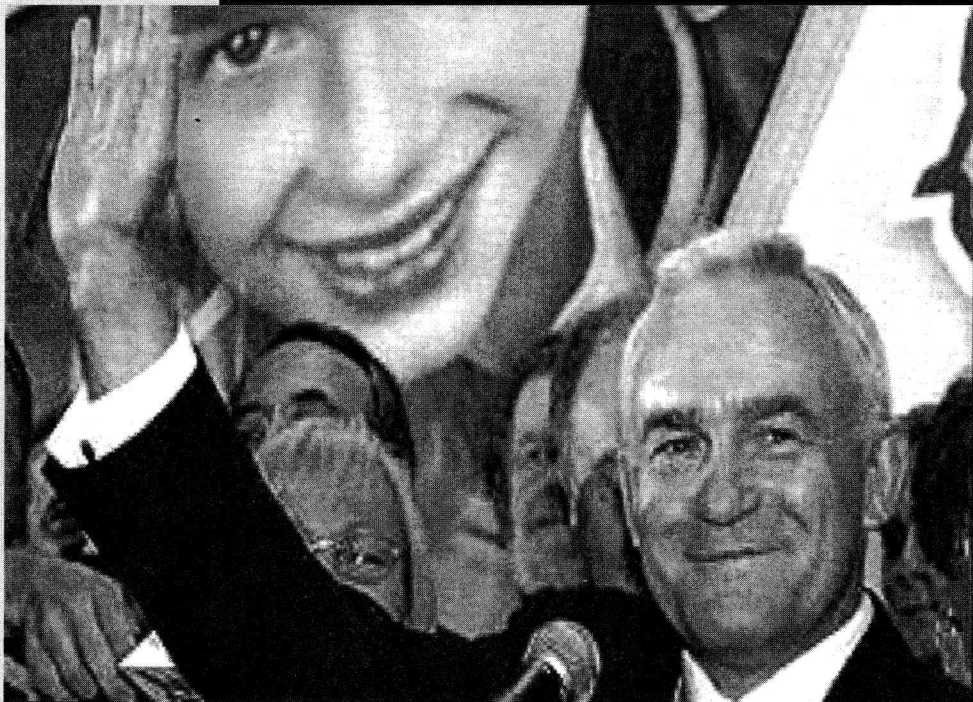


Labour Focus on Eastern Europe



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Labour Focus on Eastern Europe

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Urszula Lugowska

Parliamentary Elections in Poland 2001 What Next for Self Defence ?

The latest parliamentary elections took place in Poland on 23rd September. Polish commentators have characterised them as one of the most surprising in contemporary Europe. Four of the six groups which were successful in the elections were not represented in the last parliament. The parties which went into government after 1997 did not win a single seat ! The right wing Solidarity Electoral Action (AWS), which in 1997 had the support of 30 per cent of the electorate, lost 83 per cent of its supporters and with 5 per cent of the vote did not make it into parliament. The popularity of the liberal Freedom Union (UW), which created a government jointly with AWS and after its subsequent exit from the coalition supported the AWS government, fell by a half (to 3.5 per cent).

Why the right failed

This disaster for Solidarity (AWS) and Freedom Union (UW) was caused above all by the universal rejection of what were known as the four big reforms (of education, the health service, local government and of social security) introduced by the AWS-UW government headed by Buzek as premier. The reform of the health service sharply reduced the amount of free health provision and swelled the health service bureaucracy. What are known as Sickness Funds were established, the directors of which paid themselves huge salaries from public health funds. At the

same time wage demands by medical personnel (for example nurses who earn on average about 150 US dollars a month) were ignored.

The local government reform also led to a growth in bureaucracy and chaos over jurisdiction. The education reform involved the closure of many rural schools, creating long journeys for children in the countryside. A three-stage educational system was established, on the European model, instead of the hitherto prevailing two-stage system. This is significantly less egalitarian and the new curricula in state schools were elaborated at a lower level than before. Teachers' pay was not increased but their employment was less stable than before.

The reform of social security ended the monopoly of the State Insurance Board, introducing Western pension funds to the Polish market on terms which were very favourable to them. However after a year it transpired that the individual funds of their clients had grown more slowly than savings deposited on fixed terms in bank accounts, which was universally regarded as a testament to the uneconomic character of these insurance bodies.

The universal criticism of the four reforms coincided with a worsening of the economic situation and a growth in unemployment, which during the AWS administration increased by about a million and at present stands at 16 per cent. This figure would be even higher if those unemployed people who have already lost their right to claim benefits were included. A further cause of social dissatisfaction with government policy was the speeding up of the privatisation of many enterprises, which the opposition maintained, had been sold off for significantly less than their real value.

Election forecasts and results

Following a lacklustre campaign, the results of this year's elections were however astounding. It appeared that everything had been settled months beforehand. The left wing Democratic Left Alliance (SLD) / Union of Labour (UP) electoral coalition would win a parliamentary majority and there would be gains by two new right wing parties established by dissidents from the AWS and UW, namely the Citizens' Platform and Law and Justice. AWS and UW would return a symbolic number of deputies. The results, however, were quite different, as the following Table demonstrates.

Poland: Election results 2001	
Party	%
SLD	41
Citizens Platform	12.6
Self Defence	10.2
Law and Justice	9.5
Peasants' Party	9
League of Polish Families	7.9
Solidarity Electoral Alliance	5.6
Freedom Union	3.1

All election opinion polls predicted a decisive victory for the SLD-UP left wing coalition, with the only uncertainty being whether or not the coalition would win an outright parliamentary majority. The SLD, sensing the hesitant and uncertain response of the voters to political rhetoric, adopted a twin-track strategy. On the one hand it presented itself as a professional modern party prepared to ready Poland quickly to meet EU criteria, whilst on the other hand it resorted to slogans expressing solidarity with the groups which had suffered most from the change of system. In this way it succeeded in gaining an unusually wide and socially differentiated constituency. If the often expressed view that Poles prefer to vote against something rather than for something is accepted, then certainly the SLD-UP coalition represented an attractive option for those who wanted to vote against the preceding government.

The Citizens' Platform, now the second largest force in the Polish parliament, emerged a few months before the elections out of internal strife within UW. Three pragmatic liberals created it in opposition to the dominant Solidarity ethos in UW, represented by Professor Geremek. The Citizens' Platform expresses the interests of big and medium sized business. It voices the need for the creation of a modern liberal right, in opposition to the AWS, which derives from the trade union Solidarity. The Citizens' Platform fought the election campaign with slogans calling for the reduction of taxes and an end to state financing of political parties. With the creation of the Citizens' Platform around the independent presidential candidacy of Andrzej Olechowski in the elections in 2000, the standing of UW in the polls began to decline rapidly. The ranks of

the Citizens' Platform were swollen on the one hand by numerous defectors from UW, in protest against its participation in the unpopular Buzek government, and on the other hand by the defection of activists from AWS.

It must also be remembered that some of the responsibility for UW's poor results lies with the identification of this party with its former leader, Leszek Balcerowicz, who is considered to have been the chief architect of the privatisation and destruction of social assets in Poland.

Law and Justice built its support on the basis of slogans calling for the economy to be put in order and harsh measures against rising crime, including the death penalty.

The surprise result of the elections, quite apart from the AWS and UW disaster, was the entry into parliament of two groupings: Self Defence and the League of Polish Families, expressing root-and-branch opposition to the policies of all governments after 1989. The League of Polish Families is a new political group, expressing nationalist right wing Catholic views, hostility to the EU and sometimes resorting to anti-Semitism. Its voters are to a significant extent organised in what are known as Circles of Friends of Radio Maria, parish associations of listeners to the Catholic broadcasts of the charismatic priest Tadeusz Rydzik, known as 'Father Director.' Radio Maria has conducted its own potent anti-Semitic and anti-European publicity campaign for years. Fortunately, the League of Polish families is an exceptionally heterogeneous grouping and it appears that its energy will to a great extent be exhausted in internal quarrels. The discussion over the political character and future of Self Defence is significantly more interesting and important.

The genesis and programme of Self Defence

Self defence was founded in 1992 by a former state farm worker, the owner of a mortgaged rural farm, Andrzej Lepper (a member of the PZPR - Polish United Workers' Party - from 1980) with the slogan "We're not giving up our mortgaged land." Self Defence became known as the defender of the poor debt-ridden peasants against the banks and tax inspectors. Many Self Defence activities broke the law. Members of Self Defence blocked roads, made the work of tax inspectors impossible, blockaded border crossings, denying entry to Poland of

Western agricultural goods, tipping western corn out of freight wagons. At the same time, Andrzej Lepper and other Self Defence activists did not hesitate to call the post-1989 governing elite names like CIA agents, thieves, swindlers, politicians conducting anti-national economic policies against the people and so on. Right now Lepper is involved in dozens of court proceedings connected with the radical activities of Self Defence, or from offences by its chief against politicians and the state authorities.



Andrzej Lepper

Political definition of Self Defence is no easy matter. It would appear that the observation of the sociologist Tomasz Zukowski that “the success of Self Defence is not an effect of a left-right divide, but only of one between rich and poor” comes near to the basis of the phenomenon and to the political character of Self Defence.

In the sphere of political statements Self Defence defines itself as a Third Way grouping, agreeing with neither capitalism nor real socialism. However Self Defence criticises capitalism sharply and openly. When asked about his assessment of People’s Poland, Lepper replied

not everything was good, but it is no exaggeration to say that this has been lost time for Poland. Twelve years after People’s Poland they are ripping off the country and they are still stealing. (*Gazeta Wyborcza* 27.9.2001).

Self Defence’s statements are influenced by two political currents.

On the one hand Lepper draws from the left wing strands of Christian Democratic thought and on the other from Social Democracy. The political horizons of Self Defence are not restricted to the Polish scene

The present domination in the system of global relations by an International of liberal (to themselves) elites and political corporate finance, indifferent towards ordinary people and whole nations, using methods of economic totalitarianism, financial terror, controlled information and a façade of corrupt democracy, must give way to a humanitarian order, an enlightened representation of free peoples, which will be in a position to reconcile the justified aspirations of individual nations with universal principles, humanistic values and co-operative principles in the global international system (the UN should be such a representation – but unfortunately as yet it is not). (Self Defence founding programme, *Why a Third Road ?*).

Self Defence's left turn

Self Defence tried to get into parliament in 1993 and 1997. In this period there were many reasons why Self Defence was viewed as a right wing populist movement. In particular, in the 1993 elections a number of former activists of the Grunwald Patriotic Union appeared on Self Defence's lists. In the 1980's this was a nationalist annexe of the Polish United Workers' Party. At the end of the 1990's however, Self Defence withdrew from advancing the earlier conception of creating a 'National-Popular Bloc,' which would consist of Self Defence, representing the interests of the countryside and right wing politicians who were foes of the European Union. It had to do this after Self Defence's disastrous showing in the 1997 parliamentary elections, in which it scored barely 0.1 per cent.

In the 1999 May Day demonstration in Warsaw, Andrzej Lepper was there at the head of a column of textile workers sacked from the textile factory Cotex. At the rally at the end of the march, he took the platform next to Leszek Miller, the president of the SLD, and called for the creation of a 'worker-peasant alliance' in Poland. Activists with roots in radical nationalist milieux disappeared from Lepper's entourage. Lepper himself repeatedly distanced himself from anti-Semitism and emphasised his friendly relations with Jerzy Urban, the left wing radical

editor of the anticlerical weekly *Nie*. Lepper himself, although he describes himself as a believer, does not have good contacts with the church hierarchy and emphasises that Self Defence has no intention of concerning itself with issues of the philosophy of life and will instead prioritise realising its social and economic demands. In the period when blockades were being organised, he even threatened the bishops publicly on a number of occasions with a violent popular revolt.

In the presidential elections of 2000, in which he won 3.05 per cent of the votes (as against 1.3 per cent in the 1995 presidential elections), he became recognised as the most left wing candidate, aspiring to raise very low benefits and pensions, sort out the swindlers who had enriched themselves from privatisation, and so on. At the beginning of 2001, Lepper offered the Polish Socialist Party (PPS) places on Self Defence's list. After much hesitation, Piotr Ikonowicz, the leader of the PPS, declined the offer, less for programmatic reasons than for ones of prestige. He demanded a coalition of the two groupings. Electoral regulations however required that such a coalition gain over 8 per cent of votes cast in order to gain parliamentary representation (this is why AWS, which was such an electoral coalition, did not succeed in winning seats, although it passed the 5 per cent threshold). Self Defence could not agree to this, since according to opinion polls at the time, it was not possible for it to reach such a level of support. Nor did the results obtained by Lepper and Ikonowicz in the presidential elections, 3.05 per cent and 0.22 per cent respectively, indicate that they could.

Polish Socialist Party and Self Defence

In offering Polish Socialist Party (PPS) activists places on Self Defence's lists, Lepper calculated that the PPS would guarantee him an organisational network and activists in urban area. This was however a faulty calculation. At this time Self Defence was succeeding in breaking out of its exclusively rural identity and gaining bridgeheads in the towns. For example, in Warsaw, where its structures were very weak, almost non-existent, it succeeded in this year's elections in particular areas in winning for the first time 3-4 per cent of the vote, indicating that its electorate had ceased to be exclusively rural in character. The Peasants' Party, for example, had not succeeded in doing this, in spite of its adoption of a strategy to 'win the towns.'

The decision of the PPS to put forward its own candidate in the 2000 presidential elections, against Aleksander Kwasniewski, the candidate of the rest of the left, represented a bid to create a new strong formation to the left of the SLD.¹ However the disastrous and embarrassing result achieved by Piotr Ikonowicz not only did not increase its strength, it indicated the beginning of an erosion in the position of the PPS. After the rejection of Lepper's proposal, Ikonowicz had to deal not only with the growing number of supporters of co-operation with the SLD in the party, but also with supporters of an alliance with Self Defence.

As bitter PPS activists are now saying themselves, the refusal to join the Self Defence list was suicidal for the socialists. As a consequence of apathy or sabotage, many of the PPS structures only succeeded in registering electoral lists in some of the electoral districts, which made it virtually impossible from the outset to win the planned 3 per cent of the votes. (Parties which achieve 3 per cent can get the costs of their campaign refunded by the state). Ikonowicz's situation was worsened with charges of dictatorial tendencies within the party, acts of violence by the youth organisation of the PPS towards other left wing groups (Trotskyists), condemnation by the leadership of the Polish branch of the Tobin Tax Campaign of attempts to take over this organisation, charges against him of incurring debts without the knowledge or approval of the Supreme Council of the PPS, and – to a massive extent – the left wing direction in which Self Defence was developing.

All these factors determined the PPS score of barely 0.1 per cent of the vote in the 23 September elections. This result is the most embarrassing in the century old tradition of the PPS, which is the oldest Polish political party, with tremendous traditions in the Polish workers' movement. On 7 October 2001 the Supreme Council of the PPS accepted the resignation of Ikonowicz. An extraordinary congress of the Party, called for December, will probably decide to co-operate with the SLD. Such a decision would bring to a close a period of attempts on the part of the PPS to build a left opposition to the SLD. It is difficult

1. See Urszula Lugowska, *The Polish Socialist Party and the Radical Left in Poland*, *Labour Focus on Eastern Europe*, No. 66, 2000.)

however to exclude co-operation by some of the activists gathered around the unseated Ikonowicz with Lepper.

A few days after triumph in the elections, Lepper joined with Ikonowicz to block the eviction in Warsaw of a single mother with a nine year old daughter. This event has a symbolic significance. It shows that Lepper's desire for co-operation with PPS activists was not solely conjunctural. It resulted from a real leftward turn by Self Defence. A similar conclusion may be reached from the fact that Self Defence sat in the new parliament with the SLD and UP, on the left side of the chamber. Lepper's election as Vice Marshall of the Sejm with the support of SLD and UP deputies moreover divided the right wing groups.

Shocked elites

Lepper's success took place in conditions of great pressure upon his party, exerted by practically all political forces and part of the Church hierarchy, seeking to present it as demagogic and populist, desirous to exploit the mood of frustration, disappointed hope and desperation, especially amongst the unemployed and people living in poverty bordering on destitution. Lepper's success was so unexpected largely because a psychological barrier was created by this pressure, which meant that many people sampled by the polling organisations did not admit that they were going to vote for him.

The political and intellectual elites of the Third Republic of Poland were shocked by Self Defence's election result and by the fact of Lepper's entry to the Sejm, accompanied by 52 other Self Defence deputies. After the elections, Bishop Pierunek suggested that Lepper was a 'wild beast,' threatening Polish democracy. Wladyslaw Frasnyniuk, the new leader of UW, did not even hesitate to call Andrzej Lepper a 'new Hitler.' Jan Nowak Jezioranski, the former director of the Polish section of Radio Free Europe, a great moral authority on the Polish right, compared Lepper to Lukaszenko and asserted that if ever Lepper got into power in Poland, he would turn the country into a sort of post-soviet theme park, like Belarus.

A completely different view was taken by Professor Karol Modzelewski, a left wing activist in Solidarity in the 80's and creator of the post-Solidarity social democratic Union of Labour at the beginning of the 90's. He says about Lepper:

He will be compared to notorious populists like Haider and Le Pen, who are both of the radical right, which is difficult to relate to Lepper. Among other things, this is because he himself and his voters base themselves on tender memories of People's Poland as quite tolerable times. This will not play with the right. He himself does not betray any pronounced anti-left wing or anti-right wing phobias. What is in play here is the hostility of the people towards the elite. (*Przeгляд* 15.10.2001).

Apart from the disgust prompted by the success of Self Defence, the elites hope at the same time that Lepper and Self Defence will be 'civilized' by their presence in the Sejm, that they will lose their radicalism (or, speaking simply, they will begin to enjoy the fruits of office).

Conclusions

It is difficult to foresee how Self Defence will evolve politically. Undoubtedly, today it is a populist movement expressing the class protest of the people who have suffered most from the transformation of the system. But will this protest express itself in the political language of the right or, as is now the case, the left? The evolution to the left is to some degree threatened by the fact that Self Defence will be confronting a new 'left-wing' governing coalition, which will undoubtedly continue with the market conceptions of all the post-1989 teams. The SLD-UP electoral coalition, faced with the lack of a Sejm majority after the elections, initially did not exclude a coalition with the right wing Citizens' Platform. Some of the SLD deputies are close in every respect to the politicians in this group. In the end, however, they decided for a coalition with the PSL and so a government made up of three groupings, the SLD, UP and the PSL was created by Leszek Miller, the designated Prime Minister. As for Self Defence, its 50 deputies in parliament are something of a mystery. The majority of them are people hitherto practically unknown to the public. Nor is it clear whether the activists around Piotr Ikonowicz will, in the end, decide to intervene directly in this mass social movement. This would strengthen the evolution of Self Defence in an openly left wing direction.

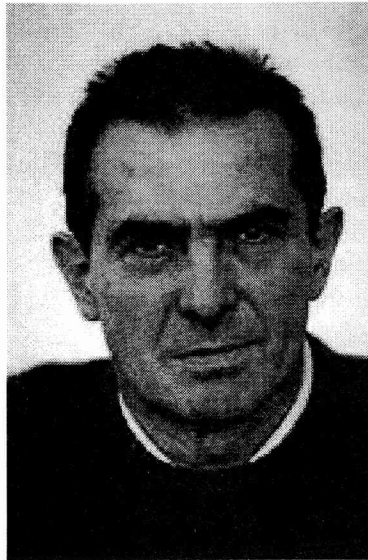
Translated by David Holland.

The Populist Right in the Polish Elections

Interview with Karol Modzelewski

[Professor Karol Modzelewski is interviewed by Robert Walenciak. Translation and introduction by David Holland. This interview first appeared in Przegląd Tygodnik on 15th October 2001.]

The Polish parliamentary elections on 23 September 2001 produced the expected rout of the forces of the government parties, which were obliterated. Neither Solidarity Electoral Action-Right nor the Freedom Union achieved any parliamentary representation. Coming twenty years after the heroic period of the Solidarity trade union, this is a sad and



Karol Modzelewski

compromised end to the burning aspirations of 1981, against a background of 16 per cent unemployment and growing public disillusion with the political process. It is significant that less than half (46 per cent) of those entitled to vote did so.

The ex-Communist Democratic Left Alliance achieved its expected return to power, but with a much smaller margin than

expected and without an overall majority (200 seats out of 460 in the Sejm and 41 per cent of the poll). It has now formed a coalition with the Peasant's Party (42 seats) and the post-Solidarity social democratic party the Union of Labour (16 seats).

The upset of the election, and the main focus of the interview translated below, was the unexpected success of the demagogic direct-action oriented Self-Defence of the Polish Republic (Samoobrona Rzeczypospolitej Polskiej), which has sent a shock wave through the salons of Warsaw's political elite, by winning 53 seats in the new parliament (10 per cent of the popular vote). Other results were 65 seats for the Citizens' Platform, 44 seats for the Law and Justice Party led by the Kaczynski twins, and 38 for the League of Polish Families (2 deputies from the Lower Silesia German Minority make up the total).

Karol Modzelewski is a veteran left wing figure, who was imprisoned twice for his political activities by the Communist authorities. His 1993 book, *Dokąd od komunizmu?* analysing the way forward following the collapse of communism, was published by Éditions de l'aube as '*Quelle Voie Après Le Communisme?*' in 1995.

.....

Aleksander Małachowski [a Union of Labour deputy] said recently that he sees Lepper [leader of Self Defence] as carrying more responsibility for the state than Tusk [Citizen's Platform parliamentary leader who led a defection from the Freedom Union]. Do you think there's something in this ?

Lepper is a political phenomenon of our times. What else can you call his transformation from an obscure figure unable to articulate much, into a politician who conducted an extraordinarily effective election campaign on television. In the course of its campaign Self-defence suddenly went from being practically nothing in the polls to being the third party in parliament.

Was television decisive in Lepper's success ?

Lepper spoke to people who lost out in the transformation about the

things that hurt them and told them what they wanted to hear. This was a turning point. The Peasants' Party (PSL) also had a good campaign, as did Kalinowski himself [PSL leader]. It was just that they were already people from the establishment and therefore could not count on success. In this way something was achieved which everyone should reflect upon. For the first time an election campaign mobilised a constituency of desperation, and not at all by pronouncements from Marek Belka. There is a great deal of desperation in Poland. Many have been left behind by our model of transformation. Everyone knows this. Liberal journalists would just wave their hands and say 'these are just people of little importance at the margins, insignificant good-for-nothings.' Now these good-for-nothings are expressing themselves as citizens. This is what Lepper has done and his behaviour after his electoral success will demonstrate his great flexibility as a politician.

So is he responsible ?

I can't say how responsible Lepper would look if Samoobrona joined a government. It is too early to make such a judgement. But one thing I am certain of, what has happened in these elections cannot be undone. Radical formations have entered politics and parliament. Their appearance is a signal which responsible politicians must interpret correctly. It is not a question of Andrzej Lepper's sense of responsibility, but of those who are constructing the government. In creating a government, social phenomena which have existed in the past and will continue to exist in Polish politics, cannot be ignored.

But what phenomena - a radical constituency ?

It's not a question of just the constituency. What counts is that to a significant extent the patience of those who have lost out has been exhausted; the worse off half of the country who have not benefited from the transformation. And even if the Left Alliance (SLD) had an absolute majority, allowing them, formally speaking to take no account of this fact in economic policy making, they would not be free to do so. Because it's not just in the Sejm that things have to be worked out - an understanding must also be reached with society.

Still Lepper got 10 per cent of the vote, less than the Citizen's Platform.

Let's add to Lepper's 10% the votes that went to the League of Polish Families [7.9 per cent]. And the significant number of votes which went to Law and Justice [9.5 per cent]. Let us add too most of the PSL's vote and a not insignificant proportion of SLD voters, who had similar motivations. Because after all, not all those who felt this way but wanted to vote SLD, went to Lepper, when they saw that he expressed their anger and frustration better. Let us add in too a majority of those who did not vote. Can one then treat the matter so lightly and say Lepper has only 10% ?

You have said that you really know about two things: medieval history and making revolutions. Is Lepper a revolutionary ?

Fortunately, he may not be. His entry into parliament, great flexibility and new rhetoric, allow one to suppose that - perhaps - he is not inclined to revolutionary activity. We must hope so. And here we are not talking about Lepper, but about whether the social tension resulting from the division of our society into two will not have an impact that will threaten the existence of liberal democracy in Poland.

Why do you talk about a radical constituency, referring to Lepper and not to the League of Polish Families ?

