes from privatization are about as high as the cost of administering privatization – this is a good example of what we mean by a big, weak state’ (Eyal et al. 2000: 190 and 190–93).

In the same vein, it can be argued that public administration in ‘existing socialism’ is different from public administration in post-socialist democracies in its functions, if not in its structures. During transition to and consolidation of democracy, while some, if not most, of administrative structures remain intact (and thus big), there are changes
in personnel and in the orientation of the public administration. The administration must now learn to serve alternative masters, owing to government turnover, and to work by the rules of a new democratic constitution, which is usually promulgated early in the transition process.

The onset of democratization usually calls for the cleansing of the highest ranks of the civil service and the radical restructuring, if not the complete abolition, of administrative departments that have been the pillars of the deposed non-democratic regime, such as the secret police and committees of censorship, among many other tasks. Most importantly, there is an effort to ‘de-couple’ party bureaucracy from state bureaucracy. These tasks are not easy to accomplish since some resistance and inertia on the part of the bureaucracy combine with the practical necessity of continuity of the basic mechanisms of the state (for example, ministries, state-run enterprises for transport and communications, etc.) under different political regimes. In transitional periods, there is also a scarcity of qualified personnel, since experts and experienced officials have often collaborated with the old political regime, and it is difficult to find new ones to employ under the new regime. On the whole, large structures and old-fashioned personnel render post-socialist administration weak and, more concretely, unable to steer the transition to the market system.

Democratization in Southeastern Europe has coincided with a worldwide tendency towards the shrinkage of state intervention in the economy. Southeast European administration, influenced by international organizations and programmes (such as the PHARE programme), has attempted to face both democratization and liberalization of the economy. As Joachim Jens Hesse puts it ‘Public administration is losing some of its former tasks as the state is partly withdrawing from the economy by means of liberalization, deregulation and privatization’ (Hesse 1997: 132). In addition, as Elster et al. write, ‘... the submission of the state apparatus to the rule of law, its disengagement from broad areas of social life which it used to control under communism, and the introduction of local government are indispensable ingredients of the democratic character of the new regimes’ (Elster et al. 2000: 110–11). Most of these challenges have been met with little success in the prolonged process of transition to democracy, to the market system and to a modern public administration in Southeastern Europe, as the examples of Bulgaria, Yugoslavia and Kosovo, discussed below, may show. The discussion of the three cases is followed at the end of the article by considerations of further administrative reform and of the set-up of new democratic political institutions in Southeastern Europe.
THE CASE OF BULGARIA

The Bulgarian civil service has a long tradition of partisanship, even before the installation of the socialist regime. Before the Second World War the civil service was partisan in the sense that it was too ‘sensitive’ to governmental changes. Appointments, promotions and dismissals of civil servants were frequent, depending on who held power. Soon after the end of the War the situation was stabilized at the cost of strict political control of the administration exercised ‘from above’, that is, by the ruling Bulgarian Communist Party. This meant that purely political criteria were used for the selection and promotion of administrative personnel, while real power rested in party organs rather than in administrative bodies. It was anyway difficult to disentangle the two. Yet, in the above context, ministries had some autonomy from each other, as there was a lack of coordination among ministries (Verheijen 1999b: 94).

Extensive politicization does not mean that merit was totally disregarded, as every regime needs not only loyalty but also competence in order to survive. Perhaps this was one of the reasons why after 1990, when Todor Zhivkov had fallen from power, there was such a slow effort at administrative reform. Civil servants who were loyal to the previous regime have been useful to the post-socialist one, particularly since in various countries in the beginning of the transition the routines of civil service work were not altered. Other reasons included the imminence of acute economic problems, which has sidetracked attention from administrative reform, and the prolonged stay of former communist elites in power, which, using the vehicle of the Bulgarian Socialist Party (to which the Communist Party was renamed) won the elections and ruled in 1990–91 and again in 1994–7.

Between 1990 and 1998 various plans for reform were initiated by alternating governments but none reached the stage of full implementation. The practice of reversing the administrative policy of the previous government – as soon as a new government was sworn in – was common. This was accompanied with a high turnover of civil service personnel. For instance, the short-lived, interim government of Renata Indzhova, which stayed in power for only two months in 1994, managed to replace approximately 3000 civil servants. A Department for Administrative Reform was created by the Videnov government in 1995, only to be abolished by the short-lived Sofianski government in 1997 (Verheijen 1999b: 97 and 113–14). However, today (in early 2001), there is a Minister of Public Administration, responsible for the corresponding reform.

