



EAST CENTRAL EUROPE SINCE 1989

POLITICS, CULTURE, AND SOCIETY

ROUTLEDGE OPEN HISTORY

SABRINA P. RAMET AND LAVINIA STAN



“Sabrina P. Ramet and Lavinia Stan combine their inexhaustible scholarly talents and experience to examine what communist and post-communist policymakers ‘have been trying to accomplish and what the intended and unintended results of their policies were, or what side-effects were produced by their policies.’ In eleven well thought out, easily readable chapters, Ramet and Stan examine the deliberate and unintentional consequences of policies on a gamut of topics. The Ramet/Stan book is a highly readable, multi-topic approach to East Central Europe’s more recent past and present.”

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“This is an excellent and original book about a subject that is frequently touched upon but rarely explored from a position of such expertise. The authors’ multi-dimensional thematic study beautifully complements the narrative history of the prequel volume, to produce a work that no serious scholar of East Central Europe should be without.”

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“This book offers sophisticated and comprehensive analyses of the complex historic changes in East Central Europe over the past decades written by two of the most experienced and knowledgeable scholars of the field. The scope of the book includes discussions from institutions to practices and attitudes. Ramet and Stan invite us to get a closer look at the vicissitudes of the Yugoslav war and the concept of transitional justice as well. This is a must-read for students of European history and politics who want to understand the political labyrinth between pluralism and populism.”

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“This book is an elegant and insightful comparative overview of post-1989 Central Eastern and Southeastern Europe. Examining themes such as religion, media, gender, politics, and economy allows for rich perspectives on the region. It makes for an excellent introductory overview for students of post-Communist Europe.”

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This groundbreaking treatment of post-communist developments in East Central Europe examines politics, economics, media, religious institutions, transitional justice, gender inequality, and literature, highlighting the overt functions, latent functions, and side effects associated with each sphere.

Communism in East Central Europe had cracks from the beginning, as uprisings in East Germany in 1953 and Hungary in 1956 demonstrated. But with the establishment of the Independent Trade Union Solidarity in Poland in the Summer of 1980, communism went into steady decline and, between 1988 and 1991, crumbled. What followed has been an unsteady transition to various forms of often corrupt pluralism with democracy doing best in the Czech Republic (with the exception of the years 2017–2021) and Slovenia, and worst in Hungary, Albania, Serbia, and Bosnia-Herzegovina. Drawing on the functionalist theory of Robert K. Merton, the authors examine what policymakers – communist and post-communist – were or are trying to accomplish, the intended and unintended results of these policies, and the side-effects they have produced.

This volume will be of interest not only to specialists in East Central Europe but also to graduate and undergraduate students, members of the diplomatic corps, and general readers.

Sabrina P. Ramet is a Professor Emerita at the Norwegian University of Science and Technology (NTNU). She is the author of 16 scholarly books, including *East Central Europe and Communism: Politics, Culture, and Society, 1943–1991* and editor or co-editor of 42 scholarly books.

Lavinia Stan is the European Research Area (ERA) Chair and Professor at St. Francis Xavier University, Canada. She is author, co-author, editor, or co-editor of numerous previous books, among them *Post-Communist Transitional Justice: Lessons from 25 Years of Experience*.

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Politics, Culture, and Society

Sabrina P. Ramet and Lavinia Stan

With a foreword by Stefano Bianchini



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CONTENTS

<i>List of Boxes</i>	<i>ix</i>
<i>List of Tables</i>	<i>x</i>
<i>Foreword by Stefano Bianchini</i>	<i>xii</i>
<i>Preface</i>	<i>xvi</i>
1 The Functions of Pluralism, the Dysfunctions of Populism: An Introduction <i>Sabrina P. Ramet</i>	1
2 Changes in Political Institutions and Party Systems <i>Lavinia Stan</i>	38
3 Unintended Consequences in the Economic Transition <i>Lavinia Stan and Sabrina P. Ramet</i>	81
4 The Functions, Dysfunctions, and Unintended Consequences of War: Yugoslav Conflicts, 1991–2001 <i>Sabrina P. Ramet</i>	121
5 The Latent Functions of EU Accession and EU Norms <i>Lavinia Stan</i>	181
6 The Media – Functioning in Whose Interest? <i>Sabrina P. Ramet</i>	209

viii Contents

7	God, Religious Institutions, and Politics <i>Lavinia Stan</i>	236
8	Transitional Justice <i>Lavinia Stan</i>	278
9	Patterns of Inequality of Gender and Sexual Orientation Since 1989: The Latent Dysfunctionality of Patriarchy, the Unexpected Consequences of Policy Decisions <i>Sabrina P. Ramet</i>	314
10	The Latent Functions of Literature <i>Sabrina P. Ramet</i>	345
11	Drivers of Change – A Functionalist Perspective <i>Sabrina P. Ramet and Lavinia Stan</i>	368
	<i>About the Authors</i>	375
	<i>For Further Reading</i>	377
	<i>Index</i>	379

BOXES

10.1	Prominent East Central European Writers (a Selection)	347
10.2	<i>The Pyramid</i> , by Ismail Kadare	349
10.3	<i>Time Shelter</i> , by Georgi Gospodinov	355
10.4	<i>Antigone in New York</i> , by Janusz Głowacki	359

TABLES

1.1	Religiosity in East Central Europe – in % (2015–2016)	6
1.2	Percentage of Adults Who Believe in God, in Individual Countries (2015–2016)	6
1.3	Freedom House Ratings for National Democratic Governance, Media, and Corruption (2022)	9
1.4	Press Freedom Rankings for 2002, 2011/2012, and 2021 (<i>Ranked in Declining Order in 2021</i>)	18
2.1	The Legislative Branch of Government in Post-Communist East Central Europe	42
2.2	The Adoption of New Constitutions in Post-Communist East Central Europe	43
3.1	Net Debt in Convertible Currency in Billions of USD, 1970–1989, by Country	83
3.2	Growth of Net Material Product in Selected East Central European Countries, 1985–1989, in %	83
3.3	GDP Growth, 1980–1989: Yugoslavia, in %	84
3.4	Estimated Poverty Rates for Total Population, 1978–1987 – in %	84
3.5	Unemployed Rates in % of the Labor Force at the End of Each Year	92
3.6	Real GDP or Net Material Product in Former Members of COMECON – Annual Change in %	93
3.7	Inflation Rates based in Retail or Consumer Prices – in %	93
3.8	The Size of the Shadow Economy in the Yugoslav Successor States, as a % of GDP	94

3.9	Unemployment Rates for East Central Europe Except the Yugoslav Successor States: 1991, 2005	94
3.10	The Percentage of All Goods Sold within the Republics in Which They Were Produced (1987)	106
3.11	The Share of Members of COMECON in Yugoslav Foreign Trade, 1965–1981 (Trade Value in %)	106
3.12	Croatia’s Military Expenditure as a % of its GDP, 1992–2000	109
3.13	Rates of Shrinkage in Select Macroeconomic Indicators in Serbia, 1991–1992 (in %)	110
3.14	Changes in Real Wages in the SFRY/FRY, 1990–1993	111
3.15	Changes in GDP, 1990–1994 (in %)	112
3.16	Unemployment Rates (Official Figures), 1991–1994 (in %)	113
3.17	Inflation in the Yugoslav Successor States, (1986–2004) in %	113
4.1	National Composition of UNPROFOR Personnel in Bosnia-Herzegovina at the End of 1994	143
4.2	Population of Bosnia-Herzegovina by Nationality, According to the 1991 Census	150
4.3	Armaments Possessed by the Combatants in Bosnia (November 1994)	151
4.4	Military Strengths of the Croatian Forces and the Krajina Army at the Time of Operation Storm (August 1995)	153
4.5	Ethnic Distribution in Macedonia (1994, 2002) in %	166
7.1	Religious Affiliation in Central and Eastern Europe (% of Total Population)	238
9.1	Representation of Women in the Lower House of Parliament	317
9.2	Female Presidents and Vice Presidents in East Central Europe since 1989	319
9.3	Female Prime Ministers in East Central Europe since 1989	319
9.4	Pay Differentials between Women and Men (2021). How Much Less Do Women Earn than Men, in %	320
9.5	Average Number of Hours per Week Spent on Housework (2008–2017 #)	321
9.6	Years When Abortion Was Legalized, by Country	325
9.7	Estimated Numbers of Abortions Carried out in 2021	328
9.8	Percentage of Persons Who Think that Homosexuality Should Be Accepted (in Selected Countries, 2019)	331
9.9	Gay/Lesbian Rights in East Central Europe (March 2023)	334
9.10	Where Change of Gender Status Is Legally Recognized (March 2023)	336

FOREWORD

Stefano Bianchini

(RETIRED PROFESSOR OF THE UNIVERSITY OF BOLOGNA)

East Central Europe has been between hopes (or illusions) of stability and dysfunctions since 1989 when the transition to liberal democracies and the market economy started. This consideration is the main focus of the present book, co-written by Sabrina P. Ramet and Lavinia Stan. The analyzed topic is the second volume of a broader project, and it follows the developments of politics, culture, and society in these European regions since World War II.

Both authors are prominent and internationally well-known scholars who have published extensive in-depth analyses about various aspects of the East European context's values, political behaviors, social life, religions, and culture before and after the communist experience. In a previous book explicitly focused on communism, Vladimir Tismaneanu placed the studies of Sabrina P. Ramet under the framework of a broad tradition of studies mainly related to eminent international English production. However, Ramet's studies are more than that. They belong to an even broader field of research, encompassing not only the translation in various languages of her books but also the active interaction with high-level "local productions," often unknown or disregarded by the currently predominant scholarly production in English. As a result, Sabrina Ramet also actively belongs to the distinguished contributions of new/old generations of East European scholars represented, among others, by Tvrtko Jakovina, Husnija Kamberović, Vjeran Pavlaković, Leonidas Donskis, Rytis Bulota, Stanislav Tkachenko, Rudolf Rizman, Nikos Tzifakis, Egidijus Aleksandravičius, Igor Gretskij, Neven Anđelić, Darina Malová, Šerbo Rastoder, Anna Di Lellio, Anna Krasteva, and Konstantin Khudoley.

Based on the collected sources during her frequent travels and fieldwork in the regions of her scrutiny, Sabrina Ramet has produced a large number of studies on politics and economics, which are crucially relevant for all those who are

interested in in-depth knowledge of East Central Europe, as well as new insights, mainly related to less covered thematic issues. Among those, it suffices here to remember the social changes that affected women and gender equality, as well as in the fields of values, music, literature, the cultural scene, media, and inter-church relations. This open-minded approach has additionally materialized in an extraordinary ability to mobilize teams of scholars and promote various collective books by sponsoring preparatory conferences and creating the conditions for a series of collective books that now offer a comprehensive approach to several aspects of East Central European societies.

Under this framework, her cooperation with Lavinia Stan is profoundly beneficial. The results are visible in the present excellent book. Lavinia Stan is not only a distinguished scholar of politics and religion in Romania but also an in-depth expert on transitional justice. She has expanded her knowledge of the topic not only by covering issues related to communist repressions and crimes but also by challenging crucial questions related to security, freedom, and memory. In addition, she is also serving as an expert witness in property restitutions in former socialist countries.

Consequently, the collaboration between Ramet and Stan has proved fruitful and full of stimuli for readers interested in understanding how East Central European societies have been evolving in more recent times and particularly during the post-socialist transition. The interdisciplinary approach adopted so many times by Ramet has effectively interacted with Lavinia Stan's expertise and specializations. As a result, the reconstruction of the dysfunctions, unintended developments produced by politics and economics, and their impact on the societal organization present a convincing picture of the still persistent regional instability, despite the efforts made regionally and internationally, together with the inclusion of a large number of East Central European countries into the EU.

The book starts with an interesting paradox: the "illusion of stability," which marked the years between 1969 and 1980 in the socialist camp, in Yugoslavia and Albania. However, institutionally, Yugoslavia faced a problematic constitutional reconstruction between 1971 and 1974. Subsequently, the authors describe the significant impact of Tito's death and the emergence of Solidarity in Poland, paving the way for radical transformations. However, not all of them positively carried out democratization and economic development. Under these circumstances, since Yugoslavia fell apart in a bloody war, strong restrictive measures affected East Central European societies for at least a decade, and Czechoslovakia dissolved. At the same time, the collapse of the Soviet Union led, in turn, to additional dysfunctions, misunderstandings, side effects, and resentments.

The book focuses mainly on political and economic dysfunctions despite the success recorded in the Baltics, Poland, Slovakia, and other post-socialist countries. However, poverty, social exclusion, and precarity also scaled down these successes. In addition, Ramet emphasizes four other dysfunctions whose impact, admittedly, profoundly varies from one society to another, creating a mixed

picture. Therefore, she discusses the role of corruption, the growing illiberal attitudes (in Poland, Hungary, Serbia, and more recently Slovakia, in addition to the Republika Srpska within Bosnia-Herzegovina), the control over media, and the rising of organized crime. Most dysfunctions occur in countries that are now full EU member states, while others are formally candidates. As a result, it seems possible to explain these phenomena only by referring to the broader European context, which suffers from several shortcomings. In particular, various unintended and side effects are affecting the original project of a peaceful European integration process, currently under radical structural revisions facing, among others, the challenges stemming from the military conflict between Russia and Ukraine.

As reported in the book, the global financial crisis of 2008–2010, with its devastating effects in Greece and, subsequently, the pandemic, triggered additional unexpected effects within the East Central European societies and in their bilateral/multi-lateral relations with the EU institutions. This turbulence concurrently makes transitional justice controversial and problematic. As Lavinia Stan says, transitional justice was "meant to help the region to put the ghosts of the past to rest." The result, however, was only partially achieved. Crucially, there have been multiple "abusive pasts." The anti-communist crimes committed in the 1920s, followed by the Nazi, communist, and post-communist crimes, were politically "exploited" according to the context and the governments in office. Rarely has such a behavior encouraged the recomposing of historical memories and reconciliation. Conflicting interpretations of the Second World War, of the puppet states, monuments and memorials, and the role of the Soviet Army since 1943 persisted remaining divisive issues, soon aggravated by the aforementioned Yugoslav wars. Even the International Criminal Tribunal for the former Yugoslavia, which convicted some of the most important perpetrators of crimes and assessed the Srebrenica genocide, was unable to present its work as a convincing contribution to the reestablishment of truth and judicial reparation for the victims.

On the contrary, several irredentisms were encouraged. It is a matter of fact that when a relative majority of the UN Assembly voted in support of a day designating the commemoration of the genocide in Srebrenica, Republika Srpska began to prepare a formal proposal for the partition of Bosnia. At the same time, the government of Montenegro issued a declaration about the genocides at Jasenovac, Dachau, and Mauthausen, which provoked vehement reactions in Zagreb.

Under these circumstances, a growing divisive context persists. This situation cannot be reduced to the unsettled problems of transitional East Central Europe but should be seen under the broader framework of a partially integrated Europe. The authors insist on their well-founded concern about the future of Europe. They mention, not by chance, the "moral panic" that arose in the last decade facing the flows of migrants who are moving into Europe from Sub-Saharan Africa, the Middle East, and Central Asia while depopulation increases in the recipient countries. Leadership appears powerless in managing the flows and the inevitable integration process against new forms of nationalism.

In addition, Ramet and Stan elaborate on the catastrophe that threatens the world with climate change, the growing number of fires and floods, and their effects on famine, animal infestations, and new pandemics. The hope, they say, is that the risk of catastrophe may "drive change." Let us hope that a new generation of administrators and innovators, more sensitive toward these issues, can take the lead in a plurality of spheres, even though any decision will trigger unintended consequences, as the authors of this book brilliantly and sadly conclude.

PREFACE

Functionalism is sometimes thought to be dead – a methodology of the past – as if the questions posed by functionalists and the approaches they took to answering them were never of any use and are, accordingly, of no use today. Among the questions posed by functionalists were (and are): what is a policy supposed to accomplish (its *intended function*)? What does the policy actually do overtly (its *manifest function*)? What effects does a policy have that are neither intended nor immediately perceived (its *latent functions*)? And what effects does a policy have that are not intended but are quickly perceived (its *side effects*)? To these one may add also *malfunctions*, which would be understood as “successfully” executed manifest functions that do not work as they were supposed to work.

It is hard for us to imagine the use of a discussion of the past history of East Central Europe that would not reflect any interest in what policymakers – communist and post-communist – were or have been trying to accomplish and what the intended and unintended results of their policies were, or what side-effects were produced by their policies. One can, as a functionalist, also reverse the equation and start with some phenomena that were unwelcome to policymakers and ask about their origin. For example, looking at the appearance and spread of political dissidence in the 1970s and 1980s, one may ask what policies adopted by communist authorities produced or resulted in dissident activity. The answer would, we believe, have to be traced to three distinct policies adopted by the communists: first, there was the infrastructure of rewards for writers and composers, granting them salaries well above the average earnings of ordinary citizens (especially in East Germany, Poland, Czechoslovakia, and Hungary) and corresponding status, as well as opportunities to travel that were unknown to ordinary citizens; second, the authorities consciously promoted the politicization of culture, demanding that

creative works be politically useful; and third, the communist party controlled the media and historiography, so that, with few exceptions, the picture of reality presented in the media was (at least until the late 1970s¹) monochromatically positive about socialism and supportive of communist programs and policies. Given this combination of policies, in which writers, in particular, enjoyed a status that was the exception in the West, it should not have been a surprise to the authorities that literary intellectuals who had been encouraged to think and write politically might have seen fit to question and challenge the “truths” propounded by the ruling parties. The appearance of critical intellectuals such as Rudolf Bahro and Wolf Biermann in East Germany, Tadeusz Konwicki in Poland, or Tibor Déry in Hungary came about as an unintended consequence (latent function) of communist policies.

Or again, how to explain the creeping economic disaster of the 1980s? Although the countries with the highest debts were Poland, East Germany, and Hungary, in that order, while those with the highest debts per capita were Hungary, East Germany, and Bulgaria, in that order, seven of the eight (all except Albania) overloaded themselves with debt. Why? What functions were served along the way to the resultant economic crisis? Whether one looks to Gierek’s Poland or Honecker’s East Germany, for example, the answer was always the same: unwilling to allow private enterprise and insisting on some measure of control over their economies, the communist authorities sought to “purchase” the loyalty of their citizens by subsidizing the prices of food, fuel, public transport, and other basic necessities, by providing free medical care at the state’s expense, and by improving the standard of living whether by freezing prices and raising wages (as in Gierek’s Poland) or by importing high-quality commodities from the West. To cover the costs of this ambitious program, the communists borrowed heavily from Western banks and sank ever deeper into debt, with the exception of Romania (which paid off its debts) and Albania (which did not go into debt in the first place).

It may be that certain policies, just like institutions, may have a pre-history that may account for anomalies in the context of politics in more recent history. The methodology that probes this prehistory is called *geneticism* and is organically related to functionalism. Geneticism asks about the genesis of certain functions or policies or institutions in an effort to explain why and how existing frameworks which, on the face of things, seem to make no sense but, nonetheless, came about. One example involves the Czechoslovak communist party’s authority to veto Catholic episcopal appointments. At first sight, this practice seemed anomalous, odd, even contrary to both Catholic practices and communist understandings. However, the Czechoslovak communists inherited this authority from the First Czechoslovak Republic which, in turn, inherited it from the Habsburg Empire. Joseph II, who reigned as Holy Roman Emperor from 1765 to 1790, instituted this practice for reasons completely different from the uses to which the communists put it. Or, to use the language of functionalism, one may say that the manifest

functions of this practice under communism were entirely different from the manifest functions of the practice when it was instituted in the late 18th century.

There may be something to gain from thinking genetically about the security services (secret police) in communist East Central Europe. These, of course, trace their genesis back to the Soviet People's Commissariat for Internal Affairs—Committee for State Security (NKVD—KGB) which, in turn, may trace its origins to the secret police service set up by Russian Emperor Peter the Great (reigned 1682–1725), which, in turn, had its antecedent in the *Oprichnina* of Tsar Ivan IV, “the Terrible” (reigned as Grand Prince 1533–1547 and as Tsar 1547–1584). What one learns from this genealogy is that the secret police in East Central Europe did not grow out of a tradition of legality and respect for individual rights but could be traced back to the *Kaisertreu* services of Ivan IV and Peter the Great, services which, especially in the case of the *Oprichnina*, operated above and outside the law and were designed to serve the functions of punishing or destroying the tsar's enemies.

In writing the two volumes that comprise *East Central Europe since World War II*, we are guided, above all, by the writings of Robert K. Merton,² Marion Levy,³ and Kingsley Davis,⁴ while also benefiting from the insights of a recent book by Peter Sohlberg.⁵ Finally, in closing, we would like to draw attention to the distinction between *overt functionalism* and *implicit functionalism*. The former uses the language associated with traditional functionalist theory and cites functionalist authors as appropriate. The latter, by contrast, does not use the traditional language of functionalist theory and does not cite any functionalist theorists but, nonetheless, asks questions about the functions of certain policies and practices. An excellent example of implicit functionalism is James von Geldern's *Bolshevik Festivals, 1917–1920* (1993), which examines the functions served by early Bolshevik mass reenactments of historical events.

We are grateful to Rob Langham for inviting us to write this book. We are also grateful to: Vesna Nikodinoska, Manuela Preoteasa, and Paweł Surowiec for helpful comments on an earlier draft of Chapter 1; Rodica Minela Zaharia, Razvan Zaharia, Diane Vancea, and Bruno Schönfelder for helpful comments on an earlier draft of Chapter 3; Nikica Barić, Vladimir Filipović, Josip Glaurdić, Daša Duhaček, and Ranko Mastilović for helpful comments on earlier drafts of Chapter 4; Beáta Bakó and Rodica Milena Zaharia for helpful comments on an earlier draft of Chapter 5; Peter Gross, László Kürti, Vesna Nikodinoska, Manuela Preoteasa, and Paweł Surowiec for helpful comments on earlier drafts of Chapter 6; Rodica Milena Zaharia, Razvan Zaharia, and Diane Vancea for helpful comments on earlier drafts of Chapter 8; Roman Kuhar for helpful comments on an earlier draft of Chapter 9; and Andrew Wachtel for helpful comments on an earlier draft of Chapter 10. We are also grateful to Professors Schönfelder and Kuhar for sending along useful publications. In addition, the two of us gave feedback to each other on all chapters included in this book. Ramet is also grateful to librarians at the Norwegian University of Science and Technology Magnus Rom Jensen, Jenny Bakken Aslaksen, Inger Marie Gran, Joost Hegle, Jan Larsen, Astrid Dalåmo

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Sabrina P. Ramet & Lavinia Stan

Notes

- 1 Regarding the “propaganda of failure,” see George Kolankiewicz, “Poland and the Politics of Permissible Pluralism,” in *Eastern European Politics and Societies* 2, no. 1 (First published on 1 December 1987), 152–183.
- 2 Especially his *Social Theory and Social Structure*, Enlarged ed. (New York: The Free Press, 1968).
- 3 Especially his *The Structure of Society* (Princeton, N.J.: Princeton University Press, 1952).
- 4 Especially his *Human Society* (London: Collier-Macmillan, 1949).
- 5 *Functionalist Construction Work in Social Science* (Abingdon and New York: Routledge, 2021).



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THE FUNCTIONS OF PLURALISM, THE DYSFUNCTIONS OF POPULISM: AN INTRODUCTION

*Sabrina P. Ramet*¹

I

The communists who took power in East Central Europe between 1944 and 1948 were swept out of power between June 1989 (when the Independent Trade Union Solidarity won the parliamentary elections in Poland) and October 1991 (Bulgaria's first pluralist elections). In some quarters, both in the region and in the West, there were wild expectations of rapid progress toward liberal democracy, rising prosperity for all classes of people, and a new religious freedom. These expectations were unrealistic and, at best, only partially fulfilled in certain countries and largely dashed in others. The Western European model was attractive but could not be replicated. For example, democracy in Great Britain unfolded over a period of almost 240 years, starting with the Glorious Revolution of 1689; continuing with the Great Reform Act of 1832, which extended the vote to about 20% of adult men; and culminating in the Equal Franchise Act of 1928, which extended the vote to all women over the age of 21, i.e., on the same basis as enjoyed by men at that time. By contrast, the states emerging from communist rule in East Central Europe wanted to construct new systems much more quickly. They passed new constitutions, repealed and replaced communist law, and, without exception, at first, hoped for eventual inclusion in the European Union (EU) and, among at least some prominent political figures, also the North Atlantic Treaty Organization (NATO). Multiethnic Yugoslavia and binational Czechoslovakia broke up, while East Germany merged with West Germany in 1990, with the result that where there had been eight states in the region prior to 1989, there were now 14. The Czech Republic, Hungary, Poland, Slovakia, and Slovenia were admitted to the EU in 2004, Romania and Bulgaria followed in 2007, and Croatia finally joined in 2013. Where NATO membership is concerned, the Czech Republic, Hungary,

and Poland were the first to be admitted, joining the alliance in 1999, followed by Bulgaria, Romania, Slovakia, and Slovenia in 2004. Albania and Croatia were brought into the alliance in 2009, with Montenegro following in 2017. Macedonia was admitted into NATO in 2020 after it agreed, in 2018, to change its name to North Macedonia. As of early 2024, the only states in the region that are not members of either organization are Serbia and Bosnia-Herzegovina, the latter divided into two autonomous “entities” since 1995.

One of the greatest controversies after the collapse of communist rule was how to privatize the state-owned companies in the region. Various formulae were adopted, including distributing shares of a company to its employees, allowing an internal buy-out (typically with a bank loan at extremely generous terms), or putting a company up for sale to well-connected locals and courageous foreigners (including Germans, French, British, and Swiss concerns) to invest in the local economy. Over time, however, as shares changed hands, eventually much of the economy in most of the region fell into the hands of wealthy, indigenous oligarchs.

Another surprise, at least for some observers, was that membership in the EU did not protect these states from lapsing into authoritarian or semi-authoritarian patterns, as the examples of Hungary since 2010 and Poland during 2015–2023 have shown. In these countries, control of the Constitutional Court and of the media has been central to the dominance of their respective ruling parties.

There were also surprises in the religious field. The end of communist constraints made it possible for foreign missionaries to come to East Central Europe to proselytize, and soon there were missionaries from the Church of Jesus Christ of Latter-day Saints (Mormons), the Jehovah’s Witnesses, Scientology, the Bahá’i, the Hare Krishna, and the Children of God looking for converts. Occultism and Eastern Faiths gained small followings in the region along with new religious groups such as Jan Dvorsky’s Messengers of the Holy Grail, which attracted about a hundred members by 1994, mostly in the western part of the Czech Republic, and Edward Mielnik’s Cult of Antrovis, which was registered as a religious association in the provincial court of Wrocław and numbered 42 members by 1994, all waiting for an extraterrestrial named Antrovis to arrive from the planet Mirinda (named for a popular Polish soft drink).² Another surprise, perhaps, was that even beer drinkers registered as a religious organization in the Czech Republic.

The cause of gender equality was served a setback, at least in the short term, partly due to traditional religious organizations reasserting traditional patriarchal values. Where the communists had made it easy to obtain abortions in most of the countries in the region – but all but impossible in Romania (after the Great Transformation of 1989–1991, abortions became easier to obtain in Romania) – the Catholic Church did its best, in countries where it was the largest denomination, to impose severe restrictions, if not to end access altogether. Corruption spread, organized crime sprouted, and nationalism, including irredentism in the case of Hungary, gained new strength. Although most of the region escaped war, the territories that had comprised the Socialist Federative Republic of Yugoslavia, which

disintegrated in 1991, experienced three wars: the War of Yugoslav Dissolution (1991–1995), involving Serbia, Croatia, and Bosnia-Herzegovina (Slovenia having disengaged itself from Yugoslavia after just ten days of fighting); the War for Kosovo, with Albanians rising up against Serbian dominance (1998–1999), culminating with the proclamation of an independent Kosovo in February 2008; and armed conflict in Macedonia (as the country was then called) erupting in early 2001, with Albanians fighting for greater rights.

As with any great change, there were winners and losers, with higher rates of poverty in the region alongside millionaires who made their first millions only after 1989. This book tells the story of developments in East Central Europe since the Great Transformation, with separate chapters on politics, economics, the War of Yugoslav Dissolution, religion, EU accession, transitional justice, the media, gender inequality, and culture. The story of post-communist East Central Europe is, among other things, the story of how the diverse systems have functioned, including what overt or manifest functions are served by the institutions, laws, and practices in these states as well as the latent functions served by those same institutions, laws, and practices, which is to say functions not planned or originally intended but potentially either welcomed or regretted.

II

Functionalism is a lens through which one may look at social and political reality; it asks questions about consequences, distinguishing between those that are intended and those that are unintended and, among the latter, between those that subvert the intentions or programs of the actor (whether an individual, an institution, or a political party) and those that do not, whether they are innocuous or actively useful. Functionalism may, thus, be seen as a way of asking, for example, “What are the effects of a government’s policies?” and also “Who benefits the most, and who suffers as a result of these policies?” Functionalism also directs one’s attention to dysfunctions but, to paraphrase an old saying, one person’s dysfunction may be another person’s intended function. And, where intentions are concerned, it is vital to be alert to the diversity of intentions among relevant actors. Thus, while human rights organizations, for example, may have tried their best, in some countries, to advocate for professional and objective journalism, politicians and businessmen understood that the media could be useful as a tool to influence the public and to advance their political and/or commercial agendas, and, for those purposes, objective reporting would be irrelevant at best.