I do also have the League in mind. But the League has its own niche. The so-called national-Catholic position and also the connection with Radio Maria establishes its place on the margins of the Polish political scene. This sounds paradoxical in a Catholic country, but that is really how it is. Lepper's trump card, which allows him great flexibility, is that he is not caught in the division between post-Solidarity and post-Communists. It is inconceivable that the League, even if by chance some moves of the future left-peasant government was in accord with slogans they advanced during the election campaign, would lend its support to that government. This would also be out of the question for Law and Justice. Lepper does not face this restriction.

But Self Defence did not join the government

Self Defence cannot join an SLD-UP [Unia Pracy/Union of Labour]-PSL coalition. And indeed such a three-party and not a two-party governing coalition is the logical consequence of the verdict of the electorate, which sent radical formations to the Sejm. This government must certainly deal with the crisis in state finances, but nothing will come of this if it does not manage to come to terms with the desperate sections of society which voted for radicalism. The presence of the PSL and also of UP, increases the chances that the government will be able to establish contact with Lepper's voters too. Apart from this, Andrzej Lepper also adopted the tactic of talking about the possibility of joining the government and was very open to the idea of supporting it. Evidently his orientation was intended to find favour with his electorate. Please consider from where Self Defence took its voters. Partly these are voters drawn from nowhere, or from those who have hitherto abstained from voting. But still, to a significant extent - and hence the divergence between recent polls and the election results - these are voters taken from the SLD and PSL. What is the correct conclusion for Lepper to draw from the fact that he has such voters and wants to keep them? An open posture towards the SLD-PSL government. This does not mean that there will not be fierce competition for voters.

Don't you think that a time will come when Self Defence's voters will go for Lepper's throat, saying that he has betrayed them and gone over to the establishment?

Lepper's problem is more that he does not have a hard constituency, which might take him by the throat. His constituency is heterogeneous. It is a new phenomenon. Unfortunately, I am sure that Lepper will be able to behave in such a way that he does not lose voters. And can get new ones.

Will he succeed?

If Leszek Miller's government led his formation to disaster, not

necessarily in the same way as Solidarity Electoral Action (AWS) and the Freedom Union (UW), as a result of policies rejected by the discontented in Poland, then certainly there would be no AWS Mark II, UW Mark II or Citizens' Platform.

Then will Lepper...

I don't know whether he will. But then Polish politics really will have slid into populism. And that will mean the complete destruction of the entire hitherto prevailing political scene. This danger does not threaten any single kind of political formation, SLD or PSL, it threatens us all. Because then there will be no way of reconciling the internal state of Poland with the requirements of membership of the Western community. This is a challenge for the new government.

Miller and Kalinowski will defend the Third Polish Republic ?

Yes. Paradoxically. And colleagues from the Freedom Union and the Citizens' Platform should offer up prayers - even in Father Rydzyk's church [the Director of Radio Maria] that they will be successful.

You know yourself that with a 90 billion hole, it will be difficult to conduct any very flexible policy.

Certainly, I know. In such a situation popular policies are impossible. So we have to explain to people... Firstly we must burden the desperate section of the population as little as possible, or not at all. Secondly we must get over to them the message that we have taken on board their situation and interests. Perhaps then we will be able to count upon a little patience, as much as is necessary. However we cannot justify this with the requirements of any orthodoxy. To say: "Be patient, fellow countrymen, in the name of the orthodoxy which Brussels expects of you." It is not true that Brussels will not stomach import duties. I don't want to express an opinion on whether such duties are a good idea or not, I simply argue that it should not be Europe making a face which should motivate decisions. Perhaps Europe will make a face, but it will swallow it - there can be no doubt of that. Certainly, there is no real

alternative to our integration into Europe, but its parameters are not presented at all like in a stereotyped fairy tale, in which we have to be grateful and God forbid that we should break the rules, or that government, parliament or voters should have any influence on setting the inflation target.

Why did Lepper succeed in registering with the public when many others did not ? Were the elites so cut of from reality ?

Let's take a look at the budget for the year 2001. The AWS-UW coalition so constructed the budget that on the one hand it provided for high spending and on the other low budget deficits. The balancing of public finances, of which Leszek Balcerowicz used to boast, was a bit like a Potemkin village. Theoretically it was very low, but actually it was causing deficits, debt and then the bankruptcy of various institutions dependent on the budget, such as the health service, local government and pension funds. As everything was shoved in, it appeared that the central budget was balanced. But you can only do things like that up to a certain point.

The year 2001 was critical from the point of view of the fall in incomes from the budget. This was in any case foreseeable. There can be no doubt that Leszek Balcerowicz knew all about it. He knew it when he left the coalition, left the Freedom Union and became president of the National Bank of Poland. In exchange for accepting his candidacy, which was difficult for AWS, the Freedom Union paid with support for a number of items of legislation, including the budget. So contrived, it was completely barmy. And both sides willingly announced their support for this barmy budget, so as to buy themselves a few months grace, because they were doing badly electorally and believed that their performance would improve by September 2001. There is so much blatantly erroneous calculation here. What did either side get out of it? What did we all get out of it ? Better not to comment.

Were you surprised at the attempt by the Citizen's Platform to squeeze into the coalition ?

I was not at all surprised. It has long been said that there is a strong

social liberal current in the SLD. And the Platform, unlike the Freedom Union, is less subject to resistance of an aesthetic character.

So an SLD - Citizen's Platform coalition was possible ?

Following these elections still no. It would have been absurd. It would have been steering on to the rocks - political and social. When society has just delivered its verdict, you cannot do something completely contrary to it.

You spoke about certain aesthetics. In the Polish elite questions of taste play a huge role. What about this now ? Are discussions with the SLD unappetising ? Because with Wrzodak, well we know. [Zygmunt Wrzodak is the Solidarity leader in the Ursus tractor factory and notorious for his anti-Semitic remarks].

Yes. Wrzodak does carry odium. However the SLD does not now. Because it is unquestionably the winner of the election. And secondly, this odium dissipated as a result of the catastrophe which befell both political forces which founded their identity, their canon, chiefly on opposition to the SLD. The Citizens' Platform does not have this. Anyway, as long as the Platform has Olechowski as a leader, it will be difficult to wield the standard of anticommunism and lustration. It can only inscribe on its banner that it does not propagate socialist sentiments over the needy, let the needy shift for themselves. Generally speaking the Freedom Union represented a kind of ill-advised neo-liberalism, with the addition of decency and the Platform is a quite resourceful neoliberalism without additions.

And how about Lepper. Does he carry odium or not ?

He does. Certainly it's possible to talk to him, but to come into the coalition would still not be possible. Apart from this, Lepper is afraid of Europe. He will be compared to notorious populists like Haider and Le Pen, who are both of the radical right, which is difficult to relate to Lepper. Among other things, this is because he himself and his voters base themselves on tender memories of People's Poland as quite tolerable

times. This is not consonant with the right. He himself does not betray any pronounced anti-left wing or anti-right wing phobias. What is in play here is the hostility of the people towards the elite.

And the elite deserves it...

It is not just a matter of the political elite but of enmity towards every kind of elite: from education, wealth etc. As for the political elites, certain of the Polish centre right groups have exceeded the bounds of short-sightedness and astigmatism. But I do not see why they besmirch themselves - because it won't do them any good. It's a shame that's all.

Guglielmo Meardi

Neo-liberal Models and Mirages in Polish Industrial Relations

Introduction: ‘normal’ assumptions

In 1997, a Polish journalist opened an interview with me with the question ‘what differentiates the Polish trade unions from the normal ones, like the Italian?’ (*Gazeta Wyborcza*, 24.9.1997, pp. 22-23). The shortcoming of this way of thinking – evident to an Italian not used to seeing his country defined as normal – lies in neglecting the actual Western reality, subordinated to a mythic image of normality. The purpose of this article is to investigate origins, nature and effects of the normative paradigms affecting industrial relations in post-Communist Poland.

In Central-Eastern Europe, anyone involved in transforming industrial relations talks about ‘normality’: what a ‘normal’ trade union should do, how ‘normal’ labour law should look like and so on. The word ‘normal’ has two distinct but not always distinguished meanings: descriptive and normative. As a ‘norm’ we can define either the most frequent modality of a phenomenon, however ‘abnormal’ it may be in our view, or the ‘rule’, that is how that phenomenon *should* appear. The scarce attention paid to this distinction means that even when the first meaning is adopted, this usually includes some implicit ‘normative’ proposition (which is demonstrated by the fact that we are much less

likely to call 'abnormal' something exceptionally positive than we are with something exceptionally negative). Norms, however, cannot have any meaning outside the concrete situation where they are not just passively interiorised, but actively interpreted. Industrial relations offers an archetypal example of the complexity of norms in the paradox of the 'work-to-the-rule' strike. This is why, in order to understand what 'normal industrial relations' means in Central-Eastern Europe we have first to focus on the local perspectives and cognitive frames.

This article will argue that there are three main models of 'normal industrial relations' operating in Poland: normality as continuity, normality as corporatism, and normality as free market. The strongest one is the latter: a hyper-market model detached from any really existing system in Western Europe. The popularity of this model will be explained, focusing on a distinctive interpretative pattern used by post-Communist societies, which will be called 'alternation'.

Previous experience as normality

The most obvious meaning of normality, in the everyday world, is that of 'conformity to previous experience'. In post-Communist Europe, it should mean conformity – or at least a certain degree of it – with the state-socialist experience. This is the assumption of popular approaches to post-Communist industrial relations like path-dependency and culturalist analyses.

Anyone with some familiarity with any post-Communist country could mention numerous examples of how, supposedly, the previous system endures as the model of 'normality'. For instance, Polish workers used to see as 'normal' the fact of receiving their pay for strike hours – as informally happened under socialism, in order not to recognise the existence of work stoppages. When in 1991 the new law on work conflict removed this practice, they saw it as an abnormal violation of their rights, hesitantly tried to protest, and eventually just stopped striking as a reaction.

Innumerable further examples can be found in the literature. Culturalist and institutionalist approaches converge in arguing that the legacy of Communism determines current behaviour. The role of post-Communist trade unions is often portrayed as continuity with the Communist 'transmission belt' function, still seen as 'normal' and

without any plausible alternative (Frege 2000: 751-53). It has been argued that the management of redundancies in Eastern Europe traditionally follows a softer approach than in the West (Redman and Keithley 1998). The slow pace of privatisation is frequently condemned as a perverse resistance of Communist élites or of Communist-educated workers, whereas even Mrs Thatcher needed more time to privatise less than the post-Communist states are privatising. Even the (rare indeed) manifestations of industrial conflict have been explained as a legacy of the past, at least in Poland (Gaęciarz and Panków 1996; Konecki and Kulpińska 1995). This is however contradictory: if the 'normal' legacy of state socialism is the 'transmission belt' function, it cannot be a resistant or adversarial orientation at the same time.

The idea that continuity prevails is a popular ideological tool for management, especially the Western one (Durand et al. 1997), and is often interiorised by workers. As a consequence, local actors start to blame themselves. For example, in an investigation on Polish trade union activists (Meardi 2000) one of the interviewees declared: 'The worst thing of the old system, is that it killed the capacity of initiative in ourselves'. This, after having told about his long and arduous activity of organising a trade union first under dictatorial rule, and then under an anti-union private employer.

However, a closer look suggests that what is called inherited Communist mentality is actually little different from workers' attitudes in the 'developed' capitalist world. When, in December 1998, Polish miners went on strike to defend early retirements, they were criticised for defending Communist-era privileges, while they were actually demanding to work underground as long as their Western colleagues. Why, then, should we consider a legacy what is actually an aspiration to Western standards?

Corporatism as normality

Especially after the socio-economic crisis that invested Central-Eastern Europe after the very first phase of 'transition', important agencies (Western trade unions and foundations, the European Commission, but above all the International Labour Organisation) have proposed an image of normality based on social partnership and tripartism (Pollert 1999: 141-146; Pollert 2000). At first view, their message is far from

unattractive for post-Communist societies: a mixture of organisation and democracy, that is the best of both worlds known to the local populations. In addition, this message is supported by concrete examples, like the German *Mitbestimmung*, which may entail a practical, understandable process of imitation.

After the ILO and single Western organisations, more recently the European Commission tried to popularise in Central-Eastern Europe a more timid version of corporatism: social dialogue. Since 1999, an effort has been made to include social dialogue, as a constitutive part of the *acquis communautaire*, in the EU enlargement process (Vaughan-Whitehead 2000a; Employment and Social Affairs DG 2001). Yet this effort remains itself at a rather abstract level, at most a sort of 'apolitical' institutional engineering with little link to actual industrial relations conflicts. The first solemn conference on the social partners' role in the enlargement process was held in Warsaw on 18 and 19 March 1999. The conference is defined by the EC as nothing less than a 'historic meeting' (Employment and Social Affairs DG 2001: 13). Nevertheless, this historic nature went completely unnoticed by the people concerned: in spite of being held in the Polish capital, no Polish newspaper even reported the conference. A second conference was organised by the Commission in Prague in May 2000 to give *explanations* about EU social and employment policies. A specific budget heading within the PHARE programme (although only 500,000 €) was established 'for industrial relations and social dialogue'. In spite of all these efforts, the EC itself has to admit that 'it is regrettable that so few social dialogue projects have materialised in the candidate countries as yet' (Employment and Social Affairs DG 2001: 20). The main tool of this European 'social dialogue preaching' has been the establishment of Liaisons Committees with the Economic and Social Committee in each of the EU candidate countries. These Committees do not have any codetermination, consultation, information or advisory role: they only have a 'pedagogic' function of preparation for social dialogue as it is (or should be) practiced in the ESC.

In post-Communist countries, neither the state nor social actors are spontaneously committed to corporatism, although they sometimes pursue 'corporatist' practices of one kind or another (Staniszki 1991; Tatur 1995). As Pollert (2000) argues, the focus and faith in institution

building has deflected attention from developing deeper processes of democratising industrial relations from below. As a matter of fact, both employers' associations (Draus 2000; Frieske 1997; Kozek 1999) and trade unions (Reutter 1996; Frieske 1998; Pollert 2000) are far from the encompassing, disciplined and stable organisations required by neo-corporatism models. The outcome is that, in recent years, the *critique* of Eastern-European façade tripartism has grown in vigour (Cox and Mason 2000; Ost 2000). In Poland, the Tripartite Commission created in 1994 never managed, after 1995, to accomplish its most important task: setting the wage increase for the public sector. As a result, the government regularly decides unilaterally. Political rivalry between the two main trade unions, OPZZ and Solidarity, led the former to abandon the Tripartite Commission altogether in 1999. In June 2001, a new law was passed to re-launch this institution, but at the time of the writing (October 2001) it had not yet been implemented.

The problem with neo-corporatist normality is that it is even more contradictory that the continuity model. First, proposing neo-corporatist institutions to newly democratised countries means forgetting one of the most important requirements of that model: 'it is vital to actors in bargained corporatist systems that they retain their sense of separate identities, that they continue to rally their "side" and develop its symbols' (Crouch 1993: 48). By putting institutions before the separate identities, a very 'abnormal' corporatism has been created.

But there is an even more general contradiction. In a descriptive sense, the discrepancy between Eastern European reality and neo-corporatist models is not abnormal. The 'classic' (alias 'normal') corporatist practices currently promoted as 'normal' in the East are not the current trend in the West. What we observe in Western Europe is rather a kind of weak corporatism between weak social actors, developing precisely in the countries lacking some of the classic preconditions for the neo-corporatist model, as the Italian case reveals (Regini 1997). Even more apparent is the discrepancy between model and reality in the case of European social dialogue: Eastern European social actors are asked to learn and ape, in the 'Liaison Committees', what has been defined as nothing more than 'old wine in new bottles' (Keller and Sorries 1999).

Hypercapitalism as normality

The last broad model of normality operating in Poland is also the strongest one. According to it, 'normal' means opposed to Communism, which in turn means deregulated free market. This model has been popularised by advocates of a rapid transition (e.g. Sachs 1994), but what is more interesting is how this model has become popular within post-Communist societies.

The 'basics' of the free market are extremely straightforward; its understanding does not require any familiarity with Chicago Boys' theories. There is something anthropological in such obviousness, although as soon as we look at market exchanges more closely, we perceive an innumerable variety of cultural, social and institutional qualifications. In addition, the market was not completely unknown under state-socialism: Eastern Europe, even under the bleakest Stalinist period, did contain some, if hidden or informal, elements of the market, although the mix between market and hierarchy was drastically different from that in the West. The simplest proof of the existence of markets under Communism was that pay did matter, as demonstrated by piecework, slow-downs, and strikes against price increases. As a result of both this simplicity and familiarity, in any country exiting state socialism, whether Nicaragua, Russia or Vietnam, the first thing we see is an explosion of markets.

In industrial relations, this means that post-Communist societies have suddenly become receptive of the purest forms of 'marketisation' of the employment relation - indeed one of the social relations most difficult to reduce to the market model, as theorists from Marx to Polanyi have argued. The strength of the marketisation pattern of normality may be seen most clearly by looking at the Polish experience in more detail.

The Polish experience

In the 1980s, a deeply divided Polish society condemned to failure any attempt at reforming the economy. In spite of Solidarity being outlawed in 1982, industrial action did not disappear (it was the strikes of 1988 which convinced the elite to open the Round Table negotiations). Slow-downs and lack of discipline explain a large part of the fall of productivity throughout the decade. At the company level, the works councils ('self-

management bodies') often became a tool of clandestine Solidarity against managerial initiatives, including small-scale privatisation. In 1987, the population responded to Solidarity's call and rejected in a referendum (only case in the history of Communist dictatorships) the Messner government plan of gradual marketisation and liberalisation.

With the fall of Communism, everything changed. In 1989, the first non-Communist government introduced the famous 'shock therapy', involving an immediate price liberalisation that was not anticipated by the programmes of either Solidarity or the Communists. The other, indeed more complex reforms (privatisation, welfare-state reform, tax reform, legal reforms...) proceeded much more slowly, also in comparison to the other transitional economies. Nevertheless, at the end of the 1990s the change, and some economic successes, is clear-cut. In 2000, 75 per cent of the GDP was in the private sector. Union membership has fallen to around 20 per cent, a much lower level than the Western European average. The Polish workers, once defined as 'the most contentious of the world' (Ekiert and Kubik 1995) have basically forgotten what a strike is. The number of working days lost due to strikes has fallen from 2,360,392 in 1992 to 27,788 in 1997, with a slow recovery, almost only in the public sector, later on (data: Polish Ministry of Labour). The Polish trade unions have consented to the elimination of self-management bodies in the marketised and privatised sectors (Weinstein 2000).

As a result, industrial relations at the company level look completely different from the previous decade. In spite of the fact of at least two thirds of the economic elites originating in the Communist nomenclature, managerial authority is overwhelming. In private companies, trade unions have been eroded and marginalised (Gardawski, Gaćiarz, Mokrzyzewski and Pánków 1999). Although mass redundancies are still strictly regulated, individual dismissals are in practice free, which makes all the enduring legal regulations quite abstract.

Yet what characterises Polish industrial relations even more is the high level of differentiation. No serious multi-employer bargaining exists. This is due to the high inter-company and interregional diversity, but also to trade union internal rivalry: union organisations from different companies are very reluctant to disclose the content of their agreements

to each other. This makes not only coordination, but even pattern-setting impossible in collective bargaining. The outcome includes enormous wage differentials across regions and within companies (about twice the Western European standards) and an overwhelming popularity of performance-related pay (Kabaj 1998), even in multinational companies that, in their home countries, do not prefer it, such as the German ones. Also as a natural shift from the excessive vertical integration of state-socialist firms, outsourcing processes are proceeding very fast. Whilst geographic mobility is still hampered by housing shortages, internal mobility at work (very limited under state socialism) is now widespread. Working time is de facto unregulated. Although the working week was reduced to 40 hours in 2001 and there is an overtime statutory maximum of 150 hours per year, it is not unusual to see more than 100 hours overtime *per month*. The National Labour Inspectorate found violations regarding working time in 93.5 per cent of the companies it investigated in 1999 (PIP 2000). The National Labour Inspectorate report on other fields like health and safety or pay shows that more generally, with an unemployment rate at 16 per cent, any legislative or collective agreed regulation is condemned, at least in the private sector, to remain just declarative. Shock therapy has in practice, if not always legally, meant the end of the 'old' normality.

Turning socialist workers into independent sellers of their labour as a commodity on the market generally meant that all previously established arrangements – with the possible exception of certain relationships at the workplace – became dysfunctional and as such were obsolete and doomed to disappear. (Fichter and Zeuner 2000: 13)

All these features have little in common with either the previous state-socialist reality, or any model of social-market or corporatist economic relations. They rather approach an ideal form of deregulated, marketised, short-termist and fragmented industrial relations, which with much approximation could be labelled as 'Americanisation'. Far from being state-dependent and conservative, or locked into an immobile institutional legacy (Winiecki 1998), the Polish workers appear to be even excessively flexible: surveys show that their limit when compared to Western counterparts, if any, is the weakness of organisational

commitment, due to the lack of stability (Gallie, Kostova and Kuchai 1999). Polish workers are far from immovable defenders of old and non-viable jobs and prerogatives. As a matter of fact, all plans of voluntary redundancies meet with unexpected successes: the problem, as with the miners in 1998, is that too many workers are more than happy to abandon their old jobs and take a chance somewhere else.

This is nevertheless not yet the end of the story. In recent years, in spite of some shortcomings of the transition approach becoming more visible, further steps are being taken in the same direction. The right wing, Solidarity-based Polish government of 1997-2001 introduced between 1998 and 1999 two 'big reforms' on social affairs: the health care and the pension system reforms (Kolarska-Bobińska 2000). Formally, they were presented as inspired by, respectively, the German and the Swedish models. The actual outcome is however very different. The health care system has been 'marketised', putting hospitals in competition with each other for very limited resources, with occasionally dramatic consequences. The Great Britain of prime ministers Thatcher and Blair has never dared to go so far. The pension system has also been largely privatised, leaving only a residual thin first pillar guaranteed by the state. The new system has little in common with the European Commission suggestions and displays little concern for the social entitlements of the new generations, but is very much concerned with accelerating capital accumulation through the allocation of important resources in private funds. In the words of the *Financial Times* (25.6.2001, p. IV), this 'ambitious' reform 'took inspiration from Latin American models and predates reforms in many European Union states'. The interesting point is that while in Western Europe attempts at reforming the pension system invariably provoke union reaction and popular protest (see: the anti-Berlusconi turmoil in Italy in 1994; the December strike in France in 1995; the fall of the Kohl government, also due to the unprecedented DGB open criticism, in 1998), in Eastern Europe Pinochet-like reforms encounter much less resistance from entrenched interests (Bönker 2001).

These two reforms go along with other hyper-capitalist plans. In 2001, the political pressure for a major revision of the labour code involving further flexibilisation and fragmentation is growing, including both the then right-wing parliamentary majority and the left-wing

president Kwaśniewski. Since 1998, plans of 'linear' (flat rate) income taxation have been announced although not yet implemented (unlike in Russia and Latvia). If one considers other elements of the Polish taxation system, like generous tax credits for large investments (especially for housing construction) and the financing of social security, this would make taxation in Poland extremely regressive, diverging from any of the Western European models.¹

Recent debates confirm that this process of change is not yet over. This is most visible in the discussion on the Labour Code, which was passed in 1996 but is already depicted as a socialist legacy. The popular magazine *Wprost* is at the forefront with articles like: 'The Unemployment Code. Everybody Violates the Labour Code - Thanks to This We Have Jobs' (22.4.2001, pp. 24-29) or, even more explicitly, 'Let Dissolve the Trade Unions!' (22.4.2001, pp. 30-31). In these articles, a caricature of Polish industrial relations as hyper-regulated and union-friendly is contrasted (with examples from the US but also, more surprisingly, from Spain, Portugal, Sweden, Finland, Chile and Argentina) to the normality of free market and unlimited managerial prerogatives. Although *Wprost* is more radical than the average Polish media in its neo-liberalism, systematic research has confirmed that the Polish media depict the trade unions as abnormal destructive forces (Kozek 2000).