In the meantime, since early 1995 there has been a re-orientation of plans for administrative reform, ‘in line with ... the contemporary
European standards of institution-building’ (OECD January 1999). This turn was the result of the effort of Bulgaria to change its economic performance and administrative structures in order to meet the criteria set by the EU for new candidate member-states. Still, administrative reform is understood as the passage of a series of bills, submitted to the national assembly (for example, the Law on the Organization of Administration, a Civil Service Law, etc.). The need for a new legal framework notwithstanding, the main problem of reform in Bulgaria and in comparable countries has been a problem of implementation of new laws. The Bulgarian administration is an inchoate set of ministries and semi-independent public agencies, schools, hospitals and even ad hoc committees, which are difficult to coordinate. The government of Kostov (1997–2001) considered administrative reform a top priority, expressed in the programme ‘Bulgaria 2001’ and adopted specific strategies for its implementation. It is too early to say whether the new government which came out of the elections of the early summer of 2001, consisting of the party of the former king Symeon has followed this pattern.

THE CASE OF THE FEDERAL REPUBLIC OF YUGOSLAVIA AND KOSOVO

The contemporary Yugoslav public administration bears the typical characteristics of a West European bureaucracy, at least at the formal level of analysis. The constitution provides for a separation of powers, and the public administration is made up of ministries, entrusted with the formation of policy and the application of laws. A series of laws provide for the meritocratic recruitment and remuneration of civil servants. Importantly, Yugoslavia still is a federal state, consisting of different federal units or republics, and there is legal provision about the repartition of federal civil service senior posts among the republics (an equal number of senior posts is assigned to each republic). There are federal ministries and also ministries at the level of the republics. In practice, of course, the administration of Montenegro has recently taken pains to separate itself completely from the Serbian administration.

In the period before the Second World War and even under the socialist regime, the Yugoslav civil service enjoyed the reputation of being professional and fairly de-politicized, even though it remained very traditional in its outlook and slow in its procedures. Obviously, since under Tito, Yugoslavia became a federal state made up of different republics, there were differences in the institutional set-up and performance of the civil service from one republic to another. The differences remain to this day. For example, speaking of the 1990s, it has
been argued that the civil service in Montenegro has been more dependent on political power, while the Serbian civil service has retained its relative autonomy from the government at least through 1998; that local public administration is more effective than central public administration; and that, owing to local indifference and/or resistance in certain regions, such as Kosovo, the public administration has wholly failed (Sevic and Rabrenovic 1999: 70–71).

The protracted financial problems and the long process of disintegration of Yugoslavia, which started in 1991, in combination with the long presence of one party, the Socialist Party, with its autocratic leader, Slobodan Milosevic, in power between December 1990 and October 2000, have had its impact on the Yugoslav civil service. The purchasing capacity of Yugoslav civil servants has deteriorated and, apparently, instances of corruption have multiplied. The traditionally rigid functioning of the public administration has resulted in slow and inefficient services to the public.

According to local experts (Sevic and Rabrenovic 1999:79), ‘in the last 160 years or so, the civil service (of Yugoslavia) has retained an enviable level of independence and professional ability’. While the senior posts of the civil service have always been filled with officials who supported the regime, in the second half of the 1990s politicization expanded to lower ranks (ibid). It is also claimed that the Yugoslav civil service is comparatively impartial (Kotchegura 1999:12). Despite such claims, it is hard to believe that before the mid-1990s the Yugoslav civil service was relatively autonomous from the centres of political power, professional in its conduct and immune to politicization ‘from above’, that is, earlier on by the League of Yugoslav Communists and later by the Socialist Party of Serbia. The older, Titoist elite of this party ruled the country in the post-war period and followed the well-known socialist model of public administration that entails a fusion of political and administrative officials in the top, if not also in the middle ranks of the state mechanism. As in other one-party states, party bureaucrats worked hand in hand with civil servants and occupied the most crucial posts. Slobodan Milosevic had acquired firm control of the party since 1987, changed its name and, after winning the elections of December 1990, probably extended his control to the administration as a whole, including the state-run mass media, the police and the universities (Ash 1999, Thomas 1999). Administrative reform had not been attempted for a period of ten years.

As a consequence, administrative reform in Yugoslavia during transition to democracy, which really started in the autumn of 2000, is not only a technical issue but may also have political qualities. The civil
service must be de-politicized, made accountable and responsive to democratically elected governments and to the needs of the citizens rather than the wishes of any elite. The professionalization of the civil service is another aim, which will require training in new management methods and the use of new technologies. Finally, for any reform to be meaningful, the improvement of the income of civil servants is required, if corruption is to be combated.