No approach or methodology should be expected to inspire a researcher to raise every question of potential interest, but functionalism seems, to us, to be particularly well suited to investigating what happened during the transition from communist-ruled systems to post-communist systems and beyond and to bringing into focus the enduring legacy of communism (for example, the need for transitional justice to come to terms with the crimes committed in the communist era or the

ways in which new elites put the media they own to use). Functionalism also alerts us to the direct and indirect results of the policies adopted by the post-communist regimes of East Central Europe.

Functionalism has no necessary normative baggage. Although, in the past, some “structural-functionalists” placed a value on stability and even on the preservation of a given system, this normative bias is not integral to functionalism, which, stripped of unnecessary baggage, is a purely empirical approach that does not need to prioritize stability or continuity, although it can and should throw light on the consequences for stability of certain policies. In calling functionalism an *approach* (or, for that matter, a *methodology*), we decline to call it a theory. The basic postulates of functionalism are common sense understandings that embrace uncontroversial assertions such as that policies have consequences, that some consequences are not what the policymakers actually had intended, that some consequences matter, and that one legitimate task of a social scientist or historian is precisely to study and assess the consequences of adopted policies, whether intended or unintended.

As shown in *East Central Europe and Communism: Politics, Culture, and Society, 1943–1991*,³ the communist parties of East Central Europe effected change in the spheres of politics, economics, culture, gender relations, and religion, but these changes were either not exactly what the communist parties had planned or were widely divergent from their intentions. The most obvious example of the latter was in economics, in which communist policies bankrupted the economies of most of the societies in the region (most obviously in the German Democratic Republic and Poland) or, alternatively, kept their societies very poor (as in the cases of Albania, which was riddled by food shortages, and Romania, where the Ceaușescu regime provided only limited access to electricity, for example, and exported almost all the luxury goods that the country produced). Communist policies in the sphere of gender relations came closest to realizing the intentions behind the policies: in the course of four decades of communist rule, female illiteracy was almost totally wiped out, women made progress in education (including in higher education), and they came to play more important roles in both the political sphere and economics. However, the “glass ceiling” within the political hierarchy was 30% everywhere except in the German Democratic Republic, where women were able to gain 33.5% of the seats in the national assembly in 1976. Again, while the communists were largely successful in enforcing the principle of equal pay for equal work, women did not enjoy equal access to equal work; they were, thus, concentrated in lesser paying jobs while, at the same time, bearing the burden of housework and party engagement.

In the religious sphere, the communists banned some smaller religious organizations altogether (such as the Greek Catholic Church, the Nazarenes, and the Jehovah’s Witnesses) and did their best to bring the larger religious organizations – the Roman Catholic Church, the Orthodox Church, and, in Bosnia-Herzegovina, the Islamic Community – under their control, including by vetting

the appointments of clergy to the leading positions in the Orthodox Churches of Romania and Bulgaria. But, although the communists generally wanted to marginalize and instrumentalize the religious organizations in the short run and drive them to extinction in the long run, policies differed from country to country. The least repressive were the German Democratic Republic and, after October 1956, Poland; the most repressive was clearly Albania, where the regime declared the abolition of religion and the closure of all places of worship in 1967. Although the regimes in countries other than Albania managed to draw some clergy, including bishops, into collaborative relations with the respective secret police forces (with the compromised clergy passing along information to the police), they never managed to extinguish critical voices (although they came the closest to achieving this where the Orthodox Churches were concerned, specifically in Romania and Bulgaria, although not where the Serbian Orthodox Church was concerned). As for the Catholics, in spite of pressures, there continued to be critical voices throughout the communist era, among others from Cardinal József Mindszenty (1892–1975) in Hungary, Cardinal Stefan Wyszyński (1901–1981) in Poland, and Cardinal František Tomášek (1899–1992) in Czechoslovakia. In a striking example of the limits of communist control, the authorities imposed pre-publication censorship on the Church press throughout the bloc except East Germany. In both East Germany and Yugoslavia, the potential of post-publication confiscation of an offending issue served as a deterrent to too much risk-taking on the part of editors. But, at a certain point, the Church in Poland was able to extract an agreement that, in every place where some text had been removed, a short notice would be inserted to inform readers of this fact. If the goal of the communists was to weaken religion, then we may say that it succeeded best with the Protestant Church of East Germany and the Catholic Church in Czechoslovakia, but less well elsewhere. Moreover, the communist efforts to control organizational life in general led to the Churches in East Germany and Poland taking a leading role in supporting independent activism (most clearly in the case of the East German peace movement, *Swords to Plowshares*).

The data presented in Tables 1.1 and 1.2 reflect research undertaken by the Pew Research Center across seven countries in the region. What emerges from Table 1.1 is that religiosity remained strong or relatively strong in most of the countries listed here throughout the years of rule by communist parties and, thus, that communist anti-religious policies scarcely touched these societies. The low level of religiosity in the Czech Republic has sources going back to the Counter-Reformation and was reinforced in the years of the First Republic (1918–1938).⁴ Thus, communism cannot be credited with the deflated number of religious believers in the Czech Republic. It is striking that, in the Orthodox countries, where the regime co-opted the local Orthodox Churches into their apparatus (for example, in Bulgaria, supervision and exploitation of the Church were entrusted to the Ministry of Foreign Affairs), religiosity has remained high, as it has also in Poland and Croatia, where the Catholic Church adopted a more defiant posture.

TABLE 1.1 Religiosity in East Central Europe – in % (2015–2016)

	<i>Orthodox</i>	<i>Catholic</i>	<i>Muslim</i>	<i>Unaffiliated</i>
<i>Orthodox and Islamic Countries</i>				
Serbia	86	4	2	4
Romania	86	5	<1	1
Bulgaria	75	1	15	6
Bosnia-Herzegovina [†]	31	15	51	1 (nonbelievers)
<i>Catholic and Protestant Countries</i>				
Poland	1	87	<1	1
Croatia	4	84	2	7
Hungary	<1	56	<1	21
Czech Republic	1	21	<1	72
Slovenia*	2.3	57.8	2.4	10.1 (atheist)
Greek Catholic	Roman Catholic	Protestant	Other	
Slovakia [#]	3.8	62	8.2	25.9

Source: Pew Research Center, *Religious Belief and National Belonging in Central and Eastern Europe* (10 May 2017), at <https://www.pewresearch.org/religion/2017/05/10/religious-belief-and-national-belonging-in-central-and-eastern-europe/> [accessed on 3 June 2022], p. 17 of 52; based on a survey conducted between June 2015 and July 2016; “Religious Demographics of Bosnia and Herzegovina”, *World Atlas* (2017), at <https://www.worldatlas.com/articles/religious-demographics-of-bosnia-and-herzegovina.html>; “2018 Report on International Religious Freedom: Slovenia”, Office of International Religious Freedom of the U.S. Department of State, at <https://www.state.gov/wp-content/uploads/2019/05/SLOVENIA-2018-INTERNATIONAL-RELIGIOUS-FREEDOM-REPORT.pdf>, p. 2; and “Slovakia Religions”, *Index Mundi* (2011), at <https://www.indexmundi.com/slovakia/religions.html> -- all three accessed on 1 July 2022], p. 1.

[†] Figures for Bosnia for 2022; including also 2% other beliefs.

* Figures for Slovenia for 2018; including also 0.9% other Christian.

[#] Figures for Slovakia for 2011; “other” includes 13.4% none and 12.5% unspecified.

TABLE 1.2 Percentage of Adults Who Believe in God, in Individual Countries (2015–2016)

	%
Romania	95
Bosnia-Herzegovina	94
Serbia	87
Croatia	86
Poland	86
Bulgaria	77
Hungary	59
Czech Republic	29

Source: Pew Research Center, *Religious Belief and National Belonging in Central and Eastern Europe* (10 May 2017), at <https://www.pewresearch.org/religion/2017/05/10/religious-belief-and-national-belonging-in-central-and-eastern-europe/> [accessed on 3 June 2022], p. 20 of 52; based on a survey conducted between June 2015 and July 2016.

Table 1.2 is even more striking in that it shows that, among the eight countries surveyed by Pew, belief in God is highest in the Eastern Orthodox countries and Bosnia-Herzegovina, and lowest in countries with Protestant minorities (Hungary and the Czech Republic). It is also striking, though not surprising, that there is a reasonably strong correlation between belief in God and identification with one or another Church.

In the cultural sphere, leaving aside Yugoslavia, where policies were liberalized as early as 1949, elsewhere in the region, the early policy of trying to enforce the panegyric doctrine of socialist realism either fostered a tide of mediocre toadies or provoked a reaction, with writers, composers, and artists deliberately going their own ways. Where orchestral music was concerned, communist disapproval of 12-tone and atonal music had the unintended consequence of making this “forbidden fruit” seem all the more attractive, at least to rebellious spirits. Finally, in the political sphere, although the communists succeeded in repressing all alternative, independent parties, they, nonetheless, found it useful in several states to allow controlled versions of these parties to function, even allocating a certain number of political offices and (less important) ambassadorships to their members. Thus, for instance, the German Democratic Republic allowed a Christian Democratic Party, Liberal Democratic Party, National Democratic Party of Germany, and Peasant Party to function as “fraternal parties” of the communist Socialist Unity Party, while in Poland, the United Peasant Party and the Democratic Party were likewise operating in tandem with the ruling communist party (except during 1980–1981 and again in 1989, when they went their separate ways).

All in all, it is apparent that *socialism* – as the communists called their system – did not function as it was supposed to and that some of the side effects and dysfunctions sowed the seeds of the eventual breakdown of the system. Throughout the years of 1949–1989, authorities in the German Democratic Republic, Poland, Hungary, Czechoslovakia, and Bulgaria would routinely check with the Soviet ambassador before launching a new policy; the ambassador, in turn, would consult his superiors in the Kremlin and then report back to the local authorities in the respective bloc state. Yugoslavia and Albania were not part of the bloc, while Romania, although a member of the Warsaw Pact and COMECON, enjoyed a latitude unknown elsewhere in the bloc and did not need to obtain Soviet approval for its policies. Finally, it is striking that the communist systems all collapsed within a short interval – starting in Poland with the election of a noncommunist parliament in June 1989 and the appointment of a Catholic journalist as prime minister in August 1989 and ending with the Albanian communists being voted out of power, as already mentioned, in April 1991.

Whereas the communist world was characterized by a certain degree of homogeneity, although not without some variations as noted above, the post-communist elites were, in divergent ways, establishing multi-party systems, to be sure, but typically allowing cronyism and corruption, if not illiberal aspirations (as in Hungary) to subvert the workings of their systems. As of 2021, according to the

British magazine, *The Economist*, there were no full democracies in East Central Europe, 12 flawed democracies (among which, the Czech Republic, Slovenia, and Slovakia were judged to be the least flawed), and one hybrid regime – Bosnia-Herzegovina⁵ – although we would characterize the Hungarian regime of Viktor Orbán as authoritarian, not just flawed.

Every system has points of vulnerability where intended functions and declared policies can go awry. The most obvious is the character of the office-holders. If office-holders are corrupt, incompetent, self-serving, or malicious, then policy results can work to the detriment of society. Other points of vulnerability include laws, which may be framed, for example, to protect sexual minorities, as in Hungary prior to 2012, or to limit their rights, as in Hungary since adoption of a new constitution in January 2012, which limited marriage to opposite-sex couples. Public opinion can also affect the functionality of a system; specifically, a well-educated public is likely to exert pressure on the government for certain policies, while a poorly educated public may abstain from any political behavior. Again, a public stirred up by right-wing extremist groups may grieve about matters best left alone, such as land lost through the peace treaties following the end of World War I. Since the collapse of communism in 1989–1990, corruption has been the single greatest challenge in the region.

III

Among those problem areas that have been marked by dysfunctions, four are worth exploring in this introduction: corruption (including nepotism); the emergence of a core of illiberal regimes, consisting of Hungary, Serbia, Poland until 2023, Slovakia beginning in late 2023, and the Republika Srpska (RS), sharing common interests and pursuing parallel domestic strategies; the capture of the media by interested parties and intimidation of journalists wishing to investigate suspected corrupt practices; and the growth of organized crime in the region.

Corruption constitutes, far and away, the deadliest threat to emergent pluralist systems because it amounts to a repudiation or, at least, an attempt to escape the rules of the game, thus, the rule of law. As Carl J. Friedrich once noted, corruption “does damage to the public and its interests,”⁶ and it does this both directly and indirectly: directly by channeling public resources into private hands or by privileging the less worthy over the more qualified, and indirectly by undermining people’s trust in government, eroding the state’s legitimacy, and fueling instability, potentially rendering a system ungovernable.⁷ Corruption saps state budgets. To take one example, a report prepared for the Chr. Michelsen Institute in 2005 estimated that corruption was costing the Bosnian state budget roughly one billion U.S. dollars annually.⁸ Moreover, corruption is closely correlated with poverty precisely because public resources are diverted into private pockets. It is no coincidence that corruption flourishes in newly established pluralist systems because the creation of stable, functional institutions typically takes time and may

be hindered by political forces preferring to pillage where they can. Corruption, thus – as Andrzej Kojder has pointed out – “develops and becomes stabilized as a ‘side effect’ of the faulty functioning of basic social structures.”⁹

Elsewhere, I have defined *corruption* as “conscious deviation from established standards or rules, intended to benefit one or more parties.”¹⁰ The intention is both a necessary and a sufficient condition to define corruption. Without intention, illegal results are more likely traceable to incompetence or ignorance; moreover, the benefits need not involve money but can involve appointment to political office, falsification of election results, and the provision of goods on the basis of some exchange of services rather than cash payment. Corruption eats at the legal system and, thus, erodes and subverts the rule of law. It is, therefore, no surprise that (as Table 1.3 shows) the three states with the highest degree of democratic attainment in the region, according to Freedom House (the Czech Republic, Slovakia, and Slovenia), were also, in 2022, among the four states with the least corruption (joining Croatia on this score). These three states were classified by Freedom House as *consolidated democracies* in 2022. Bulgaria, Croatia, Poland, and Romania were classified as *semi-consolidated democracies*, with the rest of the states in the region classified as *hybrid regimes*, meaning that there were elements of authoritarianism present in these systems. Note, too, that the three states with the lowest ratings for democracy (Hungary at the bottom, followed by Bosnia-Herzegovina and Kosovo) were also among the five states with the most corruption (joining Albania and Montenegro). A corrupt legal system is a dysfunctional legal system, and a corrupt democracy is a dysfunctional hybrid system, tending toward authoritarianism, and both can be expected to produce results that are not sanctioned by law.

TABLE 1.3 Freedom House Ratings for National Democratic Governance, Media, and Corruption (2022)

	<i>Democracy</i>	<i>Independent Media</i>	<i>Corruption</i>
Albania	3.25	3.50	2.75
Bosnia-Herzegovina	1.75	3.25	3.00
Bulgaria	4.25	3.50	3.75
Croatia	4.25	5.00	4.25
Czech Republic	4.75	5.00	4.25
Hungary	3.00	3.00	2.75
Kosovo	3.00	3.25	2.25
Montenegro	3.50	3.25	3.00
North Macedonia	3.50	3.50	3.25
Poland	3.50	4.25	4.00
Romania	4.25	3.50	4.00
Serbia	3.25	3.00	3.25
Slovakia	4.75	5.00	4.00
Slovenia	5.50	5.25	5.00

Source: *Nations in Transit 2022: From Democratic Decline to Authoritarian Aggression*, by Mike Smeltzer and Noah Buyon (New York: Freedom House, 2022), p. 24.

Among the forms that corruption can take, bribery is probably the most common and can be found across the region. Where ordinary citizens are concerned, the most common (self-reported) incidents of bribery involve side payments to physicians (typically to accelerate the scheduling of surgery or to secure better treatment) or the police.¹¹ Where politicians are involved, there have been allegations of efforts to buy votes in Bosnia-Herzegovina, Bulgaria, Hungary, Kosovo, and Serbia.¹² There has also been evidence of nepotism and cronyism in Bulgaria, the Czech Republic, Kosovo, Poland, and Romania, along with concerns about nepotism in Serbia.¹³

As Antoni Kamiński has written,

corruption undermines the principle of formal equality; creates a system of illegitimate distributive privileges amplifying, thereby, material inequalities in society; imposes a metri[cs] of incentives enforcing patterns of behaviour among the political and economic elites; weakens [the] legitimacy of the state in society; contributes to the slowdown of economic growth due to the misallocation of resources; [imposes] dysfunctional constraints on market competition leading to the growth of monopolies...; [and causes] the apparatus of the state [to disintegrate].¹⁴

Moreover, as Anne Peters has argued, the more corruption one finds in a society, the less respect for human rights there will be.¹⁵ In diverse ways, corruption violates the social contract and may be understood as political dysfunctionality *par excellence*. Insofar as corruption impedes or prevents the development of stable, valued institutions, it blocks the construction of a truly liberal-democratic order and, hence, promotes the emergence of hybrid regimes.

IV

Corrupt hybrid regimes provide the breeding ground for **populist leaders** to arise. A *populist* will be understood to be a politician who grossly ignores established values and norms (as Serbian President Slobodan Milošević did when he confiscated the foreign currency accounts of Serbian citizens in 1993), typically parading as a champion of the common people and typically also of the dominant religious faith. By contrast, a *corrupt* politician bends and twists the rules (as Croatian President Franjo Tuđman did when he fixed football games so that the “Croatia” team would always win its domestic matches). Populism thrives on corruption and wherever the political order is unstable. Examples of political instability will be taken from Poland, the Czech Republic, and Slovenia. In Poland, a new anti-clerical party, calling itself Palikot’s Movement, appeared in 2011, winning 10% of the vote in the parliamentary elections that year but disappeared from the parliament in the next elections; in 2015, a popular singer known as Paweł Kukiz founded a party he named for himself – Kukiz’15 – which garnered 8.81%

of the vote for seats in parliament that year; and in 2019, an upstart center-right group, the Polish Coalition, won 13.9% of the vote, collecting 30 seats in the Polish *Sejm*. In the Czech Republic, wealthy businessman Andrej Babiš established his own political party, ANO in 2012, and led it to victory at the polls in 2017. He served as Prime Minister from December 2017 until December 2021, but failed in his bid for the presidency in 2023. And in Slovenia, the newly minted Party of Miro Cerar attracted 34.61% of the vote in 2014, placing Cerar as Prime Minister, in which office he served from September 2014 until September 2018; the List of Marjan Šarec, called into existence in 2018, won 12.60% of the vote in parliamentary elections later that year, installing Šarec as Prime Minister; and the Freedom Movement, formed in order to contest the 2022 parliamentary elections, won 34.45% of the vote that year, enabling its leader, Robert Golob, to assume the prime ministership.

In such conditions of political fluidity, corruption, and levels of poverty unknown in Western Europe, a series of politicians embraced populism – itself a mark of a dysfunctional system – along the way, seeking “to enact reforms that [would] allow them to get rid of the so-called checks and balances as well as to exercise direct control over autonomous institutions.”¹⁶ The leading populist politicians in East Central Europe since 1989 are (in chronological order of their accession to office): Slobodan Milošević, President of Serbia (1991–1997) and President of the Federal Republic of Yugoslavia (1997–2000); Vladimír Mečiar, PM of Slovakia (June 1990–May 1991, June 1992–March 1994, and December 1994–October 1998); Milorad Dodik, PM of the RS (1998–2001 and 2006–2010), President of the RS (2010–2018), and chair of the Presidency of Bosnia Herzegovina (November 2018–July 2019 and November 2020–July 2021); Viktor Orbán, PM of Hungary (1998–2002 and since 2010); Janez Janša, PM of Slovenia (2004–2008, 2012–13, and 2020–2022); Lech Kaczyński, Mayor of Warsaw (2002–2005) and President of Poland (2005–2010); Jarosław Kaczyński, PM of Poland (2006–2007), Deputy PM (October 2020–June 2022), and leader of the Law and Justice party; Aleksandar Vučić, PM of Serbia (2014–2017) and President of Serbia (since 2017); Andrej Babiš, who served as PM of the Czech Republic from December 2017 to December 2021, during which time he adopted a pose highly critical of the EU; and Robert Fico, who returned to the office of the Prime Minister of Slovakia in 2023 after a six-year absence, for a fourth nonconsecutive term.¹⁷

Here, I shall provide some details concerning the politics of the five populists in office in East Central Europe at one time or another during the writing of this chapter. **Milorad Dodik** (born 1959), who has been the dominant political personality in the RS ever since its creation at the end of 1995, has repeatedly defied the High Representative of the EU, threatening secession from Bosnia-Herzegovina and annexation to Serbia (and planning for when he and Vučić judge the time to be ripe¹⁸) and, in December 2017, declaring his determination to keep Bosnia-Herzegovina out of NATO.¹⁹ Any referendum on RS secession, like secession itself, would be contrary to the country’s constitution.

Dodik has also repeatedly invoked one-sided memories of World War II in order (illogically) to exculpate the Bosnian Serb Army for the atrocities it perpetrated in Bosnia-Herzegovina in the first half of the 1990s. Thus, when, in 2010, then-President of Serbia Boris Tadić called on the Serbian *Skupština* to issue a resolution condemning the Srebrenica massacre carried out by Ratko Mladić's troops against more than 8,000 Bosniak (Muslim) men and boys in July 1995 – classified as genocide by the International Criminal Tribunal for the former Yugoslavia – Dodik declared that he could not accept “to mark just one crime and give it historical significance,” minimizing its importance by characterizing it as merely “one of the crimes” committed in the War of Yugoslav Dissolution.²⁰ Dodik added that any resolution condemning the massacre at Srebrenica should include also a condemnation of the crimes committed mostly against Serbs at the Jasenovac concentration camp in the Independent State of Croatia in World War II. If the point had been to highlight war crimes of World War II, then why should Jasenovac be given priority over the Holocaust, “mark[ing] just one crime,” as Dodik would say? And, if recalling the war crimes of history had been his interest, then, perhaps, condemning atrocities perpetrated by the British in the course of the Boer War of 1899–1902 could have been mentioned, as well as General Sherman's march to the sea (in 1864) and why not also the various atrocities committed by Napoleon's army in the early nineteenth century. I mention these other atrocities in order to highlight the obvious fact that Dodik was not interested in history or in recalling the suffering of people across the centuries; his interest was to demonize Croats (as if there had not been Croats joining the anti-Axis Partisans or resisting the Ustaše in other ways) and to imply that Serbs had not committed as many atrocities as had Croats in a different war, half a century earlier. Later, Dodik decided to dispute the international consensus that the massacre at Srebrenica amounted to genocide, even telling the RS Assembly in 2018 that “[t]he Srebrenica crime [was] a staged tragedy with an aim to satanize the Serbs.”²¹ Dodik called for the establishment of an “unbiased” investigative body to reopen the question of what happened at Srebrenica. The result was the RS government's creation of an “Independent International Commission of Inquiry on the Sufferings of All Peoples in the Srebrenica Region between 1992 and 1995.” The commission issued its report in July 2021, claiming that many or most of the Bosniak men and boys who lost their lives at Srebrenica had been active soldiers, not civilians.²² In the meantime, in June 2020, the RS entity parliament issued a statement condemning a resolution adopted by the *Parlamentarna Skupština* of Bosnia-Herzegovina, which had called for respect for the victims of all the fascist regimes in the region in World War II. The problem, from the RS's point of view, was that this resolution extended to the wartime regime of Serbian quisling Milan Nedić.²³ In addition to obsessing about World War II, Dodik has also demonized gays and lesbians²⁴ and, as already mentioned, repeatedly referred to his plan to wrest the RS out of Bosnia-Herzegovina.

Ordinary residents of the RS, thus, are supposed to believe that arguments about World War II and about the Srebrenica genocide, the presence of gays and

lesbians in the RS, and Dodik's apparent need to break the unity of the country are all more important for their welfare than addressing the problems of unemployment (30.66% unemployed in June 2022),²⁵ poverty (affecting 19% of rural citizens and 9% of city dwellers in 2018),²⁶ and corruption, where Bosnia-Herzegovina was ranked in 110th place among 180 countries in Transparency International's *Corruption Perception Index* for 2021.²⁷ The RS government's use of fake news to distract its citizens from more pressing issues betrays the all-too-obvious fact that what interests Dodik and his collaborators are power and self-aggrandizement, not addressing those issues that impact the daily lives of the citizens of Bosnia-Herzegovina living in the RS. In fact, in a public opinion survey conducted among 1,019 residents of Bosnia-Herzegovina (both the Federation and the RS) in 2018, none of the Dodik regime's priorities seemed to matter to the respondents. Asked to identify "the single biggest problem" facing Bosnia-Herzegovina, 38% mentioned unemployment, 6% mentioned corruption, and 4% mentioned the low standard of living (including poverty). Other noteworthy complaints referred to the brain drain out of the country (7%) and domestic politics (6%). Asked if members of the younger generation could look forward to a bright future, 91% of respondents answered "no", while 32% of respondents feared the outbreak of a new war on their territory. Finally, 87% of respondents felt that Bosnia-Herzegovina was heading in the wrong direction; only 9% were optimistic.²⁸

After losing power in 1998, Hungary's **Viktor Orbán** (born 1963) set about building up a conservative press that could sway voters in his favor. The gambit paid off, and in elections held in April 2010, Orbán's Fidesz party captured 263 of the 386 seats in the Hungarian parliament – enough to allow Fidesz to change the constitution without having to gain the support of any other party.²⁹ Upon taking office for his second, nonconsecutive term as PM in May 2010, Orbán took an oath to uphold the constitution, which had been adopted in 1989, and immediately thereafter set out to pass a new constitution – promulgated on 25 April 2011. In a controversial Article, the new constitution defined marriage as "the conjugal union of a man and a woman based on their voluntary and mutual consent."³⁰ With this, the gains made by gays and lesbians over the previous two decades were scuttled. However, an Ipsos survey, conducted in 2023, found that 67% of Hungarians favor legal recognition of same-sex couples – up from 54% in 2015 – with only 16% opposed.³¹ Later in the constitution, after detailing the various crimes committed by the Hungarian communist party, a subsequent Article stipulates that the successors to the Hungarian Communist Party and the Hungarian Socialist Workers' Party "share the responsibility of their predecessors, being the heirs of the wealth [that the communists] had amassed unlawfully."³² This clause, thus, honored the principle that the sons share guilt for the sins of their fathers, regardless of whether they had been born at the time or had known about the transgressions at the time. Most of the remaining Articles are standard for democratic systems, but the foregoing Articles, protecting central conservative values, were and remain controversial.

Two years later – in March 2013 – the Hungarian parliament passed a raft of constitutional amendments, which included provisions that had been judged contrary to the 2011 constitution by the country’s Constitutional Court. Two provisions weakened the Constitutional Court: the first by limiting its power of review and the second by lowering the mandatory retirement age for judges. Thousands of people protested on the streets of Budapest, and the European Commission and Amnesty International both registered concerns.³³ The protests were to no avail. Then, in December 2020, the Hungarian parliament passed yet another amendment to its constitution, which, together with a law passed on the same day, banned adoptions by same-sex couples. In 2021, Orbán signed a measure making it illegal to discuss homosexuality with minors, prompting a protest from the EU’s Venice Commission. Subsequently, in May 2022, the Fidesz-controlled parliament amended the constitution again – at least the tenth change to the constitution since 2012. The amendment made it easier for the PM to declare a state of emergency, which he did on the same day.³⁴ By then, the government was promoting a campaign under the slogan “Stop Brussels, George Soros, and the gender lobby.”

Soros had founded the Central European University (CEU) in Budapest in 1991. CEU came to serve as a citadel of liberalism in Orbán’s increasingly authoritarian Hungary; in 2017, CEU enrolled more than 1,400 students from 108 countries. In April 2017, in an effort to pressure CEU to leave the country, the Hungarian parliament passed a law requiring that CEU, registered in New York state, open a campus in the United States as a condition for continuing to operate in Hungary, setting a deadline of September 2017 for compliance. An estimated 70,000 protesters (mostly students) jammed onto the Lion Bridge, spilling over onto surrounding streets, to express their outrage at this law.³⁵ The government offered CEU a not-so-glorious alternative to issue its degrees in partnership with a Hungarian university, an option that would have opened the door to government interference in the university. CEU authorities responded by threatening to leave Hungary; in response, thousands of young people took to the streets once more in October 2018.³⁶ With the government refusing to back down, the CEU moved its campus to Vienna by November 2019.