Politically, the government of the Polish economy remained in strictly neo-liberal hands until 2001. After the famous initiator of shock therapy, finance minister Balcerowicz, became president of the (totally independent) Polish National Bank in 1999, he was replaced by the like-minded Jarosław Bauc. In a long interview starting, as usual, on the issue of how Poland should move towards the EU, he explained very clearly his ideas on the labour market:

If we want an increase in employment, we must lower wages further (...) If an artificial minimum wage is maintained (...),

1. The highest taxation wedge in Poland is, at 42 per cent, for people earning 67 per cent of the average income. This is much higher than in any EU country, whereas taxation on the richest part of the population and on the corporations is lower.

unemployment is naturally created (...) What I say is not popular, but Poles have too high wages. (*Gazeta Wyborcza*, 10-11.3.2001, pp. 16-17)

Minister Bauc did not just neglect to say that labour is not a usual commodity - this is something absolutely normal for politicians. He did not simply neglect the amounts of evidence of the beneficial impact labour market regulations, and notably the minimum wage, may have, nor that to reduce unit labour costs one could try increasing productivity, instead of letting wages fall further. What is important for this paper is that in Poland gross hourly earnings of industry manual workers are around a quarter of those in the European Union, wages are constantly falling as a share of the GDP,² and unit labour costs are 20 per cent lower than in the EU (EC 2001). In spite of all this evidence, Bauc considered Polish wages as 'too high' from the perspective of European Union accession. This is a good example of how the judgement parameters in post-Communist policy do not come from actual Western reality, but rather from a theoretical and unreal model of the 'normal market'. As a consequence, while saying that Poland should move towards the EU and towards Western models, Bauc actually suggested a widening of the social gap between the two sides of Europe, something which has been labelled a very risky new 'hidden border' (Vaughan-Whitehead 2000b).

Qualifications and explanatory attempts

The sketch of Polish industrial relations attempted above requires a number of qualifications to be acceptable. These qualifications are of three orders: time, level and space.

First, the radical shift to hyper-capitalist ideologies and practices is probably typical of the first period of transition. Ten years after 1989, some counter-reactions are starting to emerge: a majority of the population prefers employment in the state sector than in the private

2. This is clear if one considers that the GDP has been growing very fast, real wages have been stagnant after an initial dramatic fall and started increasing only at the end of the 1990s, and unemployment has burst.

one; the movement of nurses in 1999-2000 reveals the potential for anti-reform, grassroots movements; the accession to the EU is becoming a process of 'reality check' for ideological discourses, also on social issues. In the parliamentary elections of September 2001 the parties ruling in 1997-2001 (AWS and Freedom Union) met a total defeat (did not obtain any seat in the new *Sejm*) and a left-wing coalition between post-Communists and peasant party came into power. The same coalition ruled the country in 1993-97 without appreciably modifying the neo-liberal course. Yet something could change in the future: the new labour minister Jerzy Hausner might be more committed and successful than his predecessors in establishing some social correctives in socio-economic policy, also thanks to the fact that the new finance minister Marek Belka is slightly less monetarist than Balcerowicz or Bauc.

Second, not every aspect of socio-economic relations is equally affected by the 'hyper-capitalist normality'. Institutions are much more 'sticky' than social movements or political climate. Looking at the welfare state and the so-called social wage, for instance, it has been argued that no dramatic change has happened and that Central-Eastern Europe is not much worse than the EU (Kovács 2000). Kovács' view can however be contested for being nominalistic, partial and static: it neglects the collapse (not registered by statistics) of company-level social expenditure; it isolates the welfare state from the trends in industrial relations, taxation and finance; it overlooks the most recent political developments and trends, announcing further 'Americanisation'. The same can be said about state-sector management, often very path-dependent, but also residual as compared to the more general trends.

If we concentrate on the *processes*, rather than on the momentary, transient situation (not very instructive in a period of turmoil), the model of hypercapitalist normality appears to be the strongest - even though it has not been strong or consistent enough to change all the society accordingly. Although the unique nature of the employment relationship makes impossible its complete reduction to the market exchange (commodification), on a theoretical continuum ranging from pure market to pure social control Polish industrial relations are getting comparably very close to the former end. This is visible on two important dimensions of industrial relations: the trade off between individual and collective bargaining, and the one between monetary and social wage.

Why is the post-Communist social and political landscape so keen on this neophyte sort of Thatcherism? Promoters of that model could argue that it is often the latecomers who embrace the newest models, especially if they go through a traumatic rupture with the past inertias. This is a process very well described by Olson with regard to the fast development of the defeated Axis nations after WWII (Olson 1982), but already known in sociological thought much earlier (Veblen 1915; Bendix 1967). Yet, if this is an explanation of why post-Communist societies may be particularly receptive of change in general, this is not an explanation of why *this* direction of change.

The trend of change and its direction have been explained through the pressure of Western agencies like the World Bank and the IMF, and of international capitalism more in general (Pollert 1999). There is much evidence of the role of these agencies, and even of other not mentioned by Pollert (see the not neutral role of big consulting and financial firms in advising the local governments on the pension reforms). It is difficult, nevertheless, to treat this explanation as sufficient. First, the existence of powerful, self-interested agencies may explain the *pressures*, but not the lack of resistance against them. As argued above, it is the social environment as a whole that has changed in Poland. Not only bankers and neo-liberal milieux promote hypercapitalism, but even the trade unions have accepted a large part of its implications (Ost and Weinstein 1999; Meardi 2000). Before 1989, independent unionism was able to resist a powerful dictatorial system and to defend social solidarity prerogatives.³ Suddenly, although under democratic conditions, it is incapable to object ideas it would have contested in the streets a few years before. This cannot be explained by either path-dependency or external pressures.

Even more, the 'external agencies' hypothesis fails to explain the 'excess of zeal' of post-Communist societies. Post-Communist countries have been plus royalistes que le roi – even more keen on deregulating and privatising than suggested by those agencies. For instance, not only the EU, but even the World Bank criticised the Polish health-care reform for being *too* market-oriented. Polish monetary policy

3. On the role of Solidarity working-class egalitarianism in the 1980s see: Laba 1991; Meardi 2000 (pp. 44-60).

is criticised by the IMF, in April 2001, for being too restrictive, and not too generous. It is not just the external pressures, but also the internal ones that matter.

The pervasiveness of the hyper-capitalist model of normality requires an explanation focusing on the subjective point of view of the social actors involved. An explanation of the Polish 'market utopia' and repudiation of alternatives has been suggested by Maurice Glasman (1994) drawing on Karl Polanyi's *The Great Transformation* (1944). According to Glasman, in Poland after 1989 a kind of 'market utopia' sprang up as a reaction to decades of oppressive state paternalism, just as happened in England in the early nineteenth Century as a reaction to the social paternalism of the Speenhamland scale welfare policy. This explanation has been criticised for being too evolutionary and constructivist, and for missing the complexity of the process (Kowalik 1994). The main problem, however, is another one. Glasman just describes a shifting movement between social paternalism and market. The implication is deterministic and treats the subjective points of view of the actors as unproblematic. The next section will attempt to explain how these 'shifting involvements', and the apparent incoherence they necessarily imply, may make sense to the local actors, in their everyday experience.

A phenomenological explanation: the Polish 'alternation'

Focusing on the everyday experience and the subjective meanings allows us to avoid considering the actors as 'cultural idiots'. To do this, we refer back to previous research on Polish trade unionists in a comparative perspective (Meardi 2000).

Phenomenological sociology, by concentrating on everyday interpretative procedures, allows giving a sense to social action. In particular, Berger and Luckmann's (1967) approach has been widely used as a starting point for studying the 'social construction' of events. There is a very particular point on which the otherwise very popular Berger and Luckmann's work offers a still unexploited potential for the interpretation of the post-Communist experience. This is their discussion of 'transformation' and of the extreme case of it, which they call 'alternation' but which recalls immediately today's 'transition' in post-Communist societies. Of course, 'alternation' is a very extreme case.

Yet Berger and Luckmann themselves state that it is only a problem of degree: 'if the processes involved in the extreme case are clarified, those of less extreme cases will be understood more easily' (p. 176). 'Alternation', as a radical form of re-socialisation, resembles primary socialisation, in that it has to radically re-assign reality accents. Since it does not start *ex nihilo*, however, it must cope with the problem of dismantling the preceding nomic structure of subjective reality.

These arguments seem developed at a merely 'micro' level. Yet it is possible to elucidate, through this theory of socialisation, even the most 'macro' among social realities, including the case of the East-West relations and their 'socialisation'.

Polish employees are experiencing 'transition' at both the societal and work levels. The problem with transition is that although the goals are relatively clear (economic well-being and democracy), the stages by which they can be reached are not. The entire 'plausibility structure' of workers' lives must be revisited: why make any work effort? Why join the union? Why go on strike? These usually taken-for-granted questions become compelling. 'Alternation' can be seen as a profound process of reformulation of the plausibility structure.

To forget completely is notoriously difficult. What is necessary, then, is a radical reinterpretation of the meaning of these past events or persons in one's biography. Since it is relatively easier to invent things that never happened than to forget those that actually did, the individual may fabricate and insert events wherever they are needed to harmonize the remembered with the reinterpreted past. (...) He may be perfectly sincere in such a procedure - subjectively, is not telling lies about the past but bringing it in line with the truth that necessarily, embraces both present and past. (...) Such partial transformations are common in contemporary society in connection with the individual's social mobility and occupational training (...). But these transformations typically fall far short of re-socialization. They build on the basis of primary internalization and generally avoid abrupt discontinuities within the subjective biography of the individual. As a result, they face the problem of maintaining consistency between the earlier and later elements of subjective reality. (...) In re-socialization the past is reinterpreted to conform to the

present reality, with the tendency to retroject into the past various elements that were subjectively unavailable at the time. (pp. 180-82)”

In short, the lesson to be learnt is that transition is a process of reinterpretation and of continuous work on the categories of present and past. Polish trade union activists, for instance, are ‘working’ on their past. ‘Alternation’ is so interpreted as to give a coherent subjective sense of one’s own action in both past and present. It becomes a pillar of the plausibility structure: ‘the world has changed, so X was right then a Y is right now’.

Ost and Weinstein (1999), through their fieldwork research on the Polish unions, noted a surprising support for market ideology. The same support - labelled as ‘moderately modernisational’- has been detected in systematic surveys on the Polish workers (Gardawski 1996). Ost and Weinstein showed how this cannot be explained either by rational choice approaches (in fact, unionists ‘irrationally’ support the eventual undermining of workers’ and unions’ rights) or by institutional ones (in fact, the employee councils work in disparate ways). They argue for an ‘ideational’ explanation, giving a decisive role to the liberal ideology embraced by the Polish activists. In short, ‘unionists came to believe in capitalism simply because it was the enemy of their enemy’ (Ost and Weinstein 1999: 30). Why the Poles think what they think remains for Ost and Weinstein an open question. I shall use my evidence to propose an explanation of how these ideas have been constructed in the Polish unions. If one concentrates on the workshop level, these ideas are clearly not inherited from the 1980s, when egalitarianism and class consciousness were very strong.

In interviews with Polish trade union activists the experience of the so-called ‘transition’ is recurrent and central not only as a topic but also as a structuring element. Most judgements, on the present as well as on the past, refer to the breakdown of state-socialism and the subsequent changes. The old system is disqualified because it was condemned to failure; that is, giving a retroactive effect to a later event. Similarly, the image of the future is built around the necessity of change, which has a strongly positive meaning. This does not mean that Polish workers are enthusiastic about the way the transition has been

effectuated. They are often deceived and sometimes frustrated. However, the 'transition' is criticised for its actual form but never rejected: it is accepted and defended as a necessary and foundational turning point.

Several features characterise *alternation* as the most radical form of re-socialisation. Post-Communist transformation is indeed not as drastic as the purest type of alternation, that of religious conversion. The model of religious conversion may perhaps be applied to the particular case of the post-Communist OPZZ, a reborn pro-private management and still semi-yellow union. For the rest of the unions, the elements of Berger and Luckmann's model appear in Poland in a slightly modified form, but they are all there. As the authors themselves note, it is only a problem of degree. There are five important characteristics of alternation (Berger and Luckmann 1967: 176-82).

1) *A legitimating apparatus*. In Eastern Europe, an extremely powerful legitimating apparatus is the East-West contrast, which is sometimes exaggerated. Any political or organisational proposal for change is presented with the foreword 'this is how things are in the West'. The advantage of this legitimating apparatus is a cost-reducing readiness to imitate.

2) *The repudiation of alternatives*. With few exceptions (e.g. Modzelewski 1993) the political debate in Poland does not take place between proponents and opponents of reforms, but between slightly different mythic images of the West as a model for change. This is understandable for the new elites, but why did the trade unions not resist? Maintaining Berger and Luckmann's image of conversion, one might remember that the converted are always the most dogmatic believers. Even the activists who most strongly denounce the costs of transformation do not propose any real alternative.

3) *The reinterpretation of the old reality and past biography*. Polish workers are 'working' deeply on their past, if compared with Western counterparts. The Polish vision of the past, as emerging also from, is much more critical. In the interviews carried out with trade unionists, the higher the self-assurance about the direction of change, the worse the image of the past. Sometimes the reinterpretation even approaches the purest form described by Berger and Luckmann: the 'then I thought, now I know' formula.

Now times have changed, we should move to more professional [union] work, more competent, because formerly we declared 'we don't like it, so we strike', it was like that at the beginning of the 1980s. (...) And now we must change, we must start to speak on the basis of arguments. [Solidarity activist]

4) *The presence of 'significant others'*. With them, the *alternating* subject develops a strongly affective identification. It is not easy to identify the significant others of post-Communist transformation. They are not the Western workers: union East-West cooperation is fragile and full of misunderstandings. Certainly they are not foreign employers, vary rarely beloved, and even less politicians or intellectuals. A 'participating' look suggests instead that the unexpected significant others are Western consumers, and the consumption goods and services they choose. Western goods, advertised by the media and massively imported in the first months of transition, are known much better than Western work conditions or welfare systems. This is the channel through which the country knows its goals and justifies them.

5) *The plausibility structure*. This connects all the previous elements and offers a framework for the everyday common knowledge. Following on from the previous point, the plausibility structure is probably the market considered as a system to calculate the value of goods, services, and – regrettably – people too. Although markets were not unknown in the socialist system, monetary marketisation has been a brusque experience. Money has rapidly substituted a number of other resources, which were formerly more important: time, acquaintances, group belonging. Moreover, the experience of marketisation, exalted by the hyperinflation of the first months of transformation, rapidly imposed new parameters for the evaluation of anything in everyday life. 'Transition' has involved a brusque shift in the arguments used in the public sphere from moral or organisational to economic (monetary) categories. The market orientation of the Poles is a counter-reaction, not a legacy from the past: in 1980, on the contrary, the 12th of the 21 postulates of the Gdansk strikers claimed even the suppression of 'free prices'.

In conclusion, current union consciousness does not seem anchored in the past; quite the opposite, it is interwoven with the idea

of radical change, which inverted the reference values. The investigation of the re-socialisation pattern explains the attitude of Solidarity that has been defined as ‘desperately seeking capitalism’ by surprised Western scholars (Hardy and Rainnie 1995).

To summarise: work relations in the post-Communist workplace are, at a high level of abstraction, still of the same general nature as under socialism (both involving control, exploitation and resistance), and if any have become even more exploitative. This has met with basic compliance so far because the main *experience*, for the post-Communist societies at the end of the 20th century, has not been the company but the macro-level turning point. In other words, the shops becoming full with coloured goods were a much more visible change than transformations at the workplace. The societal transformation has its own inherent plausibility structure, its ‘code’ (alternation), that is, phenomenologically, a specific interpretative procedure which gives a very specific meaning to what is happening. The society is external to the actors - but it is the actors who produce its meaning and make the world reasonable, even in the apparently not-so-reasonable post-Communist transformation.⁴

Conclusion

Is this Polish scenario shared by the whole post-Communist world? Poland seems, for its ‘shock therapy’, a sort of extreme case. The ex-Soviet Union, especially, has moved much less clearly towards the West. For instance, has marketisation not only failed to progress, but there has even been some step backwards towards barter and non-monetary transactions. Still, some of the processes outlined above – flexibilisation, atomisation, managerial prerogatives, wild privatisation – are general, and sometimes even more visible in the ex-Soviet Union. Other countries, like Romania and Bulgaria, with a more agricultural than industrial economy, display much more continuity than Poland. A case

4. I have concentrated in this article on employment issues and on the point of view of industrial workers and trade unionists. Nevertheless, other aspects of post-Communist societies would recall the alternation model. An interesting case is the number of former democratic dissidents who shifted to authoritarian views after 1989.

apart is then the former Yugoslavia, given its partial inclusion in the international capitalist economy already before 1990. In this case, the radical transition has been from pan-Slavism to nationalism rather than from Communism to hyper-capitalism. But already Albania corresponds quite well to the hyper-capitalist model, in a radically post-modern form: the idea of 'casino capitalism' had already been developed there before it became internationally popular with the global financial crises of 1997-98.

The approach outlined in this article suggests a potential alternative to the main perspectives on post-Communist transitions. The main perspectives so far have been the transition and the path-dependency ones. The latter has provided some well-grounded criticism on the naivety of the rapid 'in-only-one-jump' transition. However, it actually provides only a moderate criticism of the transition, convergence approach: what it argues is that the transition is much slower, more complex and institution-bound than it was expected. Yet the general direction remains the same - only the speed is seen as (much) different.

Path-dependency has produced very important research findings and theoretical developments on post-Communist transformations (Bruszt and Stark 1998). Yet, while its contribution is highly valuable on specific aspects of the transformation processes (e.g. the 'recombination' of property), its clear focus on fragments of continuity leaves unfocused the more macroscopic radical change. Path-dependency does not provide an explanation for innovative change, which in spite of all does occur in CEE, whether because of external influences, like FDI (Dörrenbächer et al. 2000), or because of more endogenous processes, like the 'alternation' one outlined in this paper.

The theoretical implication of a phenomenological investigation provides a *radical* criticism of the transition perspective. If the post-Communist societies have already embraced a hyper-capitalist version of Western normality, it is inherently contradictory to go on asking them to 'catch up' with the West. They are in fact, subjectively, already more 'Western' than the Westerners, as an in-depth comparison of Polish and Italian union members has revealed (Meardi 2000). This involves rejecting the images of Central-Eastern European 'backwardness', images involving the dependence on external models and hiding the novelty of social processes in those countries. These processes are highly

instructive for Western observers too: some MNCs are already using CEE as test-beds for practices suitable to be re-imported to the West at a later stage. The practical implication is that post-Communist industrial relations - contrarily to the popular assumptions in the local debates - are not insufficiently flexible, but rather excessively so.

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Boris Kagarlitsky

Belarus: A Post-Soviet Jurassic Park?

The September 11 terrorist acts in the US shifted all other news onto the back burner, including the results of the September 9 presidential election in Belarus. But for leftists in eastern Europe, what is happening in Belarus is a burning issue. It is now seven years since Aleksandr Lukashenko came to power in the former Soviet republic of Byelorussia. He was carried to victory on a wave of disenchantment with liberal reforms, against a background of general disillusionment with independence. The majority of Belarussians speak Russian and are used to associating their history and culture with that of Russia.

On coming to power, Lukashenko put a stop to privatisation, promised to maintain the social welfare system that remained from Soviet times, proclaimed the goal of re-establishing the union with Russia in a new form, and sharply criticised the West and the International Monetary Fund. Health care and medicines remained free. This could not fail to arouse the sympathy of leftists.

From the very beginning, however, Lukashenko did not base his rule on the mass movement, nor on workers' organisations, but on an apparatus of power that was loyal to him personally. His political regime became increasingly harsh. Parliament was dissolved, and the opposition press began to be persecuted.

Later, Lukashenko extended his powers through a referendum, the results of which were probably rigged. A number of the president's political opponents vanished without trace. The West in its turn spent millions of dollars financing the opposition. While basing his power above all on rural residents, Lukashenko tried to increase the competitiveness of industry by holding down wages. The result was that by 2001, the average monthly wage in Belarus was worth just US\$65. When social programs, housing subsidies and so on are taken into account, real living standards were of course substantially higher, but urban residents had virtually no spare cash.

This led to a growing conflict with the trade unions. Strikes were suppressed with an iron fist; the use of scabs and lockouts, and arrests of union activists, became commonplace. Meanwhile, the Belarussian economy came to be oriented heavily toward exports, and was integrated increasingly into the world market. The partners of Belarus were Russia, Ukraine and the countries of the Third World that had earlier traded with the Soviet Union.

At first sight, it might have appeared that Belarus was trying to preserve and develop the old ties of economic cooperation that had existed in the Soviet bloc. But in fact, all the countries to which Belarus was selling its products had already been integrated into the neo-liberal market model. In reality, the Lukashenko regime did not restore the old cooperation, but made use of the old economic and technological ties in order to expand its markets.

Economic miracle

In Soviet times, Belarus had exported its products throughout the entire Soviet bloc. In that period, the result had been rising living standards. But Lukashenko's policies, oriented toward exporting at any price, rested on wage restraint, on the suppression of the labour movement, and ultimately, on the suppression of left political organisations. It is not surprising that after the "exemplary" crushing by the Lukashenko regime of a strike on the Minsk metro, the trade unions came to figure among the regime's most aggressive opponents.

Lukashenko's propaganda speaks of a Belarussian economic miracle. The rates of growth of industrial production in fact reached 7-8 per cent per year, as in China. A substantial share of production,

however, was not sold but bartered. By the mid-1990s, Belarus was meeting 90 per cent of its food needs. Lukashenko's opponents, for their part, speak constantly of the poverty and lack of rights of Belarussians. Both in their way are correct.

The economic miracles that are to be observed in statistical digests are as a rule based precisely on poverty and the lack of rights. Lukashenko's Belarus is trying to be a sort of Slavic Thailand or Malaysia. The consequences are much as might be expected: Belarus is not a tiger, merely a half-starved cat.

The dual nature of the Belarussian experience is reflected in the splitting of the Communist Party into pro-Lukashenko and anti-Lukashenko factions. The opposition to the regime has also had a dual character. On the one side are right-wing nationalists (from the Christian democrats of the Belarussian Popular Front to the neo-fascists of the Belarussian Party of Freedom), and on the other are left social democrats, the "Young Mass" (socialists), the Communist Party of Belarus and the anarchists. The left in Russia has also split into supporters and opponents of Lukashenko.

The Belarussian model encountered its first severe test in the autumn of 1998, when the crash of the Russian ruble hit the markets of the former Soviet Union. Russian products became cheaper, and those of Belarus less competitive. Belarussian enterprises then began experiencing an acute shortage of investment.

The elections of 2001 were a watershed. The Lukashenko regime needed to legitimise itself. At the same time, numerous promises were made to Russian corporations as the elections approached. These corporations, for their part, not only stopped fearing the "communist" Lukashenko, but on the contrary, invested considerable sums in his election campaign. The opposition went into the elections with a single candidate, the leader of the official trade unions Vladimir Goncharik. The nominating of a common candidate in the first round was a curious move, since all the hopes of Lukashenko's opponents were on the second round.

Political absurdity

In fact, the united opposition was a political absurdity. People of directly counterposed views were gathered in the same camp, from the anti-

Lukashenko faction of the Communists, the socialists and the anarchists, to the Belarussian Popular Front and the Belarussian Party of Freedom (the local analogue of the parties of Le Pen and Haider). The nationalism of the latter forces aroused fear and revulsion in supporters of the left.

The rightists in turn found little to attract them in the candidacy of trade union leader Goncharik, not to speak of the Communists. Workers recalled how Goncharik had betrayed the Minsk Metro strikers in 1995. Many people considered that the Belarussian Popular Front sabotaged Goncharik's campaign. United solely by hatred of Lukashenko, the coalition could not work out a common program. Consequently, its election campaign slogans consisted of generalities, banalities, and meaningless verbiage. The third candidate was Sergey Gaydukevich from the Liberal Democratic Party, the local variant of the party of Vladimir Zhirinovskiy.

Each day the official television proclaimed that the US embassy was behind the opposition. No-one in the opposition made particular efforts to deny this. US and western European money was providing a good living for several opposition organisations in Belarus. Most ironically of all, it was making them uninterested in waging a serious struggle for power. It was good being an oppositionist; you did not have to answer for anything, while you received grants, drew up your reports, and carried on with life.

To judge from everything, the US embassy had a good deal to do with the fact that the opposition nominated a single candidate. If this was the case, Lukashenko should not have been afraid of a US-organised conspiracy, but should have taken heart at American incompetence.

The election results were not hard to predict. According to the official figures Lukashenko received 78 per cent of the votes, Goncharik 12 per cent, and Gaydukevich 2 per cent. The opposition maintains that Lukashenko in fact received 46 per cent, Goncharik 43 per cent, and Gaydukevich 7 per cent. Independent experts are sceptical of both sets of figures. According to these assessments Lukashenko won, but with a significantly smaller majority. The point is that "preliminary voting" took place over a period of several weeks, and its results were not monitored in any way.