The political change of October 2000, with the rise of Vojislav Kostunica to the Federal Presidency, has not produced immediate tangible solutions to the above problems, but it has certainly paved the way for a new political climate in the country, conducive to reform. The obvious first administrative and wider political issue is whether Serbia and Montenegro will remain as constituent parts of the same federal state or whether they will part and accordingly re-build their individual public administration systems. This issue is related to the meager chances of re-integrating Kosovo into Yugoslavia. Even if the process of disintegration of Yugoslavia as a state, which has been going on for ten years, was to come to a stop, the Yugoslav public administration would probably evolve towards a set of three very distinct public administrations (the Serbian, Montenegrin and Kosovar administrations).

Under Milosevic, the government of Montenegro had already taken its distance from Belgrade. The federal administrative structure of Yugoslavia has facilitated this endeavour, in the sense that it left the Montenegrin government institutional room for manoeuvre. For instance, the police force of Montenegro has become an independent source of power at the disposal of the governing political elite located in Podgorica rather than in Belgrade. It is claimed (Sevic and Rabrenovic 1999: 57) that, compared with the Serbian ministries, the ministries and generally the public administration of Montenegro are more dependent on the government (of Podgorica).

In the case of Kosovo, as it is widely known, throughout the last ten years there has been a parallel administrative structure. Under the official Serbian-staffed public administration of the region, which served as an instrument of oppression of the Albanian population, there was a rather developed Albanian-speaking administrative structure functioning in the ‘underground’. This structure was complete with its own educational and health services, which catered to the needs of Albanian Kosovars. This underground administration also suffered during Nato’s war on Kosovo (March–June 1999). After the war, the international administration established under the auspices of the United Nations in the area (UNMIC), has attempted to erect an administrative structure made of nineteen ‘departments’ (one for each policy area), jointly put
together by UN officials and local political party representatives. Care has been taken to allocate four of the departments to Kosovar non-Albanian ethnic groups, such as Serbs and Bosnian Moslems. However, by February 2000 only four of the nineteen departments had been set up, while the Serbs remaining in Kosovo had refused to cooperate in this administrative scheme. In the local government elections of October 2000, the party of Ibrahim Rugova, which in the 1990s had built the parallel, underground administration, prevailed in most municipalities. It is expected that Rugova, who lately also won the national elections of Kosovo, would work both for the national independence of Kosovo and for the rebuilding of the area as a whole.

The administrative needs of Kosovo remain very basic. These are the provision of uninterrupted electricity, the care for safe roads, the control of illegal trade, the support for new, independent mass media and, above all, the collection of guns and ammunition, which are presently in the hands of local paramilitary groups, and the application of rule of law. Thus, administrative needs are to a large extent co-terminus with 'soft security', which the local population is entitled to after so many years of state repression and war. The needs should include the re-integration of all alienated communities, such as the Serb communities of Mitrovica and of a few other enclaves, in the newly emerging state structure. But this aim depends on several changing conditions, that is, on the willingness of local Albanian and Serbs to cooperate, on the stance of the democratic government at Belgrade and on the policy of the international community on this matter.

CONCLUSIONS AND CONSIDERATIONS OF FURTHER REFORM

The Bulgarian and Yugoslav cases are not similar, particularly since the former is a unitary state whereas the latter is a disintegrating federal state. Bulgaria has made some steps towards administrative reform, whereas Yugoslavia has not made any yet. The Bulgarian public administration has known extensive instability, owing to high government turnover and the resulting partisanship, whereas the Yugoslav one has experienced stability, associated with the 'freeze' imposed by the regime of Milosevic on parliamentary democracy.

However, the two countries share some commonalities. Some of the public administration problems of Bulgaria and Yugoslavia are common to most Southeast European countries. To name a few, recruitment is decentralized and each ministry may have more autonomy in selecting new personnel than is desirable for any administration that wishes to function as a cohesive system; salaries vary a lot but are generally very
low; and there is a lack of common training available to all civil servants. There are no easy answers to these problems but experience from West European administrations, already transmitted to interested parties through EU, IMF, World Bank and OECD technical assistance, may prove helpful.