On other policy fronts, the Fidesz-dominated parliament reduced the number of legal religious associations from 358 to 32, tightened its control of the Central Bank, and moved to establish control over all public media, among other things, by snuffing out the liberal newspaper *Népszabadság*, which had earned a reputation for being critical of the Fidesz government.³⁷ The Hungarian state, as reconstructed by Orbán and his associates, has been characterized as “a mafia state” in which “the state is not captured by the oligarchs, but [in which] the political leader or a narrow political elite, as a political family, appoints its oligarchs and grants them economic power.”³⁸ This was accomplished by transferring state assets to certain favored individuals and seizing assets from those not supportive of the regime and handing them to cronies and others supportive of the regime.³⁹ In addition, the Orbán regime has invested significant funds in public works, funneling the project funds to support

those works to members of the inner circle, such as Lőrinc Mészáros, a childhood friend of Orbán's, who saw the revenue of his firms increase a thousandfold within a decade, and István Tiborcz, Orbán's son-in-law, who became the 32nd wealthiest Hungarian the year after marrying the prime minister's eldest daughter.⁴⁰ Not surprisingly, Transparency International ranked Hungary as the most corrupt EU member in 2022, notching it in 77th place globally.⁴¹ In addition, the Orbán regime offered tax cuts to the wealthy, while assigning less than adequate priority to health-care, public education, and welfare, hurting those at the lower end of the economic hierarchy, while offering, in compensation, what Eva Fodor has called "workfare", under which people may take menial jobs for less than the official minimum wage.⁴² And yet, in spite of all the foregoing, Orbán's Fidesz party was able to gain reelection in 2014, 2018, and 2022. The reason is simple: the Hungarian Socialist Party, which held the reins of power from 2002 to 2010, mismanaged the economy, resulting in a sharp rise in the deficit and unemployment peaking at 11.2% in March 2010, just before the elections that brought Fidesz back into power. By contrast, the Orbán regime brought unemployment down to 3.7% in 2018; as of October–December 2022, the unemployment rate was largely unchanged from four years earlier, being registered at 3.9%. This improvement in employment since 2010, accompanied by a general economic recovery, is the main reason why Hungarians returned Orbán to power three times in a row.⁴³ As then-candidate Bill Clinton's campaign put it in 1992, "It's the economy, stupid!" But, as of August 2022, the unemployment rate was climbing and, on 1 February, the Institute for International Economic Studies in Vienna announced that Hungary was heading toward a recession.⁴⁴

As with the other populist leaders, Orbán has been unable to set World War II to the side. On the contrary, after various towns and villages named squares and streets for Admiral Miklós Horthy (1868–1957), who held power in Hungary from March 1920 to October 1944 and brought Hungary into Hitler's orbit (although he refused to surrender any Jews to Hitler⁴⁵), Orbán praised Horthy as "a national hero"⁴⁶ and as an "exceptional statesman".⁴⁷ Rehabilitating deceased Axis collaborators is not an innocent act; it is politically charged and driven by a radical-right agenda.

A public opinion survey conducted in November–December 2017 found that the "most urgent problems" mentioned by those Hungarians who were polled were the migrant crisis (19% of respondents), healthcare (17%), low standard of living and low wages (11%), unemployment (10%), poverty and social inequality (8%), and corruption (6%). The influx of migrants seeking to cross Hungary on their way to Germany was on Hungarians' mind in 2017, but the bread-and-butter issue both then and over the long term has been the economy and especially employment. Some 39% of respondents felt democracy was functioning very well or somewhat well versus 56% who answered that democracy was not functioning well at all in Hungary. Of those who answered that democracy was not functioning well, 16% blamed corruption and corrupt politicians, 11% said that the government was not operating as it should, and 6% held Viktor Orbán to blame.⁴⁸

In 2023–2024, the Orbán regime clashed with the EU over four issues. First, the EU withheld approximately 20 billion euros in promised aid because of violations of the rule of law and systemic corruption. However, in December 2023, the EU released half of that package to Hungary after Orbán promised to introduce judicial reforms.⁴⁹ Second, the regime moved forward with a Defense of Sovereignty Law, which would set up a watchdog agency with wide powers to prevent political parties operating in Hungary from receiving any financial aid from abroad; under the law, violators could receive prison terms of up to three years. In response, the European Commission informed Budapest that it was launching formal infringement proceedings against the Orbán regime for violating EU law.⁵⁰ Third, Orbán defied the EU in December 2023 by threatening to post a unilateral veto of a proposed 50-billion euro aid package to embattled Ukraine. Putin praised Orbán for taking this stance, but after the other 26 EU members discussed providing the aid to Ukraine outside the EU framework, Orbán relented, and gave his assent to the aid package.⁵¹ And finally, Orbán held up approval of Sweden’s admission to NATO until January 2024, complaining all along that some Swedish politicians had been circulating “blatant lies” about Hungary’s deviation from the path of democracy.⁵²

Aleksandar Vučić (born in 1970), the President of Serbia since 31 May 2017, was praised by *Politico* in 2016, when he was Prime Minister, as “a former nationalist radical turned pro-western reformer...[who] has established himself as Europe’s most trusted partner in a volatile region.”⁵³ In an interview with that newspaper on the same occasion, Vučić declared, “My biggest worry is the situation in Bosnia...everything that is in and around Bosnia...Who knows what spark might ignite Bosnia?”⁵⁴ Yet, six years later, after Russia invaded Ukraine, Vučić refused to join the EU in imposing sanctions on Russia (even if Serbia joined 140 other nations to vote for a UN resolution condemning Russia’s invasion of Ukraine). On 26 January 2023, while noting that Serbia’s refusal to impose sanctions on Russia reflected a calculation about what was in Serbia’s (or perhaps the Vučić regime’s) political and economic interests, Serbian Foreign Minister Ivica Dačić suggested that his government might, at some point, join Western states in imposing sanctions on Russia.⁵⁵ In this context, Vučić praised Russia for refraining from imposing sanctions on Belgrade during the War of Yugoslav Dissolution in the early 1990s, ignoring the fact that Ukraine, too, had refused to impose sanctions on Belgrade at that time. Then, in May 2022, the Serbian President signed a new five-year agreement with Russia’s Vladimir Putin on the sale of natural gas to Serbia at a price well below market price.⁵⁶ Vučić has also been coordinating with Dodik about the future of the RS, which Dodik would like to see conjoined with Serbia.

Back in March 1998, Vučić was named Minister of Information of Serbia, when he was barely 28 years old. It was during his tenure in this post that a new law on information media was passed.⁵⁷ After the overthrow of Milošević in October 2000, Vučić joined the Serbian Progressive Party and, by July 2012, he

had returned to government, now as Minister of Defense and First Deputy PM, serving under PM Ivica Dačić of the reformed Socialist Party. In April 2014, Vučić and Dačić traded posts, with Vučić serving as Prime Minister of Serbia from 28 April 2014 until 31 May 2017, when he assumed the presidency of the country. During Vučić's years as president, Freedom House downgraded Serbia from a "semi-consolidated democracy" in 2016 to a "transitional or hybrid regime" by 2022.⁵⁸

Like other populist leaders, Vučić has continued to obsess about World War II, even announcing plans (in August 2020) to build a memorial complex to remember the victims of the Jasenovac concentration camp, although a Memorial Site, including museum, already exists at Jasenovac in Croatia.⁵⁹ In collaboration with RS leader Dodik, Vučić announced that the complex would be constructed at Kozarska Dubica in the RS.⁶⁰ Earlier, in July 2016, after a Croatian court annulled the 1946 guilty verdict passed on then-Archbishop (later Cardinal) Alojzije Stepinac (falsely convicted of collaboration with the wartime fascist regime but beatified by the Holy See in 1998), the Serbian Ministry of Foreign Affairs handed Croatia's ambassador a protest note. On the same day, the Ministry issued a second protest, this time expressing the Serbian government's opposition to a decision by Croatia's Supreme Court to cancel the guilty verdict (pending a new trial) against Branimir Glavaš, a former general who had been found guilty of having committed war crimes during the War of Yugoslav Dissolution. Glavaš had been convicted of having ordered the kidnaping, torture, and execution of at least 10 Serb civilians in 1991.⁶¹

Again, like other populist leaders in the region, Vučić has allowed a derogatory term for gays to slip into his public rhetoric, while *EuroNews* reported continued political interference in the judiciary in a 2018 report. More recently Vučić trumpeted a fine levied on him for slandering an opposition leader as proof of Serbia's judicial independence.⁶² And yet again, like the other populist leaders, Vučić has prioritized control of the media through a combination of soft censorship, civil lawsuits against journalists who stray over an invisible line, and the encouragement of positive coverage by rewarding outlets publishing favorable reports with lucrative state advertising.⁶³ Back in 2011/2012, before Vučić became Prime Minister, *Reporters Without Borders* ranked Serbia in 80th place in terms of media freedom; as of 2023, after Vučić had served as president for five years, Serbia had slipped to 91st place (see Table 1.4).

As in the other states ruled by populist leaders, the priorities of the regime – in Belgrade's case, ruminating about World War II and bringing the media under control – do not reflect the concerns of Serbian citizens. According to a report prepared for the UN Office on Drugs and Crime in 2011, Serbs ranked, in order, unemployment, poverty, low standard of living, and corruption as the most important problems that needed to be addressed.⁶⁴ It is true that, in 2013, Vučić launched a noisy campaign against allegedly corrupt politicians. However, *Balkanist* pointed out that all 57 persons who were arrested on allegations of corruption

TABLE 1.4 Press Freedom Rankings for 2002, 2011/2012, and 2021 (*Ranked in Declining Order in 2021*)

	2023	2021	2011/12	2002
<i>East Central Europe</i>				
Czech Republic	14	22	14	41
Slovakia	17	41	25	–
Croatia	42	49	68	33
Romania	53	53	47	43
(North) Macedonia	38	56	94	57
Kosovo	56	60	86	61
Montenegro	39	62	107	60 #
Bosnia-Herzegovina	64	69	58	43
Slovenia	50	78	14	41
Bulgaria	71	95	80	38
Poland	57	110	24	30
Albania	96	113	96	103
Serbia	91	118	80	60 #
Hungary	72	119	40	25
<i>Other Countries</i>				
Norway	1	1	1	3
Finland	5	6	1 (tie)	5
Germany	21	10	16	–
Great Britain	26	18	28	22
USA	45	36	47	17

Source: Reports in *Reporters Without Borders*. Note: Albania, Kosovo, Macedonia, and Slovakia were not ranked in 2002.

Serbia and Montenegro were parts of the Federal Republic of Yugoslavia at the time.

were members of the opposition Democratic Party. None were members of Vučić's party. Even so, only one of the 57 was put on trial.⁶⁵ The campaign, thus, was politically motivated and, as Table 1.3 shows, Serbia ranks among the more corrupt states in East Central Europe, far behind the Czech Republic, Croatia, and Slovenia. More recently, in an opinion poll conducted in November 2018 among 1,027 residents of Serbia, while 44% of respondents felt that Serbia was heading in the right direction, against 32% who felt the opposite and 24% who claimed not to have any idea, 63% of respondents felt that Serbia's young people could not look forward to a good future in the country.⁶⁶ To varying degrees, all four populist leaders present themselves as champions of conservative values and, thus, opponents of gay/lesbian activists. They also want to be seen as advocates of the working class.

On 17 December 2023, parliamentary elections were held in Serbia. In the run-up to election day, the press controlled by Vučić's SNS published "useful" articles, presenting not only the opposition list but even the candidate of the SPS, the party led by his Foreign Minister, Ivica Dačić in an unfavorable light. In addition, Vučić's team had tens of thousands of Bosnian Serbs bused into Serbia on election

day; they had been registered at fake addresses in Belgrade and elsewhere in Serbia and arrived in buses and minibuses bearing Bosnian license plates.⁶⁷ There were also claims of vote-buying, voter intimidation, and outright falsification.⁶⁸ The official tally awarded 46.2% of the vote to the SNS, giving Vučić's party a majority of the seats in the *Skupština*, while Dačić's SPS ended with just 6.6% of the official vote count, or about half of its official tally in the previous election.⁶⁹ There were also reports that votes cast in certain communities (read: rural communities) were tallied up as if cast elsewhere (read: Belgrade).

Thousands of Serbs took to the streets in protest, with outraged voters in Belgrade chanting "Thief! Thief!" There were also claims of ballots cast in the names of "phantom voters". Marinka Tepić and Miroslav Aleksić, who headed the opposition list, declared a hunger strike until the election "farce" would be annulled and new elections called, with international election monitors on hand.⁷⁰ Representatives of the Organization for Security and Cooperation in Europe (OSCE), the European Parliament, and the Council of Europe criticized the conduct of the election, with the European Parliament declaring that it would not recognize the official results.⁷¹ Subsequently, in early February 2024, the European Parliament adopted a resolution calling for an investigation, under international auspices, into the 17 December elections; however, as *Vreme* noted, the resolution was not binding and left open the option for Belgrade to decline to accept the investigation.⁷²

Meanwhile, the dispute between Serbia and Kosovo remained unresolved even after the December elections. What the government of Kosovo wanted was for Serbia to extend official recognition of Kosovo's independence (declared in 2008) and to lift its blockade of Kosovo's admission into the United Nations. What the Serbian government wanted was for Kosovo to allow Serbs in Kosovo who, as of early 2024, accounted for just 1.5% of the population of Kosovo to set up an autonomous Association of Serb Municipalities in northern Kosovo. In March 2023, Kosovo's Prime Minister Albin Kurti and Serbia's President Vučić spent nearly 12 hours in negotiations in the North Macedonian town of Ohrid, discussing an 11-point plan that had been presented by the EU the previous month. After the negotiations ended, EU foreign policy chief Josep Borrell tried to sound an optimistic note, even though neither side had agreed to the plan.⁷³

Talks resumed in October but were broken off. Among other obstacles, Kurti refused to allow the creation of an autonomous Serb association, fearing that this could serve as a first step to the establishment of a Serb mini-state within Kosovo, while Vučić declared that his government would never agree to Kosovo's independence and would never agree to Kosovo's membership in the United Nations.⁷⁴ Finally, in December 2023, Belgrade withdrew from the EU-sponsored dialogue process altogether.⁷⁵

In Poland, **Jarosław Kaczyński** (born 1949) joined his brother Lech in setting up the Center Agreement party in 1990, with Jarosław serving as its head until 1998. At that time, the Kaczyńskis positioned themselves as center-right politicians.

But, in 2001, they established the Law and Justice (Prawo i Sprawiedliwość, or PiS) party and began to gravitate rightward. Brother Lech headed the party until 2003, at which point Jarosław took over. PiS won a plurality of votes in 2005 and formed a governing coalition but was voted out of power two years later. In 2015, following the death of then-President Lech Kaczyński and other Polish notables in an aircraft crash in Smolensk in 2010, PiS stormed back into power and set about efforts to bring the Constitutional Court and the media under its control, while courting public approval by halting the privatization of the economy and lowering the age at which Poles could retire.⁷⁶ One of PiS's first post-election moves was to merge the offices of Prosecutor-General (which had been an apolitical office) and Minister of Justice, appointing the far-right politician Zbigniew Ziobro, to take charge of the newly merged office. The following year, PiS purged the National Council of the Judiciary, which nominated judges, and filled its benches with PiS loyalists.⁷⁷ Also in 2016, PiS established the National Media Council to regulate and oversee public media; as with the Council of the Judiciary, its seats were assigned to PiS loyalists. By then, PiS was also doing its best to tarnish the reputation of Lech Wałęsa, hero-leader of the Independent Trade Union Solidarity and the Third Republic's first president (1990–1995). In particular, PiS revived earlier, previously discounted charges that, at the same time that he headed Solidarity, Wałęsa had served as an agent for the communist secret police. The regime also undertook several efforts, both through legislative means and through the judiciary, to eliminate all access to abortion, thus provoking nationwide outrage, bringing up to 800,000 persons to the streets in more than 400 cities, towns, and villages in protest in 2020.⁷⁸ The EU has repeatedly called Polish authorities to account, whether over their attacks on the independence of the Constitutional Court, its efforts to limit press freedom, or its effort to end access to abortion altogether.

Although *Gazeta Wyborcza* enjoys less trust than a number of other media outlets, including RMF FM radio, Radio Zet, TVN News, and *Newsweek Polska*,⁷⁹ the regime is evidently especially angered by *Wyborcza*'s critical reportage. The regime has punished *Wyborcza* by launching repeated lawsuits, forcing the paper to engage in expensive litigation and, thereby, trying to dissuade that newspaper's journalists from investigating or criticizing the individuals and institutions behind the lawsuits.⁸⁰

Like Dodik and Orbán, Poland's populists have stirred up stress in connection with World War II, outlawing the use of the phrase "Polish death camps" in favor of the officially approved formula "Nazi-operated death camps in Poland" and demanded a second round of war reparations from Germany. Subsequently, in 2018, the Polish Senate passed a bill making it a crime punishable by imprisonment for up to three years to suggest that any Poles were complicit in any Nazi war crimes.⁸¹ And again like Dodik and Orbán, Jarosław Kaczyński has repeatedly expressed intolerant views about sexual minorities. Kaczyński imagines that there is an "LGBT ideology" that, in his rhetoric, is "weakening the West" and "terrorising people". He has called claims for tolerance for gays and lesbians a threat to the Polish nation and

has demanded that “everyone must accept Christianity.” He has likewise rejected the UN’s recommendations for sex education as a “threat”, and, in dismissing concerns about transgender rights, stated that “we want to maintain normality.”⁸²

In sum, PiS has prioritized controlling the courts and the media, enforcing a conservative agenda in sexual matters, and controlling the narrative about World War II. Yet, in an opinion poll conducted in May 2017 among 1,000 Poles, only 6% of respondents mentioned “Disagreement over the Constitutional Court” as an issue. Those issues most often mentioned as the “most urgent problems facing Poland today” were low salary/low standard of living (18% of respondents), the quality of the health service (18%), unemployment (16%), and the presence of refugees and foreigners (16%). Other problems cited in the survey included poor performance by the government (10%), low pensions (6%), and corruption (5%).⁸³ As in the RS, Orbán’s Hungary, and Vučić’s Serbia, the Polish authorities seem to have different priorities from those of the general public. The same opinion poll found that 45% of respondents felt that Poland was heading in the wrong direction; 38% answered that Poland was heading in the right direction, and 17% either had no opinion or did not wish to answer.⁸⁴

On 15 October 2023, Poles voted in parliamentary elections. PiS won the largest number of seats – 194 (with 35.4% of the vote) – but a three-party coalition headed by Donald Tusk’s Civic Platform captured a total of 43.7% of the vote (30.7% of which went to the Civic Platform). Following the constitution, President Duda, himself a member of PiS, gave the mandate to form the new government to PiS, even though it was inconceivable that PiS could retain control of the government unless one of the parties to the coalition defected and made a deal with PiS. This did not happen, and, eventually, Duda had to give the mandate to Tusk, whose election as Prime Minister was ratified in the Sejm in December by a vote of 248 to 201.

In the election campaign, Tusk had promised that if he returned as Prime Minister, he would scuttle the nation’s nearly total ban on abortion within 100 days of taking office. In fact, Tusk probably owed the success of his coalition to strong, even fervent support from women and young people who were aware that the draconian law on abortion had been held responsible for the deaths of at least six women.⁸⁵ But, nearly three months later, this effort appeared to be stalled, though by no means dead. Quite apart from the veto power still wielded by Andrzej Duda (whose term would not end until August 2025), the three coalition parties proved to be unable to agree on a formula for reform on the question of abortion. The Civic Platform and its coalition partner, The Left, proposed to allow abortion on demand up to the 12th week of pregnancy, but the third party to the coalition, the centrist Third Way party, reportedly favored a return to the already restrictive, albeit not draconian, law of 1993, which had allowed abortions only in cases involving rape, incest, fetal defect, and diagnosed danger to the pregnant woman’s life or health. Although most women of child-bearing age favored the 12th-week rule, it appeared that the 1993 option had the best chance of passage in the *Sejm*.⁸⁶

Other priorities for the coalition were to restore the independence of the judiciary, which would involve sending some PiS appointees into early retirement and depoliticizing the media. As a first step toward achieving the latter objective, the incoming Minister of Culture fired the heads of TVP, Polish Radio, and the news agency PAP. Ironically, Kaczyński, who had done his best to establish his party's full control over all public media, declared in December 2023, "In every democracy there must be strong anti-government media."⁸⁷ Finally, in yet another in a series of measures to reverse the policies of a decade of authoritarian rule by PiS, the government of Donald Tusk announced in February 2024 that it was dropping the demand presented to the German government by PiS for a second round of war reparations.⁸⁸

Two weeks before elections would sweep Kaczyński and PiS out of power, **Robert Fico**, a homophobic Russophile, was sworn in as Prime Minister of Slovakia. Born in 1964 in Topoľčany, Fico trained as a lawyer and served as representative of Slovakia at the European Court of Human Rights from 1994 to 2000. In 1999, he set up the Smer-SD party, still described as "center-left" in spite of Fico's hostility to all sexual minorities, which might, in fact, place his party in the category of radical-right political formations. He took his new party into the national parliamentary elections in 2006, emerging in first place and subsequently serving as Prime Minister until 2010 and returning to the Prime Minister's office in 2012 for a period of six years. According to Pantheon, he ranked as the "8,280th" (sic) most popular politician in Slovakia as of 2023⁸⁹ and has been described by *The Guardian* as "brash and outspoken, with a penchant for bodybuilding, football and fast cars."⁹⁰

In 2023, Fico and Smer ran an ostentatiously homophobic campaign, thus presenting themselves as the "champions" of so-called traditional values against the supposedly dangerous threat posed by a small, vulnerable, and largely misunderstood minority. At the same time, Fico pledged to terminate military assistance to Ukraine and to curb both inflation and illegal immigration. According to *Jacobin*, it was not so much this combination of bigotry and proposed abandonment of Ukraine to Putin that 23% of Slovaks found attractive, but rather Fico's sharp criticism of banks and food retailers in conditions where living standards had been declining for three years in a row.⁹¹ Although far short of a majority, 23% represented, nonetheless, a plurality, and, with that, Fico formed a coalition with the third-place Hlas (Voice) Party (which had captured 14.7% of the vote) and the ultranationalist Slovak National Party (which had attracted 5.6% of the vote). This agreement gave the coalition partners control of 79 seats in the 150-seat parliament.⁹² Fico, whose third term in office had been marred by serious allegations of corruption and who had been forced from office as a result of mass protests directed against his alleged corruption,⁹³ made it one of his highest priorities to shut down the Special Prosecutor's Office, which had been established in 2004 precisely to deal with cases of high-level corruption.⁹⁴ This plan, together with Fico's announcement that he intended also to revise the penal code, provoked

protests in 24 Slovak cities and towns, including Bratislava.⁹⁵ Slovak President Zuzana Čaputová criticized Fico's proposed changes and urged the parliament to reject them. In addition, the European Parliament adopted a resolution on 17 January 2024 by a vote of 496 to 70, with 64 abstentions, to advise the Slovak government and parliament that it was convinced that the proposed "changes threaten the integrity of judicial processes and undermine the EU's fight against fraud."⁹⁶

Meanwhile, members of Slovakia's transgender community had come under threat already in February 2023, when conservative extremist MPs proposed legislation to make it impossible for transgender people to change the gender listed on their legal documents, such as passport and driver's license.⁹⁷ In March 2023, then-Minister of Health Vladimír Lengvarský approved procedures for transgender people to change their legal gender even without surgery.⁹⁸ Just a month later, an observer with poor education, writing for the online newspaper *Štandard*, declared that "Slovakia will have to decide definitively whether men will be able to give birth,"⁹⁹ as if a stroke of a pen on a document would be sufficient to rearrange a person's reproductive system! In fact, by July 2023, 15 member-states of the EU had signed a declaration calling for recognition of the right of "gender self-determination" throughout the EU.¹⁰⁰ Within Slovakia, however, homophobia and transphobia are widespread. Indeed, an opinion poll taken in 2022 found that only 31% of Slovaks thought that sexual minorities should enjoy the same rights as heterosexuals – one of the lowest rankings for sexual tolerance among EU countries.¹⁰¹

V

The **media** are naturally next to be examined, as it is through the media that people typically obtain much of their understanding of the world around them (the other sources include conversations with friends, gossip and rumors, public speeches, meetings and rallies, and, in recent years, social media). Independent media are, for obvious reasons, considered potentially advantageous for building and sustaining democracy and the rule of law. But exactly how independently the media function can differ considerably. Thus, independent media that promote intolerant nationalism or revanchism are corrosive to democratic stability, but, as Chapter 6 will show, how the media function depends on what the media owners want from their media. Some media owners in the region want to maximize profits in the first place, and, where television is concerned, this has led to scheduling blocks of programs having purely entertainment content. Other media owners, by contrast, have been more concerned to attract state advertising by publishing favorable reports about the government's policies or may be in more direct collaboration with the ruling party. Moreover, as Robert Dahl pointed out at one time, an uninformed public cannot make informed choices. This is why independent media have sometimes been described as the fourth branch of government. Discussion

of Albania, Kosovo, Slovenia, Slovakia, and Montenegro will be deferred to the chapter devoted to the media.

Although there are differences across the region, especially between populist and nonpopulist regimes, degree of democratic attainment, and levels of corruption within each of these groups, there are some common patterns among the nine states being considered here (Poland, the Czech Republic, Hungary, Croatia, Serbia, North Macedonia, Romania, and Bulgaria) when it comes to media practice and media policy. Several patterns are nearly universal in this set. In declarative terms, only the noblest goals were set. As Jaromír Volek recounts, in the Czech Republic in the early 1990s, policymakers declared their commitment to end the state monopoly in broadcasting, promote private media and the digitalization of electronic media, advance professional standards in journalism, increase diversity in content, and free the media of government influence or of the influence of other political actors.¹⁰²

In reality, the results were somewhat different. First, in all nine countries, there developed, over time, a corrupt liaison between media owners and the party in power.¹⁰³ The diversion of state advertising to media judged to be supportive of the government has also enabled the ruling party to wield influence in the press.¹⁰⁴ Less gentle means have also been embraced in order to wield influence, including the launch of libel lawsuits,¹⁰⁵ purges and dismissals of journalists,¹⁰⁶ verbal intimidation of or physical attacks on journalists,¹⁰⁷ and the murder of critical journalists, especially those investigating politically sensitive topics. The best known cases have involved the April 1999 murder of Slavko Čuruvija, editor of the independent Serbian newspaper *Dnevni telegraf*, for authoring a series of articles about political prisoners¹⁰⁸ and the October 2008 murder of Ivo Pukanić, editor of the Croatian weekly magazine *Nacional*, who had established a reputation “for promoting investigations into corruption and organized crime.”¹⁰⁹ But these were not the only journalists murdered in the region in the years after 1989.

As the communist-run systems collapsed, existing legal structures imploded (and could not be immediately replaced), unemployment rose, and poverty and corruption spread, and, in these conditions, **organized crime** groups appeared. As Misha Glenny has pointed out, the UN delivered an unintended blow to legal order in May 1992 by imposing economic sanctions on the Federal Republic of Yugoslavia (Serbia and Montenegro) for its aggression in Croatia and Bosnia-Herzegovina. Rather than bringing the regime to its knees, these sanctions resulted in the closure of most large factories, accelerating inflation, shortages of basic goods, and the rapid impoverishment of ordinary citizens. It also opened the door to the criminalization of the economy, as smugglers took advantage of the sanctions regime to make big profits and the diverse “Balkan mafias started putting aside their ethnic differences to engage in criminal collaboration on a breathtaking scale.”¹¹⁰ The UN imposed additional economic sanctions on Serbia and Montenegro in July 1992, but this merely strengthened local mafias that were unconcerned about Western threats of penalties for trading with Belgrade and saw

an opportunity to monopolize trade with the sanctioned country. Romanians sent in barges loaded down with oil to Serbia; Bulgarian businessmen sent petrol to Serbia by train.¹¹¹ And organized criminal gangs grew stronger. Glenny recounts that

Although the majority of the population was becoming poorer by the day, a hugely wealthy new class of entrepreneurs and gangsters was visible on the streets of all Balkan cities. Ferraris, Porsches, armoured Mercedes and SUVs clogged up [the streets in] Zagreb, Belgrade, and elsewhere.¹¹²

But it wasn't only ex-Yugoslavia that was affected, and it was not only the UN sanctions that simulated the growth of organized crime in the Balkan countries. A second, equally important factor, to which I have already alluded and that affected all of East Central Europe, was precisely the collapse of the legal structures set up by the communists and the delays in putting new structures in place. The result was a profound transformation of "business" as well as of ordinary people's expectations about what they could expect from government agencies in the absence of bribes. Among the criminal activities that sprouted and spread in Southeastern Europe have been drug trafficking (including cocaine, heroin, cannabis, and amphetamines), trafficking of women and minors, prostitution, arms trafficking, kidnaping, tobacco smuggling, embezzlement, money laundering, and violent crime.¹¹³ Other crimes that have afflicted Southeastern Europe have included the confiscation of newborn babies from maternity wards in Serbia and their sale to willing customers,¹¹⁴ suspected illegal organ transplants at Bulgaria's VIP Lozenets University Hospital from living donors (mostly young people from Ukraine and Moldova) to various recipients (including from Israel and Oman),¹¹⁵ and blood feuds in Albania, resulting in the killing of at least 9,500 people between 1991 and 2008, although this problem has declined since then.¹¹⁶

Although organized crime has penetrated much of the Balkans, some places are more penetrated than others. For example, according to the Global Initiative Against Transnational Organized Crime, only Russia exceeds Serbia for organized crime, while Montenegro and Bosnia-Herzegovina occupy fourth and fifth places respectively. In the summer of 2020, Serbia's President Vučić authorized the Ministry of Finance to launch an investigation into money laundering and transfers of funds to terrorist groups; instead of going after criminal gangs, however, this supposedly anti-corruption and anti-crime campaign targeted journalists at independent media and nongovernment organisation (NGOs), i.e., critics of the government. Among those investigated were the Balkan Investigative Reporting Network (BIRN) that publishes *Balkan Insight* and the Helsinki Committee for Human Rights.¹¹⁷ In fact, according to Bojan Elek, a researcher at the Center for Security Policy in Belgrade, there is documentation of "ties between Serbia's ruling party and a crime gang accused of murder and drug trafficking," leading Elek to classify Serbia as a "mafia state".¹¹⁸

In Romania, a report prepared by the country's Intelligence Service and submitted to the parliament in July 2015 painted a bleak picture, stating that organized crime had "succeeded to penetrate public bodies at high levels."¹¹⁹ *IntelliNews Pro* added that "corruption has impacted practically all strategic sectors in Romania, but it has had particularly strong effects in the public administration."¹²⁰ One symptom of this is the vote taken by the Romanian parliament in December 2013 to grant immunity from prosecution for corruption to its own members as well as to the President of the country.¹²¹ Meanwhile, in 2017, the American ambassador to Tirana, Donald Lu, characterized Albania as "a centre of organised crime activity which includes trafficking in drugs, weapons, and prostitution."¹²² According to Ambassador Lu, there were 20 crime families operating in Albania at the time, organized into four major mafias. Nor should one forget that the Kosovo Liberation Army (KLA), which launched an insurrection against Serbian rule in 1998, fueled its operations by trafficking in narcotics and weapons.¹²³ Hashim Thaçi (born in 1968), who led the KLA and then went on to serve as Kosovo's first PM (2008–2014) and subsequently as President of Kosovo (2016–2020), stepped down from the presidency on 5 November 2020 to face charges in court for war crimes and drug trafficking.