According to various accounts, 14-17 per cent voted "in

advance". The independent experts, meanwhile, concluded that Lukashenko's tally had been boosted by about 15 per cent ; it is hard to believe that this was simply coincidence. If these assessments are correct, the Lukashenko regime dealt itself a serious blow. With every chance of winning by honest means, the apparatus of the Belarussian president tried too hard, rigged the election results, and in the process rendered itself illegitimate.

Big changes ahead

In any case, big changes await Belarus in the aftermath of the elections. Foreign correspondents write that Belarus is a "Jurassic Park". This is wrong. The creatures in this reserve are evolving right before our eyes. Changes will come, but these will not be in response to an opposition victory. Not only has Moscow made a clear choice in favour of the existing president, but Western support for the opposition is weakening as well. The leaders of non-government organisations accustomed to living on Western grants are complaining that the flow of money has started to dry up.

What is going on? Has the West grown convinced that the opposition is ineffective? Perhaps, but this cannot be the whole story. Far-reaching privatisation is beginning in Belarus. It should be pointed out that Lukashenko has provided almost no room for local Belarussian capital to develop. But this has by no means prevented the development of capitalism in Belarus. While there is no national bourgeoisie, its place is taken by a bloc consisting of the local bureaucracy and transnational corporations.

Over the last 10 years, Russia has established its own structures of transnational capital - Gazprom, Lukoil, Sibal, and so forth. Now that the ruble exchange rate has stabilised and the flow of petrodollars has strengthened the position of the oligarchs who had faced dire problems in the period of default, the Russian corporations in Moscow are ready to expand. Belarus, where for 10 years Lukashenko has prudently refused to allow the oligarchs' Western competitors to operate, is becoming one of the zones for this expansion. Belarus, it turns out, is not a museum of the Soviet era, but a studiously preserved hunting reserve to which outsiders have not been admitted ahead of time.

Russian capital is actively moving in and taking over local industry. Most active of all are those oligarchs who are close to the present tenants of the Kremlin. This is why Lukoil organised a pre-election festival for Lukashenko in the very centre of Minsk. Sibal is preparing to purchase the Minsk Automobile Factory.

Nor is Western capital indifferent to what is happening in Belarus. During the election campaign Goncharik tried to prove to electors that only a change of regime would attract Western investment to Belarus. In fact, everything is precisely the opposite. The dictatorial system in Belarus is unexpectedly being transformed from the republic's chief minus to a factor attractive to investors; there is order and stability, and there are no strikes. The low wages are an enticement to capital. The people are disciplined, educated, and cost even less than Russians.

The opposition explains to citizens that if it comes to power, the flow of Western investments will bring about an increase in wages. More than likely, the investments will indeed come, though not in response to an opposition victory, but under guarantees from Lukashenko that wages will remain at the previous level. It could be said that Belarus under Lukashenko is following the same trajectory as other nomenklatura regimes. The degeneration of the ruling nomenklatura is quite natural. Opposition to Western transnational capital, if it is not based on a mass movement of workers and on left-wing ideology, will lead ultimately to one or another form of compact with capitalism. This will not always be on particularly advantageous terms. The Belarussian regime, which has declared itself the defender of the "common people", is starting to implement neo-liberal reforms, taking cover at first behind the old social rhetoric.

Western capital is entering Belarus through Russia. The St Petersburg firm Baltika, for example, is buying a local brewery. The nationalists are in a panic - the Russians are coming! As a sign of protest they bought several crates of Baltika beer, and ceremoniously poured it on the ground. After this, naturally, sales of the "enemy" beer rose sharply.

Baltika is in fact controlled by a Swedish company. Something is happening that was expected neither by Russophobic westernisers, nor by Great Russian nationalists and Soviet patriots. The closer the relations between Belarus and Russia, the more bourgeois the elite

becomes, and the stronger the positions of Western firms acting through their Moscow subsidiaries. It goes without saying that once it has established itself in the Belarussian market, privatising and dividing up property, transnational and Russian capital will also try to install its own president. More than likely it will do this smoothly, without the help of the opposition, but in the Moscow style, choosing a “liberal” successor to Lukashenko, a “reformer” from among the figures in the present regime.

Lukashenko, of course, has his own plans for the future, but it is not the case that everything depends on the will of a single individual. For the moment, the apparatus is loyal to “Papa” Lukashenko, and remains his principal base of support. From time to time “Papa” shuffles his officials, consigning erstwhile favourites to disgrace. If anyone has acquired particular weight in the government, that person is threatened at best with being appointed to a remote province.

Lukashenko understands perfectly that the real threat to his power comes not from the opposition, but from his own entourage. However, he cannot shuffle the entire apparatus. Lukoil, Sibal, Ikea and McDonalds are already here. Their political influence will increase. And one day, Lukashenko will find that there are no “eternal presidents”.

David Chandler

Democracy versus Dictatorship? The 2001 Belarus Presidential Elections

[David Chandler was one of the monitors of the Belarus election with the British Helsinki Human Rights Group.]

The Western media coverage of the presidential elections in Belarus on 9 September 2001 posed the poll, in stark terms, as the struggle for democracy against the current leader, Alexander Lukashenko, billed as 'the continent's last hardline Communist dictator'.¹ The press attention focused on the 'reign of terror in a Soviet time warp' with lurid allegations of mysterious 'disappearances' and the repression of the opposition, united for democracy behind Vladimir Goncharik.² The *Wall Street Journal Europe* described the contest as 'one of the last battles of the Cold War'.³ The Cold War rhetoric has been particularly played upon by leading US politicians, with US Secretary of State, Colin Powell describing the Belarus regime as 'the lone remaining outlaw in Europe'.⁴ The American ambassador to Belarus, Michael Kozak, was happy to draw parallels between his work there and his Cold War job under president Reagan, providing advice and assistance to the Contra opposition to the left-leaning Sandinista regime in Nicaragua: 'As regards parallels between Nicaragua... and Belarus today, I plead guilty... Our objective and to some degree methodology are the same'.⁵

The United States has pumped around \$50 million into funding the political opposition to Lukashenko over the past two years.⁶ The influential Washington-based Democratisation Policy Institute argues that the US is right to help the ‘democratic opposition and civic forces’ in order to ‘decisively tip the balance...against the anachronistic regime’.⁷ In response, the Belarus government has accused the permanent mission of the Organisation for Security and Cooperation in Europe (OSCE) in Belarus of being the headquarters of the opposition forces attempting a Yugoslavia-style coup and views the Western election monitors as part of an international campaign of ‘spreading dirt over the elections’.⁸ Many Western commentators expected the opposition parties to hold mass protests against government attempts to fix the election results, following the Yugoslav scenario.⁹ Civil society movements claiming a broad base of support argued that ‘the most important moment is the next morning’ when mass protests were planned to topple the government.¹⁰

According to preliminary results, which do not include data from polling stations abroad, Lukashenko won 75.62 per cent of the vote, the unified opposition candidate Vladimir Goncharik polled 15.39 per cent and the Liberal Democratic Party leader Sergey Gaidukevich 2.48 per cent.¹¹ The opposition political parties and independent NGOs have called for the election results to be annulled, citing ‘unprecedented falsification’ and ‘gross violations’.¹² Meanwhile the United States and the European Union have made statements siding with the conclusions of the OSCE’s International Limited Election Observation Mission, representing the Council of Europe, the European Union and OSCE parliamentarians, that the election fell short of international democratic standards. In a statement adopted in Brussels on 14 September, the EU leaders expressed regret at the reported harassment of the political opposition, domestic observers, independent media and non-governmental organisations in Belarus.¹³

The election

The experience of monitoring the elections in Belarus revealed a different reality from that portrayed in the press accounts. There was little tension or controversy and little sign of either a dictatorship or of a planned Western-backed coup. I observed the count in Minsk, where the

opposition had most support, at one of the only polling stations where the election committee was composed of Goncharik supporters from the Trade Union Federation. Domestic observers from the OSCE-sponsored Independent Observation group acknowledged that, at this polling station, where they agreed there could have been no manipulation or fraud, the incumbent had received 61 per cent against Goncharik's 35 per cent. This result, considering the much lower support for the opposition candidate outside Minsk, fitted with the results claimed by the Central Election Commission for the country as a whole.¹⁴

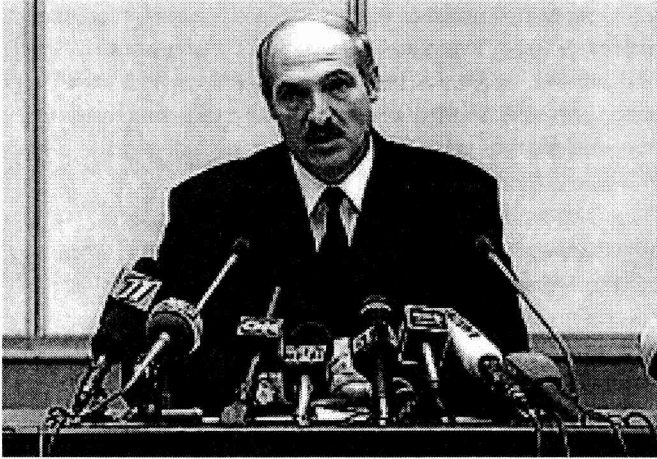
On the day there was a high turn-out of 83.85 per cent and the OSCE monitors reported that the voting was orderly.¹⁵ Gerard Stoudmann, the head of the OSCE's Office for Democratic Institutions and Human Rights, monitoring the elections, stated at the post election press conference on 10 September that the OSCE had no evidence of manipulation or fraud of the results on election day.¹⁶ The other major international body monitoring the elections in close co-operation with the OSCE, the Association of Central and East European Election Officials, found the election 'free and open, and in compliance with all universal democratic institutions'.¹⁷ Hrair Balian, the head of the OSCE monitoring mission similarly declined to criticise the procedures on the voting day itself.¹⁸

The lack of evidence of election fraud or of any popular protest against Lukashenko stood in sharp contrast to the exaggerated fears (or hopes) of Western commentators. The gap between reality and these high-blown expectations lay in the fact that the portrayal of the elections as an historic one of democracy against dictatorship was a misleading framework. Lukashenko is hardly an old-fashioned dictator and the opposition 'democracy' campaign had little to do with democracy.

The Lukashenko presidency

Alexander Lukashenko may be seen in the West as an old Communist but in fact he is neither old nor Communist. At 47 years of age he is fifteen years younger than the main presidential challenger. He is also an opponent of the old Communist nomenklatura; in fact, the Communist Party of Belarus played a high profile role in the united opposition campaign to unseat him.

Lukashenko is very much a political pragmatist. With minimal



Lukashenko

foreign investment and restricted export opportunities to the West, he has been forced to play on the importance of trade links with Russia and to advocate a gradualist approach to economic reform. This approach has won widespread support within Belarus itself, particularly among those who rely on state subsidy, for example, pensioners, who make up nearly a third of the country's population, rural workers and those reliant on public-sector employment. With access to Russian TV and press, Belarusians are very aware of social conditions in Russia and know that Belarus has at least regularly paid wages, high levels of employment and state pensions and subsidies, as well as few social problems such as drugs or crime.¹⁹

While it is true that Lukashenko maintains wide popular support, it would not be right to suggest that the election process is as free and open as in the West. Lukashenko has been reluctant to provide his political opponents with much assistance and only ceded the bare minimum of space for the contestation of political ideas. Limited state funding for the election campaign, approximately \$12,500 per candidate, and restricted allocations of TV and media space for political candidates meant that the opposition was at a disadvantage.²⁰ There was little evidence of a substantial campaign by either Lukashenko or the opposing

candidates and little atmosphere of an election contest as the public display of election materials was limited to a small number of approved sites. Most of the election publicity was provided by the Central Election Commission through a substantial public information campaign with neutral posters and TV spots informing the electorate of the elections and voting procedures.

The OSCE has afforded Belarus 'special attention' over the last few years and sees the country as an exception to the more European integrationist trends in the rest of the region.²¹ Running on an opposition anti-corruption platform, Lukashenko won a shock landslide presidential election victory in 1994 with 82 per cent of the votes in the second round. Following a popular referendum on constitutional reform in 1996, Lukashenko's presidential powers were extended and the influence of the Belarus parliament reduced. A number of MPs resigned from the new parliament, forming an alternative government. In 1997 the Council of Europe suspended the Republic's guest status and the OSCE Parliamentary Assembly took the decision to recognise the rebel MPs as the legitimate representatives of the Belarus parliament. The US similarly viewed the new parliament as illegitimate and refused to recognise the regime.

However, both the United States and the European Union are concerned that Belarus may shift away from a Western orbit. While treating the government as an international pariah, the State Department has followed a policy of 'selective engagement'. State Department briefings make the point that the 'key targets' for this engagement were the independent media and the non-governmental sector in order to 'provide a measure of support to those seeking democratic change and help to build constituencies for that change'.²² As part of this process, the Belarus government was pressurised into accepting the establishment of a permanent OSCE mission, the Advisory and Monitoring Group (AMG) in February 1998. Tasked with developing democracy and political pluralism, the OSCE programme is based on a strategy of 'parallel but separate' initiatives, arranging separate seminars, conferences and training for both government and state institutions and for parties and associations outside the government framework.²³

The 'single democratic candidate'

The Western media coverage of a struggle between 'democracy' and 'dictatorship' had much to do with the fact that the Belarus opposition had united around a single 'democracy candidate'. After the parliamentary elections of 2000, when some opposition parties boycotted while others participated, the OSCE Mission Chief, Hans-Georg Wiecek, worked closely with the US Ambassador, Michael Kozak, to ensure that the opposition put up a 'unity' candidate.²⁴ Wiecek laid out the OSCE strategy for 'democratising' the forthcoming presidential elections in an article at the end of 2000:

At the moment, it appears that there will be several candidates running in the presidential election, however, efforts are under way to seek consensus on one candidate from outside the party spectrum. A review of opinion polls tells us that non-participation in the recent [parliamentary] elections was motivated by many circumstances, notably frustration with the establishment and the absence of alternative candidates. That means: between the hard core support at both ends of the Belarus society, for the president and the parties of the right wing, there is a large percentage of voters who *need to be attracted and forced into a specific voting decision.*[my emphasis]²⁵

The strategy favoured by Wiecek and Kozak was to attempt to emulate the Yugoslav scenario in which similar polling revealed that President Vojislav Kostunica was best placed to beat Milosevic in an election, and US diplomats then persuaded rival figures, such as Zoran Djindjic, the Serbian prime minister, to stand down.²⁶ It was hoped that just as Kostunica had appealed to Milosevic's Serb nationalist constituency and was able to deflect accusations of being unpatriotic or in the pay of the West, a similar role could be played by Vladimir Goncharik. Goncharik's main support base was the centre-left coalition of trade unions and social-democratic parties and he was generally seen as an 'establishment' figure loyal to the authorities.²⁷ Considered a 'safer' less radical option, it was hoped he would have the most success in winning support away from Lukashenko.²⁸

However, Wiecek and Kozak did not find it easy to sell this strategy to the opposition parties. According to most opinion polls, the most

popular opposition candidate was Semyon Domash, with the backing of centre-right forces, such as the moderately nationalist Belarusian Popular Front, the liberal Civic Party and some youth opposition groups. Many opposition parties saw Goncharik as an unlikely candidate to unseat Lukashenko; he had a low public profile and, at 61 years of age and in poor health, he hardly represented a dynamic alternative. Two days before the fragmented opposition agreed to unite behind Goncharik, its five main leaders were called to the US embassy where Kozak managed to ensure that Domash stood down and accepted a



Vladimir Goncharik

coalition.²⁹ Even media commentators sympathetic to the opposition described Goncharik as ‘no Kostunica’: ‘He is not the most charismatic of candidates, does not share Lukashenko’s populist, man-of-the-people sense of humour, and the official, Soviet-style trade union he heads is not well-liked’.³⁰

The ‘assistance’ provided to the Belarus opposition parties by the OSCE’s permanent mission and the US State Department, did little to change the political climate in Belarus. There are probably several reasons for this:

Firstly, the opposition parties’ presidential campaign was overclouded by the struggle to influence the international community to choose their candidate as the ‘unity’ candidate. The opposition coalition did not make public their choice of Goncharik as the single candidate until 21st July, just seven weeks before the elections. Once the candidate was chosen, other political parties put less effort into campaigning and in collecting the 100,000 signatures needed to stand a candidate.³¹

Secondly, the fact that the opposition was receiving close support from the international community inevitably encouraged them to hope to win the elections by relying on international pressure rather than

domestic support. From the start it was clear that the ‘democratic’ campaign was relying on getting the results of the ballot overturned and the international community refusing to recognise Lukashenko’s victory as legitimate. Rather than campaigning for the public vote the opposition campaign team focused attention on the Western media, quoting unconfirmed ‘reliable sources’ that the election would be rigged through the plan to replace early voting ballots with rigged votes for Lukashenko.³² This strategy was clear to see on the last day of campaigning: Goncharik spent the day at the Hotel Planeta with the parliamentary delegations from the OSCE, Council of Europe and the European Union.³³

As expected, at the planned ‘victory’ rally held at the close of the polls on 9 September, Goncharik claimed that the results had been falsified and that an ‘independent count’ showed that Lukashenko had won only 46 per cent of the vote while he had taken 40 per cent. He called on the international community to pressure the government to hold a new round of elections.³⁴ Goncharik did not claim any source for his figures and the Independent Observation network of domestic NGOs, which tried to organise a parallel count from 500 selected polling stations, issued a statement on 10 September saying that they had not managed to obtain any ‘reliable results’.³⁵

Thirdly, and most importantly, the selection of a ‘democracy’ candidate meant that the government restrictions on political campaigning had a particularly dampening effect on the political climate during the elections. Despite the fact that the OSCE chose to talk-up the elections as providing a ‘real choice’, the pressure to unite around Goncharik cut down the choice and the democratic discussion available to voters.³⁶ The international decision to pressurise the opposition political parties to unite behind one candidate, in order to ‘force’ voters into a ‘specific voting position’, cut down the amount of air-time and press space for an opposition perspective as well as narrowing the choice at the ballot box. If five opposition candidates had stood in the first round they would have had then had five times the amount of airtime and five times the opportunity to discuss the problems of the current regimes’ policies. This internationally-enforced policy was particularly unfortunate because if Lukashenko won less than 50 per cent of the votes the election would have gone to a second round and the opposition

parties and their supporters would then have had the choice as to which candidate or platform to support. The OSCE and State Department policy of pushing for a 'democracy' candidate in fact disenfranchised Belarusian voters and further restricted democratic debate.

The democracy movement

The Western coverage of the elections has been dominated not by the party campaigns but by coverage of the struggle of domestic non-governmental organisations (NGOs), independent media organisations, civil society groups involved in the election campaign and associations of independent election observers. The OSCE viewed the non-governmental sector as of vital importance for democratisation in Belarus and the regulation of this sector has been a central source of conflict between the OSCE and the Belarus authorities. The head of the OSCE's permanent mission in Belarus, Hans-Georg Wieck, argued that the 'third sector' was an important sphere of autonomy and independence from the Belarusian state:

The very nature of a non-governmental sector implies that the organisations that comprise it remain overwhelmingly free of state control in their formation and day-to-day existence. Government officials should not decide which non-state organizations may exist or may not, or choose the content of their program, or pick the names or symbols the organization may use... [T]he only limit to their activities should be the power of the ideas they propound.³⁷

The OSCE views the development of the 'third sector' as one of the major gains of the work of the permanent mission in Belarus. Belarus election law does not allow foreign donations to individual political parties or campaigns, however aid for NGOs has allowed the OSCE and the US government to circumvent election rules and play a direct role in the domestic political process. The US government helps to fund 300 non-party 'independent' NGOs involved in 'seeking political change'.³⁸ This funding for 'independent' opposition to the government has meant that the activities of the domestic NGOs dominated the international media coverage. US and European support for independent press and civil society NGOs has given these small organisations an

international standing unrelated to their domestic support. This lack of relationship between domestic NGOs, heavily involved in the political process, and the Belarusian people, has led to a large disparity between international perceptions and the situation on the ground in the country.

The media

The Belarusian authorities have put pressure on the internationally-funded 'independent' media demanding tax information and restricting publications alleged to be 'printing inaccurate information'. The media restrictions make political discussion difficult and the OSCE describes the strict interpretations of economic and electoral regulations, which restrict free speech, as 'akin to censorship' (although the OSCE pursues a similar censorious line in the elections, which it manages, in Bosnia-Herzegovina³⁹).⁴⁰

The independent media in fact have more freedom than would appear to be the case from Western media stories - the leading example of the repression of the media being the closure, for several days, of the Magic printing house, a major producer of national and regional opposition press. From speaking to people in Minsk, intending to vote for the opposition, the impression they gave me was that the independent media's high profile unsubstantiated allegations of ballot-rigging and corruption and fraud against Lukashenko and the government were not intended to be credible with the public. They thought that the intention was to force the authorities' hand into the confiscation or censorship of material. Once the authorities intervened, as they did over a special issue of *Rabochy*, then the question of election fraud was automatically raised.⁴¹

While the state media were dominated by positive coverage of Lukashenko, there was no shortage of 'independent' papers supporting the opposition candidate. Papers such as *Nasha svaboda*, *Rabochy*, *Belaruskaya maladzyozhnaya* and *Den* were all freely available in Minsk. While the regime imposes taxes on the independent press the substantial foreign subsidies meant that the 'independent' media could afford to hand out special election editions free of charge at Minsk metro stations, in contravention of the election laws.⁴² Most of the stories concerned threatened closures rather than actual ones. The editor of *Narodaya Volya* claimed that '[The authorities] know that under

normal conditions the election will be in favour of the single candidate [of the opposition]. Therefore they are doing everything possible to derail the election.’⁴³ However, ‘doing everything possible’ did not actually include preventing the publication of six different independent papers, hostile to the government, on that day alone.

The role of NGOs

The lack of political party campaigning contrasted sharply with the high-profile activity of civil society or third sector NGOs with public protests and poster and leaflet campaigns in support of the opposition. These civil society campaigns were strongly backed by the United States, the leading example being the youth movement, Zubr. In February 2001 the US government-funded International Republican Institute brought the Serbian student leaders involved in Otpor, the Serbian youth movement, to Minsk and subsequently organised training for the leaders of Belarusian youth groups in Vilnius and Bratislava.⁴⁴ Zubr was established as a direct copy of Otpor, and follows the same activities of high-profile student pranks, stickers, T-shirts and even the same political slogans. As Zubr organiser Aleksei Shidlovsky states: ‘Otpor was the model for us... We have relations with the Western embassies. We tell them what we’re doing and planning’.⁴⁵

Most of Zubr’s activities have been for the benefit of the Western and ‘independent’ press. One typical media stunt, which resulted in arrests for defaming the President, involved four students dressing up as doctors chasing a fifth made up to look like Lukashenko and declaring ‘Have you seen our patient? He has escaped from a mental hospital?’⁴⁶ I spoke with some of the Zubr organisers the day before the elections and was surprised to find out that they had no formal membership, the 5,000 supporters they claim are those who have accepted the Zubr (bison) badge. They were not involved in the OSCE network of election monitoring, focusing on putting up stickers around Minsk to build support for the ‘victory’ rally on the evening of the poll and planned mass protests the following day. The ‘victory’ rally was covered by the international media but the masses failed to materialise and the protest attracted only around 2,000 people, who soon went on their way. I attended and noticed that most of the people were looking on rather than participating, in fact the sound-system was so poor most people

could not hear the speeches. Despite the fears about riot police and water cannons, there was no police presence at the main square, although I did notice three policemen in a parked car two blocks away.

Election monitoring

One of the main concerns expressed by the OSCE monitoring mission has been the harassment of domestic NGO election observers. Domestic NGOs had offices raided, equipment taken and accreditation withdrawn in what was seen as a concerted attempt to intimidate civil society representatives or, more ominously, as proof that the government was attempting to hide ballot-rigging. In fact, the role of domestic NGOs in observing the election process has been a highly politicised one from the start.

In line with the opposition campaign of attempting to have the international community condemn the election as illegitimate, the domestic NGOs were keen to use their 'independent' position to highlight ballot-rigging from the start of the campaign. Two main issues of contention came to the fore - the opposition claims that early voting would be manipulated fraudulently by the government and the attempt to organise a parallel count, managed by an umbrella group of NGOs sponsored by the OSCE permanent mission, the Belarus Initiative Independent Observation.