To the above, one should add larger questions, specific to the countries of the region, which require even more complicated answers. These are the quest for a new administrative elite, not bound by pre-1989 interests and frames of mind; the re-orientation of middle- and low-ranking civil servants to the needs of ethnic and religious minorities, which exist in most Southeast European countries; the achievement of a balance between attempts at privatization of parts of the public sector, in order to make the economy more competitive in the globalized international environment, and efforts to provide the less well-off categories of the population, struck by war, oppression or prolonged economic hardship, with basic amenities and state subsidies for survival; and the enhancing of the legitimacy of the public administration as an institution and the civil service as a social group by limiting the extent of corruption. This has emerged in Southeastern Europe as the single most demoralizing factor for the wider public. Immediate action is pertinent at the points and sectors where corruption flourishes, namely at borders, ports and airports; in the construction business and particularly in large public works; in taxation services and customs authorities; and in the illegal trade of guns, drugs and female workers throughout the Balkan peninsula. No doubt, the task of administrative reform in Southeastern Europe is daunting.

In addition, if the aim of democratic governments of the area is to construct a modern administration in a twenty-first century European-like democracy, the above more technical issues of administrative reform (and the more substantive issue of limiting corruption) must be addressed in the context of setting-up new political institutions and processes. Such an aim entails decisions about the relative power of the executive branch of government and, thus, of the administrative mechanisms working for it vis-à-vis the legislature and the judiciary. While the general tendency in the twentieth century was toward strengthening the executive at the expense of the other two branches of government, in Southeastern Europe such a tendency may prove slippery. Already the cases of the use of executive power by the governments of Sali Berisha in 1992–7 in Albania and of Franjo Tudjman in 1992–2000 in Croatia may serve as counter-examples of democratization that slipped into semi-authoritarianism. Among the many reasons for this situation, from the point of view of this article two
stand-out: first, the lack of ‘checks and balances’ against the peak of the executive and, second, the absence of substantive parliamentary and citizen-based control of the public administration.

On the other hand, in order to survive in the intensifying global antagonism among national economies, societies emerging from state socialism need to adopt efficient and flexible state structures. The democratic control of public administration ‘from below’, so necessary after several decades of unaccountable governments, may clash with the need to steer economic development ‘from above’ in order to make a country as a whole more competitive in today’s globalized environment. Democratic procedures take time and involve many interested parties (for example, interest groups and associations, social movements, etc.) with variant goals. Those parties are entitled to, and they naturally demand, room for political participation in decision-making. The least they require, at the level of ministerial administration, is to voice their concerns. All these are constituents of modern democracy and must be introduced and implemented in the new democratic regimes of Southeastern Europe, as experience shows that new institutions may be formally adopted but never applied.

However, at the same time, the on-going fluid and problematic ‘hard security’ and border uncertainty in some countries of the Western Balkans, as well as the fact that the economies of the region are currently much more open than in the past, call for the replacement of the old administrative mechanisms with new slimmer structures, sensitive to changes in the international geopolitical and economic scene. The problem here is that initiators and managers of ‘slimmer administrative structures’ may regard democratic control and political participation as luxuries. This tension between democracy and efficiency is not new, but acquires acute dimensions in the new democracies coming out of one-party rule. The issue is more important particularly in Southeastern Europe, since the multi-ethnic nature of most societies of the region adds a further demand on public administration, that is, the demand for ethnic representativeness. This aim has been sought in FYR Macedonia during the rule of the Slav Macedonian–Albanian coalition of the VMRO and DP parties. However, as we know from the events of the first half of 2001 in that country, ethnic conflict has not been avoided, and one of the main claims of the Albanian minority has exactly been wider participation in the public administrative structures. This example serves to show that administrative reform itself cannot dispel the image of the big and weak state, so common in Southeastern Europe. The regime may change, but unless administrative reforms are accompanied by society-level consensus building and the expansion of tolerance
among ethnic and religious groups, reforms of the kind discussed in this article may look like window-dressing.

In short, administrative reform in itself may leave many things to be desired, in the sense that people are looking for fairness in the functioning of the state. Writing about the perceptions of the Polish citizens who in the past had resisted state socialism, Zygmunt Bauman explains why: ‘[Under state socialism] blue- and white-collar protesters alike objected to the shabby existence meted out under the auspices of state-administered justice; but what they wished was more justice in state administration, not abdication of state responsibilities’ (Bauman 1993: 21).

NOTE

1. Some of the material on Yugoslavia is based on personal visits and non-attributional interviews with officials in Skopje and Albanian Kosovar officials in Prishtina in early 1999 and in early 2000. The author would like to thank Professors Thanos Veremis and Christos Lyrintzis and particularly Mr Theodore Tsekos, an area expert, for their advice and support. The following references also contain materials for further reading.

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