Intermittently, and not very effectively, a few prominent figures have been arrested and brought to trial. These have included Darko Šarić, convicted in the Belgrade Higher Court in December 2018 of having smuggled 5.7 tons of cocaine from South America to Europe and given a 15-year prison sentence;¹²⁴ Mircea Băsescu, brother of the Romanian President, indicted in July 2014 for influence peddling and given a four-year prison sentence but was granted early release in 2017; the December 2015 arrest of Svetozar Marović, former President of Serbia and Montenegro and admitted head of a Budva criminal gang, on charges of corruption who, nonetheless, fled to Belgrade before he could be put on trial in his native Montenegro; and Alija Delimustafić, former Bosnian Minister of Internal Affairs, arrested in 2015 on charges of abuse of office, bank fraud, and participation in organized crime, although as of April 2022, his trial had been postponed, and not for the first time, without any clear indication of when it could commence.¹²⁵ Probably the most promising development (up to a point) in terms of arrests was the announcement in May 2022 that Albanian police had issued arrest warrants for 32 prominent criminals, immediately arresting 18 of them; but even so, the remaining 14 managed to evade the police, possibly due to advance warning from an inside source.¹²⁶

VI

The four areas examined in this chapter – economic and political corruption, media capture, organized crime, and populist rule – have one overriding feature in common: they all involve the pursuit of private gain by illegal means at the expense of the public interest. This is the core reason why all four areas have been marked by dysfunction.

Looking beyond this blanket feature, one may ask what overt and latent functions may be identified. The overt function of corruption (including nepotism and cronyism) involves diverse forms of gain for those involved, typically money or property or influence, but also, in the case of bribes to physicians, what the patient/bribe-payer obtains is better and/or faster treatment; the latent functions of corruption include subverting institutions and laws, advancing the less qualified at the expense of the more worthy, depriving projects of necessary investment, promoting and intensifying economic inequality, and undermining the legitimacy of the state.

The overt function of media capture, whether captured outright or by various means of bending it to the will of the influence-wielder, is to control or set limits to coverage in the media. The latent functions include distortion of the news, exaggeration of the importance of certain developments or individuals or parties, downplaying the importance of or even demonizing certain persons (such as George Soros, in the regime-controlled Hungarian press), ignoring or downplaying developments that might be of general interest (such as rates of poverty and corruption), and, for those who do not entirely trust the media, increased reliance on rumors and conversations for information.

The overt functions of organized crime are to aggrandize the criminal groups and their members; control markets and politics, as far as possible; and take over lucrative assets or even establish mafia-run businesses, controlling or eliminating competition in the usual way. The latent functions of organized crime include compromising the police, undermining the multi-party system, and weakening the constitution and the law, among other things.

And finally, the overt functions of populist rule, as proclaimed by the region's populist leaders, include defending the nation against slander and insult; defending the nation's historical righteousness and whatever the regime chooses to represent as the "correct" view of history; defending the heterosexual family against the (nonexistent) threat posed by gays and lesbians; controlling reproduction, at least in Poland; and presenting the regime as a champion of the welfare of working-class citizens through increases in family allowances and concessions for voluntary early retirement. The latent functions of populist rule include debasing the electoral system (for example, by the use of the media to malign opposition politicians) or outright electoral fraud, distorting the public agenda by emphasizing intangible factors (again, such as insisting on the regime's version of World War II) at the expense of real-life problems (such as corruption and organized crime), and placing the state, as such, on the fragile foundation of deceptive and spurious claims to legitimacy. The result is dysfunctionality run rampant.

In sum, we are advancing a fourfold argument in this book, asserting that the policies and initiatives adopted, whether by one or another government or by an initiative committee or Church, proved to have unintended consequences, whether latent functions not understood at the time or side effects that were readily perceived; these unintended consequences could be either positive (functional) or

negative (dysfunctional) from the standpoint of the actor; some of the unintended consequences have diverted the societies from their imagined goal of democratization (as in the case of economic transformation, which threw a disproportionately large number of women out of work, resulting in some of them becoming full-time housewives or becoming victims of trafficking); and finally, that both as a result of rivalry between liberals (including social democrats) and retraditionalizing conservatives and as a consequence of the malfunctioning of local and national institutions, the societies of East Central Europe have not ended up where some had hoped but have, instead, drifted into clerical democracy (Poland), retraditionalizing kleptocracy (Hungary), or massively corrupt disorganization (such as Bosnia-Herzegovina, ranked the most corrupt country in the region by Transparency International in 2021).

Notes

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2

CHANGES IN POLITICAL INSTITUTIONS AND PARTY SYSTEMS

Lavinia Stan

Institutional redesign constituted the essence of the vast program of post-communist transformation on which East Central Europeans embarked in 1989, after the political and economic structures of the “dictatorships of the people” had been completely discredited. The revolutions of 1989, whether velvet or bloody, showed that East Central Europeans knew exactly what they did not like: a regime dominated by one mass ideological party that was generally insulated from and often aloof to the demands of citizens, grafted on a centrally planned economy with low levels of competitiveness and productivity that kept people impoverished and, in some countries, starved and cold in the name of equality. At the same time, East Central Europeans were far less certain about the kind of democracy they did like. Some of them wanted to enjoy the good life that the Western Europeans had but did not fully understand that democracy or capitalism entailed obligations and responsibilities and could lead to negative outcomes, not just roses and champagne. Others unrealistically wished for a system that would combine the advantages of democracy (basic freedoms and competitive multi-party politics) with the advantages of communism (equality, job security, free creches, education, and health care), while also avoiding the disadvantages of both systems. And still others wanted a reformed communism that represented the “third way,” which, in many ways, anticipated what China was able and willing to build shortly thereafter: a politically closed dictatorship dominated by a communist party that tolerated some elements of free market that encouraged private entrepreneurship, liberalized export and import activities, and did not punish self-enrichment. In the end, what East Central Europeans got were new states “built on top of and with the half-collapsed, half-standing institutions of the past.”¹

Observers have identified the struggle to build strong democratic institutions while also enacting economic reforms as the main conundrum facing East Central Europe at the onset of transition. Allowing the “widest possible spectrum of organized political forces” to participate in shaping these countries’ direction, as democracy required, placed economic reforms at the risk of being contested by forces “tied to the communist economic system or those harmed by the sudden plunge into market competition,” whereas enacting a radical economic reform program ran the risk of enabling “zealous” economic technocrats or newly enriched elites to eradicate democracy fully or partially in an effort to either continue reforms or retain their privileged position.² Decades before East Central Europe even debated the introduction of reforms, Southern Europe and East Asia had succeeded by following the path of capitalism first, democracy later. They first developed capitalism under authoritarian regimes that ensured political stability by preventing, and even quashing, “the disjunctures and social upheavals caused by rapid capitalist development”³ and only much later embraced democracy, after a growing middle class demanded greater political representation. Even if this magic formula were transferrable to post-communist conditions, a significant unknown because what works in one cultural and historical setting might not work in another, the “capitalism first, democracy later” scenario was not applicable in East Central Europe. Scaling back the liberties obtained in 1989 to build a free market would have been like anathema for the freedom-starved citizens who protested the communists. In short, as Mitchell Orenstein wrote, “installation of developmentalist authoritarian regimes was not an option.”⁴

It is, thus, to their credit that East Central Europeans successfully implemented an unprecedented and unparalleled transition program that had little prospects to succeed, according to accepted academic dogma, but ultimately gave them the chance to close the gap with Western Europe, partially if not completely. The transition was far from linear, was abandoned or stalled at different stages, and seemed reversible at times; these countries occasionally appeared as though they aimed not to join the camp of democracies, as they initially hoped, but the camp of hybrid regimes that combine democratic and undemocratic characteristics and make no meaningful progress to restrain illiberal or authoritarian impulses. To the relief of many, by 2021, the Economist Intelligence Unit deemed all East Central European countries to be flawed democracies, with Bosnia Herzegovina being the region’s only hybrid regime – no small feat, as scores were calculated at a time when a majority of the world’s population lived in nondemocracies of all sorts.⁵

While East Central European governments have eagerly taken credit for effecting the monumental changes needed to foster democratic norms out of the ashes of lived Marxism-Leninism, they were not the only actors shaping post-communist transition. Selected pre-communist institutions were also seen as appropriate models to consider, only to be quickly discarded due to electoral calculations, personal preferences of high-ranking politicians, or international disapproval. But neither agency-centered theories highlighting what post-communist decision-makers

did or did not do nor structure-based theories privileging historical trends can fully explain the institutional changes effected in the region. At least two other factors have been at play. The Western European institutional model exerted a considerable pull, often based on the cargo cult idea that it brought prosperity to the Western half of the continent, and, therefore, East Central Europe would successfully democratize simply by copying it as faithfully as possible. International actors, chief among them the European Union, applied further pressure toward the adoption of some institutions (the rule of law, among others) as a pre-condition for membership, and “East Central European political leaders understood they had to act within parliamentary democratic rules of the game or risk being locked out of the West European club.”⁶

The preference for Western-style democracy was plainly evident, but the devil rested in the details: what kind of democracy and which sort of political institutions should East Central Europe emulate? The answer was far from simple, as liberal democracy came in a range of institutional flavors: constitutional monarchies, whose head of state inherited power, co-existed with republics led by elected presidents; presidents were directly chosen in France but not in Germany, where a smaller group made that selection; federations such as Germany contrasted with unitary states such as France; centralized unitary states such as France sat next to the devolved United Kingdom, where mini-parliaments could decide on issues of regional interest; some cabinets were large (23 ministers in France), whereas others were small (14 ministers in Sweden); the Swedish Riksdag included one chamber, but the Italian Parlamento had two; and British parliamentarianism contrasted with French semi-presidentialism. Diversity was even greater among Western European electoral systems, which included simple member plurality, proportional representation, and everything in between, and further extended to the ways in which various interest groups, the aristocracy, personal connections, the intellectuals, and the working class influenced the political game, political parties represented and championed the wishes of the electorate, the mass media monitored governmental activity, the government was transparent, and state officials were held accountable.

Except for the Yugoslav successor states, which in 1991 descended into a bloody ethnic conflict that delayed democratization until after the end of hostilities, other East Central European countries picked and chose whatever institutional combination best suited them, but common patterns are discernable. First, all countries embraced republicanism and refused to restore the monarchy because the exiled kings were too old and other pretenders to the throne were too inconsequential to make for credible and competent rulers, recollections of past abuse and favoritism tainted the memory of pre-communist monarchy, and returning to monarchy looked like taking a step back in time instead of one forward toward the future. As a result, throughout East Central Europe, the heads of state are presidents elected directly or indirectly for a maximum two mandates, each of four or five years. Men have dominated these offices, with only a handful of women winning

the top political position. The first women to serve a full presidential mandate in the region were Atifete Jahjaga in Kosovo (2011–2016) and Kolinda Grabar-Kitarović in Croatia (2015–2020). Two of Serbia's acting presidents were women: Serbia Nataša Mičić (December 2002–January 2004, born in 1965) and Slavica Đukić Dejanović (5 April–31 May 2021, born in 1951). On 15 June 2019, Zuzana Čaputová (born in 1973) became president of Slovakia, on 5 November 2020 Vjosa Osmani-Sadriu (born in 1982) in Kosovo, on 10 May 2022 Katalin Novák (born in 1977) in Hungary, and on 22 December 2022 Nataša Pirc Musar (born in 1968) in Slovenia. Interestingly, the only former monarch who entered politics in East Central Europe, Tsar Simeon II Borisov von Saxe-Coburg-Gotha (born in 1937), did not seek the presidential office. He served as prime minister of Bulgaria in 2001–2005 but retired from politics in 2009, after his political party failed to gain parliamentary representation.

Second, as though to show their inability to foster a common identity, soon after 1989, the region's federations collapsed – peacefully (Czechoslovakia) or violently (Yugoslavia) – to make way for nation-states. The resulting independent nation-states have vociferously championed the interests of the ethnic majority, occasionally by ignoring or even infringing the rights of linguistic, religious, and other minorities. On 1 January 1993, the amicable divorce between the wealthier secularized Czechs and the more modest Catholic Slovaks led to the creation of two unitary states eager to promote and protect the interests of their respective ethnic nations, as though historically they had little to do with each other. The Yugoslav federation met with the same ignoble fate when seven nation-states emerged after the war, all eager to point to differences among them, not similarities. Until 2006, Serbia and Montenegro stubbornly clung to a federation that ultimately dissolved with the same predictable outcome: ethnic nation-states championing the well-being of Serbs and Montenegrins, respectively. Bosnia-Herzegovina remains the region's only federation, not because its population really wanted to live in a federation but because of the failure of any of the three groups to assert dominance over the country's entire territory and the desire of each of them to retain control over its own enclave. The country is led by a presidential triumvirate consisting of one Bosniak, one Serb, and one Croat.

Third, none of these countries embraced pure presidentialism, opting instead for parliamentary or mixed systems that divide responsibilities among several top political figures. As such, nowhere in the region does a single person serve as both head of state and head of government, as in the United States. To avoid concentrating power in the hands of one individual, a situation that might resemble communist times and, therefore, raise concern with the population, East Central European states have forced even directly elected presidents to share responsibility with prime ministers. All these presidents are weaker than their American counterparts, some of them having solely ceremonial roles and little policymaking input. Presidents who preside over mixed systems (in Romania and Poland) can exert some influence over policy and can nominate a range of top state posts in the judiciary, public utilities,

and public mass media outlets. Directly elected presidents are elected by way of run-off systems that ensure that the winner is backed by a majority of the voters.

Fourth, the structure of the national assembly has largely echoed the size of the country's population. Smaller countries with up to 10 million inhabitants, such as Albania, Bulgaria, Hungary, and Slovakia, established unicameral parliaments, whereas the more populous Czechoslovakia (before its break-up), the Czech Republic, Romania, Poland, and reunified Germany established bicameral parliaments. As small countries, all Yugoslav successor republics opted for unicameral parliaments, except Bosnia-Herzegovina, where the upper chamber represents the three ethnic groups, and Slovenia, where the National Council checks on the laws passed in the lower chamber (see Table 2.1). Electoral systems used in parliamentary elections are variants of proportional representation in multi-member constituencies with closed electoral lists for lower chambers and unicameral assemblies, with single-member plurality systems being used to determine the winners of some upper chamber seats. National thresholds of 4% to 5% for single parties have also been applied.

Fifth, during the 1990s, cabinets included ministerial portfolios specific for post-communist transition and European integration but not found in Western democracies. In Poland, for example, the cabinet of Tadeusz Mazowiecki (1927–2013),

TABLE 2.1 The Legislative Branch of Government in Post-Communist East Central Europe

<i>Country</i>	<i>No. Chambers</i>	<i>No. Seats in Each Chamber</i>
Albania	1	At least 140, of which 100 are directly elected (Kuvendi)
Bosnia-Herzegovina	2	42 (House of Representatives) and 15 (House of Peoples)
Bulgaria	1	240 (National Assembly)
Croatia	1	151 (Parliament)
Czechoslovakia	2	150 (Chamber of People) and 150 (Chamber of Nations)
Czech Republic	2	200 (Chamber of Deputies) and 81 (Senate)
Germany	2	Variable number (Bundestag) and 69 (Bundesrat)
Hungary	1	386 (1990–2014), 199 (since 2014) (Country Assembly)
Kosovo	1	120 (Assembly)
Montenegro	1	81 (Parliament)
North Macedonia	1	120 (Assembly)
Poland	2	460 (Sejm) and 100 (Senate)
Romania	2	330 (Chamber of Deputies) and 136 (Senate)
Serbia	1	250 (National Assembly)
Slovakia	1	150 (National Council)
Slovenia	2	90 (National Assembly) and 40 (National Council)

who served as Prime Minister from 24 August 1989 to 12 January 1991, included a minister for privatization, who oversaw an important element of economic transition to a free market, but also a minister-head of the Central Planning Office, a remnant of communist times. The second cabinet of Waldemar Pawlak (1993–1995, born in 1959) included a minister of ownership transformation. In Romania, the cabinet of Victor Ciorbea (1996–1998, born in 1954) included a minister-delegate for privatization and another one for European integration, while Prime Minister Radu Vasile (1942–2013, serving in office 1998–1999) had a minister of reform, and the cabinet of Adrian Nastase (2000–2004, born in 1950) included a minister-delegate for privatization. Institutional restructuring remained a concern long after the regime change brought market democracy to these countries. The third cabinet formed by Janez Janša (2020–2022, born in 1958) in Slovenia included a state secretary for debureaucratization, proof that institutional fine-tuning remained a concern well after transition was completed.

Last, most of these countries approved new constitutions soon after the regime change (see Table 2.2). Albania and Hungary heavily amended their communist constitutions in 1989–1992 to renounce the most controversial stipulations that banned parties or suppressed freedom of religion. In 1991, Bulgaria adopted a new constitution in July, Romania in November, and Slovenia in December. The following year, Slovakia followed in September and the Czech Republic in December. Late comers included Poland, which adopted a new constitution in April 1997, Albania in October 1998, and Hungary in April 2011. The Yugoslav successor states passed new constitutions either before (Croatia in December 1990 and Macedonia in November 1991) or after the war (Montenegro in October

TABLE 2.2 The Adoption of New Constitutions in Post-Communist East Central Europe

<i>Country</i>	<i>Year of Adoption</i>	<i>Amendments</i>
Albania	Nov. 1998	2008
Bosnia-Herzegovina	Dec. 1995	
Bulgaria	July 1991	
Croatia	Dec. 1990	2000, 2001
Czech Republic	Dec. 1992	
Hungary	April 2011	
Kosovo	April 2008	
Montenegro	Oct. 2007	
North Macedonia	Nov. 1991	2001, 2009
Poland	April 1997	
Romania	Dec. 1991	2003
Serbia	Oct. 2006	
Slovakia	Sep. 1992	1999, 2001
Slovenia	Dec. 1991	

Source: Leslie Holmes, “Post-Communist Leadership,” in *The Oxford Handbook of Political Leadership*, ed. by R. A. Rhodes and Paul ‘t Hart (Oxford: Oxford University Press, 2014), p. 650–651.

2007 and Kosovo in April 2008). In November 1996, Serbia replaced its 1990 constitution with a new one. Bosnia-Herzegovina recognizes Annex 4 of the Dayton Agreement, passed in December 1995, as its constitution. All East Central European countries have created separate Constitutional Courts tasked with reviewing the constitutionality of various laws.

More importantly for our discussion, all these institutional changes that were meant to move East Central Europe closer to democracy led to notable dysfunctions and unintended consequences. For example, in the early 1990s, the rush to legalize parties, a key demand of East Central European citizens and foreign governments, led to the creation of a myriad of political formations with diverse ideological and policy preferences, but also shallow social bases (such as the Union of Rabbit Raisers in the Czech Republic and the Rock and Roll Party in Serbia); meager resources; wavering commitments; and dubious political credentials. The pre-1989 communist hegemony made way to fragmented party systems that many voters found confusing. Rebaptized as Socialists or Social Democrats, the former communists retained unparalleled penetration in urban and rural areas and could draw on the vast resources they had accumulated before 1989 and public fears that change would bring great uncertainty while destroying job security or erasing social equality. High party fragmentation coupled with low party institutionalization led, in turn, to cutthroat electoral competition and fragmented legislatures that had difficulty forming the coalitions needed to appoint a government. A look at the number of parties that fielded candidates in the first post-communist parliamentary elections demonstrates this point. In Bulgaria, no fewer than 37 parties proposed candidates, but only three parties won seats. The number was 29 in Poland and 59 in Romania; whereas all 29 Polish parties gained seats, only eight Romanian parties did so. Parliamentary fragmentation led to chronic cabinet instability, as parties could easily renege on the coalitions that supported the government to form new coalitions. Not surprisingly, few governments completed full terms. During the 1990s, Albania and Hungary appointed four prime ministers each, Bulgaria eight, Romania eight, and Poland nine. The situation did not significantly improve in 2000–2023, as the Czech Republic appointed 11, Slovakia seven, Poland 11, and Romania a staggering 21.

If increased representation was a key objective of post-communist changes in political institutions, then the electoral systems adopted across the region were only partially able to deliver, a dysfunctionality that continues to plague the region. Ethnic minorities have fared relatively well in countries where they benefited from reserved seats or where their parties were strong enough to contest general elections successfully. The Turks, for example, organized as the Movement for Rights and Freedoms, gained 23 seats in the Bulgarian elections of 1990. Germans secured seven seats in Poland's first post-communist Sejm and one seat in Romania's first post-communist Senate. In the 1992 Romanian elections, Hungarians secured 12 seats in the upper chamber and 27 in the lower one. According to the 1991 Romanian constitution, seats are reserved in the lower

chamber, one for each minority: Italians, Croats, Roma, Bulgarians, Tatars, Albanians, Greeks, and others. However, the Transylvanian Hungarians, represented by the Democratic Union of Magyars in Romania, have preferred to vie for the other seats, gaining around 6% of the national vote, appointing roughly 25 deputies and 11 senators. While very small minorities cannot be represented in legislatures, which minorities are granted reserved seats has remained a matter of debate in the region, as some minorities do not have the numbers, leadership, or organization to win enough votes for even one seat. In Hungary, for example, the Social Democratic Party of Hungarian Gypsies has remained outside parliament since the 1990 general elections.

Important as it might have been, representation was not the only missed target of the reform program affecting East Central European institutions. Informal practices, illiberal tendencies, an uncivic political culture and rampant political corruption have all injected serious dysfunctions into formal rules and institutions intended to lead to democratic outcomes. While the new electoral systems sought to allow ordinary citizens to elect their own representatives, significant segments of the region's elites have remained generally self-interested, treating public office as a cash cow and an opportunity for personal enrichment, intimidating the mass media or simply buying it into silence, and using undue influence to unleash criminal investigations of their rivals and to shield their relatives, friends, and collaborators from justice. Political corruption, racketeering, cronyism, acceptance of bribes, clientelism, and nepotism have been recorded across the region, and governments have been accused of wasting public resources, offering preferential treatment to well-placed individuals, while also initiating and terminating projects (and policy) based on group interests and personal whim more than objective cost-benefit analysis. Institutional dysfunction explains the increased distrust of East Central Europeans in the governments that ruled their countries after the collapse of the communist regime, and their belief that those who are supposed to represent their interests represent themselves more. This is why many of them do not exercise the right to vote, for which they once clamored, as shown by ever decreasing voter turnout rates.

This chapter examines four countries in detail: Poland, the Czech Republic, Bulgaria, and Serbia. Two of them belong to Central Europe, whereas two others are located in the Balkans. Poland is the most populous country in East Central Europe, while Serbia is the second most populous in the Balkans (after Romania). Poland and the Czech Republic (as part of Czechoslovakia) shed communism through peaceful pacted revolutions, Bulgaria's communist leader agreed to organize free and fair elections in a country where few people took to the streets to ask for a regime change, but Serbia, by contrast, descended into a virulent sort of nationalism instrumentalized by Slobodan Milošević to undermine the federation and figured as the main oppressor of the other ethnic groups living there. Montenegro seceded from Serbia in 2006, while Kosovo, with the agreement and support of the international community, became independent in 2008, leaving

Serbia not much larger than it was in 1912, except that Vojvodina, not part of Serbia in 1912, remains part of Serbia today. Czechoslovakia dissolved peacefully into the Czech and Slovak Republics at the end of 1992.

Poland

Poland's regime change came in early 1989, at a time when Moscow still supported the rule of General Wojtech Jaruzelski (1923–2014), who imposed martial law in December 1981 to silence independent voices such as the Independent Trade Union Solidarity. After eight years of systematic rights abuses, Solidarity agreed in late 1988 to negotiate with its former tormentors not because of a "genuine rapprochement between the two sides but rather from the horrific prospect of a national catastrophe."⁷ That pact amnestied the communists in exchange of allowing anti-communists to contest seats in parliament. To the surprise of the communist leadership, the people elected the anti-communists, thus paving the way for the first noncommunist government in four decades in Poland, and the first one in the region. As one analyst noted, in Poland "the communist regime was forced to exit from power by a credible and well-organized opposition to communism whose leaders had internalized the Western model of liberal democracy, rule of law and market capitalism long before 1989."⁸ The regime change was followed by a

rapid disintegration of existing political institutions, the further aggravation of economic dislocations, the proliferation of various [parties] breaking into the political arena and the establishment of transitory power arrangements in which opposition forces acquired varying degrees of access to the official political process and institutions.⁹

In response, the first post-communist governments, formed of anti-communists, adopted reforms to change Poland to what analysts characterize as a semi-presidential, mixed, or a premier–presidential system.

As Barbara Geddes has argued, Poland opted for a mixed system because its party system was dominated by one formation, Solidarity, led by a popular, nationally known figure, Lech Wałęsa (born in 1943); by contrast, the Czech Republic chose parliamentarism because none of its many parties was dominant.¹⁰ Several features of the Polish system also characterize Bulgaria and Serbia. In all these countries, parliament exerts control over the government, which, in turn, controls the activity of the president. The directly elected president shares powers with a prime minister who appoints the cabinet. Parliament must confirm the prime minister nominated by the head of state. Only the prime minister can dismiss cabinet members. If a legislature is unable to confirm a prime minister or install a new government, the president may dissolve the lower (or only) chamber and call for new elections. In all four countries, both government and parliament can

initiate legislation, including the most important piece of legislation: the annual state budget. However, the government, not the president, must prepare the draft budget. Parliament reviews and amends the draft, with the government responding to parliament's amendments. Among the four countries, only Poland's parliament faces significant restrictions in amending the budget: it cannot raise or lower spending or alter the budget without government approval.¹¹ In all four countries, the president and the prime minister enjoy a limited right to dissolve parliament, and, therefore, no prime minister is comparable to the British one and no president is comparable to the French one.¹²

Institutional changes provided by the 1992 Little Constitution, named thus because it included only 78 articles, clarified relations between branches and levels of government, aimed at satisfying popular demands for representation, and introduced checks and balances.¹³ The president would be elected directly by the people, in opposition to communist practice, which allowed only top party leaders to decide who was to head the state. Also in opposition to communist norms, the attributes of the presidency were curtailed by control exercised by the head of government and the legislature. Proportional representation decided the outcome of the 1991 general elections because of all possible electoral systems, it most faithfully mirrored in parliament the cleavages dividing the electorate (two years later, national thresholds were introduced to limit the fragmentation of the house).¹⁴ While these choices reflected the wish to break with the recent past, involve ordinary people in political decisions, and protect them from government abuse, other institutional changes introduced at the onset of transition were unplanned and reflected conditions that soon dissipated. For example, a second chamber (the Senate) was added to the Parliament (Sejm) at the proposal of a former communist leader who sought to appease an important politician, not for reasons related to democratic consolidation, as the Senate has weak powers to challenge the Sejm.¹⁵ At the same time, the "presidential minister" impeded "cohesive government policy-making."¹⁶

A year after constitutional amendments curtailed the term of Jaruzelski, whom the Sejm had elected as president in 1989, Wałęsa became Poland's first popularly elected president. Given the extreme fragmentation of the party system, none of the 100 participating parties won more than 12.5% of the national vote in the 1991 parliamentary elections, which elected a Parliament with a two-year mandate. With no national threshold, 29 parties entered the Sejm, and 13 the Senate. The Democratic Union (Unia Demokratyczna, UD), a liberal Christian Democrat formation gathering such luminaries as Bronisław Geremek, Jacek Kuroń, Adam Michnik, Hanna Suchocka, Jan Rokita, and Aleksander Hall, got the largest number of seats (62 in the Sejm and 21 in the Senate) with the Democratic Left Alliance (Sojusz Lewicy Demokratycznej, SLD), successor to the communists, trailing behind with 60 and 4. They were enthusiastically joined by the Polish Beer Lovers' Party (Polska Partia Przyjaciół Piwa), which satirist Janusz Rewiński (born in 1949) founded with the questionable goal of fighting alcoholism by promoting

beer instead of the traditional vodka, and the Party X, established by the Canadian Polish citizen Stanisław Tymiński (born in 1948) with the help of several communist-era secret agents, a handful of parties with “Solidarity” in their name, as well as other formations with half-baked, confusing or nondistinguishable platforms.¹⁷ Throughout the 1990s, the party system remained extremely fragmented and weakly institutionalized.