The democracy campaign received a boost when Aaron Rhodes, the executive director of the International Helsinki Federation, an international NGO closely involved in the domestic NGO training process, argued that early voting would be used to falsify the election results.⁴⁷ Mechyslau Hryb, a coordinator of the monitoring network, told journalists in the run-up to the polls that authorities were trying to pressurise some 50 per cent of voters to vote early, ahead of the poll, with the intention of subsequently replacing their ballots with new ones.⁴⁸ In the run-up to polling day the main issue of international coverage was the NGO allegations of fraud. These turned out to be either unfounded or of no influence on the final result. The final figures for early voting, released by the Central Election Commission on 8 September, were just under 15 per cent. There was no evidence that these ballots were tampered with in any way. Even if they had been Lukashenko would still have gained over 50 per cent and won on the

first ballot.⁴⁹

The government was more concerned about the 'alternative count' to be organised by the umbrella 'Belarus Initiative - Independent Observation' network of more than 10,000 domestic observers. Their intention was to conduct an independent 'parallel vote tabulation' or 'alternative count', with the intention of declaring the 'genuine' election results based on the observation of 500 polling station counts, judged to be scientifically representative of the country as a whole. The OSCE parallel vote plan, by their own account produced 'widespread misunderstanding... [and] led to open hostility on the part of the authorities'.

The OSCE complained when the authorities confiscated the computers which they had leased to the Club of Belarusian Voters, one of the NGOs involved in the network.⁵⁰ The US State Department also complained that the government had restricted the election-related activities of 'non-partisan' NGOs, by taking US government-owned equipment.⁵¹ On the day before the election the accreditation of some 2,000 members of one of the NGOs involved, Viasna, was withdrawn.⁵²

Conclusion

The OSCE was correct to argue that the openness and transparency of the election process was much lower than in the West, creating possibilities for fraud and disenfranchisement and limiting democratic debate. The CIS states' monitoring team, which had observed the entire election process, found that the elections met international standards. The OSCE's decided to monitor these elections, rather than just send a technical observation team, as they did for the parliamentary elections in 2000.⁵³ The OSCE's monitoring team's decision that the elections failed to meet international standards was largely based on the governments' actions against the 'independent' media and 'independent' domestic NGOs, particularly those engaged in election monitoring. The OSCE report states that the LEOM (Limited Election Observation Mission) was:

...deeply concerned about the level of harassment of political opposition and domestic monitoring groups. Specific incidents of seizure of office equipment and campaign materials, frequent

tax inspections and detentions of those found in possession of materials deemed slanderous of the President were recorded. These incidents had a chilling effect on an already minimal level of public campaigning.⁵⁴

This judgement neglects the destabilising impact made by the intervention of the OSCE's permanent mission in Belarus, the Advisory and Monitoring Group, which encouraged the domestic NGOs to play an openly political role in support of the 'democracy' campaign to unseat Lukashenko. In fact, the 'atmosphere of fear that made a fair election impossible' according to the head of the OSCE monitoring mission, Hrair Balian, had much to do with the OSCE permanent mission's involvement in the political process.⁵⁵ Rather than assist in establishing dialogue between opposition groups and the government in an attempt to free the political process from bureaucratic constraints, the OSCE permanent mission and the US State Department sought to bring the conflict to a head at the time when open dialogue was most important. With little support in Belarus society for the 'independent' NGOs and widespread suspicion of the motives of the OSCE, their influential external support and encouragement of radical criticism of the regime merely isolated these NGOs from the views of the Belarus public and set them up for government targeting.⁵⁶

The OSCE's judgement also neglects the fact that probably the biggest 'chilling effect' on public campaigning was the OSCE permanent mission and US State Department strategy of 'forcing' the Belarus public into a 'specific voting decision'. Clearly the public did not share the OSCE's preference for Vladimir Goncharik, the imposed democracy candidate. It is unfortunate that OSCE interference deprived the public of the broader political debate that would have been provided by five opposition candidates. The cutting down of opposition TV time and press coverage to a fifth of what it could have been was probably the major 'chilling effect' on democratic discussion and debate. The OSCE's misjudged intervention prevented the Belarus public from making up their own minds on which party and leader would make the best opposition candidate. Unfortunately, in rejecting the OSCE's 'democratic' choice, the voters of Belarus have probably only confirmed the OSCE in their view that they need more 'assistance' rather than less.

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Peter Gowan

The EU's Human Rights Diplomacy: A Survey

The great expansion outwards of the influence of the Atlantic states since the collapse of the Soviet Bloc has been carried out in large part under the banner of enlarging the sphere of Human Rights, Liberal Democracy and Good Government (hereafter HRDGG). During the Clinton presidency, the theme of HRDGG has been used to establish global political cleavage lines between the friends and enemies of Atlantic values. But the interconnected HRDGG theme has above all become an integral part of the political identity of the European Union and of its attempts to brand its external role in the world.

There has, of course, been a parallel expansion of the economic reach of the Atlantic states and their businesses. And the two themes have been strongly linked discursively: human rights and democracy are seen as developing hand in hand with the construction of open, free market economies. HRDGG goals and market economy goals are presented very much as two sides of the same coin.

Of course, both democracy and human rights were always important themes in the Cold War. But they were, in the main, subordinate to anti-Communism in the strict sense that the battle to defeat Communism could govern the priority of both human rights and democracy: authoritarian dictatorships systematically violating human

rights were often accepted by the Atlantic states as a necessary ally against Communism. But with the collapse of the Soviet Bloc there has been a shift in the posture of the EU states and institutions towards supporting HRDGG as a general, global norm.

The tendency of the Atlantic states to support dictatorships in much of the rest of the world during the Cold War meant that campaigns for democratic and human rights were often the preserve of the left. But the turn of the EU, especially towards an HRDGG politics and statecraft since the Soviet collapse, has produced a division on the Atlantic left with parts of it swinging behind EU campaigns while other parts of the left have remained sceptical or hostile.

The purpose of this article is to attempt a survey of some features of the EU's turn towards HRDGG themes. Its aim is to raise some analytical and normative issues for further research. Part 1 looks at the turn of 1989 and surveys some concepts in the area of human rights theory. Part 2 examines the various different roles of HRDGG themes in the EU's external policies, in particular the following: the regions where HRDGG themes are real policy goals, as against regions where they are subordinated to other policy goals; cases where HRDGG themes are used as policy instruments for quite different policy goals; and ways in which HRDGG values are used to legitimate new rules for Atlantic dominance in the inter-state system. Part 3 tries to explore the impact of HRDGG themes in those cases where they do function as policy goals.

Part 1: The Politics of the Concept of Human Rights

The Turn of 1989

In Paris in June 1989, when the Soviet Bloc was starting to disintegrate, the G7 states launched a new politics towards the countries of the region. They made deeper co-operation with them conditional upon their commitment to a 'market economy' and 'democracy'. This G7 line was then implemented by the European Community. In 1993, the

EU broadened this new type of politics to include the theme of human rights conditionality in its dealings with the eastern part of the continent. At the same time, all other major international organisations led by the Atlantic States from the IMF/World Bank to NATO have adopted similar kinds of human rights, democracy and 'good governance' conditionalities to the point where these themes have become major instruments of the Atlantic powers in their external relations.

For the EU this has been a major new departure. Before 1989 it had never used political conditionality for its various agreements on international economics. Now democracy and human rights became, at least in principle, bottom line issues for much EU diplomacy. Democracy has always been a condition for joining the EU and a distinctive kind of human rights commitment had been embraced by the West European states within the Council of Europe. But NATO had not accepted that either of these criteria was a bottom-line issue for alliance membership and there was little active drive from the EC to push for democratisation or human rights using economic statecraft for that cause.¹ Thus 1989 was a real turn and during the 1990s it has become perhaps even the defining programmatic identity of the EU in its external policy. It would scarcely be an exaggeration to suggest that the EU as a force in international politics has come to cap its role as a major shaper of the international political economy with a second claim to be the major force for spreading human rights, democracy and 'good governance' both in its own immediate geographical environment and in the world at large.

It is true that, with some justice, the Reagan and Bush administrations could claim parentage of important elements of the EC/EU turn. The Reagan administration really began the turn with its project, from the mid-1980s, of 'democracy promotion'.² And the G7 Paris Summit of 1989 was master-minded by the Bush administration which ingeniously unified the EC and the US government in a common campaign towards the East with the EC Commission formally taking

1 An exception was the refusal of the EEC to sign an Association Agreement with Franco's Spain.

2 See William I Robinson, *Promoting Polyarchy* (CUP, 1996)

the lead while being under the control not only of its own member states but of the US via the so-called G24 formula.³ Yet there is now a very strong West European sense of ‘ownership’ of the campaign. For some in the EU, this is a shared ownership with the United States. But for many others, the EU can and should lay legitimate claim to distinctive European property rights over this important HRDGG asset, as we shall see. Some in Western Europe even claim that the US is not a shareholder in this category of political assets.

For very many in Western Europe, the explanation for this major EU turn in the 1990s is unproblematic. They view it as a direct outcome of the influence of left-of-centre public opinion upon the institutions of the EU. There is not the slightest doubt that the turn has generated considerable enthusiasm on the centre left and even on the left ‘tout court’ within the EU. It is also clear that there is a deep correlation between the EU turn and a very broad consensual base within public opinion in the EU stretching from the centre right to even parts of the far left. Yet it is prudent to problematise the sources of the turn towards the HRDGG theme. While there is clearly a positive relationship between the EU’s adoption of HRDGG and public opinion in the EU, it is by no means obvious what the direction of causality is. After all, West European public opinion has always been in favour of promoting human rights and democracy at home and abroad at least over the last 50 years, while the state executives of Western Europe have evidently not had any such automatic commitment.

One need only remember the commitments of the British state to torture in Northern Ireland in the 1970s, of the French state to torture in Algeria in the 1950s and 1960s and of the Italian state to terroristic killings in the 1970s, not to mention the similar commitments of the Spanish state in the 1980s and 1990s (in the Basque country) as well as further gross violations of human rights in Northern Ireland by the British state right into the 1990s, to recognize that there is no automatic causality from the values of public opinion into state policy in Western Europe.

3 The EC commission was made accountable to the OECD member states which were renamed for this purpose the G24 (Group of 24). In practice this meant meetings of OECD ambassadors in Brussels with the US and the US-led World Bank taking the lead.

We must also remember that the turn by the EU and the West European states in this area of policy has not been transparent. While there are constant suggestions in EU literature that the turn has been driven by the European Parliament, this suggestion cannot be taken very seriously. All the key decisions have been taken either at IGCs or at European Council meetings or in the General Affairs Council of the EC - bodies firmly controlled by the executives of member states. Such bodies have effortlessly ignored or flouted European Parliament resolutions on a vast range of external issues including human rights issues when they have wished to do so. They have chosen to take up HRDGG themes because and insofar as they autonomously desired to do so themselves. And we lack reliable information as to why they have done so, for the simple reason that all these meetings of member state executives are closed. Their business is conducted in secret. We can read no minutes of IGCs, European Council or General Affairs Council meetings. The idea that they spend their time seeking to find ways of accommodating what they take to be the European Parliament's capacity to articulate European public opinion may be true. But equally it may not be true. We simply do not know.

But we have a right to be sceptical. After all, the idea that causality flows from democratic opinion to EU policy has proved false in the mainstream of EU policy-making in the 1990s. Time and time again opinion polls have showed that public opinion in the main EU states remains firmly wedded to the old Cold War Christian Democratic-Social Democratic social liberal consensus of what the Blairites call 'tax and spend', social security, welfare Keynesianism.

Yet the state executives of the EU have been firmly committed to undermining this value consensus within the EU for the last 16 years, to judge from their actions. Some indeed would argue that one of the main purposes of state executives in adopting the HRDGG turn has much less to do with external substantive goals than with finding an alternative means of legitimating the EU to the old CD-SD social liberal consensus which is now rejected by EU state executives as unsuitable for the new balance of social forces - i.e. the new political realities of Western Europe in the 1990s and the new century.

Human rights in political theory

Some political concepts are surely, in terms of their linguistic connotations, almost entirely empty vessels which can be filled with almost any content: the currently fashionable phrase, 'good governance', falls into this category. But the term 'human rights' is not quite as chameleonesque as that. Its origins lie in historically specific Western traditions of natural law theory: the Catholic scholastic tradition of medieval Europe and its opponent in the so-called 'humanist' tradition of the modernist movement from the end of the 16th century, usually seen as the precursor of modern liberalism (drawing also upon Roman 'rhetorical' schools of thought).⁴

These natural law origins are anchored in the term itself - both in its 'human' and in its 'rights' aspects. There is the universalist idea of one humanity - the idea of equal (minimal) rights for all on the basis of this physical humanity - and the idea that the good society or polity is one based upon the foundation of such rights. These features make it unpalatable to various opposing traditions in political philosophy. Particularist trends on the Western right would not endorse the universalist and egalitarian notion of one humanity with innate rights. Some kinds of liberals would also not endorse the stress on rights - for example, utilitarian liberalism in the Benthamite tradition rejects this rights tradition. One of the main reasons for its rise to influence in early 19th century Britain was that it gave modernising sections of the English propertied classes an alternative both to the particularisms of the counter-revolution but also to the radical rights traditions of both the American and French revolutions. Socialists would be sceptical of the idea that equal legal rules for all in a class divided society produces substantial justice. Roman Rolland made this point long ago with his criticism of the justice of a law that banned the rich and poor alike from sleeping under the bridges of the Seine. And many of all political persuasions today would find it difficult to accept the idea that a theory of justice can be derived from reflections on what it means to be human.

Yet at the same time the very sense of the term human rights

4 On the natural law traditions, see Richard Tuck, *The Rights of War and Peace. Political Thought and the International Order from Grotius to Kant* (Oxford, 1999)

pushes it in a chameleonesque direction. The term insists upon certain, perhaps minimal, but irreducible, entitlements of all human beings but it does not specify what these irreducible entitlements actually are. This creates the first basis for the term's chameleon qualities. Different social and political movements seek to give an all-embracing, universalist and absolute status of human rights to their particular political and social programmes. A second problem derives from the notion of rights. This can refer to existing legal rules in positive law without any necessary normative foundation. But it can also refer to rights as ethical norms grounded in some notion of justice. A further difficulty in relation to the term is that it leaves open the question as to which entities are under an obligation or duty to supply or respect the rights in question. Are these entities confined to states in their domestic capacities? Or are states required to respect these rights in their external, war making activities?

Although human rights as a civic and political activity is often thought of as an activity of lawyers and campaigns in domestic political contexts, it has, historically, also been strongly associated with the external drives of states, particularly of the states of the Atlantic seaboard. Indeed the early humanist theorists of human rights in the late 16th and early 17th centuries articulated their theories, as Tuck shows, in close connection with politically driven efforts to find justifications for Spanish and Dutch imperial conquest. They justified such wars on the grounds that the governments in the Americas and elsewhere engaged in practices against natural and human rights. And much of European imperialism in the 19th and 20th centuries was justified as a constructive effort to bring human rights (as well as Christianity and 'civilisation') to the peoples of the South.

Political accenting of human rights in the 20th century

These characteristics of the concept mean that analysis and assessment of the concept must be contextualised in time and space if we are to understand its role and meaning in political and social terms. The substance of human rights politics has been contested for decades and indeed centuries in the West. These differences have embodied differences between left and right. At some times, the left has been in the ascendant able to impose its substance on the concept. At other

times, the right has done so.

These integral ambivalences have always been seized upon in international and domestic political and ideological life as each conflicting social and political force invests the term with its own substance. In the 17th century some theorists regarded human rights as completely compatible with slavery. Woodrow Wilson considered his commitment to human rights perfectly consonant with his support for the Ku Klux Klan.

In the aftermath of the Second World War, the USSR was prepared to accept Western pressure to insert the term into a basic document of the UN - the Universal Declaration of Human Rights. This Declaration gave the term international normative authority. The result was a clash of two political substances within the discourse: a socialist stress on the priority of economic, social and collective rights as against a Western liberal stress on liberal individual rights. With the movement for colonial liberation a third substantial concept entered the contest: that of national rights and national development rights as the priority concept.

Normative authority for the Western liberal concept was re-enforced both by the European Convention on Human Rights and by the Helsinki Final Act, the latter endorsed by both sides in the Cold War. All political tendencies from the extreme right to the extreme left can and do make use of the concept of human rights in the course of their political struggles as a means of rallying support against their opponents.

Human rights themes in the current political context

Since the collapse of the Soviet Bloc, the substance of human rights has been increasingly remoulded to the dominant ideology of the Atlantic states, newly triumphant over the socialist left and the South. This has involved a number of shifts: first, a shift to restrict human rights to one restricted variant of liberalism: that of American Lockeanism, stressing the individual's right to negative freedoms from state interference against his/her person or property;⁵ secondly, a claim that these particular

⁵ H.L.A. Hart put this concept graphically in his famous 1955 essay, 'Are there any Natural Rights?' by saying that natural rights were a kind of sovereignty for the individual over parts of his life.

liberal rights are absolute and cannot be 'relativised' by trading them off against other kinds of rights; thirdly that these particular liberal conceptions of rights are the only Western/modern conceptions and that opponents of them must be supporters of primitive anti-Western, anti-liberal and no doubt pro-Southern dictatorial trends; and finally economic and social rights are not rights but rather welfare issues which depend upon economic and social conditions and are best supplied by free markets.⁶

These newly dominant conceptions of human rights are certainly challenged within the EU. There remain significant numbers of social democrats who argue for some elements of social and economic rights to be made more central in the EU's HRDGG themes. The General Secretary of the ETUC noted that the Charter of Fundamental Rights adopted by the EU in 2000 "reflects a narrow interpretation" of existing rights. There is also still a significant resistance to the idea that economic and social conditions should be treated as entirely dependent on market outcomes - welfare provision at some level is consensual. Yet welfare provision is treated as an entirely separate programmatic issue from HRDGG. Furthermore, the social and economic rights that are included within the HRDGG programme are overwhelmingly concerned with legal rights for people at work. The core of the EU's HRDGG themes and their governing concepts are those of individual liberal rights in a basically Lockean mould, in line with the European Convention on Human Rights.

This new thematisation of human rights has then merged with a strand of democratic discourse which increasingly stresses competitive elections and liberal political rights but is hostile to ideological parties and 'populism' and downgrades the role of parties in policy formation. Instead it gives great weight to an elastic and amorphous concept of 'civil society', open to a wide variety of interpretations.

6. For a trenchant critique of some of these shifts, see Chris Brown, 'Universal Human Rights', in Tim Dunne, Nicholas J. Wheeler (eds.) *Human Rights and International Politics* (Cambridge University Press, 1999)

Part 2. Human Rights as an EU Policy Goal, Policy Instrument and Political Instrument

Since the EU has embraced HRDGG themes in a substantial way, they have come to play a multiplicity of roles in the activities of the EU and of its member states. Indeed the diversity of these roles is truly remarkable. We can mention some of the main such roles.

First, there is the role of HRDGG as genuine, substantial policy goals towards certain target states. In other words, the EU has devoted efforts and resources towards improving institutional regimes in the HRDGG field in some target states. Though some, particularly on the left, have doubted the seriousness of this commitment on the part of the EU, an examination of its activities in and towards the candidate countries of East Central Europe can leave no room for doubt on this score.

The substantive HRDGG programme as a policy goal includes the following main items:

- *Legal, judicial and police systems*: legal codes that guarantee the individual and property rights of legal individuals (persons and companies); entrenched independence of the judicial apparatus from political interference by the executive, ensuring due process for individuals and companies and predictable judicial decisions; the minimally predictable and rule-bound behaviour of the police, including the security police.

- *Administrative systems*: state bureaucracies and their executive leaderships should behave within the framework of law in their relationship with legal individuals (persons and companies) and their policy systems should fit with the new forms of capitalism while being purged of mafiasation.

- *Political and ideological institutions*: an independent, privately owned press and pluralistic TV, multi-party systems, party competition in elections, procedurally fair elections. A strong stress on the role of 'civil society' institutions such as NGOs, think-tanks etc. committed to 'civil' ways of behaving - ways reflecting liberal commitments as opposed to various kinds of populism or nationalism or leftist ideology. Instead, Western liberal values for free markets, individual rights and liberal democratic procedures are to be promoted.

- *Consonance on the part of target states* with the general HR regime of the European Convention on Human Rights.

To achieve such goals the EU provides funding resources for relevant institutional strengthening, monitoring and advice arrangements and specific, constructively oriented criticisms of perceived existing failings or weaknesses within the target state. It also, of course, supports parallel efforts by the Council of Europe in this area.

Secondly, it is also true that HRDGG can be and has been used as a policy instrument for achieving other policy goals which may or may not be consistent with HRDGG. One example of this can be funding and in other ways supporting groups and bodies in target states to strengthen political support for the EU and its policies within target states but doing so through and under the umbrella of HRDGG policies. One example would be funding bodies promoting support for the EU and its policies via programmes for strengthening civil society etc. Bodies funded by foreign governments can scarcely be regarded as institutions of autonomous civil society but they can be legitimated as such.

A more important example of HRDGG as a policy instrument can be its use either to support or oppose a government on grounds unconnected to HRDGG. Thus a government providing the EU with substantial benefits in, say, the economic field, may be offered favourable treatment in the HRDGG-monitoring area, with the EU turning a blind eye to failings; or alternatively, a government being unhelpful or hostile to EU economic interests may have the HRDGG spot-light turned upon its weaknesses in this field.

These are examples of the use of HRDGG as an instrument of external policy towards other states. But it can also be used as an internal policy-legitimizing instrument. An example of this might be using a positive judgement on a given state's human rights record as a means of legitimating the rejection of asylum or refugee applications within EU states by citizens of the given state.

Yet another role of HRDGG themes can be as a political instrument of mobilisation against a target state. In such circumstances, the EU would be identifying a friend-enemy relationship between itself and a target state on HRDGG grounds and mobilising support for economic sanctions or even military action against the state in question

on an HRDGG basis. The aim could be to weaken or even overthrow the government of the state concerned, rather than to achieve concrete improvements in the target government's behaviour in this field.

A further role is that of making HRDGG themes the subject matter for establishing global networks, alliances and regimes - a form of EU global policy and political projection. An obvious example of this kind of activity is the EU's promotion of the proposed International Criminal Court.

A further role of HRDGG themes is as a general legitimating mechanism for the EU itself as an international actor, a means of strengthening its authority domestically and internationally. This is, indeed, a very obvious feature of EU activity over the last decade. It has claimed for itself a leading role internationally as a champion of HRDGG themes and it would be no exaggeration to say that this has become a central aspect of the EU's authority-building strategy. It is worth noting that this increasing salience of HRDGG themes has gone hand in hand with the downgrading of older themes of the EU as a centre of welfare state and social democratic capitalism.

This, combined with the EU's global HRDGG policy projection gives the EU a distinctive political profile vis a vis the United States in the field of HRDGG issues, both enabling the EU to claim a more norm-based and universalistic approach to HRDGG issues than that of the US and also emphasising its commitment to quasi-legal regulation in this field as in others in contradistinction to the US with its often hostile attitude towards committing itself to international treaty obligations in such fields. The various options are outlined in the Table on the next two pages.

Table 1 EU Human Rights Policy, Targets and Means

Purpose	Dimension	Target	Means
To legitimate the EU amongst its citizens and external supporters	ideological	Domestic audience and external supporters	The demonstration of EU domestic and external activity in defence of HRDGG themes
To Combat states (politically or militarily) deemed to be hostile to EU interests or those of the United States	Mass political polarisation and mobilisation	States which have resisted the goals of EU member states or of the United States in important ways.	Campaigns within the EU involving cross-party mainstream political leaders and the mass media.
To influence the behaviour of the governments of other states on non-HRDGG issues	Diplomatic/elite activity at an international level	The executives of other states	Offering approval of the target state's HRDGG regime, or silence on its regime, or the threat of political attack on its HRDGG regime
To gain general political support for the EU amongst populations of other states	Internal administrative/political intervention in other societies	The intelligentsias and other groups within the target states	Offering material or moral/ political status or support to particular social or political groups in target states
To domestically legitimate EU operations which might otherwise be subject to opposition	Symbolic politics and/or economic statecraft legitimated in HRDGG terms	Liberal Democratic opinion in the EU and pro-EU opinion in the target state	Refusing trade/aid agreements or suspending such agreements in the name of HRDGG
To build HRDGG institutions within target states as one goal of policy towards the target among others	Funding programmes to strengthen or reshape relevant parts of the state apparatus in target states in line with EU 'market economy' goals	State functionaries, professional bodies, party and media elites in target states	Aid programmes elaborated and implemented jointly with the governments and institutions of the target state

To build HRDGG institutions in the target state as a governing goal of EU policy towards that state	Positive economic statecraft directed towards target state elites	State functionaries, professional bodies, party and media elites in target states, neutralising domestic economic lobbies within the EU	Aid programmes elaborated and implemented jointly with the governments and institutions of the target state and modifications of economic regime.
To distinguish the EU from the United States ideologically	Discourse, symbolic politics, international HRDGG campaigns	International public opinion, EU opinion and US public opinion	Campaigns on death penalty, promotion of legalisation of HRDGG regimes, protesting against the record of governments backed by the US

HRDGG as policy goal against other policy goals

The HRDGG programme is an important EU’s policy goal in its diplomacy towards some states, but is not at all central to their policy towards others and it is evidently ignored in policy towards yet other states. We will first offer a formal model of EU tactics for implementing HRDGG themes as substantive policy goals and then examine each category of target states in turn.