Two years later, the first post-communist parliament to serve a full four-year term was installed. Newly introduced national thresholds of 5% for parties and 8% for coalitions prevented small parties and independent candidates from entering the Sejm. Indeed, neither the beer lovers nor members of Party X gained any seats, and not because alcoholism or past secret collaboration had been resolved. Relying on their communist predecessor’s presence in all Polish villages and towns, the SLD got 20% of the votes for the Sejm (111 of 460 seats) and 18% for the Senate (37 of 100 seats). With the agrarian Polish People’s Party (Polskie Stronnictwo Ludowe, PSL), it appointed a cabinet first headed by Waldemar Pawlak (PSL, born in 1959) and then by Józef Oleksy (SLD, 1946–2014). Reforms were continued to the extent they did not affect the ruling coalition. The leftist Prime Minister Oleksy’s difficult collaboration with President Wałęsa ended in 1995, when Aleksander Kwaśniewski (SLD) capitalized on popular frustration with the hardships of post-communist reforms to narrowly defeat Wałęsa. Kwaśniewski convinced the electorate that a younger president, especially one who had served as a communist minister of sport, was more in tune with their needs and more capable to help reach them. However, the leftist control over the executive and legislative branches ended two years later, when two parties rooted in Solidarity, the Solidarity Electoral Action (Akcja Wyborcza Solidarność, AWS) and the Freedom Union (Unia Wolności, UW), won the votes necessary to form a coalition government under the leadership of Jerzy Buzek (a Lutheran born in 1940 into a well-known political family). Co-habitation of the leftist president and the center-right prime minister led to some policy blockage, but the Buzek cabinet was able to update the local government and administration structure and reform the education, medical care, and pension systems. As the economy stabilized and most of the lingering issues could be blamed on the cabinet, Kwaśniewski renewed his presidential mandate in 2000, crushing his uncharismatic and much older opponent, Andrzej Marian Olechowski (born in 1947), in the first round.

The double referendum organized in Poland on 18 February 1996, at the initiative of the president and the Sejm, dealt with political enfranchisement and, more importantly, state property. Because turnout was well below the required single majority, the referendum was declared nonbinding. The president-initiated question asked citizens whether they approved the enfranchisement of citizens; predictably, the answer was a resounding yes. The Sejm-approved questions asked voters whether they were for or against the following: 1) to meet obligations to pensioners, annuitants, and retirees in the Civil Service with privatized state-owned assets; 2) to assign a part of the privatized state-owned assets to public pension

funds; 3) to increase the value of joint stock certificates in the National Investment Fund; and 4) to use privatization bonds in the universal property restitution program. Voters answered yes to all questions except the third, which would have expanded the scope of the mass privatization program.¹⁸ This first post-communist direct democracy exercise showed that Poles were generally apathetic about issues of national importance, and the Sejm was unwilling to shoulder the responsibility of the most important element of economic transformation.

It was a measure of the robustness of Poland's post-communist democratization that President Kwaśniewski and Prime Minister Oleksy, both representing the successor to the party that, for decades, systematically infringed constitutionalism and rule of law, oversaw the final drafting of the no-longer-small Constitution of Poland, adopted in 1997, later than elsewhere in East Central Europe. The document formalized the institutional structure of government and relations between the government and the society, already developed after 1989 through a piecemeal approach, that eliminated the legal confusion generated by the ad hoc changes "developed in response to perceived problems at different stages of development."¹⁹ The preamble spoke in the name of Polish citizens "who believe in God as the source of truth, justice and beauty, as well as those not sharing such faith," referred to the ancestors' "struggle for ... our culture rooted in the Christian heritage of the nation and in universal human values."²⁰ In a nod to the recent past, the text banned fascist, Nazi, and communist parties (Article 13); listed a long list of human rights and the methods to safeguard them (Chapter 2); and spelled out the composition and functions of the Constitutional Tribunal. Created in 1982, months after martial law was declared, at the request of the Solidarity, the Tribunal was rendered useless until 1989 as a two-thirds Sejm majority could invalidate any of its rulings. The basic law further removed the "presidential ministers" and weakened presidential veto powers from a two-thirds to three-fifths override requirement.

The Constitution was narrowly ratified by referendum on 25 May 1997 over the strong objections of both the anti-communist parties and the Catholic Church, which denounced it as nothing short of a "mistake for Poland" and a "miserable monstrosity concocted by left-wing groups and former communists in defiance of Poland's history, heritage and traditions."²¹ In truth, however, the document did nothing else but put on paper the institutions, rules, and assumptions that underpinned the political game in post-communist Poland. The new basic law was followed by a revision of the administrative divisions, passed in 1999, and of the electoral system, passed in 2001–2002. Poland was divided into 16 *voivodeships* (whose borders or names echoed those of historical regions) composed of 380 *powiats* (counties or districts) that included communes and towns. Party lists were eliminated and the d'Hondt method was introduced. However, dysfunctionalities continued to affect the activity of the government at all levels. The efficiency of the legislative work of the Sejm was gripped by its timetable and procedures. For example, because government proposals were not prioritized on Parliament's

agenda, sometimes legislators took too long to discuss them. The responsibilities and functions of the two chambers overlapped significantly, unnecessarily prolonging the legislative process. While regional and local governments received expanded responsibilities, the resources on which they could rely remained largely inadequate. And relatively low salaries deterred the very best to seek positions in public administration, although a new Civil Service Law promised meritocratic hiring and promotion standards.²²

By the early 2000s, Poland's political institutions had started to work with a measure of predictability, and its party system consolidated around one large political formation and several smaller ones.²³ While the SLD emerged as a disciplined party that represented most of the political left, no doubt because it inherited the members, resources, communication channels, and unparalleled local structures of the former communists, the political right was divided among several Solidarity successors that had difficulty counterweighting the social democrat monolith or speaking decently to and collaborating with each other. The alternation between left-wing and right-wing governments observed during the 1990s continued immediately after 2000, generally reflecting voter satisfaction or dissatisfaction with the SLD more than the organizational skills or popularity of the political right. In the 2001 general elections, voter disillusionment with the dysfunctional performance of the AWS government and the endless internal bickering within the Solidarity bloc brought the SLD back to power and kept the AWS outside parliament. To form the cabinet, the SLD partnered with the agrarian PSL and the leftist Labor Union (Unia Pracy, UP). Leszek Miller (born in 1946) became the prime minister, despite his unsavory past as a disciplined Politburo member of the communist party. Ironically, for a politician who once represented a regime that virulently criticized Western Europe, Miller's main goal was to prepare Poland for accession into the EU by cutting public expenses, reforming the secret services, and implementing the *acquis communautaire*.

Of particular significance in this respect was the reform of the national intelligence community, as the communist State Security (Służba Bezpieczeństwa, SB) had been notorious for its human rights abuses, a practice deemed unacceptable in the new democracy. Immediately after 1989, under conditions of instability and insecurity, Poland, as all other post-communist countries but Germany, gave in to immediate need rather than careful planning to retain the SB in the same structure and with the same personnel as under communism, irrespective of its compromised nature and the fact that secret agents had no time, and possibly not even the intention, to follow democratic norms. The vetting process carried out in 1990 judged 42% of the SB personnel suitable for reemployment in the post-communist State Security Office, which throughout the 1990s, had more than 90% of its personnel composed of former SB officers. This continuity provoked apprehension for NATO partners both before and after Poland joined the alliance in 1999, especially because most of the country's foreign and military intelligence agents were retained.²⁴ As part of the EU pre-accession reforms, the Miller cabinet

broke the Office into two distinct agencies dedicated to domestic and foreign intelligence, the Internal Security Agency and the Intelligence Agency, thus aligning Poland with European (and more generally democratic) practice. On 16 April 2003, Miller signed the Accession Treaty with the EU, and then on 7–8 June, he organized the accession referendum, in which more than 77% of participants voted in favor. Poland joined the EU in 2004, together with Cyprus, the Czech and Slovak Republics, Estonia, Hungary, Latvia, Lithuania, Malta, and Slovenia.

The 2005 elections drastically penalized the left, allowing two center-right parties, Law and Justice (Prawo i Sprawiedliwość, PiS) and the Civic Platform (Platforma Obywatelska, PO), to raise to prominence. Each of them gained twice as many Sejm votes as the SLD, which has ever since slid ever lower in voter preference. PiS leader Jarosław Kaczyński (born in 1949) became prime minister while his twin brother, Lech, won the presidency by scoring ahead of the PO candidate Donald Tusk (born in 1957). The identical twin brothers had made a name for themselves as young actors in *The Two Who Stole the Moon* (O dwóch takich, co ukradli księżyc), a 1962 movie based on a popular children's story written by Kornel Makuszyński (1884–1953). Both twins had long political careers rooted in the anti-communist opposition circles before 1989. Lech was the head of the national auditing agency in 1992–1995, a very popular Minister for Justice, nicknamed “the sheriff”, in 2000–2001, and mayor of Warsaw in 2002–2005 (in which capacity I met and spoke with him in the sumptuous halls of the Museum of Pope John Paul II). Jarosław was a Sejm deputy and then head of Wałęsa’s presidential chancellery in the 1990s. The hardline stance of the PiS, which lashed out against the SLD’s corruption and lawlessness and promised harsh penalties for criminals, especially the politically well connected, struck a genuine chord with the Polish voters alienated from self-serving leftists who had reneged on their promise to protect the ordinary folk.

The SLD presidential candidate, Włodzimierz Cimoszewicz (born in 1950), whom polls predicted as a sure winner, withdrew his candidacy after he refused to clarify his and Miller’s involvement in Orlengate, a politically motivated arrest conducted in 2002 to prevent the PKN Orlen group from concluding a contract for a large oil supply. A parliamentary committee had found, after conducting investigations in 2004–2005, that the State Security Office had pressured the attorney’s office to approve the arrest, and the scandal implicated Prime Minister Miller and President Kwaśniewski, as well as a well-known KGB spy whose involvement provoked the resignation of Prime Minister Oleksy. Orlengate unfolded in the shadows of Rywingate, a corruption scandal that damaged the reputation of dissident intellectual Adam Michnik (born in 1946) by exposing his overly friendly relations with the left-wing political elite.²⁵ These scandals, an added reason for reforming the State Security Office (see above), proved that institutional changes linked to EU accession had not adequately addressed political corruption and that elected officials had to monitor the intelligence services a bit more tightly. Indeed, in 2003, Poland ranked 63rd in the Corruption Perception Index, and only two

years later it ranked 70th.²⁶ This dysfunction affected the new center-right government as well. Only two years into its mandate, the Sejm dissolved itself due to allegations of corruption involving a junior member of the ruling coalition. In 2005, the PO won 41% of the popular vote and appointed Tusk as prime minister. While he promised to streamline the bureaucracy, on his watch, it became bloated by hiring new public servants who were “not actually evil, but bad-tempered, bureaucratic, officious and callous,” and “wouldn't even lift a finger to save their own grandmothers ... without orders signed in triplicate.”²⁷

Relations between the prime minister and the president soon deteriorated due to their distinct political preferences, leading to some policy blockage. By using his presidential veto powers, for example, President Kaczyński chose to block a series of key reforms in pension, public television, and urban zoning championed by the Tusk cabinet as important and urgent. In response, Prime Minister Tusk proposed constitutional changes that would have abolished the presidential veto altogether or allow a simple parliamentary majority (not a three-fifths vote, as provided by the 1997 basic law) to override it. His other constitutional proposals called for a reduction of the Sejm from 460 to 300 members and of the Senate from 100 to 49 members, the abolition of parliamentary immunity, an expansion of the prime minister's role in foreign policy, and a drastic reduction in the president's governance input. The PiS proposed competing amendments that would have expanded the powers of the president over those of the prime minister. None of these constitutional changes ever materialized, but they further polarized a political elite whose members were largely indistinguishable from each other from an ideological point of view. They also fueled criticisms of President Kaczyński, whom some observers considered a dysfunctional leader who was acting as “the president of his brother not of the country.”²⁸

By 2010, 12 prime ministers had been appointed in Poland, the largest number in East Central Europe (Slovenia had three, Croatia and Macedonia eight each, Bosnia nine since 1994, the Republika Sprska 10 since 1992, and Serbia 11 since 1991). This suggested a general trend toward cabinet instability that risked to render executive activity inefficient and wasteful, as cabinets were appointed and then dismissed in quick succession before they had any chance to implement their policy agenda. The average number of parties in parliament was 3.67 for the period 1989–2010, a rather low number suggesting that the legislature was representing the ideological and policy positions of only part of the electorate (those belonging to the three or four parties with parliamentary representation).²⁹ The country was a member of NATO and the EU, but in 2010, it ranked 48th in the *Economist Democracy Index* as a flawed democracy, below the Baltic, Czech and Slovak Republics, and Hungary.³⁰ In 2010, the year was marked not by resolute steps toward closing the gap but by a tragic accident that was first blamed on the Russians, allegedly being ordered “at the highest levels of Kremlin” and then covered up by Tusk as part of a “macabre reconciliation with Russia,” and ultimately on human error and dense fog.³¹ On 10 April, as many as 96 top Polish political

leaders, including President Lech Kaczyński, were killed in the Smolensk air crash. Unwilling to face the deceased president's twin brother in the presidential elections held later that year, Tusk allowed the PO to nominate historian Bronisław Komorowski (born in 1952) as its candidate. After Komorowski unexpectedly defeated Kaczyński, his first decision as president was to call a referendum on 6 September to ask voters whether they approved the introduction of single-member constituencies for Sejm elections, the continuation of state financing for political parties, and the introduction of a presumption in favor of the taxpayer in disputes over the tax law. These questions seemed rather uninteresting to the Poles, with not even 10% of them participating in the vote.

In 2011, the PO won a plurality in parliament, retaining its coalition with the PSL to support Tusk as prime minister. The PiS was the official opposition, while the SLD secured only 27 seats in the Sejm and none in the Senate. Four years later, Andrzej Duda (born in 1972) won the presidency and his PiS gained the largest number of seats in Parliament, appointing Beata Szydło (born in 1963) to serve as prime minister.

Szydło's dismissal was precipitated by the Constitutional Tribunal crisis, during which the court faced an "effective paralysis" that "endanger[ed] democracy, human rights and the rule of law."³² Already in control of the executive and the legislative, the PiS sought control as well of the Constitutional Tribunal, which the PiS leader, Jarosław Kaczyński, criticized as "the bastion of everything in Poland that is bad."³³ To assert such control, in December 2015, the PiS-led parliamentary majority nominated five new Tribunal justices, whom President Duda swore in, although the PO had already filled those positions several weeks earlier. The crisis deepened when the PiS altered the court's statutes so that its nominees could assume office. To retain some institutional credibility, the court president prevented the new judges from hearing any cases, a decision that the PiS quickly reversed through a series of laws deemed unconstitutional by the court in March 2016. The choice of the PiS-dominated executive and legislature to ignore this ruling of the Tribunal led to a constitutional crisis that the EU investigated as a major threat against the rule of law in Poland. The drama also played out in the streets, with massive protests and counterprotests organized in the country's capital, Warsaw. Despite warnings from the EU, the defiant PiS continued to pass legislation that ultimately affected the entire structure of the Polish judiciary, showed the weakness of the rule of law, and demonstrated a clear turn on the part of the government toward lack of accountability and transparency.

The assault on the judiciary continued full force after 2019, when Duda renewed his presidential mandate and the PiS registered a landslide victory, receiving the highest vote share by any party since 1989 (43.6%) in an election whose turnout was the highest since the regime change. Worried that the government's actions would drag the country into chaos, the EU and the Polish Supreme Court sounded a warning bell that a new and controversial disciplinary court could undermine judicial independence and that changes to the rules that appoint members of

the National Council of the Judiciary made it dependent on the PiS-dominated Parliament. Disregarding the rule of law, the government argued that the PiS-dominated Constitutional Court was a more appropriate body to regulate relations between the judiciary and the legislative branch than the Supreme Court. In response to the EU court ruling, the PiS deputies supported a law that penalizes judges who question or raise doubts about the legitimacy of the government's legal changes, including those affecting the Council. The bill has been criticized by the European Commission and the Council of Europe.

The Czech Republic

The velvet revolution of 1989, which saw the peaceful transition from communism to democracy, was followed by the quiet dismantling of Czechoslovakia on 31 December 1992. In contrast to Poland, the independent Czech Republic opted for a parliamentary democracy with an indirectly elected head of state.³⁴ According to the new Constitution adopted on 16 December 1992, the Czech Parliament was to be composed of a lower Chamber of Deputies, with 200 members elected for six-year terms, and an upper Senate, with 81 senators also elected for six-year terms. One-third of all senators were to be elected every two years (Article 16). The president of the Republic was elected by members of both chambers (Article 54). A newly created Constitutional Court of 15 justices, each appointed by the president for a ten-year term and confirmed by the Senate, was to examine the constitutionality of various decisions (Article 84). The country was divided into regions, which, in turn, consisted of municipalities that enjoyed the right to self-government (Articles 99–100). The Constitution also provided for the Supreme Control Office as an independent body that controls the management of state property and the implementation of the state budget (Article 97) and the Czech National Bank as the country's central bank (Article 98).³⁵ There are no provisions on referenda, except the one required to approve EU accession (Article 87), which was held in 2003.

Eight political parties secured seats in the elections organized in mid-1992 in the Czech lands, held alongside federal elections. The anti-communist electoral alliance formed of the Civic Democratic Party (Občanská demokratická strana, ODS) and the Christian Democratic Party (Křesťanskodemokratická strana, KDS) secured 76 deputy seats, while the Communist Party of Bohemia and Moravia (Komunistická strana Čech a Moravy, KSČM) trailed behind with only 35. Václav Klaus, a communist-era bank clerk born in 1941, became the first prime minister of the Czech Republic. Klaus defeated the left-wing Czech Social Democratic Party (Česká strana sociálně demokratická, ČSSD), a communist party successor headed by Miloš Zeman (born in 1944) and, thus, brought the ODS to victory in the 1996 parliamentary elections, the first after the breakup of Czechoslovakia. A strong proponent of a free market economy and the reforms needed to implement it, the Klaus minority government championed the speedy voucher privatization

of state-owned enterprises, a reform program that President Václav Havel and his supporters blamed for the country's subsequent economic problems and saw as a type of "gangster capitalism" that ignored "the significance of a strong legal framework."³⁶ In 1997, his own party forced Klaus to step down following accusations of funding irregularities in the ODS, proving that top-level corruption plagued Czech politics. Indeed, the Czech Republic's Corruption Perception Index ranking fell from 27 in 1997 to 37 in 1998.³⁷ Klaus's removal initiated a political crisis that lasted until parliamentary elections were organized anew in mid-1998. After the vote, Klaus negotiated a much-vilified agreement with the Social Democrats to form a minority government. This pact marked the end of "the era of innocence" of the 1990s and the start of a new political phase characterized by lack of public confidence in politics, the increase of populist formations, and an inefficient parliamentary system.³⁸

In 1999, the Czech Republic joined NATO, at which point its military and intelligence structures became a particular concern for the alliance. As with Poland, post-communist Czechoslovakia initially opted for a smaller version of the communist State Security (Státní bezpečnost, StB) that hired only 14% of the StB personnel and no new personnel. Immediately after the round-tables between the communists and the opposition, the StB domestic departments stalled the mass surveillance program initiated by the communist regime, but some of its foreign intelligence departments and offices continued to function "under KGB tutelage and tasking."³⁹ However, after obtaining security assurances from Western partners that its security shield would not be breached, the federation completely remodeled the service and renounced all StB personnel in late 1990. Once the federation broke up, the Czech intelligence services terminated contact with Moscow, whereas their Slovak counterparts continued to send their officers to Moscow and to receive Russian instructors until at least 1996. Many Czechs continue to regard the post-communist Security Information Service (Bezpečnostní informační služba, BIZ), created in 1994, with fear and suspicion that it will "once again turn into a secret political police" similar to the one that had encroached on their lives before 1989. As with intelligence agencies in other democracies, the Service fights terrorism, organized crime, and counterintelligence and is the subject of oversight by a permanent parliamentary commission and is prohibited from monitoring the political rivals of the governing parties.⁴⁰

The Social Democrats retained their lead in the 2002 elections, securing 70 of 200 seats. The ČSSD joined the smaller Christian Democratic Union – Czechoslovak People's Party (Křesťanská a demokratická unie – Československá strana lidová, KDU–ČSL) and Freedom Union–Democratic Union (Unie Svobody–Demokratická unie, US–DEU), but the coalition was forced to appoint three cabinets in quick succession due to a loss of confidence on their part. Prime Minister Vladimír Špidla (born in 1951) was openly anti-communist and pro-European, but he also belonged to the left-wing of the ČSSD and, as such, chose to increase taxes rather than to cut spending to deal with a growing budget deficit.

More importantly, as in Poland, the successors to the former communist party were responsible for bringing the Czech Republic into the EU fold, which they successfully did together with President Havel, whose second, and last, term expired in 2003. When presidential elections were organized that same year, Klaus was able to capitalize on his previous agreement with the Social Democrats and ask them for support; as a result, the ruling coalition elected him as Havel's successor. Klaus renewed his presidential mandate in 2008. The poor performance of the ruling coalition parties in the 2004 elections for the European Parliament put the final nail in the political coffin of Špidla's cabinet, already unpopular for introducing tax increases.⁴¹ In mid-2004, lawyer Stanislav Gross (1969–2015) replaced him as prime minister.

Many social democrats had hoped that Gross would boost the party's credibility and popularity, but only months into his term, Gross became embroiled in a bizarre scandal which, together with his pathetic efforts to cling to power, turned him into a party liability. In early 2005, Gross was asked to clarify the origins of the loan he used to buy a flat. It soon emerged that his wife had associated herself with the owner of a brothel, illegal of course, whom the courts sentenced to prison for insurance fraud, an association that sealed Gross's fate. Not in his own eyes. Because an attack is the best defense, for three months, Gross stubbornly refused to resign, citing a plethora of legal reasons, and even publicly reprimanding all those who dared to contest him. As though that scandal was not enough to keep the Czechs on their toes, at around the same time, additional media reports suggested that the privatization of the Czech chemical conglomerate Unipetrol to PKN Orlen, the Polish trust mentioned earlier, was tainted by political corruption that involved several political luminaries, including Gross himself. The cabinet of Jiří Paroubek (born in 1952), a restaurant and canteen manager who later decided to try his luck in politics, retained many of Gross's ministers. It successfully defeated a no-confidence vote in the Chamber of Deputies in May 2005, just weeks after assuming office, but then came under considerable fire for authorizing riot police to break the CzechTek free techno party with tear gas and water cannons on 30 July, leaving some 80 young people and police officers injured. Paroubek defended the action, claiming that participants had damaged private property, but President Klaus criticized the decision, while the opposition and the media drew comparisons with crackdowns on students by the communist regime.⁴²

The 2006 elections brought political corruption to the fore in this EU member state. Weeks before the vote, police officer Jan Kubice (born in 1953) accused senior government figures of covering up their cooperation with organized crime. This shocking revelation prompted parliament to summon Kubice for further details. As he reported to the house, Prime Minister Gross was tied to the criminal underground; Prime Minister Paroubek was indirectly involved in a murder, dealt with the mafia, and was a pedophile, and other government officials accepted bribes. Predictably, Paroubek and the others vehemently denounced these claims as a political vendetta waged by the opposition, ODS, ahead of the poll, although

Kubice's connection to any political formation was uncertain. These revelations helped the ODS gain 81 seats but did not really penalize the ČSSD, the party that promoted the accused to the prime ministerial office. Indeed, the ČSSD still won 74 (four more than in 2002). The result meant that the Chamber of Deputies was divided equally between the coalition uniting the ODS, the KDU–ČSL, and the Greens and another coalition formed of the ČSSD and the Communists (KSČM), each controlling exactly 100 of the 200 seats. This dysfunctionality could have been avoided if the Chamber had consisted of an odd number of deputies. Parliament rejected the first cabinet of ODS leader Mirek Topolánek (born in 1956) but accepted his second in January 2007. Topolánek's "five priorities" (healthy public finances, modern and efficient state, safe citizens in a safe country, removing barriers, promoting science and education) got far less attention than his media blunders, which offended every minority group in the republic – Catholics, Jews, and homosexuals the most. In March 2009, after four failed attempts, the opposition ČSSD–KSČM unseated Topolánek through a no-confidence motion. The caretaker cabinet of Jan Fischer (born in 1951) had half of its ministers nominated by the ODS–Greens and the other half by the ČSSD–KSČM.

By 2010, the *Economist* classified the Czech Republic as the only full democracy in East Central Europe, despite its significant cabinet instability, top-level political corruption, and chronic party fragmentation.⁴³ During 1989–2010, nine prime ministers had been appointed, the average number of parties in parliament was 3.88, and the country ranked 56 in the Corruption Perceptions Index.⁴⁴ Also in 2010, the Czech courts ruled against publicly disclosing the former membership of judges in the Communist Party of Czechoslovakia, thus ending the vetting process. By 1993, one-third (484) of the 1,460 Czech judges had left the judiciary to work as private attorneys or because they were too compromised by collaboration with the communist regime. Even by 2005, 714 of the 2,876 judges (that is, almost one in four) were former communists, many of whom occupied high posts due to their seniority.⁴⁵ To compensate for the loss of magistrates through vetting and to increase judicial capacity, the minimum age at which a person could be appointed a judge was dropped to 25, but in 2003 it was raised to 30 to make sure that judges had some life experience, much needed when passing verdicts. The independence of the courts was provided by the Constitution, but, at the same time, the republic has maintained "the most extreme system of centralized management of the courts, performed by the Ministry of Justice" which means that the presiding judges "exercise their powers more as representatives of the Ministry of Justice than of the independent, third branch of government," allowing the Ministry, as a result, to "manipulate the judiciary."⁴⁶

No fewer than 26 parties ran in the 2010 elections, which set back the two largest parties, the ČSSD and the ODS (which received only 56 and 53 seats, respectively). The other parties that gained parliamentary representation were the KSČM (26 seats) and two newcomers: the TOP 09 (41) and Public Affairs (24). Neither the KDU–ČSL nor the Greens entered the Chamber of Deputies. The pro-European

TOP 09 advocated for fiscal conservatism and European integration, while Public Affairs (Věci veřejné, VV) stood for government transparency and against political corruption. With the help of the two new political formations, the ODS leader, Petr Nečas (born in 1964), appointed his cabinet. His premiership was criticized for unpopular austerity measures enacted to reduce the large national budget deficit, an effect of the global financial crisis; the restitution of assets to Christian churches in the continent's most secularized country; and misguided reforms of the pension plan and colleges. During Nečas's third year as prime minister, a police investigation led to the arrest of his chief of staff, who was also his mistress (and who later became his wife). These legal troubles prompted Nečas to resign on 17 June 2013. Ten years later, Nečas was convicted of perjury in favor of his mistress, thus becoming the first prime minister in Czech history to be found guilty of a criminal offense.⁴⁷

This resignation opened the way to the 2013 snap election, which divided deputy seats among seven parties, of which most made corruption the cornerstone of their electoral campaign. In the lead were the ČSSD with 50 seats, the new Action of Dissatisfied Citizens (Akce nespokojených občanů, ANO 2011) with 47, and the Communists (KSCM) with 33, followed by TOP 09 with 26, and the ODS with 16. The KDU–ČSL returned to parliament with 14 deputy seats, and the newly established Dawn of Direct Democracy (Úsvit přímé demokracie) also got 14. As its name suggested, the ANO 2011 was founded by dissatisfied Czechs as a centrist and populist formation committed to the fight against corruption, especially political corruption. The Dawn, whose founding members included many Public Affairs leaders, supported the implementation of direct democracy (referenda and election of deputies through a first-past-the-post system), a presidential system that enhanced the powers of the executive relative to the legislative branch, and stronger, clearer separation of powers as solutions to the systemic corruption plaguing the Czech Republic.

However, the most important institutional change that occurred in the Czech Republic in 2013 was the direct election of the president by the electorate at large in a runoff system similar to the one practiced in Poland. Miloš Zeman, the leader of the Social Democrats (ČSSD), won the presidency, beating the TOP 09 Karel Schwarzenberg in the second round. Born in 1944, Zeman had joined the Communist Party of Czechoslovakia in 1968 only to be expelled two years later because of his opposition to the Warsaw Pact invasion. During his first term, President Zeman agreed with the prime minister, the heads of parliament, and the foreign and defense ministers to rename the country “Czechia,” but the name is yet to be accepted by members of the general public, who find it ugly, and local officials, who believe it might lead foreigners to confuse the country with Chechnya, as the names sound similar.⁴⁸ Zeman renewed his presidential mandate in 2018 and brought his second mandate to completion, despite rumors that he was frequently drunk while attending important state functions and showed great tolerance and sympathy for authoritarian regimes in Russia and China. (Note that by the time

Zeman was sworn in, the Friends of Beer Party had already been inactive for at least five years.) On 25 July 2019, for the first time in its history, the Czech Senate asked the Chamber of Deputies to impeach President Zeman for no fewer than eight constitutional breaches, including naming and dismissing cabinet ministers, interfering in court cases, and acting against the foreign interests of the republic. The procedure followed Article 65 of the Constitution. The Chamber turned down the request, but Zeman's erratic behavior continued. In October 2021, the day after parliamentary elections took place, Zeman was hospitalized and was unable to swear in the new government. For more than a month, his office refused to update parliament on his health condition, although if incapacitated, the president should have transferred his powers to the prime minister (by virtue of Article 66 of the Constitution). At the end of his second mandate in 2023, Zeman announced that he would retire from politics. Army general Petr Pavel (born in 1961), who served as the Chief of the General Staff of the Czech Armed Forces in 2012–2015 and Chairman of the NATO Military Committee in 2015–2018, took over the presidency.

Meanwhile, in January 2014, the cabinet of ČSSD Prime Minister Bohuslav Sobotka (born in 1971) was sworn in, with the ANO 2011 and the KDU–ČSL as junior partners. It reformed the police, repealed the civil service act, tackled tax evasion through the electronic registration of sales and the VAT control system, and strengthened relations with China. After Russia invaded Crimea, Sobotka frequently clashed with President Zeman over sanctions against Russia. Nevertheless, Sobotka was the third Czech prime minister to complete a full term. In December 2017 he was succeeded by Andrej Babiš, an ultrarich businessman born in 1954 who had founded ANO 2011. Babiš was the oldest and the wealthiest person ever to become Czech prime minister, the first from a party other than the ODS or the ČSSD, the first born outside the republic (having been born in Slovakia), the first to hold dual citizenship, and the first whose native language was not Czech. An informal alliance with President Zeman and the KSČM permitted Babiš to complete his term, a remarkable achievement in a country where, on average, cabinets survived less than two years. His time in office, however, was marked by legal disputes with the European Commission over accusations of conflict of interest, allegations of EU subsidy fraud, the expulsion of Russian diplomats and resident spies after Russian involvement was discovered in the 2014 Vrbětice explosions, and a loss of 35,000 people to the pandemic. In 2015–2017 he was investigated by both the Czech police and the European Anti-Fraud Office (OLAF) for an unlawful subsidy received by one of his companies from the European Regional Development Fund. After a protracted legal battle in 2023, however, he was acquitted in that case. The divisive Babiš, who has been further criticized for his past role in the communist StB, alleged conflicts of interest, and intimidation of opponents, continues to act as the *éminence grise* behind Czech politics.⁴⁹

Babiš's successor, Petr Fiala (the former rector of Masaryk University in Brno, born in 1964), was appointed after the 2021 parliamentary elections gave the SPOLU, an electoral alliance including the ODS, the KDU–ČSL and TOP 09,

a surprising 71 deputy seats, one short of the 72 gained by Babiš's ANO. The other deputy seats were allotted to representatives of the Pirates and Mayors (37), a centrist alliance bringing the Pirate Party together with the Mayors and Independents formation, and the right-wing Freedom and Direct Democracy (Svoboda a přímá demokracie, SPD), a splinter of the Dawn of Direct Democracy headed by Japan-born Tomio Okamura (born in 1972). For the first time, the leftist ČSSD and KSČM failed to reach the 5% threshold necessary to win any deputy seats. In December 2021, the SPD and the Pirates and Mayors joined forces with the SPOLU to support the cabinet of Prime Minister Fiala, which included ministers from the two junior partners. The Fiala cabinet promised to stabilize the growing national debt and reduce inflation, but in response to the Russian invasion of Ukraine in 2022, he had to provide aid to Ukraine, accept a significant number of Ukrainian refugees, impose sanctions against Russia and its citizens, and contend with the energy crisis. In July 2022, the Czech Republic assumed the presidency of the Council of the European Union at a time when the Bertelsmann Foundation pointed out limited access to government information, restrictions placed on media freedom and on media pluralism, discrimination against women, legal uncertainty, and widespread corruption and clientelism, an assessment that echoed Sabrina Ramet's "flawed democracy" verdict.⁵⁰

Bulgaria

As the only East Central European country to ask Moscow for inclusion into the Soviet Union, Bulgaria seemed unconvinced that democracy was preferable to communism. Bulgarians witnessed the pact negotiations in Central Europe, the breach of the Berlin Wall by East Germans, and the bloody revolution in neighboring Romania with a lot of trepidation but no concrete action in the form of massive anti-communist street demonstrations. Not demanded by large segments of the population, the regime change came about when the aging dictator, Todor Zhivkov (1911–1998), popularly known as "bai Toshov" (Ol' Uncle Toshov) or "Tato" (a dialectal word for "Dad"), allowed the first multi-party elections to be held in June 1990, for the first time in decades. Not surprisingly, given the short time span during which new parties had to organize themselves, the first elections brought about continuity with the communist past more than a resolute break with it. The country's leadership was retained by the reformed wing of the communist party, but an anti-communist dissident secured the presidency. To move away from the communist institutional arrangement that entrusted considerable powers to the country's leader, Bulgaria opted for a mixed system, described by some scholars as a premier-presidential system, in which a president directly elected by the people retains minimal powers, and the head of government appoints the ministers.⁵¹ Communist-era dissident Zhelyu Zhelev (1935–2015) served as President in 1990–1992 and 1992–1997, but the new parliamentary system limited his powers. (As a kind of consolation prize, a peak on the Loubet Coast in Antarctica was named

after him, in recognition of the support he offered to the Bulgarian Antarctic program.) Some seats in parliament were contested through proportional rule, but most of them were allotted according to the plurality rule.⁵²

As in Romania, the new leaders drafted a new constitution aimed at defining the new Bulgarian democracy, instituting a new form of government, protecting basic human rights, and prescribing relations between government and society. The Constitution of 12 July 1991, which replaced the so-called Zhivkov Constitution in force since 1971, recognized Bulgaria as a unitary parliamentary republic (Articles 1 and 2) headed by a president elected directly by the people for five-year terms but entrusted with mostly ceremonial powers, most notably commander-in-chief of the armed forces (Articles 92, 93, and 100). To appoint the government, the president must invite the largest party or faction within parliament. The government slate proposed by that faction must be approved by a simple majority of elected legislators. Should the largest party refuse the mandate, or should it fail to secure the support of a majority in the house, the president must then approach the second largest party or faction. Only after the second largest faction also fails to form a government can the president exercise discretion by appointing a temporary caretaker government until new elections are held (Article 99). The unicameral parliament is formed of 240 legislators elected for four-year terms (Articles 63 and 64). As in other new democracies, a separate Constitutional Court of 12 justices was added to ensure that laws and government decisions abide by the basic law (Article 147).

The Constitution also listed the fundamental human rights that the new democracy pledged to respect and three additional stipulations with long-term consequences. Despite the large Muslim minority present in the country, the document established the Eastern Orthodox Church as “a traditional religion in the Republic of Bulgaria,” but stated that religious institutions must be separate from the state, and religious communities and institutions cannot operate for political and electoral purposes (Article 13). It also prohibited the formation of political parties based on religious or racial/ethnic affiliation (Article 11), a provision that forced the Muslim minority to be represented by a party whose name did not refer to it: the Movement for Rights and Freedoms, the DSP. At the same time, marriage was defined as a “voluntary union between a man and a woman” (Article 46), a stipulation that explicitly prohibited both same-sex and polygamous marriages.⁵³ The Constitution was amended in 2003, 2005, 2006, 2007, and again in 2015, without seriously affecting Bulgaria’s basic government structure or form of government.

After the short-lived cabinets of communist Andrey Lukanov (1938–1996) in 1990 and Dimitar Popov (1927–2015) in 1990–1991, the anti-communist Union of Democratic Forces (Sayuz na demokratichnite sili, SDS) appointed lawyer Philip Dimitrov (born in 1955) as Bulgaria’s first post-communist prime minister in 1991. His government implemented ambitious reforms meant to transform the country into a free market democracy. It lifted restrictions on private initiative, returned land nationalized by the communist regime to its rightful owners, imposed respect

for basic human rights on the part of government agencies, and pursued a pro-European foreign policy. Unfortunately, its program was “conceptually fuzzy and its team was neither experienced nor competent.”⁵⁴ The large-scale restitution of land brought agricultural production to a halt, as the older owners had neither the expertise nor the technology to work the land efficiently. More importantly, Dimitrov sought to open the secret archives compiled by the communist state security, the Committee for State Security (Komitet za darzhavna sigurnost, KDS) to the public. In response to media allegations that his office had served as a communist-era secret police hideout before 1989, Dimitrov asked the archive to let any citizen, upon request, know whether the secret files include data of that person’s links with the secret police. The minority DSP was unwilling to back this proposal, siding instead with the former communists to block it. For political analyst Zoltan Barany, the SDS’s concern with “wreaking retribution on the communists did not resonate strongly with most Bulgarians [who instead] wanted jobs and better living standards.”⁵⁵ Dimitrov remained in office until late 1992, when his cabinet lost the confidence of parliament.

In the second round of the 1992 elections, Zhelev renewed his presidential mandate. Independents Lyuben Berov (1925–2006) and Reneta Indzhova (born in 1953) were appointed as prime ministers in charge of “technocratic” cabinets in 1992 and 1994, respectively. Zhan Videnov, who represented the former Communist Party, rebaptized the Bulgarian Socialist Party (Balgarska sotsialisticheska partiya, BSP), formed the government after the 1994 elections, which gave the leftists 125 of the 240 deputy seats. The results allowed the majority government to ignore input from the opposition in policy matters. As many as 46 parties fielded candidates in those elections, but only five of which got into Parliament. Also in 1994, the EU started active leverage on Bulgaria, but its requirements were “at loggerheads with the sources of political power of ruling elites” and, thus, progress toward the adoption of EU conditions remained slow.⁵⁶ Despite promises of reducing inflation and restarting the economy, the Videnov cabinet deepened Bulgaria’s economic stagnation, underfunded social services, tolerated organized crime groups, and introduced a mass privatization scheme that enriched well-connected individuals. In 1996, living standards plummeted dramatically, and Bulgarians experienced a shortage of bread when the country’s grain reserves were depleted. Soon afterward, the government defaulted on the foreign debt contracted by former Prime Minister Dimitrov in 1992, and, as a result, Bulgaria’s credit rating decreased, its finance system was destabilized, most of its commercial banks went bankrupt, and its currency devalued 42 times, generating hyper-inflation. Thousands of ordinary citizens lost their savings, while well-connected politicians, businessmen, or notorious thugs profited shamelessly. As Milada Vachudova wrote, the partial economic reforms enacted by the communist successor party “implicated [it] in the most far-reaching and systematic corruption” that “enriched the elite and entrenched networks of corruption, while promoting the economic hardships of the average citizen.”⁵⁷

The capture of the Bulgarian state by organized crime groups merits special attention, as even tourists wishing to reach the summer resorts of Balçic, Burgas, or Varna became easy targets, a fact to which I can personally attest. During the early 1990s, weak government power and widespread police corruption gave rise to daring and rapacious organized crime groups, which quickly expanded their activities to cigarette smuggling, financial crimes, prostitution, human and drug trafficking, racketeering, arms trade, and even car theft. Former policemen, wrestlers, and retired members of the communist-era state security practised extortion and used the Security Insurance Company (SIC) and Vasil Iliev Security (VIS) as fronts for their criminal activities. Moreover, these groups allegedly carried out in broad daylight over 150 contract killings, especially in the capital, Sofia. Among the victims were VIS owner Iliev and his brother, Prime Minister Lukanov; AtomEnergRemont director Borislav Georgiev; wealthy businessman Ilyia Pavlov; banker Emil Kyulev; lawyer Petar Lupov; and controversial television host Bobi Tsankov. Tellingly, no conviction was obtained in any of these cases, given the rampant corruption affecting Bulgaria's judiciary, especially the Prosecutor's Office. The tentacles of the Bulgarian mafia reportedly reached out to Italy, where it collaborated with the 'Ndrangheta, and the United States, to which it smuggled illegal drugs, falsified identification cards, defrauded banks, ran prostitution rings, and engaged other illegal activities. These groups acted with impunity because the political backing they enjoyed at the highest level made them untouchable.⁵⁸

Given the deep crisis that Bulgaria faced at the time, it was no wonder that Petar Stoyanov of the SDS (born in 1942) won the 1996 presidential elections, as the country's first president after World War II who had never belonged to the Communist Party. In February 1997, Prime Minister Videnov was forced to take responsibility for the crisis and tender his resignation. The president refused to accept another BSP cabinet proposal, although the party retained a majority in parliament and, instead, summoned representatives of all parties in the house to negotiations while the SDS organized street protests to force the BSP to take responsibility for the crisis. The protests culminated in a general strike and a siege of Parliament on 10 January 1997. Bowing to popular pressure, the parties represented in the house (including the BSP) accepted the appointment of a caretaker government led by Stefan Sofianski (the SDS mayor of Sofia, Bulgaria's capital, born in 1951) before snap elections could be organized.⁵⁹ That poll drastically changed the composition of the house, granting the SDS and its allies a large majority (137 seats) and reducing the Democratic Left to only 58 seats. The SDS-dominated cabinet of Prime Minister Ivan Kostov (born in 1949) was the country's first post-communist cabinet to serve a full term (until 2001). For some analysts, Kostov's nomination marked the end of the Bulgarian illiberal regime, characterized by "high levels of corruption, low state capacity, and poor judicial quality," because it allowed the new government to implement political and economic reforms that moved the country forward in the EU pre-accession

process by withdrawing the state from the economy while ensuring that the state would “deliver better regulation, rule of law and oversight in the economy.”⁶⁰ Pre-accession reforms remained slow and ineffective in reforming the state, placing Bulgaria behind its neighbors (on par with another laggard, Romania).

Under President Stoyanov, Bulgaria requested NATO membership, stepped up EU accession efforts, ratified the Council of Europe Framework Convention for the Protection of National Minorities, and joined the United Nations Security Council as a nonpermanent member. At Stoyanov’s invitation, Bulgaria was visited for the first time by a sitting US President in 1999. Despite his initial lead in the polls, Stoyanov failed to renew his presidential mandate in 2001, losing in the second round to Georgi Parvanov (a BSP leader born in 1957). The fact that no party fully supported his presidential campaign pushed Stoyanov to produce, during a key televised debate, a classified file containing information about another electoral candidate. This electoral instrumentalization of classified information backfired and convinced many swing voters to support Parvanov. It is unclear why the SDS leaders made confusing statements during the campaign instead of openly helping Stoyanov; why the DPS (representing the Turkish minority) strongly supported Parvanov, the candidate of the former Communist Party which had oppressed Bulgarian Turks during the Revival Process of the 1980s; and why the former monarch Simeon Saxe-Coburg-Gotha (born in 1937) and his National Movement for Stability and Progress (Natsionalno dvizhenie za stabilnost i vazhod, NDSV) stated their support for Stoyanov but chose not to vote in the second round. The year 2001 continued to represent an *annus horribilis* for the SDS.⁶¹ This is why.

That year’s parliamentary elections saw increased competition among a growing number of political parties (65), of which only four entered the house. The new NDSV, a liberal populist party created as a personal political vehicle of the former monarch who reigned as Simeon II between 1943 and 1946, when the monarchy was abolished, won 120 deputy seats at the expense of both the SDS and the BSP, which gained 51 and 48 seats, respectively. Simeon II became the head of the so-called “Tsar’s cabinet”, supported by the DPS. The BSP represented the strongest opposition party, whereas the divided right-wing camp saw a sharp decline in public support. The party system became fragmented among no fewer than 330 formations, the vast majority of which were personal parties with no significant social base. One year into his mandate, Prime Minister Simeon faced a split in the NDSV and the formation of a separate parliamentary group by the defectors, but he survived this crisis, as well as six unsuccessful no-confidence votes introduced by the opposition to unseat his cabinet.⁶² The large number of privatization deals and concession agreements signed by his cabinet created social tensions and fueled distrust in government as the lack of transparency gave the upper hand to some bidders and placed others at a disadvantage. Despite economic growth, the foreign trade balance remained negative, and Bulgaria’s EU acceptance was postponed from 2004 to 2007, as it failed to comply with accession requirements in matters of justice and home affairs.

Nevertheless, the country did join NATO in 2004, at the same time with Romania. As in Poland and the Czech Republic, acceptance was preceded by heated discussions related to the fate of the Bulgarian communist-era secret agents who once spied on behalf of Moscow and would gain access to NATO secrets after Bulgaria joined the alliance. After the regime change in 1990, the Bulgarian government did not initiate a formal vetting, a decision with two serious consequences. The KDS secret agents continued to dominate the post-communist intelligence community, even after the committee was replaced in 1991 by a new agency, purportedly democratic and respectful of human rights. Possibly more important, Bulgarian intelligence remained affected by what analysts saw as a worrisome “Russian penetration and vested interests” because of Sofia’s traditionally close relationship to Moscow, which extended to “sharp measures”, a category including abductions, sabotage, and assassinations.⁶³ This is why the replacement of the so-called “legacy” intelligence agents, inherited from the old regime, became a key condition for the NATO acceptance of Bulgaria (and Slovakia, another East Central European country closely tied to Moscow), even more so because the reappearance of Soviet/Russian-trained intelligence officers in positions of leadership and influence alarmed Western NATO partners.⁶⁴

Bulgaria’s problems explain why the former tsar and his NDSV unintentionally returned their nemesis, the Socialists, to parliamentary majority in the 2005 elections; indeed, the NDSV won 53 seats, while the Socialists got 82. Seven of the 22 parties that participated in those elections got parliamentary representation. Nevertheless, more party leaders at the table meant more protracted negotiations to form the government. After two months of heated discussions, the Socialists, the NDSV, and the DPS forged an understanding. The relatively young Sergey Stanishev, the Socialist leader who was asked to head the new cabinet, boasted some surprisingly strong ties to the former Soviet Union, where he had been born in 1966 to a Bulgarian communist official, spent his childhood, and attended school and university. This personal background, however, did not prevent him from overseeing Bulgaria’s final leg toward EU accession, successfully completed in January 2007, three years after Poland and the Czech Republic had joined. Bulgaria’s delay could be explained by the fact that “reforming large swathes of the state and equipping it to fight corruption” were not part of the *acquis*, and the indirect measures imposed by the EU proved insufficient in a country where “a critical mass of high-level politicians are corrupt, organized crime has thoroughly penetrated the economy, and the judiciary is weak and corrupt.”⁶⁵ To join the EU, Bulgaria created a Commission to Prevent and Combat Corruption to work with the ombudsman, the ministry inspectorates, and the audit office but overlapping competencies, legal loopholes, inadequate personnel and funding, and lack of independence from the government rendered this anti-corruption network useless. Because judges convicted few corrupt luminaries, “the anti-corruption spectacle” resulted in “increased popular sensitivity to corruption” and “the normalization of expectations”⁶⁶ that corruption was a gangrene too deep for any government to

extirpate without killing the patient. Stanishev completed the four-year term with support from a solid parliamentary majority.

In 2009, Bulgaria implemented changes to its electoral system so that 209 of the 240 deputy seats were distributed according to proportional representation, while the remaining 31 (equal to the number of voting constituencies) were allocated according to a single-member plurality. A 4% national threshold was introduced for parties. These changes, proposed by the BSP, sought to avoid the fragmentation of parliament and to promote party consolidation by eliminating the very small political formations, but, at the same time, they made most candidates for deputy positions dependent on the party leadership, which decided the names and their ranking on the party lists. The Socialists gathered 40 seats, the DPS 38, and the SDS barely 15. For the first time, the far-right ultranationalist Attack (*Ataka*) party entered parliament, gaining 21 seats. Attack's leader, controversial television host Volen Siderov (born in 1957), was described by some as engaging in a "studied imitation of Hitler", a conspiracy theory-driven supporter of a "Bulgaria for Bulgarians", and an ardent fan of Russian President Vladimir Putin and French nationalist Marine Le Pen.⁶⁷

The largest share of the votes and seats (116) went, however, to the Citizens for European Development of Bulgaria (GERB), the personal, conservative, and populist formations of the charismatic Boyko Borisov. One of the former bodyguards of communist strongman Todor Zhivkov, Borisov made a spectacular post-communist career that led him, in 2005, to occupy the mayoral seat of Sofia. He then created GERB as his political vehicle, a party controlled almost exclusively by him as the leader, without having to deal with any mid-level leadership and being subject to a congress that convened only every three years. Borisov formed a GERB cabinet with promises to fight crime and corruption, assure Bulgaria's energy independence, and protect the country from the effects of the global financial crisis. He fulfilled none of these, but, instead, he irremediably damaged the rule of law and citizens' trust in political institutions. That's because he applied the formula by which he controlled GERB to subordinate the entire machinery of the government to his will. As a result, parliament was turned into "a 'rubber stamp' institution" that was "carrying out all the wishes of the government in power", the opposition was cornered or muzzled, and the government avoided all parliamentary control and even refused to inform the house on matters of national importance.⁶⁸

Having served for the maximum two terms, Parvanov was unable to run in the 2012 presidential elections. This made way for GERB leader Rosen Plevneliev (who was born in 1964 to a teacher and a communist party activist) to win the presidency. In early 2013, high electricity prices and poverty ignited mass protests that eventually turned violent, forcing the resignation of the GERB government just months before elections were to be organized. A caretaker government headed by Marin Raykov (born in 1960) served until those elections, which gave GERB 97 seats, the Socialists 84, the DPS 36, and Attack the remaining 23, but

the election was marred by serious allegations of fraud, voter intimidation, and illegal printing of ballots, all of which observers blamed on GERB.⁶⁹ As many as 36 parties fielded candidates, proving that the changes in electoral rules introduced in 2009 failed to achieve their intended goal, and fragmentation of the party system remained a dysfunctionality of Bulgarian politics. Because the other parties in parliament blamed GERB for election irregularities and refused to enter a coalition with it, the BSP was invited to nominate the prime minister. Soon after its formation, the cabinet of economist Plamen Oresharski (born in 1960) came under fire for appointing as head of the State Agency for National Security a controversial media mogul investigated for corruption, who was later denounced as one of the “key architects of Bulgaria’s democratic decline and devolution into a criminal state” and one who made money by “the capture of privately held assets by extralegal means”.⁷⁰ Street protests led to Oresharski’s fall and the appointment of a caretaker government headed by independent Georgi Bliznashki (born in 1956).

Post-communist Bulgaria’s first referendum was held on 27 January 2013, when voters were asked to support the restarting of the construction of the Belene nuclear power plant. The Kozloduy plant, built in 1974 with Soviet technology, provided one-third of Bulgaria’s energy needs. The new plant was meant to help the country achieve energy independence and use newer technology built by a US firm. Turnout did not pass the required threshold that required that the number of voters in the referendum reach at least the number of voters who participated in the previous parliamentary election, and, thus, the referendum was declared nonbinding. Construction of the Belene nuclear plant began in the 1980s, but the government closed four nuclear reactors as a condition for joining the EU in 2007. The following year, the Socialist government approved a contract to restart construction, but four years later, the GERB cabinet stalled the project for being too expensive. The Socialists collected more than 500,000 signatures to force the referendum. By 2022, the Belene project had been abandoned.⁷¹

In 2014, GERB made a strong comeback by securing 84 deputy seats. The Socialists won 39, with the remainder being divided among six other parties. Attack again gained parliamentary representation but won only 11 seats, fewer than in 2009. Borisov formed another cabinet with the backing of a populist coalition that controlled 137 of 240 seats. In 2015 and 2016, two referenda were organized, but none had the required minimum turnout, so they were declared nonbinding. A referendum held on 25 October 2015, alongside local elections, asked voters to consider changes to the electoral code: introducing electronic voting, making voting compulsory, and reintroducing first-past-the-post voting alongside proportional representation.⁷² Mandatory voting was proposed by the Socialist leader Sergei Stanishev and endorsed by GERB leader Borisov. On 6 November 2016, the first citizen-driven referendum was held alongside presidential elections. This time, voters were asked to support limiting public funding of parties to one lev per year per valid vote received at the previous elections, the introduction of compulsory

voting in elections and referenda, and electing National Assembly members in the two-round system. To be binding, the number of voters in the referendum had to match the number who voted in the previous (meaning 2014) parliamentary elections. This was not the case, and, therefore, the referendum was nonbinding. By law, a nonbinding direct decision by the citizens had to return to the legislature for final resolution. The house rejected all proposals put forth in the two referenda. The groups who initiated the 2016 referendum pointed out an unintended consequence of the Referendum Act, which failed to consider demographic trends. Indeed, 3,500,585 Bulgarians voted in the 2014 general election and only 12,000 fewer in the 2016 referendum. However, the 2014 turnout represented 48% of the electorate, while the 2016 turnout represented 51% of the electorate!⁷³

Between 2014 and 2021, Borisov headed two governments, under which Bulgaria improved its political and economic stability but remained the EU's poorest member, with a quarter of its population living below poverty line. The Borisov cabinets were accused of electoral fraud, political corruption, judicial threats, interference in business, misuse of EU funds, and attacks against journalists. They also lacked accountability because no serious opposition challenged the third Borisov government, supported by the conservative GERB, the nationalist United Patriots alliance and the populist Volya Movement. In 2019, the press revealed that ministers, deputy ministers, legislators, a Supreme Judicial Council member, the head of the anti-corruption commission, the head of the National Investigative Service, and other senior government officials had obtained luxury properties at below-market prices. Further investigations unearthed that state dignitaries and their well-connected clients had misused EU funds to build more than 740 private dwellings, bed and breakfasts (B&Bs), and summer cottages; had diverted agricultural subsidies to livestock existing only on paper; had pocketed money destined for infrastructure by completing shoddy repairs; and even participated in money laundering schemes.⁷⁴ In response to these revelations, the government instituted financial controls over mass media and increasingly harassed outspoken journalists who dared to investigate public tenders. By 2019, Bulgaria had the lowest Press Freedom Index score among EU member states (111th), and the report mentioned that journalists had been exposed to murder threats.⁷⁵

Instead of championing anti-corruption measures within his own cabinet, Borisov spent his time in office fighting air commander Rumen Radev (born in 1963), who secured the presidency in 2017 by defeating Borisov's preferred candidate. In 2019, the controversial Ivan Geshev was named Prosecutor General. Geshev teamed up with Borisov to weaponize the judiciary against their rivals, further undermine the rule of law, and dash hopes for genuine judicial reforms. Geshev rejected the need for a transparent allocation of court cases and protected politicians and crime bosses by refusing to press charges. The Prosecutor General can "annul every prosecutor's decision and control every investigation", with no oversight from other bodies, a point that remained a lingering concern for the EU.⁷⁶ Borisov's links to organized crime and Bulgaria's mafia and mobsters were

noted by the *U.S. Congressional Quarterly*, which also linked him to unsolved murders, and by former US Ambassador to Bulgaria John Beyrle, who, in a leaked memo, accused Borisov of facilitating illegal deals with the Russian oil company LUKOIL.⁷⁷ Western governments also claimed that earlier in his career, Borisov had used his position in the Interior Ministry to protect organized crime bosses.⁷⁸ During the 2020–2021 street protests, Prime Minister Borisov announced that he would back constitutional changes to reduce the terms of judges and prosecutors and to halve the number of elected representatives in the National Assembly. The proposals were meant to divert attention from the real issues that drove citizens to take to the streets: government corruption, abuse of power, and illegal pressuring of independent journalists.⁷⁹ One year after he stepped down as prime minister, in March 2022, Borisov was detained, and then quickly released, on charges of misuse of EU funds.⁸⁰ He left behind a weakened country that is polarized, fragmented and deeply distrustful of politicians.

In 2021, Bulgaria organized no fewer than three parliamentary elections. In the April elections, GERB lost seats because of its cronyism, and the Socialists because of intra-party divisions. As no party leader could form a coalition government, snap elections were held in July and then again in November, when Bulgarians were called to elect both the president and the parliament. Voter turnout was the lowest since 1989 (38% in the parliamentary elections, and only 33% in the second round of the presidential poll). Incumbent President Radev renewed his mandate. The populist We Continue the Change (Prodalzhavame promyanata, PP) got 67 seats, followed by GERB with 59, the DPS with 34, the BSP with 26, There Is Such a People (Ima takav narod, ITN) of singer and television host Slavi Trifonov with 25 seats, the liberal Democratic Bulgaria 16, and the far-right Revival with 13. To keep GERB in opposition, the other parties (except Revival) agreed to support the PP leader Kiril Petkov (born in 1980) for the position of prime minister. The Harvard educated Petkov, who renounced his Canadian citizenship to enter politics in Bulgaria, announced plans to step up the anti-corruption fight and make the government more accountable, but the 2022 Russian invasion of Ukraine forced him to turn his attention to other issues. Bulgaria welcomed Ukrainian refugees, recalled its ambassador to Russia, offered Ukraine fuel and arms, and supported Ukraine's EU membership bid. The pro-Western Petkov government further allowed the Port of Varna to be used by NATO for increased military mobility in the region and for transporting goods stifled by the Russian blockade of Odessa. On 22 June, the BSP introduced a no-confidence motion over budget spending and North Macedonia's EU accession, which succeeded in removing Petkov.⁸¹ Independent Galab Donev (born in 1967) remains in office at the time of this writing.

Serbia

Serbia became a sovereign and independent state in 2006 for the first time since 1918. However, while its East Central European neighbors gained sovereignty by

seceding from other larger states where they represented only a minority of the population and territory, Serbia became independent because its last federal partner, the tiny Montenegro (meaning the Black Mountain), finally deserted it at the end of 15 long years during which other republics, one by one, some violently and others more peacefully, chose to go their own way and split from what once was the Serb-dominated Yugoslav federation. The borders that Serbia acquired in 2006 shrank even further only two years later, when the Albanian-dominated Kosovo declared its independence, a decision Serbia has continued to deny ever since. In an irredentist move, Serbia recognizes Republika Srpska, an entity in Bosnia-Herzegovina with which Serbia shares a long contiguous border and where Serbs form a majority of the local population.

While the other three countries discussed here have fine-tuned their political institutions according to democratic and EU requirements for close to 35 years, Serbia's post-communist institutional changes have focused on retaining control over its ever-shrinking borders and defending Serbs left behind in other sovereign states. Those changes are detailed in Chapter 4 and will not be explained here. Suffice to mention that nationalism increasingly compensated for economic failure in the later years of communist rule, as the Yugoslav identity, which was supposed to override the diverse national identities of the various nations living in the federation, weakened its integrative power.⁸² Soon after Slobodan Milošević (1941–2006) rose to power in Serbia in 1989, he turned to nationalism to cover up the ideological bankruptcy of the communist project, but his uncompromising ethnic appeals backfired, and by 1992, Slovenia, Croatia, Bosnia-Herzegovina, and Macedonia declared independence, leaving behind a Federal Republic of Yugoslavia (FRY) consisting only of Serbia and Montenegro. As the FRY provided logistic, military, and financial support to Serbian forces in the ensuing wars of the 1990s, the UN imposed a series of sanctions that isolated the FRY politically and hurt it economically. As a result of the wars, Serbia became home to the highest number of refugees and internally displaced persons in Europe.⁸³ Borders changed again after 2000, reflecting growing desires for self-determination on the part of minority nations. On 21 May 2006, a referendum narrowly determined that the tiny Montenegro should end its union with Serbia and become an independent state with the capital at Podgorica, a town of only 210,000 in 2023.⁸⁴ On 17 February 2008, the Kosovo Assembly unilaterally declared independence, redrawing Serbia's borders once again. Following all these territorial losses, Serbia has remained a landlocked country with a territory that represents only one-third of the former Yugoslavia and a population that is close to Bulgaria's at 6.8 million.