We will now look at tactics for furthering HRDGG as a real policy goal. There are a range of states where the EU is promoting HRDGG as a real policy objective. Typically in such cases this goal will be shared by state and business elites and by a broad range of public opinion in the target state concerned. The campaign thus acquires a largely non-political character. In both Latin America and in Europe there are international human rights regimes which the states of the region join - in Europe this is the Council of Europe and in Latin America

it is the OAS's human rights committee. These regimes set standards and offer institutional blue-prints for developing HRDGG institutions and the EU will typically accept these blue-prints and standards are supply various kinds of aid to strengthen the relevant institutional orders.

But there are bound to be more or less extensive failures of compliance with HRDGG standards not only in Eastern Europe but also, of course, in Western Europe: there is racial discrimination, violence against minorities, corruption and the rise of far right movements across Europe. These trends are, indeed, tending to grow across Europe, not least as a result of the social strains produced by the new forms of capitalism emerging in Europe and the reorganisation of class relations through withdrawing states from many of their earlier commitments to social security and other citizens rights.

In these conditions, the EU has developed informal and formal instruments for political mobilisation and political action to advance and enforce its HRDGG regimes in the East. Such political action can take four main forms, used either individually or as a combined set of tactics:

- *Media campaigns in the Western media* to highlight particular HRDGG failings in particular countries. Various NGOs are, of course, continually seeking to get the Western media to publicise such failings but the extent to which they succeed depends upon policy decisions by the owners and controllers of the main media organisations in the various Western countries.

- *Political moves at intergovernmental levels*: decisions by, for example, the ministerial committee of the Council of Europe to investigate a particular issue in a particular state, or the raising of a particular issue by the EU Commission in its monitoring of HRDGG compliance on the part of states seeking to join the EU or resolutions or declarations by the Council of Ministers or the European Council machinery. The so-called Boycott of Austria by the governments of the EU was a further form of symbolic action in this field. Suspension from the Council of Europe is also possible and even from the OSCE.

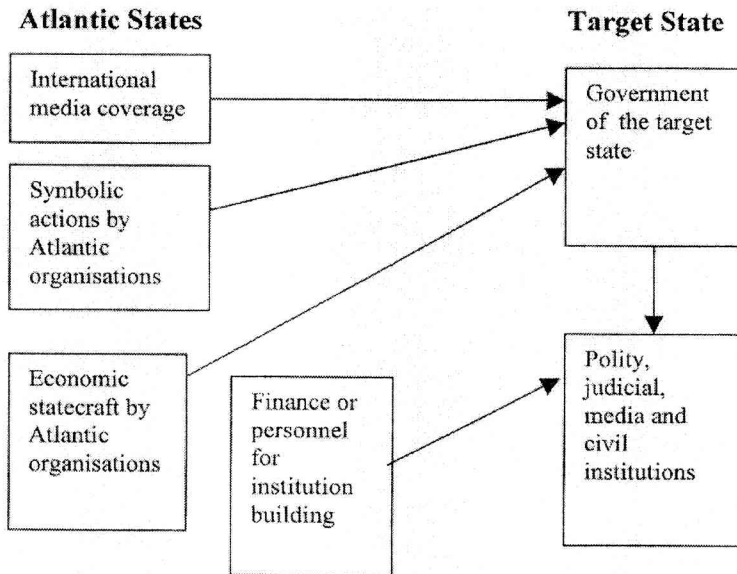
- *Various degrees of economic statecraft on the part of the EU*. The EU can suspend its Europe Agreements with applicant states or its Partnership and Co-operation Agreement with former Soviet Republics. It can suspend other kinds of trade agreements or aid programmes and

can impose various degrees of economic sanctions.

- *The deployment of resources from Atlantic states on the ground in the target state, either as financial aid or as personnel for 'technical assistance', monitoring observers, or even mediators or law enforcement agents. The Italian military deployment in Albania in 1997 could even be viewed in this light, although its more pressing purpose was obviously to stem the flood of refugees from Albania into Italy at source.*

This approach is indicated in diagrammatic form in Figure 1.

Fig. 1: Tactics for HRDGG institution-building in the target state



In all such campaigns to strengthen HRDGG, a precondition is that this policy goal does not conflict with, undermine or be undermined by other policy goals of the EU, its main member states or the United States. In some cases there is no such conflict of policy goals, but in others there are such conflicts over goals. We will briefly review such different types of case.

1. Central and Eastern Europe

The most important zone is evidently East Central and Eastern Europe. This is above all the case for states on the path towards joining the EU. It is not, however obvious as to why the EU lays such stress on the importance of HRDGG issues in the case of such states. While public opinion within the EU may assume that the existing member states of the EU have a far higher human rights record than Central and East European states, careful assessment with clear criteria would be needed to demonstrate this to be the case. Human rights abuses by security organisations in Northern Ireland in the 1980s and early 1990s have been egregious by the standards of many if not most accession countries and the treatment of ethnic minorities in some EU states may be worse than in some accession states.

It may therefore be that the emphasis on HRDGG conditionality for EU membership may be strongly connected to other matters than the relative HRDGG standards of applicants versus existing members. For example, without the HRDGG conditionality the adaptations required for membership consist overwhelmingly of conforming to market regimes favouring existing member states and often disfavouring the accession states without any normative rationales. This obviously applies to free movement of labour arrangements for accession as well as agriculture and other economic rules favouring market actors with dominant positions in the EU. The HRDGG conditionalities shift the focus of accession electorates onto issues of liberal civil and political principles. And in addition, there are evidently great concerns for judicial and administrative apparatuses that will comply with EC laws in an organisation in which legal frameworks and instruments are so crucial - an issue not necessarily integrally related to HRDGG rights for citizens.

2. The ASEAN Case

A second zone where the EU made a serious attempt in the early 1990s to make economic agreements conditional upon HRDGG compliance was South East Asia. By the early 1990s, the EU was eager to replace the 1980 Trade and Co-operation Agreement with ASEAN by a new type of agreement on economic relations. The driving force for change within the EU was economic interests: the 1980 Agreement was a typical post-colonial one about giving developing countries some access to EU

markets for raw materials etc. But a decade later, ten years of rapid economic growth in ASEAN had radically shifted the pattern of EU interests from gaining supplies of raw materials and inputs to gaining access to ASEAN product and asset markets - Japanese and even American capitals were beating European companies in these markets. But the European Union, encouraged by Britain, were determined to make the renewal and upgrading of the EU-ASEAN framework conditional upon ASEAN's acceptance of human rights conditionality.

In particular the EU demanded that ASEAN reject the application of Myanmar (formerly Burma) for ASEAN membership as a condition of a new agreement. When ASEAN flatly rejected any such conditionality and accepted Myanmar into membership, the EU was therefore faced with an acute dilemma. The German government was determined to gain a new framework agreement with ASEAN more geared towards opening ASEAN to inward FDI and entry into service markets and public procurement, rather than being confined to the old trade and post-colonial aid issues. It was joined by both the European Commission and European MNCs. Directorate General 1 (External Economic Relations) was vigorously stressing the low levels of European FDI in the region compared with both Japan and the United States. A 1994 European Commission communication 'Towards A New Asian Strategy' (1994) went to the Council of Ministers in July 1994. This said:

The Union's role is to pursue market-opening for both goods and services and to overcome obstacles to European trade and investment by encouraging a favourable regulatory environment for business in Asia.

Yet the ASEAN rejection of EU's attempt to impose it's will over Myanmar membership revealed that the balance of leverage lay in ASEAN's hands not those of the EU: access to ASEAN markets was more important for the EU than ASEAN's gaining wider access to the EU market was for ASEAN.

Thus while in the case of East Central Europe, the power relationship on market access was overwhelmingly in the EU's favour and thus EU economic interests and HRDGG goals and instruments could work together, in the ASEAN case the power relationship faced

the EU with a choice between economic interests and HRDGG conditionalities. Faced with this choice, economic interests took precedence.

The EU therefore seized upon a proposal from the Singapore Government in 1994 for ASEAN and the EU to establish a new wider forum, the Asia-Europe Meeting (ASEM). This would include not only ASEAN but also Japan, China and South Korea. The proposal was a means for the EU to escape from the cul-de-sac of its New Human Rights and Democracy Diplomacy's attempt at conditionality. A 1995 meeting of EU and ASEAN foreign ministers established the basis for the ASEM process. The inaugural Asia-Europe Meeting (ASEM) took place in Bangkok in March 1996.

The launch of ASEM was presented by the EU as a major development. In 1996 the European Commission presented ASEM as a sign that the EU was advancing a new global political vision in East Asia, strengthening the maintenance of peace, security and stability in Asia and also giving East Asia a bigger role in the world order. There was also talk of the EU and East Asia developing the 'weak leg' of the triad through the ASEM initiative.

Yet such language was out of touch with reality. ASEM emerged as a very weak, loose forum from a political point of view. The European states were simply not significant political players on the major political questions in East Asia.

The most significant aspect of the ASEM process was indeed in the field of economics and business links, especially in encouraging networks and alliances of MNCs, based upon reciprocal access to co-operative arrangements in each other's markets. These links developed on issues such as sub-contracting arrangements, joint research, joint marketing and distribution and management contracts.⁷ A new Asia-Europe Business Forum (AEBF) was set up to work in parallel with the ASEM framework. And as the AEBF said in 1998: 'Business is at the heart of the Asia-Europe relationship, indeed its main driving force.'

7. J. Dunning, 'Reconfiguring the Boundaries of International Business activity' in G. Boyd and A. Rugman, (eds.), *Euro-Pacific Investment and Trade: Strategies and Structural Interdependencies* (Cheltenham, Edward Elgar, 1997) pp1-18.

While the EU also raises issues in its HRDGG agenda in its economic relations with other parts of the world, we can thus conclude that the agenda is pushed most strongly in those regions where the power relationship between the EU and the states concerned is overwhelmingly in the EU's favour and where there is thus no direct trade-off between securing EU economic interests and pressing its HRDGG conditionalities.

3. South East Europe

EU behaviour in the Western Balkans illustrates another conditioning factor influencing the uses of HRDGG statecraft. In a number of parts of the Western Balkans, the EU has faced a trade-off between adhering to its own HRDGG norms and pursuing other political goals which cut across compliance with such HRDGG norms.

This has been a particularly salient reality in the two (de facto NATO) protectorates of Bosnia and Kosovo. In Bosnia, the political campaign to achieve the American-sponsored goal of creating an integrated sovereign state against the dominant political forces in two of Bosnia's three minority nationalities has been deemed to require the flouting of HRDGG norms on the part of EU administrators. Only in this way have they felt they could defeat Serbian nationalist political forces in Srbska Republika. The majority of the population have never had and do not have allegiance to a sovereign Bosnian state, despite \$5 billion of Western money to achieve this over 5 years. There is a Bosnian central Bank and car number plates system, but nothing more. The 2000 elections show Serb and Croatian rejection of the EU Protectorate goals to be as strong as ever.

In the face of this resistance, the EU has supported granting the High Representative in Bosnia dictatorial legislative and executive power riding roughshod over the rule of law and liberal rights. (ESI, 2000 a, b and c) Elected officials can be dismissed at the sole will of the High Representative and the Human Rights Commissioner has no authority to override High Representative decisions that violate human rights norms. Yet at the same time these very EU violations of the EU's own normative standards in HRDGG matters has probably had the effect of strengthening the nationalist resistance to the protectorate authorities.

In the Kosovo protectorate the EU authorities have found

themselves in what can be described as a paradoxical situation. The EU had supported a largely US-inspired and engineered attack, in alliance with the KLA, on Yugoslavia by claiming that the huge destruction and civilian deaths entailed by the war would be more than compensated by the ability to establish human rights in Kosovo after the defeat of the Yugoslav army. In the event, however, the KLA made use of the NATO victory for killings and expulsions of all non-Albanian ethnic groups in Kosovo and with attacks on Albanians who attempted to oppose this activity. KLA elements also stepped up a very large drugs trafficking operation through the protectorate and initiated a guerrilla war outside the province first in Southern Serbia and then in Macedonia where it very successfully destabilised the Macedonian political system.

And all these activities were carried out under the official jurisdiction of the EU staffed protectorate authorities. In this instance, the EU was not in any way supporting or initiating HRDGG violations but it was not taking steps to stamp out the activities. The reason seems to have been fear that the KLA could inflict very serious casualties on protectorate administrative officials. But the effect was to subordinate HRDGG implementation to avoiding a confrontation with the KLA.

Similar though less egregious examples of the subordination of HRDGG norms to other political goals in the region were evident in the EU's lack of concern for violations in Albania under the Berisha government or in Montenegro. In both cases either the desire for stability or the goal of building alliances against Serbia governed EU policy.

4. Ukraine, the Middle East, the Caspian, Turkey

A range of states have a strategic significance for either the EU states or for the United States. In such cases, HRDGG themes are subordinated to these strategic concerns.

Obvious examples of such states today would be Ukraine, Turkey, Israel and Egypt. The EU does not have a global or even regional military-strategic capacity (despite the efforts to build the ESDP) and neither do any of its member states. But the United States does and the EU is informally allied to the US through most of its members' involvement in NATO. Thus in its policies towards certain states of great strategic importance as allies for the US, the EU must weigh this against other EU interests including its interest in promoting its HRDGG

profile.

Ukraine has been a significant example of this kind of trade-off. For the Clinton administration Ukraine was perceived as having great strategic importance as a pivotal state guarding the corridor between Russia and Germany and Russia and the Balkans as well as forming the northern flank of the route to the Caspian. For these reasons, the US placed an overriding stress on maintaining a tight political link with Ukraine's state executive and security apparatuses. A leading figure around the Clinton administration, Zbigniew Brzezinski, who played a central advisory role in this area of the Clinton administration's external policy, repeatedly stated publicly and privately that both the US and the Ukrainian security apparatus should be ready to overthrow democracy in Ukraine if necessary in order to maintain the US-Ukrainian strategic relationship.

This US strategic perspective has been in tension with the interests of some EU states such as Germany. Its security interests gave more weight to stable relations with Russia and indeed to the maintenance of internal political stability in Ukraine. As a result the German government was concerned to consolidate Ukraine's parliamentary institutions and was deeply concerned to avoid any moves that might lead towards a state collapse in Ukraine. When, in 1999, it appeared to Washington that Russian influence within Ukraine and even within the Ukrainian executive was growing, the US launched a media campaign within Ukraine geared towards discrediting figures close to the Ukrainian president believed to be closely tied to Moscow. In response to this US campaign, elements within the Ukrainian security apparatus seem to have been involved in the assassination of one of the journalists in the US-sponsored campaign. And tapes were published of the Ukrainian president calling for the killing of this journalist in discussions with his security chief. This was a major challenge to the HRDGG theme of the EU. The latter would have required a tough response, but both the interests of the EU member states' alliance with the US and the EU interest in maintaining political stability in Ukraine led it to allow the incident to pass without significant HRDGG reaction.

Turkey is another important example of these kinds of trade-offs. The European Parliament has for long taken up human rights issues in Turkey and this has fitted with EU state executive hostilities towards

the idea of Turkish membership of the EU not only or mainly for HRDGG reasons but also for strategic political and foreign policy reasons. But US interests, in which Turkey is enormously important with its large military capacity and roles in the Middle East, the Caspian, the Central Asian republics and the Balkans, push in another direction. The US has not only encouraged the Turkish military to intervene in Turkish politics and take measures violating HRDGG norms; it has also put strong pressure on EU states to strengthen EU links with Turkey and indeed to offer Turkey a path towards EU membership. The result has been a constant series of complicated manoeuvres by the EU in which HRDGG themes have been only one element and in which other elements contradict HRDGG norms.

These issues have appeared also in often acute forms in EU policy towards Israel as well as such states as Egypt and Saudi Arabia. They also apply now to Pakistan and to Central Asian republics like Uzbekistan and Tajikistan involved in the current Anglo-American war against Afghanistan.

5. Russia and China

Russia and China are states with large military-strategic capacities and potentially very large economic opportunities for EU states. We may say that the military capacities and geographical locations of these states give them characteristics which lead the United States in particular to prioritise other goals rather than those devoted to the globalisation programme and HRDGG.

6. Strategic economic resource states: energy and strategic minerals

A series of states which are important sources of energy or other strategic materials are treated as special cases by the EU and its main member states. The most obvious examples are, of course, the oil states such as Saudi Arabia, the Gulf States, Nigeria and the energy rich states around the Caspian. It should also be said that oil states which are not under US military-political tutelage will tend to be classed as enemy states and for them also the HRDGG programme does not apply. The main goals vis a vis such states have been to isolate them and to prioritise gaining a government in them that will place itself under US tutelage in whatever form of regime is most convenient in local conditions.

In relation to what may be called strategic economic resource states, there can be intense debates as to whether to push strongly for the HRDGG programme to be fully implemented or whether to take advantage of the business openings already provided by the government for Western economic operators. A typical recent example of such a state was Indonesia before the East Asian collapse. Some Atlantic leaders, in such cases, argue for 'constructive engagement' and 'quiet diplomacy' while others argue for a most 'robust' approach towards gaining acceptance of the HRDGG programme.

A policy instrument for goals unconnected to HRDGG

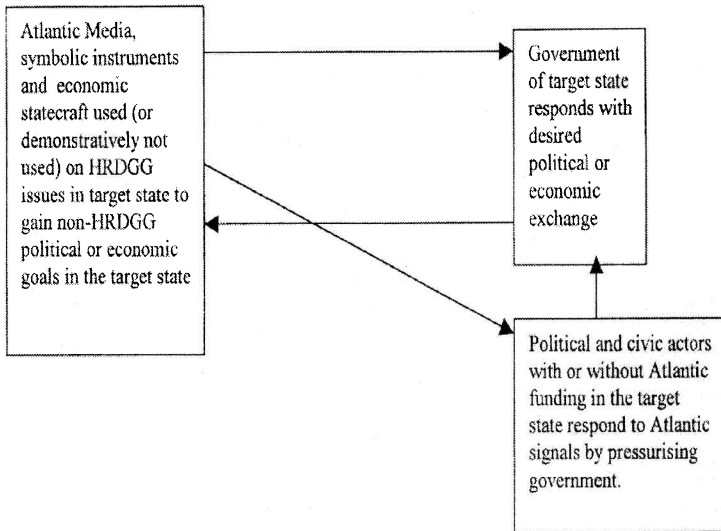
As Andrew Hurrell points out, HRDGG-based conditionality or sanctions can serve campaigns for quite different, unconnected goals, cloaked in the idealism of human rights.⁸ Thus, instead of other themes and resources being used as means for HRDGG policy goals, the EU can reverse this means-ends relationship and use HRDGG means for a range of quite different policy goals. To appreciate this, we must first remind ourselves of power asymmetries in the inter-state system.

All states have skeletons in their cupboards in the field of HRDGG. No state is squeaky clean and meeting all international human rights standards in all fields at all times. But because of power asymmetries between states, a given state's failings in this field can have very different international political significance, depending upon where that state stands in the international power hierarchy of states. States with powerful international media reach, strong levers for economic statecraft or powerful leverage over inclusion/exclusion from international institutions and thus powerful symbolic capacities can make use of HRDGG issues in weaker states for the purpose of pressurising them into making concessions to the powerful state in the economic or political field, including in their domestic economic and political policies. And they can use these instruments not only 'positively' but 'negatively': positively in the sense of actually exerting positive

8. Andrew Hurrell: 'Power, Principles and prudence: protecting human rights in a deeply divided world', in T. Dunne and N. J. Wheeler (eds.) *Human Rights in Global Politics* (CUP, 1999) page 284.

pressures on the state concerned. Negatively, by demonstratively ignoring egregious HRDGG abuses in order to gain political or economic exchanges from the target state. Figure 2 illustrates such tactics diagrammatically.

Figure 2: Tactics for using HRDGG issues in the target state for non-HRDGG political or economic goals



Examples of such tactics abound from the recent history of EU and US relations with Eastern Europe. When elections in 1990 produced governments in Bulgaria and Romania with policies hostile to Atlantic economic goals, the Atlantic states declared that the elections had been inadequately democratic, despite the fact that Western observers had reported that the elections were fair. The Atlantic states thus intervened to polarise both societies. A wide range of aid programmes supposedly designed to strengthen democracy have actually been used to fund political groups, parties or trade unions in the East sympathetic to Western goals. Governments in the East rigging elections and engaging in wholesale human rights abuses have been protected by silence or

near silence in the Atlantic media and continued political and economic support. Examples of this would include the Berisha government in Albania before a popular uprising there destroyed both the government and the Albanian state in 1997. Another example would be the corrupt and fraudulent activities of the Yeltsin government: in that particular case, Western governments and media actively urged Yeltsin to stage a coup d'état against the constitutional order in 1993 and applauded his action in doing so as a triumph for democracy. Evidence of subsequent wholesale vote rigging by that government was also ignored in the West.

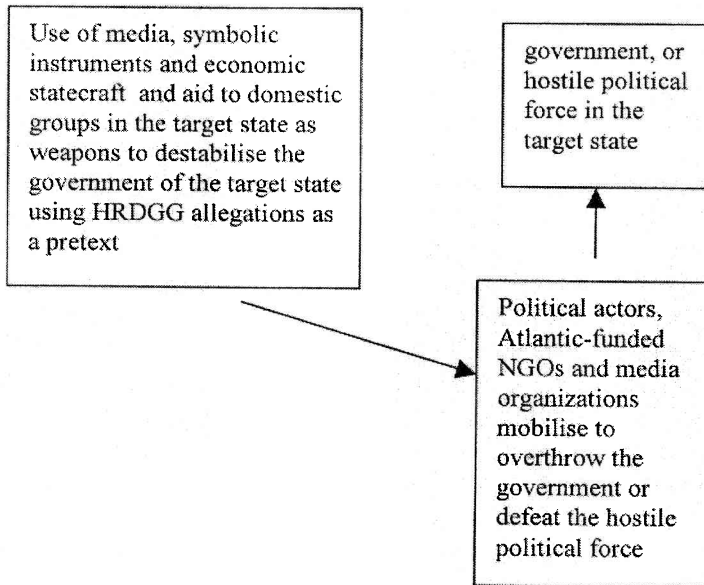
Such tactics can also be radicalised by the Atlantic states both in their goals and their methods of pressure. Radicalisation of goals can involve the aim of overthrowing the government of the target state or preventing a political force within that state considered hostile from acquiring strong influence and perhaps governmental power. For such goals the methods used can involve building and funding domestic coalitions within the target state to seek to mobilise the population against the government. At the same time they can involve sharply hostile economic statecraft against the target government, for example suddenly cancelling IMF funding, blocking trade or engaging in mass propaganda campaigns involving disinformation or highly distorted information.

Such campaigns can even escalate to threatened military intervention, including hostile but unpublicised military deployments around the borders of the state concerned in an attempt to panic it into take domestic state of emergency measures, etc. These tactics are illustrated diagrammatically in Figure 3. They have been classically illustrated in the case of Serbia.

There is also a tactic of growing significance which involves the use of the external HRDGG programme for purely domestic, internal purposes within the Atlantic states. This can have a specific focus or a more generalised focus. The most obvious case of specific focus is that geared to legitimating the restriction of Asylum or refugee rights to migrants seeking to flee a state and gain entry into the Atlantic zone. For such legitimating purposes the HRDGG programme can be very valuable by declaring that the HRDGG situation in the state from which the migrants originating does not warrant the granting of asylum or refugee status. The bodies in charge of the refugee or asylum demands can refer to reports from foreign offices or international bodies such as

the Council of Europe for this purpose. Every one of these campaigns can, thanks to the HRDGG programme, be justified in terms of HR conditionality.

Figure 3: Tactics for using HRDGG mobilisation to remove or destabilise the government of a target state



Legitimizing resources to undermine sovereign equality

HRDGG themes have been used not only as policy goals or policy instruments: they have also become a central mechanism of political legitimation of the Atlantic states' drive to re-impose their political domination over countries of the periphery since the end of the Cold War.