The 2006 split with Montenegro prompted Serbia to pass a new Constitution that protected basic rights of individuals and minorities and prohibited discrimination based on ethnicity, religion, and other identity markers (Article 21). According to the document, Serbia is a premier–presidential system, in which a directly elected president retains minimal powers, and the head of government appoints the cabinet.⁸⁵ The President of the Republic, who is elected by the people

to a maximum of two five-year terms, has a largely ceremonial role, including the right to promulgate laws and propose the name of the prime minister only after consultations with the parties represented in parliament, but has no veto power (Article 112). The government is solely responsible for implementing policy and is accountable to the legislature (Articles 123 and 124). The National Assembly must simultaneously approve both the appointment of the cabinet and the government's program for a prime minister to take office (Article 127). The Assembly has the power to enact laws, approve the budget, schedule presidential elections, select and dismiss the ministers, declare war, and ratify international treaties and agreements. The support of 60 deputies is the minimum required for introducing a no-confidence motion in the government; the motion can pass only with a single majority of all deputies (Article 130). Serbia has a unicameral legislature with 250 deputies elected to four-year terms (Article 102). An independent Constitutional Court, which consists of 15 justices, was also created to safeguard constitutionalism and to ensure rule of law (Article 172).⁸⁶

The Constitution kept silent on Serbia's intelligence agencies. The Yugoslav State Security Administration (Uprava državne bezbednosti, UDBA) included eight semi-independent state security agencies that operated on the territory of Serbia, the five other Yugoslav republics, and its two autonomous provinces, but all were coordinated from the federal capital, Belgrade. As with other communist secret police forces, UDBA consisted of various domestic surveillance and foreign espionage departments that were all linked to numerous rights violations. In March 1991, UDBA was replaced by the State Security Service (Resor državne bezbednosti) of the Federal Republic of Yugoslavia, without undergoing any serious vetting of its personnel. Little is known about this service besides the fact that, during the 1990s, it secretly established several special forces such as the Serb Volunteer Guard, known as Arkan's Tigers, after its commander, Željko Ražnatović (1952–2000), nicknamed Arkan; the Special Operations Unit, known as the Red Berets, whose members had ordered the assassination of Prime Minister Zoran Đinđić in 2003; and the Scorpions, involved in war crimes in Croatia, Bosnia, and Kosovo and found guilty of involvement in the Srebrenica and Podujevo massacres. These cruel paramilitaries acted with impunity, as the International Criminal Tribunal for the former Yugoslavia (ICTY) indictments demonstrated. In the early 2000s, these special forces were dismantled, and a new Security Intelligence Agency (Bezbednosno-informativna agencija, BIA) was created to collect intelligence, conduct counterintelligence, and protect Serbia's national security.

By the end of the 1990s, a growing number of Serbs were ready to support an alternative to Milošević, whose personalized, self-serving, divisive, and nationalist rule was increasingly disputed not only because it muzzled the opposition and granted citizens few fundamental human rights but also because it was a cover for systematic graft and illegal enrichment by a tiny elite of *nouveaux riches* in a land of growing poverty and despair. The courts, packed with Milošević's supporters, were unwilling and unable to ensure that law applied equally to potentates and

ordinary citizens. And his dominance of the media, including electronic means of communication, rarely allowed dissenting voices to reach the public. Several opposition parties accused Milošević of electoral fraud in the presidential elections of 2000, while the Democratic Opposition of Serbia (Demokratska opozicija Srbije, DOS), a broad coalition of anti-Milošević political formations, organized a campaign of civil resistance joined even by the industrial workers, who had previously remained on the sidelines. This culminated in a massive demonstration in Belgrade on 5 October spearheaded by students.⁸⁷ As a result of the so-called Bulldozer Revolution, the stubborn Sloba, as Milošević was popularly known, had to concede defeat. His resignation marked the end of Yugoslavia's international isolation, but not the end of Serbia's dysfunctions. Vojislav Koštunica (born in 1944), who served as the FRY's last president from 2000 to 2003, and then as prime minister of Serbia from 2004 to 2008, obstructed efforts to remand Milošević to the ICTY, claiming that Serbian law took priority over international law. The Serbian leader was finally transferred to The Hague on 28 June 2001, on the anniversary of the 1389 Battle of Kosovo. In The Hague, he defiantly stood trial. The political climate in the country remained tense also because the various parties belonging to the anti-Milošević camp were bickering so much with each other that they resembled "an airplane with eighteen pilots".⁸⁸

In 2003, the year when the FRY changed its name to Serbia and Montenegro in a move that looked like the final admission that Yugoslavia was a thing of the past, reformist Prime Minister Zoran Đinđić (born in 1952) was assassinated in broad daylight at the command of organized crime bosses and former security officials. The former group was disgruntled with Đinđić's insistence on establishing a Special Tribunal with a witness protection program meant to put mobsters behind bars, whereas the latter group hated him for accepting the surrender of Milošević to the Hague, whom the former security officials regarded as a great national hero who deserved praise not punishment for trying to make Serbs masters over others. The assassination demonstrated the considerable clout still retained by members of the former Yugoslav security services and the massive influence of organized crime, who received protection from the military and the intelligence community. Indeed, the wars of the 1990s and the economic reforms conducted afterward gave groups in the military and intelligence the upper hand, fueled rampant corruption and clientelism, and fed a self-serving political class oblivious to the common good. No substantial reforms of public administration and the judiciary were able to curb these trends or impose the rule of law. In addition, "low salaries in major ministries and the judiciary made officials susceptible to bribery and meant that unscrupulous figures looting the state often faced no sanctions other than exposure in the media."⁸⁹ Condemned by domestic and international actors, the assassination forced the Serbian judiciary to hunt down and prosecute the culprits to show that rule of law was not an empty word.⁹⁰

In his short time in office, Đinđić's successor, Prime Minister Zoran Živković (born in 1960) imposed a temporary state of emergency and launched Operation

Sabre to combat organized crime and bring to justice the individuals responsible for this and other assassinations. In 2006, Serbia received with mixed feelings the news that Milošević had died of a heart attack in his prison cell near The Hague, weeks before the ICTY was due to bring his case to completion. In 2007, 12 men were convicted for Đinđić's murder. Meanwhile, after the first post-assassination parliamentary elections, Koštunica became the head of a minority government backed by Milošević's Socialist Party of Serbia (Socijalistička partija Srbije, SPS). In that capacity, he facilitated the adoption of the new Constitution and the signing of an association agreement with the EU. In 2008, Koštunica's minority government resigned, as the coalition that supported it became too divided over the loss of Kosovo to even remain on speaking terms. Kosovo's declaration of independence also placed Serbia's political elite in a conundrum: should it continue to seek EU accession after the EU had recognized Kosovo's secession, which Serbia strongly opposed?⁹¹ The early elections organized that year allowed voters to answer that question.

The election results placed economist Mirko Cvetković (born in 1950) in the prime minister's office, backed by a multi-party coalition named For a European Serbia (*Za evropsku Srbiju*, ZES), whose main stated goal was Serbia's accession to the EU. Under Cvetković's government, Serbia registered low economic growth and had to complete its obligations to the ICTY by deferring the remainder of the accused, but the country also received EU candidate status in 2012 and the right for Serbian citizens to travel to the Schengen Area without a visa. Serbia had applied for EU membership in December 2009. In 2012, the Serbian Progressive Party (*Srpska napredna stranka*, SNS) won both the parliamentary and the presidential elections, establishing a lead that it still retains at the time of this writing. A former member of the far-right Serbian Radical Party (SRS), which he abandoned to create the SNS, Tomislav Nikolić (born in 1952), became the new president, succeeding to the pro-European, twice-elected President Boris Tadić, who made his political career as a member of Đinđić's Democratic Party. Tadić encouraged stronger relations between the Yugoslav successor states and asked the Serbian Parliament to condemn the Srebrenica massacre of 1995.

Weeks of negotiations convinced the Socialist Party to join the SNS in backing Ivica Dačić (born in 1966) as head of a new cabinet installed in 2012. The return to government of Milošević's Socialists provoked some popular unease and pushed Dačić to repeatedly stress that his cabinet was neither Euro-skeptic nor nationalist. For the Socialists, the return represented a sweet revenge over the reformists who ousted them in 2000 and who sent their beloved leader to The Hague. Regardless of these reassurances, Dačić's links to Serbia's unsavory past were undeniable, as he had risen through the ranks of the Socialist Party as Milošević's protégé. This nepotism explained why he became known as the "Little Sloba", after his mentor, and why some Serbs believed he increasingly resembled the former strongman and was nothing but "an eyesore for anyone who doesn't have the memory of a goldfish", that is, all those who remembered the "decade of war and isolation".⁹²

In 2014, Prime Minister Dačić was succeeded by Aleksandar Vučić (born in 1970), who continued to facilitate EU accession, by privatizing state businesses and liberalizing the economy and advocated for the normalization of relations between the Serbian and Kosovar governments. In 2017, he gave up the head of government position to run for president with the backing of the SNS. By that time, he had renounced his far-right and Euro-skeptic views in favor of a populist, conservative and pro-European stance. He won the presidency in the first round of elections mostly by catering to educated pensioners. He continues to serve as the head of state at the time of this writing. After becoming president, Vučić disbanded the presidential pretorian guard and hired, instead, the military police unit that had (illegally) protected him while he served as a prime minister in 2014–2017, a move proving that he trusted few and feared many. Vučić's rule has been described as an authoritarian, autocratic, or illiberal democratic regime. During late 2018 and early 2019, thousands of Serbians protested his personal rule and the corruption of the SNS. In 2019, Freedom House downgraded Serbia's status from Free to Partly Free to reflect “deterioration in the conduct of elections, continued attempts by the government and allied media outlets to undermine independent journalists through legal harassment and smear campaigns, and President Vučić's de facto accumulation of executive powers that conflict with his constitutional role.”⁹³ The following year, the reintroduction of the lockdown to combat COVID-19 prompted widespread protests directed against the government's mishandling of the pandemic. The response was police brutality at levels not seen since the rule of Milošević.⁹⁴

As a result of the 2017 general elections, Ana Brnabić became prime minister of a cabinet backed by the SNS and the Socialists. Many observers have seen the openly lesbian Brnabić as a puppet head of government, with President Vučić wielding real decision-making power in the background. In 2021, Serbia was the 5th country in Europe to have women holding high-ranking public functions, but the country continued to lag behind in almost all other respects.⁹⁵ Despite international apprehensions against him, in 2022, Vučić renewed his presidential mandate with as much as 58% of the popular vote in the first round, proving both that significant segments of the Serbian electorate had accepted his authoritarian penchant and that the ruling coalition was able to benefit from “systemic progovernment media bias, a lack of campaign finance oversight, and the absence of sanctions for electoral violations.”⁹⁶

Conclusion

A communist-era joke, which was once told and retold in hush voices, warned listeners that the future that would knock on their door wouldn't be that bright, in fact it might be grim and dark. The future has already arrived in East Central Europe, and it is not exactly what the people imagined at the time when communism was thrown into the dust bin of history. The changes introduced in the early 1990s were meant to transform the region's institutions into democratic ones, but

35 years later, these countries are still plagued by significant dysfunctions that stubbornly perpetuate themselves and have few genuine solutions in sight. As the experience of the countries discussed here suggests, three major dysfunctions weave into their national narratives: a dysfunctional implementation of the law, widespread corruption and clientelism, and strong authoritarian leaders.

The first dysfunctionality is represented by the significant gap between the democratic constitutions these countries boast and the frequent or significant misimplementation of their provisions in practice. In theory, the law is supposed to apply equally to all citizens, be they princes or beggars, belonging to majority or minority groups, or having many riches or nothing. In practice, however, well-connected individuals – including politicians, media moguls, intelligence agents, wrestlers, and even mobsters – can sometimes bend the rules, dodge investigation, bribe the judges, and even use the judiciary as a weapon against their rivals. The lingering effects of the communist legal culture and of the continuity in judicial personnel meant that the 1990s represented a steep learning curve during which omissions, mistakes, and shortcomings could be rationalized as unintended functions that, in time, would slowly diminish to make way for stronger legal institutions and rule of law. However, the complete independence of the judiciary from the executive and the legislative branches of the government is yet to be achieved, despite significant steps taken in this direction.

Second, corruption and especially political corruption remain some of the most talked about dysfunctions affecting the region. There seem to be endless ways in which public resources end up in private pockets, as all four countries attest to. Powerful players appoint and promote their relatives, mistresses, and friends into cushy public positions in which these clients, in turn, can support their patrons and, in their turn, serve as patrons to a string of other lower level bureaucrats in a well-crafted pyramid of influence. Handsome personal fortunes are made by targeting public resources, deeds of assets slated for privatization or property restitution, and more recently, various EU funds destined for the development of East Central Europe. And bribes are still offered, if not always demanded, by almost everyone in the region, whenever they interact with government officials, but also doctors, lawyers, and teachers.

In a clear pattern, all four countries discussed here have been ruled during the past decade by leaders with authoritarian tendencies. Jaroslav Kaczyński in Poland, Andrej Babiš and Miloš Zeman in the Czech Republic, Boris Borisov in Bulgaria, as well as Ivica Dačić and Aleksandar Vučić in Serbia have all come to the forefront as prime ministers or presidents (or both) sometime after 2010 on promises to “fix” a dysfunctional political system, strengthen law, fight corruption, and defeat greedy politicians. They were joined by Robert Fico (born in 1964) in Slovakia, Viktor Orbán (born in 1963) in Hungary, Traian Băsescu (born in 1951) and Liviu Dragnea (born in 1962) in Romania, Milo Đukanović (born in 1962) in Montenegro, Nikola Gruevski (1970) in North Macedonia, and Milorad Dodik (born in 1959) in Republika Srpska, some of whom have,

meanwhile, renounced their political careers. Of them, Kaczyński is the most senior (born in 1949); Vučić and Gruevski are the youngest, being only 19 when communism collapsed in 1989. While some observers attribute their rise to personal charisma, they all profited from popular dissatisfaction with other leaders, desperate voters eager to allow them as newcomers to try their hand at government, a positive media campaign, and electoral irregularities, that in some cases were blatant, that killed the chances of their political rivals to win sufficient votes. Despite their promises to improve the lot of their compatriots, all these authoritarian populists turned into their countries' worst enemies, treating public office less as an opportunity to advance the common good and serve the nation and more as a chance to gain the financial, social, and political capital needed to strengthen their grip.

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3

UNINTENDED CONSEQUENCES IN THE ECONOMIC TRANSITION

Lavinia Stan and Sabrina P. Ramet

In 2022, Claus Offe published the second edition of his book, *The Tunnel at the End of the Light: Exploring the Political Transition in the New East*.¹ While other authors had imagined the fall of communism in East Central Europe and the dawn of a new era of pluralism as a kind of entrance into something reflective of Western freedom and opulence, for Offe, the reality of the transition does not live up to the imaginings of some of those who had hoped for a much better post-communist (or, if one prefers, post-socialist) reality. In any event, the economic challenges after November 1989 immediately became the subject of controversy – as shown in the drawn-out debate in Slovenia and other states in the region concerning how much to liberalize the economy and which privatization plan to adopt – and opened up new possibilities for criminalization throughout the region, but especially in the war zone comprising Bosnia-Herzegovina, Croatia, Serbia, and Montenegro.

As the communist party's power monopoly crumbled, the new governments discovered that they had a real conundrum on their hands. On the one hand, they faced the need to “free prices from centralized control quickly in order to cope with shortages, high inflation, and scarcity of dollars.”² Called a slump, depression, or simply crisis by various observers, the dire economic situation of East Central Europe during the early 1990s was an uncontested fact that entered all reform calculations and planning. On the other hand, the new governments had to revamp the institutional, legislative and ownership structures inherited from communist times to allow for private property and a reduced involvement of the state in economic activity. The conundrum, as International Monetary Fund (IMF) economist David Lipton described it, boiled down to a temporal sequencing of various reforms: freeing prices from centralized control in the absence of private property granted state-owned enterprises too much market power and forced

them to “operate in an unruly and unregulated environment”, but the alternative was equally undesirable, as the financial crisis was choking the region, and the absence of realistic prices severely undermined the possibility “to privatize enterprises, eliminate monopolies, restructure the banking system, reform the tax system, and build a social safety net.”³ Different East Central European governments opted for different reform packages that generally combined various degrees of liberalization and structural reforms. Their first task after 1989, however, was to free prices from centralized control before rebuilding market institutions, restructuring industry, rewriting laws, and privatizing land and enterprises, tasks that took much longer to accomplish, mostly because they entailed a greater degree of complexity and prolonged negotiation among political forces represented in the legislature. Because it took time to put new laws and institutions in place, corruption and corrupt networks were able to spread, an unintended consequence that complicated the task of reconstructing the systems across the region, especially in the southern tier countries.

Slump or Depression?

Economic decline had been underway for years across East Central Europe (though with Albania as a poor exception) but actually intensified in the first years after the collapse of the communist party’s organizational monopoly. This gave rise to a debate between those, such as Anders Åslund, who believed that the *slump*, as he calls it, was entirely due to failed communist policies,⁴ and those, such as Martin Myant and Jan Drahekoupil, who argued that, on the contrary, the *depression*, as they call it, was mostly a factor of the policies adopted to convert the hitherto state socialist systems into capitalist systems. These authors reject Åslund’s argument “that GDP was already declining before transition began, so [that] the chosen strategy could not be blamed for all of the depression.”⁵ Predictably, a third view appeared, offered by Andrei Kuznetsov, that the *recession* that the region experienced, above all, between 1990 and 1994, was a product of both failed communist policies and the economic reforms adopted after the collapse of communism that included shutting down noncompetitive enterprises and throwing people (especially women) out of work. Kuznetsov points to the “protracted economic crisis” experienced by the communist-ruled societies, adding that, under the communists, the economies were “badly managed, uncompetitive, and unresponsive to technological innovation.”⁶ But he also points to the June 1991 collapse of COMECON, the Soviet bloc’s organization for economic and political coordination, which was making a contribution to the recession, with the disappearance of assured markets for locally manufactured goods as well as “errors and blunders” on the part of the post-communist reformers.⁷

Communist rule came to an end for several reasons. The most important of these was the growing indebtedness of all states in the region, except Romania and Albania, together with the slowing of GDP growth during the 1980s.⁸ As the

figures in Table 3.1 make clear, by 1989, the German Democratic Republic (GDR) and Poland had reached their economic breaking point.

Annual growth in net material product, as shown in Table 3.2, was adequate in 1986–1987 but went into a dramatic downward spin in the following years, with the economies of Hungary and Poland virtually leveling out in 1989.

GDP growth – actually shrinkage – for Yugoslavia over the 1980s is shown in Table 3.3.

What is immediately clear from this table is that among constituent units of Yugoslavia Kosovo and Montenegro experienced the most serious rates of decline of GDP over the course of that decade.

Finally, where economic measures are concerned, poverty was also a problem throughout the region, except in the GDR. The figures for Poland and Yugoslavia, shown in Table 3.4, indicate that the poverty rate more than doubled in Poland, while the rate in Yugoslavia increased by more than a third over the decade ending in 1987. At that point, nearly one out of every four Poles or Yugoslavs was living below the poverty line. In Hungary, the poverty rate changed only marginally from year to year, ending up only slightly lower in 1987 than it had been in 1978.

Taken together, these key measures – growing hard currency indebtedness, shrinking GDP, and the inability of some communist states to address

TABLE 3.1 Net Debt in Convertible Currency in Billions of USD, 1970–1989, by Country

	1970	1975	1980	1985	1987	1988	1989
Bulgaria	0.7	2.3	4.1	2.0	6.3	7.3	9.5
Czechoslovakia	0.7	5.0	3.8	5.3	5.7	5.8	–
GDR	0.9	3.6	11.6	7.3	10.1	10.7	23.5
Hungary	0.8	3.0	7.7	11.8	18.0	18.2	17.1
Poland	0.9	7.8	24.0	28.4	37.7	37.1	38.5
Romania	1.0	2.3	9.2	6.4	4.3	1.1	–1.2
Yugoslavia	2.0	5.2	17.1	17.3	19.8	16.6	13.2

Source: Judit Kiss, “Debt Management in Eastern Europe,” in *Eastern European Economics* 32, no. 3 (May–June 1994): 55.

TABLE 3.2 Growth of Net Material Product in Selected East Central European Countries, 1985–1989, in %

	1986	1987	1988	1989
Czechoslovakia	2.6	2.2	2.5	1.5
Hungary	0.9	4.1	0.5	–1.8
Poland	4.9	1.9	4.9	–1.5

Source: José Maria Maravall, *Regimes, Politics, and Markets: Democratization and Economic Change in Southern and Eastern Europe*, trans. by Justin Byrne (Oxford and New York: Oxford University Press, 1997), 65.

TABLE 3.3 GDP Growth, 1980–1989: Yugoslavia, in %

All Yugoslavia	−5.3
Slovenia	−6.0
Croatia	−5.6
Bosnia-Herzegovina	−2.5
Montenegro	−11.7
Serbia	0.0
Vojvodina	0.0
Kosovo	−13.9
Macedonia	−8.8

Source: History Commons, “GDP in Yugoslavia: 1980-1989,” accessed May 18, 2023, *World History Commons*, <https://worldhistorycommons.org/gdp-yugoslavia-1980-1989>.

TABLE 3.4 Estimated Poverty Rates for Total Population, 1978–1987 – in %

	<i>Poland</i>	<i>Yugoslavia</i>	<i>Hungary</i>
1978	9.2	17.5	15.4
1979	9.7	N/A	N/A
1980	11.1	N/A	13.8
1981	13.9	N/A	N/A
1982	19.8	N/A	14.8
1983	23.7	12.8 #	16.7
1984	21.9	21.5	N/A
1985	19.1	25.7	15.7
1986	17.3	25.1	N/A
1987	22.7	24.8	13.8

Source: Branko Milanović, “Poverty in Eastern Europe in the Years of Crisis, 1978 to 1987: Poland, Hungary, and Yugoslavia”, in *The World Bank Economic Review* 5, no. 2 (May 1991): 195.

= dubious

the challenge of poverty effectively all point to the insolvency of the communist system of government. Nowhere was this insolvency more glaring than in the shoddy goods and frequent shortages experienced throughout the region. By 1989, all West Europeans, and East Europeans honest enough to see past ideological slogans, understood communist economies as “shortage economies,” to use Janos Kornai’s term,⁹ unable to satisfy the basic needs of the population. From Prague and Warsaw to Sofia and Tirana, communist authorities heavily skewed investment toward heavy industry at the expense of light industry, services, and consumer goods. Equally important, production quotas took precedence over environmental, social, and health concerns, and, therefore, state-owned factories often heavily polluted the environment. As one observer noted,

villages in Czechoslovakia were black and barren because of acid rain, smoke, and coal dust from nearby factories. Drinking water from Estonia to Bulgaria was tainted with toxic chemicals and untreated sewage. Polish garden vegetables were inedible because of high lead and cadmium levels in the soil.¹⁰

Industrial plants throughout the region generated other disasters that continued to scar the environment decades after the collapse of the communist regime. Add to all these factors the lack of pluralism and the inability (except for Yugoslavs) to travel freely to noncommunist countries, and it is clear that this was an explosive mix.

Economic inadequacy represented a matter of concern, even for the last communist governments, which introduced some limited reforms, not so much to usher in market economies as to obtain a new lease on life for command economies. The first state to embrace economic reform was Hungary where, starting in 1987, 150 state-owned enterprises, operating according to self-management principles, were converted to joint stock companies.¹¹ This was clearly insufficient, however, as the recession grew worse in that country. Poland and Yugoslavia were next to adopt economic reform programs. In socialist Yugoslavia, an Act on Social Capital, laying the legal foundation for privatization, was passed in 1989; it was amended the following year.¹² The disintegration of Yugoslavia in 1990–1992 rendered this Act null and void. Meanwhile, in Poland, even before the first post-communist government took office in August 1989, the last communist government tried to dampen inflation, hoping to hold it to no more than 45%. However, as of January 1989, inflation was still running at 78.6%. The post-communist government headed by Tadeusz Mazowiecki got to work on a stabilization plan and, in consultation with the IMF, developed a plan consisting of reducing the money supply, ending deficit spending, making the Polish currency convertible, and restricting increases in salaries and wages.¹³ Czechoslovakia, likewise, moved forward with a privatization plan but, as of 1 January 1991, the state sector still accounted for approximately 98% of GDP. The government announced that it planned to transfer between 70% and 80% of this stock to private hands as soon as possible.¹⁴ Romania, Bulgaria, and Albania moved more slowly, passing their first laws on privatization in summer 1991, April 1992, and July 1992, respectively.¹⁵

Economic Reforms between Shock Therapy and Gradualism

The economists advise us that East Central European economic transformation consisted of three basic elements – stabilization, liberalization, and privatization – that addressed distinct economic and financial predicaments, took into consideration distinct macroeconomic calculations, and sought to strengthen distinct building blocks of the market economies that post-communist governments sought to introduce. Countries such as Poland implemented these policies almost concurrently in the immediate years after the collapse of the communist regimes,

often based on some weak reform efforts undertaken by their last communist governments just before 1989 or out of a desire to implement the most radical reform package (known colloquially as the “shock-therapy” solution) as soon as possible so that the benefits of full transformation would also be enjoyed sooner. By contrast, countries such as Romania clung to the idea that a gradualist approach would allow the ailing economy inherited from communist times to heal progressively and gradually through the introduction of targeted reforms in a sequence that was anticipated to result in the smallest possible social costs and trade disruption. The debate that divided the proponents of shock-therapy and gradualism waged across the region during the first years of post-communist transformation, being couched in terms that cast economists and technocrats as dispassionate politically neutral experts who prescribed “scientific” cures based not on the diagnosis (as all East Central European centrally planned, command economies were deemed underperforming) but on the willingness of the patient (represented by the new national elites and the larger societies) to obey the full requirements of the panacea (the blueprint for reforms) prescribed to heal the region’s crippled economies. Should these “doctors” prescribe right away a comprehensive treatment that would shake the entire body but could cure it in the shortest time, or should they, instead, opt for a gradual piecemeal treatment that extended over a longer time but, therefore, was less likely to kill the patient when taking the communist cancer out?¹⁶

The first post-communist governments that had to decide on the nature, scope, and speed of economic reform responded differently to this question. Shock therapy had the immediate advantage of ending shortages of various foods, thus, eliminating the need for people to queue up before shops opened.¹⁷ Advocates of shock therapy also proposed to reconstruct the economy within just a few years, which required selling off thousands of state-owned companies before stabilization and liberalization were fully completed. They considered that a significant infusion of new capital, new investors, and new entrepreneurial spirit would more than offset the possible significant loss of jobs or revenue for the state that such a hasty privatization scheme entailed. Poland and Hungary adopted the shock therapy strategy. Macedonia, Slovakia, and Romania, by contrast, chose a gradualist approach, believing that the cost of shutting down companies overnight, and throwing people out of work, was unacceptably high. However, the gradualist approach proved to be more harmful than beneficial. In Macedonia, the slow waltz did “considerable harm” to local enterprises which, finding themselves without any resolution concerning eventual ownership, postponed necessary changes to management, technological upgrades, and other matters.¹⁸ In Romania, the pace of economic reform was more like a sarabande: by the start of 1993, fewer than 200 state-owned companies had been privatized – by far the slowest rate of privatization among the countries that once comprised the Soviet bloc.¹⁹

A mix of different actors with various agendas came to influence economic policy during the first stages of transition. Local economists and finance experts provided valuable advice, but few of them understood the various steps necessitated

by the transformation of centrally planned command economies into free market economies. This is why relatively soon after the regime change, a contingent of travelling Western scholars and financiers styled themselves as the new gurus, able to provide guidance and clarification to a transformation program that seemed utterly confusing, unnecessarily complicated, and prone to costly mistakes. One name stands out. In 1989, Jeffrey Sacks, then a professor of international trade at Harvard University, wrote a comprehensive blueprint to guide the transition from central planning to a market economy for the government of Polish Prime Minister Tadeusz Mazowiecki. His shock-therapy vision, which he shared with David Lipton, the IMF economist who identified the price versus institutions conundrum mentioned earlier in this chapter, became part and parcel of Poland's economic reform program, whose implementation was guided by Deputy Prime Minister and Minister of Finance Leszek Balcerowicz. Balcerowicz was a young US-trained economist who worked at the Institute for Basic Problems of Marxism-Leninism in Warsaw until 1980, only to become an economics expert in the independent Solidarity Trade Union after martial law was imposed. Once Sacks's shock therapy proposals helped Poland stabilize its prices, he was invited to advise Slovenia and Estonia on how to introduce new currencies and Russia on how to transition to a market economy. His vision of economic reform drew heavily on the policies Ludwig Erhard had designed to help Germany rebuild after World War II.²⁰

The European Union (EU) emerged as another important actor in shaping economic reforms in East Central Europe. Following the changes launched in 1989, the EU set up PHARE – Poland and Hungary Assistance for the Restructuring of the Economy – pumping funds into those two countries and, later, into other countries in the region as well. Assistance continued after entry into the EU, with Poland, for example, receiving 92.4 billion euros in subsidies from the EU in the first 10 years after joining in 2004.²¹ Notwithstanding the input of these foreign actors, one should remember that, throughout the region, national governments ultimately decided the nature and timing of economic reforms.