The collapse of the Soviet Bloc opened the way for a new wave of political and economic expansion by the Atlantic powers. This expansion has been thematised as an enlargement of democracy and

human rights from the core states allied to the United States in the Cold War across vast new areas of the globe. And it has produced a campaign by the Atlantic powers to reorganise the core rules of the inter-state system. The central idea for this rule change has been that state sovereignty should be made conditional upon a state observing basic HRDGG rules on the rights of their citizens. A state judged to be failing to observe these basic rules should have its sovereignty removed and face external intervention against them.

The agency of this new system would be the 'international community' of states. In effect sovereignty should become a licence from the 'international community' to a given state and one whose validity was conditional upon the given state respecting minimal human rights rules. Judgement on a state's observance of such rules is made by the 'international community' of states.

Thus the Atlantic powers have claimed that they are progressing beyond the supposedly outdated 'Westphalian inter-state system' which allegedly began with the Treaty of Westphalia of 1648 and which enshrined the principle of absolute state sovereignty and absolute states' rights. In all such cases of intervention by the great powers within the jurisdiction of a state the legitimation is based both on the idea of destroying enemy regimes and on the idea that the intervention of the great powers will produce an improved situation within the state concerned.

This idea for a basic rule-change for the inter-state system came, of course, from the Atlantic states. It was opposed by other major powers such as Russia, India and China as well as by many other states outside the rich capitalist core countries. This opposition meant that the Atlantic powers could not use the UN Security Council to impose the new rules. So instead they have turned themselves into the 'international community' arrogating to themselves the right to decide when and in what way any state had infringed the HRDGG rules to a sufficient extent to have their sovereignty removed and to merit, economic sanctions, blockade, military attack or other such sanctions.

This use of Human Rights to legitimate Western warfare was employed first in the Gulf War, then for the subsequent siege warfare on Iraq throughout the 1990s, also for the NATO bombing campaign in Bosnia and then most spectacularly for the NATO attack and bombing

campaign against Serbia in 1999 and it continues to play an important role in the Anglo-American attack on Afghanistan. In the case of the Gulf War of 1991, the legitimisation effort was based formally mainly on the fact of Iraqi occupation of Kuwait and on the authority of the UNSC, but the strong, fundamentalist political energy for mass mobilisation against a bestial enemy was generated by the HRDGG theme which was used to suggest that the Iraqi leadership had a bestial and genocidal character and must thus be crushed.

To achieve this goal, President Bush used information in an report published by Amnesty International claiming that Iraqi soldiers had been killing new-born babies in Kuwaiti hospitals. His repeated reference to this report in his speeches mobilising international support for the war against Iraq had a powerful effect. It emerged only after the end of the war that the Amnesty report was the result of a fabrication organised by the Bush administration and the Kuwaiti Al Sabah dynasty, with an Al Sabah family member posing as a nurse from a Kuwaiti hospital.

The subsequent ten-year siege war against Iraq has again been legitimated repeatedly by Anglo-American leaders in terms of claims of the bestial, genocidal character of the Iraqi leadership. For this purpose they have referred to the fact that the Iraqi regime used gas warfare against Iran in the 1980s and even gassed part of its own population at Halabja at a time of an Iranian attack in that area. Anglo-American leaders do not, of course, indicate that at the time in the 1980s when the Iraqi regime was using gas warfare it was fully supported by the British and American governments.

In the case of the Bosnian war, NATO bombing was legitimated in the first instance by claims that Bosnia was a sovereign state under attack by Serbia and the claim that the Serbian armed forces were pursuing a genocidal war against the Bosnian Muslims. And in the case of the 1999 NATO war against Serbia the claim was also made that the Serbian government was engaged in or was preparing to engage in a genocidal slaughter of the Kosovar Albanian population. No such genocide was, in fact, occurring and nor was there any evidence that any genocide was being planned. Further efforts to legitimate the NATO Balkan wars through HRDGG themes were made through the establishment of the International Tribunal to charge Balkan leaders

and especially Serbian leaders with war crimes and genocide. And this theme has also been a significant sub-theme in legitimating the Anglo-American attack on Afghanistan through stressing the Taliban's denial of Western rights for Afghan women.

The force of such legitimization tactics for Western military attacks of this sort lies in large measure on the effective use of media images of human suffering and death as a result of the alleged actions of the Western powers' enemy. But it also rests upon a Western public opinion's acceptance that warfare by Western states still falls within the traditional states' rights tradition that states are permitted to kill the citizens of other states in conditions of inter-state warfare while they should, at the same time limit such killings to the minimum technologically possible. Thus the killings of conscript soldiers and civilians in enemy states were judged legitimate in order to combat the killings and mistreatments of civilians of the same enemy state by its state authorities. This argument has been sustained, for example, in the case of Iraq where over one million Iraqis including some half a million children by the Anglo-American siege.

At the same time, these methods of legitimating Atlantic wars against periphery states over the last ten years has created divisions within the Atlantic alliance itself and indeed within the EU. The French and German governments sought during the 1990s to try to insist upon UNSC legitimation for NATO military action although they abandoned this stance when the US launched the NATO war against Serbia without UNSC authority in 1999. The French government also broke ranks with the British and the Americans over the siege of Iraq. And there are evident divisions within the EU over the war aim of the Anglo-American attack on Afghanistan to overthrow the Taliban government there.

It should also be noted that the effect of the Atlantic campaign for conditional sovereignty is not, in fact, to end the unconditional sovereignty of states. It is rather to end the unconditional sovereignty of some states rather than others: militarily weak states in the periphery. In other words the real effect of the Atlantic HRDGG campaign against unconditional sovereignty is to undermine the principle established with the foundation of the UN of sovereign equality between states. It moves towards a new order in which imperial dominance of some states over others through war or other sanctions is being revived under the banner

of the protection or advancement of human rights.

HRDGG programme and international regime building

But unlike successive American administrations, the EU during the 1990s has not simply promoted HRDGG themes as legitimating values for war fighting or for changing the rules of the inter-state system. It has also sought to promote specific institutional regimes which states should be encouraged to embrace and which would then exercise authority over the internal and external behaviour of states, both in conditions of peace and also in conditions of warfare. The oldest of these is the Council of Europe. The EU has been seeking to expand its membership and geographical scope. But the EU has also sought to build other international institutions in this field, notably the International Criminal Court.

Such international regimes have a strong juridical component and they are also open to the influence not only of state actors but of non-state actors: international civil servants, judges, academic lawyers, NGOs, human rights defender lawyers and, in the case of the European Court of Human Rights, individual plaintiffs. The combination of institutions built around legal principles and rules with such non-state actors generates institutional logics that can escape easy manipulation of HRDGG themes for political purposes by state executives. Thus, while all Atlantic-controlled multilateral organizations from NATO through the EU to the Council of Europe's political bodies to the OSCE combine claims to be norm-based in their policies and thus non-political with an evident susceptibility to political and indeed power-political manipulation (each tactic being legitimated by whatever norm seems politically convenient), such manipulation is more difficult in more judicial institutions open to genuine influence by non-state actors.

The main characteristics of a juridical regime distinguishing it from state executive regimes can be summarised as follows:

- 1) Judicial regimes involve the entrenched delegation of decision-making on HRDGG issues from state executives and their international secretariats to international judicial bodies. This implies that the terms of reference of the judicial body are clear and entrenched, its funding is not open to ad hoc manipulation, its judiciary has the necessary forms of selection and functioning to guard against significant political

interference.

2) The use of judicial forms of discourse in both the determination of decisions and in their justification by the judicial bodies concerned. This above all involves attempts to apply legal norms to cases in conditions where the legal norms have the necessary clarity and precision and generality to function as such and are framed to cover all kinds of cases relevant to the given norm.

3) The assumption by states of equal obligations on the part both of Atlantic states and of the states which are targets of their accumulation objectives to accept the decisions of the judicial bodies concerned. It is a necessary characteristic of rule of law regimes that the judicial regime applies its norms equally to the powerful and the weak, to the prosecuting forces as well as the prosecutors.

4) The possibility of cases being brought to such bodies not only by states but by citizens from states which have assumed obligations in relation to the particular transnational judicial regime. This is an indispensable attribute of a legal regime involving HRDGG since otherwise the flow of actions before the judicial body can be controlled and manipulated by the executives of the state concerned.

5) The uncoerced character of the obligations assumed by states in entering such regimes. The states placing themselves under the regime must do so under the normal rules of voluntary state will and not be coerced into subordination to such a regime. This is necessary not only because of the rules of the international system but above all because of the inevitably politically contested normative concepts employed in any particular HRDGG regime.

Insofar as these five characteristics do apply, then we have a form of HRDGG regime which is qualitatively different in institutional structure and process from the HRDGG regimes and programmes we have been examining so far.

One such international body which corresponds rather closely to such an international juridical regime is the European Court of Human Rights. It does possess a relatively entrenched form of delegation in the treaty basis of the Convention which provides its mandate and in the selection of its judicial personnel. It operates through a typically juridical form of discourse, involving hierarchies of reasoning, precedent and case law. Very importantly, it submits both the Atlantic states and non-

Atlantic states to a single regime of legal norms, thus corresponding to a basic requirement of the rule of law. Equally important is the right of citizens of the subscribing states to bring cases before the court. To block such a right would enable member states to collaborate filter and control the flow of cases to the court.

This is not to suggest that the European Court of Human Rights' claims to juridical status are entirely unproblematic. Membership on the part of former Soviet Bloc states is induced if not coerced: their possibility of gaining secure access to the EU market depends upon their joining the Council of Europe and adhering to the Convention. And the Convention notoriously allows member states wide powers to derogate from clauses in the Convention. And we must also bear in mind elements of politicisation that apply to all juridical processes but are magnified in the case of such HRDGG bodies: the convention is very narrowly framed within Lockean liberal terms of defence of individual persons and property. The court can exercise wide discretion in its choice of the relevant legal norm for the facts of a particular case. And the judges can be and often are highly sensitive to the political implications of their decisions.

Despite these weaknesses, the Strasbourg Court has demonstrated during its decades of existence its capacity to assert its juridical independence of powerful member states. In the case of the British state, for example, the European court in the 1970s responded to a case brought by the Irish government of alleged systematic use of torture in Northern Ireland and found the British state guilty. The British state was also taken to the Court for the alleged use of assassination of political opponents in the Northern Ireland struggle in 1988 and found guilty. And it is facing further charges of political assassination in the Northern Ireland struggle from 1982 where the judgement is still pending.

In striking contrast to the European Court of Human Rights, the War Crimes Tribunal on Yugoslavia and Rwanda is a thoroughly politicised body which has been manipulated in a transparent way as on instrument of the NATO powers. Its delegated powers are not significantly entrenched at all: its terms of reference have been constantly altered by the NATO powers through the UNSC and can be changed at will in this way. Its relationship to judicial forms of reasoning is fundamentally flawed since it restricts the application of its legal norms

in the case of Yugoslavia to those designated as enemies of the NATO powers rather than extending these norms to NATO actions. Thus there is a radical inequality of obligations of relevant parties vis a vis the Court. The indictments brought before the Tribunal by prosecutors are grossly politicised and selective, while the jurisdiction of the Court is imposed upon states designated as enemy states by an authority which has not normative foundation, namely the UN Security Council, whose core permanent membership derives its legitimacy from the outcome of the Second World War and whose membership is heavily dominated by the power of the United States and its tactical goals. And while the Atlantic states insist upon the absolute authority of the UNSC as a basis for compelling the Yugoslav state to hand over former President Milosevic for alleged war crimes in Kosovo, they simultaneously have repudiated the authority of the UNSC and the UN Charter for their own aggression against Yugoslavia over Kosovo.

The projected International Criminal Court is even more flagrantly flawed as a juridical body since it specifically exempts the permanent members of the UNSC and their armed forces from the jurisdiction of the Court, a flagrant violation of rule of law principles. Furthermore the treaty basis of the court grants escape clauses from its jurisdiction for states considered able to provide fair trials for those accused of serious crimes against humanity: a clear opening for the rich Atlantic states to exert pressure on the court authorities to evade the jurisdiction of the ICC. And the ICC like any court is susceptible to the pressures of public opinion and the latter is shaped internationally very strongly by Western-owned media organisations. Thus the court will tend to be biased in the direction of justice for the powerful.

At the same time, the ICC could constitute a threat to the behaviour of such states and the United States and Israel, a factor which has led both these states to resist vigorously any ratification of the ICC Treaty.

HDDGG a means of differentiating the EU from the US

Some important differences have emerged over the last decade between American and West European approaches to the international politics of HRDGG. These derive in large part from the differing capacities of the US and the EU states as international actors but also, and partly

related to these differences, from divergent interests.

Thus the US has the capacity for projecting its military power across the globe and acquiring geostrategic partners in all kinds of regions, while the EU does not have this capacity and insofar as some of its member states can play this role they do so now in only rather marginal zones of economic activity, such as sub-Saharan Africa. Thus, arrangements which the US can find very valuable for its partnerships with Ukraine, Turkey, Egypt or Israel may have little or no value for the West European states which may therefore be much more inclined to push for the full implementation of the HRDGG programme towards those states.

Secondly, the US effort to maintain its effective political-military control over oil states, though valuable for British and Dutch oil companies working in those states has no general value for the EU. Indeed, the ending of US control over such states could be positively to the advantage of the EU, since the whole US effort in this area can be viewed as a way of maintaining the dependence of other advanced countries upon energy producing zones and routes under US tutelage. Similarly, it is difficult to see what advantage the EU gains from the US embargoes on trade with oil states uncooperative with the US, such as Iran, Libya and Iraq.

And there are further important transatlantic differences deriving from the asymmetrical capacities of the EU and the US. The entire identity of the EU derives from its ability to lay down legal-normative regimes binding its members together. And its main forms of external influence derive from controlling access to its market, as well as to aid programmes and sources of finance for other states. It uses these assets internationally principally through establishing legal regimes binding other states: association agreements, trade and free trade agreements and the like. It is thus predisposed towards elaborating and implementing quasi-legal regimes in the field of HRDGG in its dealings with other states. The US, on the other hand, with its centralised instruments of state power and its range of instruments for influencing other states has far less need for establishing quasi-legal regimes in agreement with other states in this area.

And during the 1990s there have been increasingly evident attempts by the EU to invest these disparities of capacities with some

ideological significance: in other words to claim that while the United States is prone towards militaristic forms of external policy and realpolitik manoeuvring rather than attempting to establish and respect clear, legal normative regimes in the field of HRDGG, the EU is more pacific and much more serious about respecting international public law in general and also HRDGG law as well.

This tendency on the part of the EU has probably also intensified as a result of three other trends: the EU member states' downgrading of their earlier effort to distinguish themselves from the US by reference to their welfare states; the need for the EU to develop a range of new policy regimes for coping with relations with post-Soviet Eastern Europe, and, finally, the signs of a stalling of serious efforts to unify the EU politically as a federal state - the stalling of the federalist project has gone hand in hand with the evident need to maintain popular loyalty within the EU to the EU. One way of squaring this circle has been to stress the EU as a bastion and champion of 'fundamental rights'.

The impact of HRDGG within EU external policy

This survey has suggested that the HRDGG theme plays a multiplicity of roles in the external policies of the EU but that one of these roles is indeed as a policy goal towards at least some states outside the EU. In other words, the EU does genuinely seek to strengthen HRDGG regimes in various countries, especially in the East Central European region. Indeed only on this basis can the theme be used effectively in other ways. We will now turn to consider what the impact of HRDGG policy goals actually is in such states.

As we have seen, the HRDGG programme is restricted to a narrowly defined liberal individualist conception of rights - those focused upon the rule of law, independent and law-based judicial, police and administrative systems and adequate protections of individual citizens rights. It also focuses on fair elections, independent media and multi-party systems along with 'autonomous' civil societies. And it is concerned with good government in the sense of ending corruption in administrative systems. Social rights, social welfare and social egalitarianism play no role in the programme. Indeed the EU has ceded initiative in these areas to the World Bank and the IMF since the collapse of Communism and these bodies have devoted great efforts to the

reduction of all such social rights to minimal levels. With this in mind, we will examine the ways in which the HRDGG programmes actually impact on the states concerned.

HRDGG and EU programme for reorganising political economies

The first point that we should note is that this HRDGG programme fits very well with the EU's programme for reorganising the political economies of target states in terms of the fit of the various EU policy goals. In particular, the strengthening of HRDGG regimes as defined by the EU strongly buttresses the EU's drive for its economic objectives in target states. But these dove-tailing programmes have contradictory impacts upon the societies of the target states themselves.

The EU's 'economic reform' programme is centred on two general goals in East Central and Eastern Europe: on the one hand, a campaign for opening up the asset and product markets of other states to the free, unfettered entry and exit of Atlantic capitals, goods and service; and on the other hand, a campaign to reorganise the production systems of target states in ways that ensure their export industries fit in with the perceived requirements of EU economic operators rather than posing a competitive threat to them. Neither of these campaigns serves to strengthen the environment for enhancing the rights of populations in target states. These campaigns are designed to:

1) Secure entry for EU capitals in non-core states: Western governments have been campaigning to secure the entry of their capitals into the domestic political economies of non-Atlantic states and the protection of their capitals' interests within the jurisdictions of such states. There are a variety of push and pull factors behind this drive. Push factors include:

- the increasing importance of monopoly rents on intellectual property for Western multinationals. They must be able to assert their monopolies within the domestic legal systems of other states in order to gain streams of income from them, preventing free technological diffusion (known as piracy).
- the increasing centrality of the 'service' sector and utilities sectors in Atlantic capitalism and the desire of these sectors to extend their reach into other states, gaining market control there, if possible.

- the tendency for speed up of technological obsolescence in certain sectors, especially electronics, pushes Atlantic companies to seek the widest possible market control so that they can immediately have huge markets for products that will rapidly become obsolete.
- the success of the political campaign to end capital controls outside the core gives great opportunities for large speculative financial goals in such markets by Western financial operators.
- the desire to take over companies in economies outside the core.

2) *Reorganise internal production structures in target states*: EU statecraft is centrally pre-occupied with seeking to weaken competitors seeking entry into the EU market and with simultaneously turning peripheral zones into suppliers of useful inputs for EU production and accumulation. The Europe Agreements with the East Central European countries in the 1990s are classic examples of these drives as well as the drives to open up the assets and product markets of the countries entering these Europe Agreements.

Both these goals of EU economic statecraft have profoundly disruptive effects on many of the economies targeted even though the propaganda of the EU, in line with the general propagandistic discourse of 'economic globalisation' are geared to the suggestion that the EU's economic reorganisation diplomacy is in fact a natural product of technological and economic forces beyond human control.

Some social groups within the target states have, of course, gained substantially from the new international regimes. But these winners have been rather small minorities of business and professional groups that could benefit from links with foreign capital, from participation in privatisation drives and from being able to use the new international financial regime to move their property out of the country to more secure locations in the big financial centres of the Atlantic world.

The rest of the populations in target states experience the EU's restructuring programme as an end to social security, a very large social polarisation between rich and poor and the slashing of social and economic rights for the poor - all these dimensions of human rights must be removed. More generally and deeply, these states have been pressurised into abandoning their own nationally unifying concept of the state being a development state, with a decisive role in improving

the welfare of the whole population. At the same time, the scrapping of capital controls along with the stress on exports to advanced countries makes these economies extremely vulnerable to repeated shocks and blow-outs: more than two thirds of IMF member states have had grave financial crises since 1980, often with devastating economic consequences.

All these trends produce two marked tendencies in non-core states: proneness to the emergence of shadow states and state collapse and proneness to waves of emigration by people trying to escape into the rich core states. By shadow states we mean countries in which there is a qualitative gap between the 'pays legal' and the 'pays real', with the former having a purely facade character, while the real centres and levers of power are exercised quite independently of formal state and governmental institutions. Debt crises and Atlantic states' demands for dangerous domestic social transformation or market opening can create conditions where the dominant social groups in a state can neither accept nor reject Western pressures. In such conditions, a shadow state is one option: the facade institutions accept Western terms but the real centres of power subvert them. This trend has indeed been evident in parts of East Central Europe, notably in South East Europe and in many former Soviet Republics.

We thus have a combination of two trends: a fit in policy aims between the liberal individualist and minimal HRDGG programme and the EU's political economy programme but at the same time an overall impact of both programmes which generates both great social insecurities and social tensions as well as impoverishment within East Central and Eastern Europe. Most dispassionate observers would accept that these social conditions encourage the appearance of movements at a popular and political level attacking, discriminating against and breeding hatred of various kinds of minorities. Furthermore, governments in the region typically find themselves without fiscal resources to maintain programmes for helping and protecting such minorities, funding police apparatuses adequately and preventing the collapse of social institutions in the poorest areas.

And state leaderships in search of political bases for legitimating state authority find that they lack the material capacity to claim authority on the ground that the state is providing the mass of the population with

real social improvements and development prospects. They therefore turn towards seeking other bases for establishing an identity between leaders and led, such as ethnic identities which generate dangerous cleavages between ethnic groups in multi-ethnic societies.

Separating HRDGG from other EU programmes?

Many supporters of the EU's HRDGG programmes would deplore aspects of the EU's external economic policies but would argue that the EU's HRDGG programme has an independent value in itself and should be maintained and even strengthened regardless of the EU's policies in other areas. But this stance involves ignoring the policy instruments involved in the HRDGG programme. The most central and powerful instruments are the threat of economic sanctions for non-compliance with the HRDGG programme and the use of economic aid programmes for supposedly strengthening HRDGG institutions and actors. To defend the EU's HRDGG programme it is not enough to stress the value of the goals. It is necessary to endorse the validity of these means.

The main EU instrument is the threat of suspending trade and other relations with countries whose governments are judged to be refusing to meet HRDGG standards and a readiness to refuse membership of the EC's economic regime to accession states failing to meet EU standards. This is surely an example of a policy instrument that bears no relationship to policy goals. It operates today mainly through refusing to give the advantages of EU membership to accession states judged deficient in HRDGG standards. Thus the EU is, in effect, stating that it will continue to dump agricultural exports in East Central European countries and to use its various non-tariff barriers to their exports until these countries improve their HRDGG standards. More bluntly, this is a statement that EU interests will gain economically from mercantilist practices and damage economic interests of social groups in other states unless and until their HRDGG standards improve in the view of EU officials. This is surely an illegitimate form of policy pressure.

The second main EU instrument is aid for HRDGG programmes and the suspension of all EU aid for states not observing adequate HRDGG standards in the judgement of the EU. Here again, the legitimacy of these instruments must be doubted. The crucial

determinant of HRDGG conditions in any country are the political values and political goals of state bodies in the states concerned. Other important determinants are the administrative cultures and capacities of states. Both these determinants are affected scarcely at all by EU aid policies. They are deeply affected by the degree of democratic political development and political integration in the states concerned. EU aid policies are again largely irrelevant to these issues. Economic development, social security and strong budgetary growth are very important and again there is little evidence that EU aid plays any significant role whatever in these areas. There is thus here also a mismatch between the policy instrument and the HRDGG policy goal.

Thus the main way in which the EU could actually assist the development of strong HRDGG regimes is neither by denying economic benefits until standards are reached nor by offering or denying aid programmes. It is rather by creating an international economic environment in which the national economies of these states can develop in a sustainable and dynamic way. And the record of EU policy towards East Central and Eastern Europe over the last 12 years has pointed in exactly the opposite way from this.

A much more effective set of policy instruments in this area is provided by the institutions of the Council of Europe. The strengthening of these institutions and their role within state jurisdictions has proved to have had a real influence on the behaviour and administrative cultures of states which are members of the Council of Europe. The dismantling of the entire EU HRDGG programme with the exception of support for the Council of Europe and the reorientation of EU external economic policy in a more progressive direction would enhance the EU's contribution to the strengthening of the environment for human rights and democratic development.

The limitations of international judicial regimes

At the same time, the strong European international judicial regime for enhancing liberal individual human rights should not be considered a panacea for dealing with abuses of individual rights. Such regimes have a positive impact only in conditions where states are already effectively politically integrated. They are thus to be seen as a superstructure resting on the necessarily pre-existing political integration of liberal

democracies. Where such integration has broken down, international regimes like the Council of Europe have little impact on the most serious violations of individual rights by state authorities.

This truth is illustrated clearly enough in the case of the UK over the last quarter of a century. Here, as in other states which are members of the Council of Europe, plaintiffs and lawyers acting as human rights defenders have repeatedly taken cases to the European Court of Human Rights in the face of failures to gain redress in the British legal system. In some cases intervention by the Court has been effective; but in others it has not.

Essentially the cases where the Court's intervention has been effective have been those which have concerned administrative behaviour by the state in England, Wales and Scotland. In these parts of the UK judgements by the Court have had a major impact on state policy and have led to changes in the behaviour of administrative apparatuses to bring them more into line with the letter and spirit of Court decisions. This does not mean that problems have disappeared. But the Court's intervention has substantially shifted the balance of domestic forces in favour of movement for reform and improvement.

But shifting the behaviour of the British state in Northern Ireland has proved to be quite a different matter. Northern Ireland has for long been a region of state failure within the UK. The state has failed to integrate the nationalist community in that region into its state institutions, but at the same time resists pressure to release its grip on the area. As a result it has used gross abuses of HRDGG commitments against the unintegrated community there.

When the European Court of Human Rights has found the British state guilty of certain practices there such as torture, the British state executive has indeed ceased these particular practices, but has simply switched to other practices which are no less egregious violations of HRDGG values and standards. The ceasing of torture at the end of the 1970s, for example, led to the use of death squads to assassinate political activists of the unintegrated community in the 1980s. The condemnation of these practices in turn by the Court of Human Rights was then followed by the assassination of human rights lawyers in the late 1980s and 1990s, assassinations which seem to involve collusion on the part of the state's executive authorities with

para-military squads there.⁹ Such atrocious practices are perfectly possible in advanced, powerful Atlantic states because of the immense domestic ideological and political authority of these states over the bulk of their populations and because of the extreme centralisation of control over the mass media in such countries.

International juridical bodies such as the European Court of Human Rights are extremely weak instruments for ending gross human rights violations in such strong states. This is not only because all judicial activity is backward looking not pro-active - the European Court can typically come to judgement some 10 years after an incident occurs. It is also because powerful states have ample resources for neutralising the impact of such bodies or indeed subverting their spirit. Thus in the Northern Ireland case, a report by the UN special rapporteur on the independence of judges and lawyers, raising concerns about the systematic harassment and intimidation of defence lawyers by police officers was easily brushed aside by the British government, as were calls by the International Bar Association for an independent inquiry on such issues, as well as calls by Amnesty International and other such bodies.

Matters are, of course, very different for states which are much weaker within the international political and economic system. They can be subjected to intense media pressure, strong negative actions on the political level, economic sanctions or indeed military intervention. An obvious example of this disparity of power would be the case of Serbia which has also had, for many decades a problem of regional state failure in Kosovo and which may, like the British state in Northern Ireland, have attempted to manage the region through the use of torture

9. In the case of the leading defence lawyer, Patrick Finucane, murdered in Northern Ireland in 1989, those implicated directly in the murder include both an agent of the British Special Branch and a member of British intelligence, neither of whom has been brought to trial. In the case of the murder of the defence lawyer Rosemary Nelson, killed in March 1999, she was subjected to death threats from the British police force who told her clients they would have her assassinated in the weeks before her murder.

or assassination against suspected guerrilla groups or 'subversives' targeting their security forces.

Conclusion: Forward from Westphalia or back from San Francisco

The survey we have made of the EU's human rights statecraft suggests that it is at least as much about exploiting human rights as an ideological resource for narrowly mercantilist purposes connected to new forms of exercising dominance over weaker states as it is about strengthening procedural liberal rights within a narrow range of target states. And if we broaden our conception of human rights from a narrowly liberal individualist one to a conception of enhancing real human capacities for a dignified and fulfilling life, the overall balance-sheet of EU external policy in the 1990s has been negative for the regions which it has most influenced: East Central and South East Europe. Very large parts of these populations of these regions live in economic and social insecurity if not abject poverty and social chaos, much of it produced or exacerbated by EU mercantilism towards these regions. The consequences of these social conditions have been to generate political reactions which are often extremely hostile to liberal values and which in fact view Western liberalism as a cover for economic imperialism and political double standards on the part of the EU and its member states.

The record shows that the EU's HRDGG diplomacy has indeed often been used as such a cover. And it is far from evident that a complete closure of the entire EU HRDGG diplomacy would significantly weaken respect for human dignity and rights within East Central and Eastern Europe. Western international bodies engaged in human rights support and activity would gain real authority only insofar as they can demonstrate their complete independence from Western institutions of economic power and military capacity for external aggression. The EU is independent of neither and its record of using HRDGG themes for legitimating the economic interests of its main member states and the power political manoeuvres of the United States and NATO rightly makes it an object of scepticism if not cynicism on the part of those subject to its HRDGG diplomacy.

Reviews

Anna Politkovskaya, *A Dirty War* (London: Harvill Press), xxxii + 336 pp, ISBN 186046 8977, paperback, £12.00

Russian president Vladimir Putin has always called his present war against independence fighters in Chechnya a “war against international terrorism”. His stated pretext for this was an incursion into neighbouring Dagestan by some Chechen separatists claiming adherence to Wahhabite Islam, and a series of bombings in Moscow which killed over 200 people.

These bombings were blamed on “Chechen terrorists” said to be linked to none other than Osama bin Laden –although they are widely thought in Russia to be the work of Putin’s own secret police, the FSB. And the fighters in Dagestan turned out to have been financed by Kremlin insider, millionaire businessman and alleged arms dealer, Boris Berezovski. Nevertheless, a government-led media campaign whipped up anti-Chechen feeling throughout Russia and in October 1999 federal troops were sent to the Caucasus. The brutality of the occupying forces and the imposition of a Moscow-friendly regime in Chechnya answerable to the FSB have met with sustained resistance.

Anna Politkovskaya is one of the few courageous Russian reporters who went herself to discover the truth about the war. Her book, *A Dirty War* gathers together the articles she wrote for the Russian Newspaper *Novaya Gazeta* between the summer of 1999 and autumn 2000. The book does not give answers or overall solutions to the war. Instead Politkovskaya offers us damning criticism and passionate condemnation of its realities, both in her own commentaries and through the voices of its heroes and villains, victors and victims, as they speak here for themselves. During the buildup to the war, Politkovskaya writes scathingly of the cynicism and corruption of much of the Russian military already damaged and demoralised by the previous war, together with compassion for the frightened, unwilling conscripts about to be sent wholly unprepared into combat.

Then there are the Soldiers Mothers Committees - women in Russia who are not prepared to see their sons killed and maimed in a cruel unwinnable war. Instead they take direct action and travel

themselves to the battle zones and forcibly bring them back home.

Sometimes these are mothers who have already had sons lost or disabled in the previous war, like Lydia Burmistrova :

I brought my sons up by myself. The state gave me nothing, not a kopek. But when they needed someone to die for them, then they were at the door in a flash. The regime couldn't resolve the conflict itself, so they decided to go to war. Now we must hand over our children to correct other people's mistakes. Never.

Nothing had really prepared Politkovskaya for the suffering she witnessed when she arrived in Chechnya. Grozny, the capital has been called "the Hiroshima of the Caucasus". The centre is completely flattened, a wasteland of rubble, peppered with lethal or horribly maiming landmines. Here the remaining population survive in cellars or on the town's outskirts.

Until recently no water, heating, sewerage or communications systems remained intact, although efforts have been made to restore some gas and water supplies. Besides this destruction, people also live in fear of constant Russian sniping . Then there are the "zachistki" or "clean-ups" – arbitrary arrests and detentions, usually involving beatings and sometimes deaths of anyone accused of supporting the guerrillas. And in the night come the looters, allegedly from both sides, who have found no other way to survive in this chaos. Given similar conditions in other towns and villages, up to 250,000 - nearly one third of the population - have fled the country during fighting and live in appalling conditions of hunger, cold and disease in refugee camps in neighbouring Ingushetia.

One of the most shocking and saddening stories in the book concerns the refused evacuation of the Grozny Old Peoples Home – leaving up to 100 old, sick and infirm people to endure the bombardment of the city. Politkovskaya's anger boils over when she discovers this is not due merely to cold inhumanity, but is because a local bureaucrat fears his previous embezzlement of funds will be discovered in the homes files. Yet his official explanation is that such evacuations could be highly dangerous because "terrorists might thereby enter Russian territory from Chechnya" - presumably disguised as busloads of pensioners.

Politkovskaya has a splendid nose for ferretting out those who are simply profiting from the economic chaos and social breakdown caused by the war. But she also recounts many tales of self-sacrifice, solidarity and courage – like that of the most popular doctor in Chechnya, Salman Yandarov, who gave up his wealthy practice in St Petersburg to return to his homeland, and now risks his life daily working in hospitals lacking basic medicines and equipment. She describes the many teachers carrying on their lessons in bombed out building and the workers who take it in turns round the clock to guard their ruined factories from looters, while they wait for rebuilding material to arrive from Moscow - which never comes.

One reason behind Chechen separatists bid for independence as the Soviet Union broke up in 1991 was that oil and gas reserves and a skilled workforce would help ensure viability as a separate state. In reality, lack of recognition and therefore of aid and investment from Russia and the rest of the world prevented the new Republic from rebuilding itself. But Politkovskaya also sees the weakness of Chechnya's own leaders as partly responsible. She argues that both former presidents Dudayev and Maskhadov handed out oil wells as booty to their fellow fighters. In fact it is more likely that neither of them were able to control growing lawlessness and corruption caused by the war.

Chechnya's own oil deposits are now much depleted, but syphoning off from the Baku-Novorossiisk pipeline is widespread and lucrative. Local Chechen and Russian gangs simply bore holes in the pipe, drain the oil into pits in the ground and burn off the unwanted fuel oil before selling off the remaining prize. There are hundreds of such "barns" with their smoking "samovars" in Chechnya, and plenty of buyers in the illegal trade. The federal troops turn a blind eye - maybe in exchange for Chechen silence over the astonishingly corrupt but also widespread and lucrative practice by the Russians in Chechnya of selling off their own weaponry to the guerrillas they are fighting. As one Chechen dealer boasted after stocking up on automatic weapons, grenades and ammunition, "I could have bought a tank from them if I'd wanted to". Who knows, he was probably right.

What is clear is that the majority of people in Chechnya do not benefit at all from the thousands of tons of oil illegally shipped out of

the country, nor from the endless proliferation of arms. At the same time it is proved by the involvement of people like Berezovski that the corruption trail goes right to the top. It is people in Moscow itself who are profiting most from this very dirty war.

In recent weeks Putin has mouthed some words about a ceasefire and talks with ousted president Aslan Maskhadov. But his real message, and the one delivered to the US and world leaders after September 11 has been clear: "I have been fighting terrorism for years in Chechnya. Now you in the West must keep quiet about alleged killing, atrocities and human rights abuses down there. Then I will, of course let you use my old military bases in Uzbekistan and Tajikistan to do whatever you want in Afghanistan in pursuit of your own recently proclaimed "war on terrorism"

Over the last 10 years Russia has been caught up in and bogged down in two equally brutal and unwinnable wars in Chechnya. Up to 50,000 died in the 1994-96 invasion and an estimated 50 Russian soldiers a week and many more mostly civilian Chechens are dying in Putin's so-called "war against international terrorism" today.

Yet this has always been a war largely ignored by world leaders and unreported in the world's press. The Council of Europe did suspend and then restored Russian voting rights for a brief period of a few months, and anti-war and human rights organisations continue to campaign for an end to the conflict. Both the US and UK, and Blair in particular, have always seen Putin as a good man to do business with. Now that his support for their war coalition is absolutely vital, the carte blanche demanded over Chechnya will easily be granted, and the likely consequence, as with all hidden wars, will be an escalation.

Meanwhile Politoovskaya's book is a moving and valuable testament to the people who actually suffer from its cruelty and injustice. The most common graffiti on the walls of Russian conscripts quarters are simply "I want to go home", the most common plea of the Chechens "Please leave us alone". Their voices are the strongest arguments for an immediate withdrawal of federal troops and the granting of Chechen independence.

Sheila Malone

László Andor, *Hungary on the Road to the European Union: Transition in Blue* (Praeger Publishers 2000 pp.199 £42.50)

László Andor's new book has a broader scope than is indicated by the title. It is not simply an account of Hungary's relationship with the European Union (EU) but is a general analysis both of the collapse of the Communist regime in that country and of political and economic developments there over the last decade. As such it is one of very few book length accounts in English of the transition process in a particular Central or East European country since 1989 to have been written from the left. This makes it particularly valuable for readers of this journal.

The book consists of four main chapters, framed by an introduction and by a conclusion, which outlines some possible future scenarios for Hungary. These chapters deal respectively with the reasons for the breakdown of state socialism both generally and in Hungary, with Hungarian political developments since 1989, with the process of economic reform in Hungary and with the country's external relations, in particular the application for EU membership. The bulk of the analysis covers the record of the first two post-1989 Hungarian governments; that of the Hungarian Democratic Forum (MDF) in coalition with the Smallholders Party and the Christian Democratic Peoples' Party between 1990 and 1994 and that of the Hungarian Socialist Party in coalition with the Alliance of Free Democrats between 1994 and 1998. Prospects for the coalition led by Fidesz-the Hungarian Civic Party (the former Alliance of Young Democrats), which took office in 1998, are discussed but the record of this government is not analysed in detail.

Andor provides a detailed and fascinating account of the class basis of the various parties and coalition governments in Hungary and traces the impact of this on their political and economic strategies. He argues that the first post-Communist government under József Antall attempted to base itself on pre-war conservative strata which no longer existed: "...from a populist movement of writers and other intellectuals, Antall turned the MDF into a party of the historic Christian-Nationalist middle class, with roots in the nineteenth-century liberal nobility" (p.46). This attempt was doomed to failure: "in four years it became apparent that the first post-Communist right-wing elite of Hungary had tried to base itself on a non-existing social foundation and had failed to rebuild

this foundation within the time span provided by the parliamentary cycle. Their sudden rise terminated in an equally sudden fall” (p.46).

The fall of the Antall government in part resulted from economic difficulties, notably high inflation and unemployment coupled with twin deficits on the government budget and the current account of the balance of payments. In addition to this the coalition began to fragment politically over the issue of extreme nationalism, with Antall responding both by expelling the racist grouping around István Csurka and those more liberal figures within the MDF who had opposed Csurka most openly. Finally, the government was widely felt to have insufficient credibility both with the IMF and World Bank and with the EU. By the time of Antall’s death, and replacement by Peter Boross in 1993, the regime was dangerously weakened.

Andor argues that the new government attempted to represent the dual interests of big business (especially foreign capital) and organised labour, in contrast to the nationalism of the MDF. Of particular interest here is his analysis of the austerity measures of March 1995, introduced by the Finance Minister Lajos Bokros to combat the twin deficits referred to above. He writes that these cannot be taken to invalidate the social democratic character of the coalition:

one can argue that the framework of the Bokros package was itself a contemporary version of social democratic economic policy. Social democracy in Western Europe, similarly to the New Deal in the United States, was a framework of a class compromise between big business and big labour, at the expense of small business. The first transition period in Hungary was strongly antilabour, creating mass unemployment and diminishing labour’s influence on economic policies. Antall’s coalition, however, was not always friendly to big business either, which happened to be foreign (p.64).

Andor claims that the government ‘managed to implement the austerity package by maintaining the existing level of workers’ rights and union influence’ (p.65) and that “it had to be understood that the country left behind by the right-wing government was in a financial crisis and stabilisation was not possible without an immense sacrifice by the working class. And after the year of pain, the austerity policy paid off” (p.65).

These internal policies went together with renewed openness towards integration into the Western European economic sphere and a determined push for EU membership. However, the government was not able to win the elections of 1998 because the right was able to reconstitute itself around the growing domestic entrepreneurial class. Andor argues that

the most frustrated layers that supported Fidesz-MPP and the Smallholders were indeed the domestic entrepreneurs, who saw the Socialist-Liberal coalition favoring foreign investors in privatisation and maintaining a restrictive monetary policy that prevented the strengthening of the Hungarian-owned enterprise sector. These layers believed that a looser monetary policy with lower tax rates would be possible, and at the same time the devaluation of the forint could also be slowed down' (p.70).

Fidesz leader Viktor Orban also exploited a range of other issues such as environmental questions, agricultural support and crime to provide an electoral basis for this new entrepreneurial grouping and win the election. Andor hypothesises that the new coalition will be led to take a more sceptical attitude towards foreign capital and the process of EU accession.

Andor's account of the political and social basis of the various post-1989 regimes in Hungary, and of the factors affecting their attitudes towards the process of European integration and the role of investment from abroad, is illuminating and largely convincing. However, the links between this analysis and his detailed description of the path of economic transition could perhaps have been more tightly drawn. Partly, this is a question of the structure of the book. The treatment of political, economic and external issues in separate chapters means that certain key events, such as the 'gas riots' of October 1990 and the March 1995 economic package, are treated several times from different viewpoints. At times this means that connections between different levels of analysis, especially between the political and the economic, are left for the reader to draw rather than being explicitly spelt out. It is also the case though, I feel, that some economic questions could have been taken up in more detail and incorporated more fully into the general argument of the book. Two key issues in particular are the debate over Hungarian

'gradualism' and the question of the impact of foreign investment on economic restructuring in Hungary.

Many observers have seen the process of economic transition in Hungary after 1989 as being distinctive, as compared with other Central and East European countries, in its gradualist nature, and in the fact that Hungary did not explicitly adopt a policy of 'shock therapy' as was done in different ways in Poland and Czechoslovakia. Andor outlines some of the reasons why this may have happened, including the lengthy process of pre-1989 economic reform, the impact of the 1990 riots and the social basis of the MDF led government. However, he does not really analyse the extent to which the concept of gradualism adequately characterises the nature of economic change in Hungary, or whether the contrast between shock therapy and gradualism is helpful or misleading.

Similar comments can be made about Andor's account of privatisation and foreign direct investment. He provides a full account of the privatisation process and explains the reasons for the especially strong involvement of foreign capital in Hungarian privatisation as compared with other countries in the region. He also discusses the theoretical literature dealing with the impact of different forms of privatisation on corporate governance and enterprise restructuring. Yet he does not analyse in detail exactly what the record of foreign investment in Hungary in encouraging such restructuring has been.

These two issues are closely linked, since a number of analysts have argued that Hungarian 'gradualism' has in fact had a more radical effect on behaviour at an enterprise level than the seemingly more dramatic shock therapy programmes adopted elsewhere, and that this effect is largely due to the impact of foreign capital as well as domestic economic policies. This position is put strongly by László Halpern and Charles Wyplosz in the introduction to their edited collection *Hungary: Towards a Market Economy* (Cambridge University Press, 1998), where they refer to the 'deep microeconomic restructuring and institution-building which occurred during the period 1990-3' (Halpern and Wyplosz, p.2). They go on to write that

these achievements have long been obscured by macroeconomic imbalances and the image of gradualism cultivated by Hungarian

policy makers themselves. In fact restructuring has been a shock therapy: the very tough bankruptcy law adopted in 1991 has been vigorously implemented, resulting in the closing down of thousands of firms, with clear incentive effects on the surviving ones. No other transition economy has so quickly closed down so many firms, taking the risk of letting go potentially profitable companies rather than the opposite alternative of letting survive firms that eventually go bust. For this reason Hungary is probably furthest down the transition path (Halpern and Wyplosz, p.2).

Examination of issues such as these would have allowed Andor to set the Hungarian experience in more of a comparative context, drawing out the similarities and differences between it and comparable processes elsewhere in the region. It would also have been interesting to explore the apparent contradiction between the strict bankruptcy law referred to above coupled with the high level of foreign investment and the determination to avoid rescheduling external debt on the one hand and the nationalist overtones of the MDF government on the other. In particular the comparison between Hungary and the Czech Republic in the first half of the 1990s appears potentially fruitful, with the former characterised by a relatively relaxed macroeconomic policy but extensive microeconomic restructuring and the latter by the combination of strict monetary and fiscal policy with restructuring confined largely to the limited foreign-owned sector. It would be especially interesting to link these differences to the political strategies and class bases of the governments in the two countries.

It is to be hoped that Andor will return to some of these questions in later work. However, this should not in any way detract from what is contained in this book. *Hungary on the Road to the European Union* contains a wealth of insights into recent developments in that country, with interesting implications for Central and East Europe in general. Unfortunately, the book is currently priced at a level which means that it is likely to be purchased only by libraries; a paperback edition in order to make it more widely accessible would be very welcome.

Andy Kilmister

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Obituary

Remembering Daniel Singer

Michael Löwy

Daniel Singer*, European correspondent for *The Nation*, died Saturday, December 2, 2000, at the age of 74. His life story is a remarkable capsule portrait of the Jewish condition in the middle of the 20th century. Born September 26, 1926 in Warsaw, Poland, the son of a well-known journalist, Bernard Singer (pen-name "Regnis"), Daniel Singer was in France with his mother and sister when the World War II broke out. Fleeing from the German Army, his family took refuge in Marseille, where the police came to arrest them in 1942.

The young Daniel Singer succeeded in escaping to Switzerland, joined later by his family, who were helped by the French Resistance. Meanwhile, his father had stayed in Poland. He was in hiding in Riga at the moment of the Third Reich's invasion of his country. Bernard Singer was arrested in Riga in 1940 by the Soviets and deported to Vorkouta, a prison camp that was only liberated when the Hitler-Stalin pact broke down with Hitler's invasion of the Soviet Union in 1940. Bernard Singer then left for London. As the son of a "Zek," or Gulag prisoner, Daniel was never prey to illusions about the nature of the Stalinist regime. After his studies in Geneva, Singer joined his father and in 1948 he replaced Isaac Deutscher (a close friend of the family's) as an editor of *The Economist*, where he published articles on Russia, Poland and France. In May 1956 he married a French economist, Jeanne Kerel, a researcher at the National Center for Social Research, and settled down in France as the French correspondent for that English magazine.

In 1970 he published his first book, *Prelude to Revolution: France in May 1968*, a work which, according to the *Washington Post*, succeeded

* Daniel Singer was a sponsor of *Labour Focus on Eastern Europe*

in communicating the extraordinary enthusiasm of liberated spirits during those feverish days. After writing this book he resigned from *The Economist*.

In 1981, Singer became the European correspondent for the major publication of the American left, *The Nation*. In fact, however, Daniel Singer was much more than a journalist. At once historian, writer, and political essayist, he distinguished himself by the verve, caustic spirit and biting irony of all his writings. Unlike so many others who were swept along by the prevailing current, whose politics were blown in whatever direction the winds dictated and who adapted themselves to the spirit of the times, Singer remained faithful his whole life to the socialist dream, to the democratic, revolutionary and internationalist ideal of a new world. He remained faithful to the critical Marxism embodied by another Polish Jew who recognized neither country nor borders, and whom he loved so much: Rosa Luxemburg.

One of his few publications in French was an essay on [Russian opposition writer Alexander] Solzhenitsyn - in support of the witness of Stalinist crimes, but against the reactionary prophet - which appeared in the *Esthetic Review* (no. 2-3, 1976). This text was reprinted in his 1981 work, *The Road to Gdansk: Poland and the USSR* (Monthly Review Press), which concentrated on the workers' opposition in Poland.

From his Luxemburgist-inspired socialist perspective - a position opposed to Stalinism, but also hostile to the Social Democrats - Singer drew an uncompromising balance sheet in 1988 of the "Mitterand Years": *Is Socialism Doomed? The Meaning of Mitterand*.

His final book, published in 1999, *Whose Millennium? Theirs or Ours?* was written in reaction to the defeatist belief that "There Is No Alternative" to capitalism, the infamous "TINA" formula proclaimed by Margaret Thatcher. This work was at once a critical balance sheet of socialism's heritage, and a discussion of the possibilities of building an internationalist, egalitarian and truly democratic society. The book was greeted as a fundamental contribution to the debate over the future of socialism by, among others, Noam Chomsky, Cornel West and Barbara Ehrenreich. For Eduardo Galeano, "[t]his book helps us to believe that tomorrow is not another name for today." Gore Vidal praised Singer's "Balzacian eye for detail" and the charm of his prose.

Singer's friends have decided to create a "Daniel Singer

Millennium Prize Foundation” to award a prize every year to an essay written in this same spirit.

Daniel Singer was buried in the Montparnasse Cemetery in Paris, not far from the grave of Jean Paul Sartre, in a simple and moving ceremony at which some of his friends spoke: K.S. Karol and Rossana Rossanda to recall his collaboration with the creation of “Il Manifesto;” Istvan Meszaros to honor his lifelong fight for socialism; Pierre Vidal-Naquet, to remember his rejection of “Judaism in One Country.”

Among others who spoke in his memory and to pay homage were Samir Amin, Daniel Bensaid, Olivier Revault d’Allones, Suzanne de Brunhoff and Eleni Varikas. Messages from Tariq Ali, George Steiner and Fausto Bertinotti were read.

The author of this memorial first met Daniel Singer in 1976, and was gifted with a quarter century of the warm friendship and exceptional generosity of a man who struggled his whole life against the capitalist system. His weapons were the pen and the word, and his ammunition, humor, lucidity and intelligence.

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