Regardless of the scope and speed of economic reforms, all new elites had to choose programs broad enough to transform centrally planned, command economies into free market economies but limited enough to avoid economic destabilization, financial collapse, increasing unemployment, or widespread chronic poverty. As already noted, all countries in the region enacted policies that focused on the stabilization, liberalization, and privatization of the economy. These terms need a more detailed explanation, as each one of them refer to a package of interconnected policies and programs that impacted economic growth, availability and diversity of consumer goods and services, levels of employment and poverty, and exports of East Central European products to other markets.

The intended function of *macroeconomic stabilization* was to create a stable financial environment able “to foster the rapid growth of domestic business activity, international trade, and foreign direct investment.”²² It was no secret that

communist-era national currencies were over valued, banking systems were antiquated and poorly connected to their noncommunist counterparts, and exchange rates were hugely unrealistic. Stabilization efforts, therefore, had to peg national currencies to an international standard, the US dollar, or gold instead of the transferable ruble that was worthless outside the communist banking system; strengthen the independence of the Central Bank; allow supply and demand, not central planners in some nondescript office, to decide prices and, by doing so, what was produced, by whom and when; discontinue the ubiquitous government subsidies that permitted managers of state-owned enterprises and agricultural cooperatives to squander valuable public resources and ignore productivity and competitiveness requirements; encourage sound domestic investment and welcome foreign investment; and satisfy the consumerist impulses of the population that slowly extended beyond basic household needs. As part of stabilization, the new governments had to overhaul both banking systems and taxation schemes because taxes could no longer be collected before individuals and companies reported their financial performance.²³

In their work, Åslund, Boone, and Johnson noted the “striking correlation” that linked political regime to stabilization policies, and divided the region into three groups. The first group, represented by Poland, Czechoslovakia, and Albania, was “initially ruled by liberal governments, and chose radical stabilization and liberalization,” and as a result, “inflation peaked in the year of reform and was then brought down rapidly to under 50%.”²⁴ These countries achieved low inflation rates and relatively stable exchange rates by pursuing a combination of policies that slowed the growth of the money supply, reduced budget deficits, and set realistic exchange rates. Hungary and Bulgaria, both part of the second group, had “democratic regimes and initially non-socialist governments” but postponed reforms or made them more gradual. The nationalist and conservative government of Hungary could not engage in radical reforms because it had just won elections against parties that promised to enact this kind of change, whereas the weak Bulgarian nonsocialist governments faltered in their commitment to reform and put the brake on it. In both countries, inflation crept higher as change slowed. Third, in Romania, the communist leaders retained their hold on power and could thus delay reform initially and continue communist policies including devaluing money by printing more of it and spending more than it collected in taxes. This meant that by 1994, the country was still battling inflation rates over 100% that exceeded the rates registered in some of its neighbors.²⁵

The *liberalization* of trade sought to grant enterprises and households the freedom to buy and sell, even by engaging in those import and export operations that had remained under tight control before 1989. In other words, liberalization tried to do away with the centrally planned aspect of the economy, which had crippled trade for decades. At the same time, new laws decriminalized private gains, granted entrepreneurs the freedom to start new businesses, curbed government interference in economic activities, strengthened economic competition, protected

private property, and opened up international trade with the European Economic Community and beyond. All these policies led to a diversified range of consumer goods available to East Central Europeans but also to an unintended initial jump in consumer prices in countries as diverse as Albania, Bulgaria, Czechoslovakia, and Poland. Coupled with much slower wage increases, these price hikes depreciated living standards and fueled nostalgia for communist times when some trade was state monopoly.

By far, the most important economic reform was *privatization*. Communist-era state ownership of the “means of production” meant that most economic activity took place in state-owned enterprises and agricultural cooperatives, which even before 1989 were a heavy burden for the cash-starved post-communist governments. What is privatization, and what is its function? György Matolecsy provided a conventional understanding of *privatization*, writing that

If by privatization we mean the selling of state property to private investors and businessmen, then the sale of state property to local government, pension funds, commercial banks, and foundations cannot be called privatization. Rather, it is a shift in ownership.²⁶

John Goodman and Gary Loveman have offered a slightly different view, writing that

privatization covers the sale of public assets to private owners, the simple cessation of [certain] government programs, the contracting out of services formerly provided by state organizations to private producers, and the entry by private producers into markets that were formerly public monopolies.²⁷

As for the purposes of privatization, there is broad agreement that enhancing the efficiency of companies, making them profitable (rather than relying on government subsidies to remain afloat), and encouraging inter-enterprise competition to produce higher quality goods and more diverse merchandise offered for sale are all central. Privatization was also expected to make the economy more efficient. Although, as it turned out, “efficiency”, as understood by new enterprise owners, sometimes entailed laying off much of their female workforces. Among those economists citing these factors, we may mention Andrei Kuznetsov, Ileana Tache, Scott Thomas, Trajko Slaveski, John Goodman, and Gary Loveman.²⁸ Some scholars mention additional purposes served by privatization. Karl Kaser notes that economic reform, including privatization, was crucial to allow the post-socialist countries to be fully integrated into the European and global economy.²⁹ Pavel Mertlík suggests that the main objective in the privatization of *small enterprises* was to create new *petit bourgeois* and *bourgeois* classes.³⁰ For Dabrowski, one of the goals to be achieved by privatization, at least in Poland, was to eliminate “the budget deficit, primarily through drastic cutbacks in subsidies for food, raw

materials, manufacturing inputs, [and] energy [as well as the] elimination of tax credits.”³¹ By contrast, Kuznetsov found that privatization is meant “to eliminate the indeterminacy of capital ownership in the former socialist state, which was one of the main reasons for the insufficient employment of capital assets in the period of command economy.”³² Finally, returning to Åslund, in addition to privatization’s obvious relation to efficiency and competition to produce higher quality goods, the Swedish-American researcher outlines three overtly political goals to be advanced by privatization: to promote democracy by removing economic enterprises from state control, to lay the foundation for a market economy (which may be understood also as a marketplace for ideas), and, as he writes, justice.³³ This presumes, of course, that privatization is not instrumentalized, as it was in Serbia and Croatia at one time, or as it has been in Hungary under Viktor Orbán, to place companies in the hands of political allies and cronies.³⁴ Underlining the importance of private ownership for democracy and pluralism, Åslund quotes from Friedrich Hayek’s 1944 classic, *The Road to Serfdom*: “[T]he system of private property is the most important guarantee of freedom, not only for those who own property, but scarcely less for those who do not.”³⁵ This is broadly consistent with the observation of the functionalist sociologist Marion Levy, who noted in his book, *The Structure of Society*,

it may well be that a given form of economic structure is only compatible with one specific form of political structure ... If this is the case, [then] discovery of the form of the economic structure makes possible prediction of the political structure.³⁶

In East Central Europe, privatization involved costs but also notable benefits. The years 1990–1994 were difficult due to several unintended, undesirable, but probably not unanticipated consequences.³⁷ These included increases in unemployment when people, especially women, lost jobs in companies that, overnight, became redundant or uncompetitive and were forced to shut down (see also Chapter 9); the inclination of those in a position to steer or influence privatization projects to feather their own nests or, in Bosnia, to seek to assure that privatized enterprises ended up in the hands of co-ethnics;³⁸ and the spread of corruption which, in Bosnia, was at such a scale as to make it difficult to attract foreign investors. Corruption spread throughout East Central Europe as an unintended *side effect* of privatization, at least from the point of view of most lawmakers. But, from the standpoint of those seeking illicit gains, corruption was precisely the *manifest* function of privatization in the context of weak legal institutions.³⁹ Robert K. Merton, author of the classic functionalist text, *Social Theory and Social Structure*,⁴⁰ has also alerted us to the danger of making the “fallacious assumption...that interested action...necessarily entails a rational calculation of the elements in the situation.”⁴¹

Proponents of privatization advocated for several models of privatization, each with its own advantages and shortcomings. The chief alternatives were putting selected enterprises or assets up for sale – in which case, foreign investors were expected to have an advantage; management-employee buy-out (MEBO) schemes that allowed those who worked in a given state-owned unit to acquire ownership of it; and free distribution of vouchers to all adult citizens who could then redeem them for shares of stock in state-owned companies slated for mass privatization. Yet another possibility was to return property confiscated by the communists to the original owners or their heirs. Where this was not practical, financial compensation could be offered instead. These programs complemented, more than competed with, each other, and this is why all of them were adopted in the region in the past 35 years. In Croatia, economist Branko Horvat offered another alternative – to transform “socially owned” enterprises (as the state confusedly called them) into social corporations that would not be privatized. The Croatian government ignored the proposal and opted for a hybrid model, blending vouchers with sales (often to domestic businessmen close to the ruling party, the Croatian Democratic Union).⁴² There were complaints in Croatia that privatization was not transparent and that it was marred by favoritism, nepotism, and discretionary sales – complaints heard also elsewhere in the region. In particular, ownership of several influential daily newspapers – *Vjesnik*, *Večernji list*, *Slobodna Dalmacija*, and *Glas Slavonije* – ended up in the hands of persons trusted by Franjo Tuđman, leader of the Croatian Democratic Union and President of Croatia, 1990–1999.⁴³

The main advantage with selling the stock, especially to foreign investors, was that the new owners could be expected to upgrade operations, improve management, introduce new technology, and even facilitate access to new foreign markets, in select situations. However, the unintended consequence of direct sales was the marginalization of local investors, many of whom were too poor and uncompetitive to win fairly and squarely against foreign investors. The MEBOs were meant to empower workers, but they unintentionally privileged managers who had already locked state-owned units in unhealthy, predatory partnerships with private companies they themselves created. This “enfranchisement of the communist nomenklatura,” as Krzysztof Brzechczyn called it, allowed managers to create private companies designed “to take advantage of the enterprise’s assets, markets, and business contacts by using them and eventually transferring them into private hands through legal loopholes.”⁴⁴ Such “parasitic intermediaries” were not involved in manufacturing but profited by undervaluing and eventually taking over the state-owned companies involved, thus depriving workers of any chance for ownership.⁴⁵ While popular with ordinary citizens, the mass privatization was an untested new method with uncertain outcomes. The vouchers were used as cash, either to pay for services or, more commonly, to sell them to those ready to buy them. In Romania, where 15 million adult citizens received vouchers, this led to a small number of wealthy individuals concentrating these vouchers over a short time, thus generating a new capitalist class.⁴⁶ Vouchers were also distributed

in Bulgaria, Slovenia,⁴⁷ and Poland, with much the same results. In fact, in Poland, authorities fully expected that citizens would sell their vouchers and that an emergent entrepreneurial class could purchase the vouchers. While vouchers were popular with citizens and put some money in their pockets, they generally did not bring capital into the country and were less conducive to bringing about technological upgrading than sales to foreign investors.⁴⁸ Finally, property restitution gave satisfaction to those persecuted by the communist regime but also allowed unscrupulous civil servants or rapacious lawyers to marginalize aging owners.

Before looking more closely at various countries, let's examine some of the consequences of the economic reforms implemented in East Central Europe at the onset of the transition. Neither shock therapy nor gradualism kept unemployment from rising, as the figures in Table 3.5 make graphically obvious. In fact, in every country for which data are available, unemployment rose in 1990–1991 – in some cases, dramatically. Indeed, the gradualist strategy adopted by the Romanian government had the unintended consequences of prolonging the decline in output and of causing inflation to remain high.⁴⁹ Between 1991 and 1992, rates of unemployment continued to rise everywhere except in the Czech Republic and Slovakia.

Meanwhile, real GDP plunged throughout the region in 1991 and 1992, making a small recovery only in Poland in 1992–93 and in Albania and Romania in 1993. Finally, it was only in 1994 that the region as a whole, except for Bulgaria, and F.R. Yugoslavia (Serbia and Montenegro) (see Tables 3.6 and 3.7) began to pull out of the six-year recession.

The economic picture is completed by a consideration of inflation rates (shown in Table 3.7).

TABLE 3.5 Unemployed Rates in % of the Labor Force at the End of Each Year

	1990	1991	1992	1993	1994 #
Albania	2.1	10.7	26.3	17.5	18.3
Bulgaria	1.5	11.1	15.3	16.4	16.0
Croatia	9.3	15.5	17.8	17.5	18.0
Czech Republic	0.8	4.1	2.6	3.5	4.0
Hungary	2.5	8.0	12.3	12.1	11.0
Macedonia	3.5	25.7	27.9	28.7	–
Poland	6.1	11.8	13.6	15.7	17.0
Romania	N/A	3.0	8.4	10.2	11.0
Slovakia	1.5	11.8	10.4	14.4	14.0
Slovenia	5.9	10.1	13.3	15.5	14.0
Yugoslavia, F. R. ¥	N/A	21.4	24.6	25.0	N/A

Source: Štefan Bojnec, "Macroeconomic Stabilization and the Reform Process in Slovenia", in *Eastern European Economics* 34, no. 1 (January–February 1996): 26.

= mid-1994

¥ = annual average

TABLE 3.6 Real GDP or Net Material Product in Former Members of COMECON – Annual Change in %

	1990	1991	1992	1993	1994
Albania	-10.0	-27.1	-9.7	11.0	8.0
Bulgaria	-9.1	-11.7	-5.6	-4.2	-2.0
Czech Republic	-0.4	-14.2	-7.1	-0.3	1.5
Hungary	-3.5	-11.9	-4.3	-2.0	1.0
Poland	-11.6	-7.6	1.5	3.8	4.5
Romania	-5.6	-12.9	-13.6	1.0	0.0
Slovakia	-0.4	-14.5	-7.0	-4.1	1.0

Source: Štefan Bojnec, “Macroeconomic Stabilization and the Reform Process in Slovenia,” in *Eastern European Economics* 34, no. 1 (January–February 1996): 23.

TABLE 3.7 Inflation Rates based in Retail or Consumer Prices – in %

	1990	1991	1992	1993	1994 #
Albania	–	35.5	225.9	85.0	27.0
Bulgaria	23.9	333.5	82.0	72.8	81.0
Croatia	608.0	122.1	665.5	1,517.5	98.0
Czech Republic	10.8	56.7	11.1	20.8	9.0
Hungary	28.9	34.8	23.0	22.5	19.0
Macedonia	608.0	114.9	1,690.7	349.8	65.0
Poland	585.8	70.3	43.0	35.3	30.0
Romania	4.7	161.1	210.3	256.0	156.0
Slovakia	10.8	57.8	10-1	23.2	14.0
Slovenia	549.7	117.7	201.3	22.3	19.8
Yugoslavia, F. R.¥	591.0	121.0	9,236.9	116,546§	N/A

Source: Štefan Bojnec, “Macroeconomic Stabilization and the Reform Process in Slovenia”, in *Eastern European Economics* 34, no. 1 (January–February 1996), 24.

= projection

¥= Serbia until 1992

§= datum is expressed in billion %

Hyper-inflation hammered all of the southern tier countries plus Poland during 1990–1994, although Poland, Albania, and Bulgaria experienced triple-digit inflation only in one of the five years reviewed. By contrast, Croatia suffered a blistering 1,517.5% inflation rate in 1993, Macedonia’s inflation hit 1,690.7% in 1993, and the Federal Republic of Yugoslavia (Serbia and Montenegro), expending funds to support Bosnian Serb forces fighting to take control of parts of Bosnia-Herzegovina, experienced furious rates of inflation in the context of shortages of medicines and rising criminality. Only Slovenia, Slovakia, and Croatia have adopted the Euro – on 1 January 2007, 1 January 2009, and 1 January 2023, respectively.

By the end of the 1990s, the private sector had established a significant presence in most of East Central Europe, which now enjoyed an economic boom lasting, especially in the northern tier, from roughly 1998 until the global economic crisis of 2008.⁵⁰ Serbia, Kosovo, and Bosnia-Herzegovina did not enjoy a boom at this time; on the contrary, all three remained in crisis in these years. Nonetheless, it is noteworthy that a tangible contribution to the revival of the economies of most of the Yugoslav successor states was made possible precisely by the shadow economy, which is to say by those providing completely legal products and services without reporting them to the government; on this point, see Table 3.8.

Unemployment – one of the most revealing indicators as to how well or how badly people are living – continued to be a challenge for most of the countries into the 21st century.

A comparison of unemployment rates in East Central Europe, except for the Yugoslav successor states, for 1991 and 2005 (Table 3.9) shows that unemployment was higher throughout the non-Yugoslav region in 2005 than it had been in 1991,

TABLE 3.8 The Size of the Shadow Economy in the Yugoslav Successor States, as a % of GDP

	1999–2000	2001–2002	2002–2003
Bosnia-Herzegovina	34.1	35.4	36.7
Croatia	33.4	34.2	35.4
Macedonia	34.1	35.1	36.3
Serbia & Montenegro	36.4	37.3	39.1
Slovenia	27.1	28.3	29.4

Source: Bojan Nastav and Štefan Bojnec, “The Shadow Economy in Bosnia and Herzegovina, Croatia, and Slovenia: The Labor Approach,” in *Eastern European Economics* 45, no. 1 (January–February 2007): 35.

TABLE 3.9 Unemployment Rates for East Central Europe Except the Yugoslav Successor States: 1991, 2005

	1991	2005
Albania	9.1	14.6
Bulgaria	3.4	9
Czechoslovakia	5.6	–
Czech Republic	8.9	–
Slovakia	16.1	–
Hungary	8.5	7.3
Poland	11.8	17.2
Romania	15	8.2

Source: Sabrina P. Ramet, *The Liberal Project and the Transformation of Democracy: The Case of East Central Europe* (College Station: Texas A&M University Press, 2007), 24, 27.

except for Hungary and, perhaps surprisingly, Romania. This is a sign that economic recovery has been difficult and has affected different groups unevenly.

The Visegrád Countries

On 15 February 1991, the representatives of Czechoslovakia, Poland, and Hungary met in Visegrád, a small town crowned by a ruined medieval castle on the bank of the Danube River, to discuss ways to advance multi-level cooperation in view of promoting integration with the EU. The group, which included four countries after Czechoslovakia dissolved in 1992, made sense. Despite their differences, the four countries were neighbors in Central Europe, shared some cultural values, had more performant economies, and, thus, intuitively anticipated that their post-communist transition trajectories would diverge from those of Balkan countries. Indeed, their GDP per capita levels in 1990 were higher than the East Central European average, with only Poland trailing behind at the level of Romania and Bulgaria. The Czech and Slovak Republics registered a GDP per capita of 3,954 and 3,202 USD respectively, Hungary of 3,584 USD, and Poland of 1,735 USD, whereas Romania, Bulgaria, and Albania recorded 1,767, 2,364, and 651 USD, respectively.⁵¹ Thirty-five years of economic reforms have entrenched the Visegrád countries' comparative advantage as the most economically prosperous in East Central Europe. In 2020, for instance, in terms of GDP per capita, the Czech and Slovak Republics led the region at 23,357 and 21,390 USD, followed by Hungary at 16,120 USD, and Poland at 15,599 USD. The Balkans trailed behind, at 12,929 USD for Romania, 10,969 USD for Bulgaria, and only 5,278 USD for Albania.⁵²

Once the Velvet Revolution unseated the communist regime, there was briefly a lively debate concerning whether Czechoslovakia should seek to navigate a “third way” between socialism and capitalism.⁵³ But soon enough, the Czech government of Václav Klaus quickly enacted a shock-therapy program initially dubbed a “miracle” for its immediate positive results. The Czech parliament first “liberalized prices, adjusted the crown [the currency], maintained strict monetary policies, and liberalized foreign trade,” and then pegged the crown to five Western currencies, preparing a “cautious national budget to stabilize the economy” and improve credit worthiness.⁵⁴ The two-tiered banking sector set up in 1990 included the Czech National Bank and partially privatized commercial banks; foreign banks were also allowed to operate in the republic. To fight high consumer indexes, the government devalued the currency in 1990 by 20%, and twice again a year later. Stabilization and liberalization took advantage of the Czech Republic's low foreign debt and moderate foreign exchange reserves.⁵⁵ They formed the foundation for subsequent privatization schemes. From 1992 to 1995 the Czech government transferred state property to private hands through restitution, direct sale of state-owned units, and two voucher-based mass privatization waves. Half of state-owned assets was divested through vouchers, which every Czech citizen could purchase at a minimal price. Because three in four Czechs then entrusted

their shares to bank-owned investment privatization funds, enterprise managers played an extensive and not entirely positive role in corporate governance, which was further distorted by the banks' involvement in privatization. Three National Property Funds, created in 1991, administered shares in the companies that, after mass privatization, remained unsold either because of lack of investor interest or because the state purposely blocked the ownership transfer for fear that profit would distort performance (as was the case with units in the health care sector).

Three years after the break-up of Czechoslovakia, Klaus slowed down reforms in response to political and economic complications generated by continued scandals, the voucher scheme, and the financial crisis. While he had set the Czech Republic on the path to a free market, mass privatization unintentionally led to a diffuse ownership in which multiple actors (local and foreign investors, state and partially privatized banks, investment privatization, and property funds) had to decide business plans, appoint managers, reduce waste, increase productivity, and maximize profits. That some of these actors sometimes had no expertise in formulating pertinent proposals in some or in all those areas became painfully obvious. In addition, as Helicher explained, ownership went full circle, as

the state owns 40% of the partially privatized banks; by means of the voucher system, the IPFs [investment privatization funds] bought available shares of the banks as well; the banks finance the IPFs; finally, IPFs, banks (through asset management contracts), and the NPF [National Property Fund] all partially own most large enterprises ... Moreover, the IPFs own shares of competing funds.⁵⁶

This diffused ownership undermined management behavior, restructuring efforts, and profit maximization, while breeding opaque governance and inside dealing. Self-interested managers could reduce the enterprise's book value just before privatization and then buy the company more cheaply. To prevent insolvency, banks would fund the unprofitable companies they owned, thus annulling the managers' incentive to improve company performance. The banks themselves were undercapitalized, prey to bad loans, scandals, and government interference.

By 1997, it was evident not only that Klaus's reforms yielded insufficient regulation and transparency and that government-led corrective measures were misguided, but also that the logic of "reform needs more reform to succeed" had to be abandoned. The severe currency crisis generated by a reform program unable to monitor inexperienced lenders and fraudulent behavior forced the government to devalue the crown, again, by 20% against the US dollar. Czechs became increasingly impatient with Klaus, mocking his narcissism in popular jokes such as: "What is the difference between God and Klaus? God does not think he is Klaus."⁵⁷ Two austerity programs introduced in quick succession alleviated no economic problems but led to a level of political and social instability that ultimately forced Klaus to step down and boosted Social Democrat representation in

parliament. Nevertheless, the republic ended the first decade of reforms far ahead its East Central European neighbors in almost all macroeconomic and social indicators.

Real income in Slovakia declined by 31% between 1989 and 1991; during the same period, the rate of unemployment rose from 1% to 12%.⁵⁸ Under the circumstances, Slovakia adopted a different approach. First, its economy was dominated by a large rural sector and large-scale industries, some of them producing arms, whereas the Czech economy had many small and medium-sized enterprises. “Shock therapy,” the Slovak leaders reasoned, could rapidly fuel inflation and unemployment. Second, the populism and nationalism espoused by the Slovak communist bureaucrats and industrial managers gained wide support. To protect the country from imagined external and internal enemies – and undermine the new financial intermediaries that had done so well during the first wave of reforms – the populist nationalists ended the mass privatization inherited from the federation. By replacing “a program that rewarded a broad range of Slovaks with a program that rewarded a narrow group of friends and politicians,”⁵⁹ Vladimír Mečiar, the outspoken leader of the Movement for a Democratic Slovakia (HZDS), showed political ambitions incompatible with democratic principles and politicized privatization to the point that “not even a nail was sold without Mečiar.”⁶⁰ Many companies were sold preferentially below the market price to insiders (industrial managers, government officials, supporters of Mečiar or the HZDS, and their family members), who could schedule payments over ten years and often obtain the 10% down payment from a state-owned financial institution. In most cases, these sales were not made public so that Slovaks would not see that their own greedy leaders, not the imagined foreign enemies, had impoverished the country. Take the example of the oil refinery Slovnaft, whose managers acquired it at an 80% discount over the trade price and a down payment of 1.56% of the sale value. Soon after the sale, the National Privatization Fund “knocked down the sale price by an additional 84% to reward management for meeting its promised investment and employment targets.”⁶¹ By 1998, the friends and allies who benefited from Mečiar’s privatization scheme were able “to secure favorable economic policies in the allocation of credit, the regulation of capital markets, government procurement, and taxation policies.”⁶² Deep suspicion about foreign investors kept those investors away and ensured that well-positioned insiders had no real competitors when seeking lucrative deals. This is why, by the late 1990s, Slovakia was struggling with a weakened currency, high interest rates, depleted foreign reserves, and high levels of political corruption. The country attracted only one-tenth of the foreign direct investment directed to Hungary and one-third of that directed to the Czech Republic, while allowing foreigners to purchase only five of the 347 companies offered for direct sale.⁶³ Ironically, moderate reforms led to high inflation that decimated wages at a time when skyrocketing prices prevented Slovaks from taking care of their basic needs. As a coping tactic, some Slovaks engaged in the black market or used foreign currency to offset inflation.

Mečiar and his camarilla turned Slovakia into a case of reforms gone bad: rule of law was undercut by numerous exceptions granted to political luminaries and personal cronies, public resources were systematically diverted to private pockets instead of being invested wisely, and the financial system was destabilized by bad loans, scandals, and political interference. Unexpectedly, in 1998–2002 the introduction of a uniform flat tax of 19% for individuals and businesses, deep cuts in social programs, weakened labor regulations, sharply reduced corporate taxes, and generous incentives for foreign investors (subsidies for retraining and job creation, simplified procedures to start a business, and tax holidays) turned the situation around, prompting the World Bank to declare Slovakia the global economic reformer of 2004. During 2000–2008, when the global financial crisis hit the region, Slovakia registered annual growth rates above 6%, even 10.8% in 2007, partly explained by the new markets it accessed as an EU and North Atlantic Treaty Organization (NATO) member.⁶⁴ All these measures, hailed by supporters and criticized by West European governments, were championed by the very unpopular government of Prime Minister Mikuláš Dzurinda, representing the conservative Slovak Democratic Coalition (SDK). Government disapproval rates soared to 70%, polls revealed, but Dzurinda and his reformist Minister of Finance Ivan Mikloš remained undeterred. Appointed in 1998, Dzurinda was a trained economist, born in 1955, who privileged efficiency over social cohesion. He held his seat even after unemployment peaked at 19% in 2001.⁶⁵ Born in 1960, Mikloš served as Minister of Finance in 2002–2006 and then again in 2010–2012. By the time Dzurinda's new party, the Slovak Democratic and Christian Union (SDKU), was defeated in 2006, Slovakia was an investor paradise with one of the highest unemployment rates in Europe and a growing urban–rural divide.

The region's most populous country, Poland, was also the poorest Visegrád member, where agriculture accounted for a larger segment of the economy when reforms were launched in 1989. Remarkably, in Poland, both the communists and their opposition, Solidarity, drew support from the same leftist social groups. Labor has remained well organized regardless of who forms the government. The reform package included macroeconomic stabilization measures to reduce state subsidies and establish a unified exchange rate pegged to foreign currency, liberalization measures to free prices and domestic and international trade while encouraging private entrepreneurship, as well as privatization. Because Poland “went the furthest in ensuring the freedom of entry for the private sector in almost any area of economic activity,” the private sector expanded more than elsewhere in East Central Europe.⁶⁶ This initial success was tied to the “shock therapy” measures adopted by economist Leszek Balcerowicz, Minister of Finance in 1989–1991, which brought hyper-inflation down but fueled unemployment. This is partly why this initial strong push was followed by inconsistent initiatives and why the momentum was lost. The new Polish Constitution, which was adopted only in 1997 after prolonged bickering pitting Solidarity-based parties against successors to the former communist party, is the only one in the region to refer

vaguely to “principles of social justice” (Article 2) and a “social market economy” (Article 20).⁶⁷ Poland was also the only East Central European country not to return property abusively nationalized by the communist regime to its former owners, choosing instead to offer monetary compensation; in 2021, compensations were discontinued, sparking angry reactions from Jewish former owners.⁶⁸ Anti-privatization sentiments were so high that the ministry in charge of privatization had to be named the Ministry of Ownership Transformation by the first communist government.

The situation got worse after the former communists, rebaptized as the Democratic Left Alliance (SLD), formed the government, and communist-era minister Aleksander Kwaśniewski became President after the 1993 general elections. They not only undermined the newly created capitalist institutions and showed preference for more, not less, state intervention in the economy on programmatic grounds, but they also passed laws that granted the political executive “unlimited discretion”⁶⁹ in the economic sphere. The unfortunate but intended result was political favoritism in the form of tax breaks, concessions, preferential credits, and under-the-table public contracts, all of which turned public resources into political rewards and enriched a small circle of well-connected individuals, many of them drawn from the ranks of the communist nomenklatura. The wide discretionary powers provided by those laws gave public officials plenty of occasion for personal enrichment, boosting political corruption but stifling competition and innovation. Instead of being privatized or restructured, inefficient state enterprises continued to be heavily subsidized by the state, as they were important politically for the government. Add to these factors the creation of a plethora of state agencies financed from the state budget but operating in the market and offering cushy positions to the former communists, and it can be understood why, by the late 1990s, Poland’s transition was seen as incomplete and, according to Jan Winiecki, why its financial market was underdeveloped rather than distorted, while its labor market was distorted rather than underdeveloped.⁷⁰

Privatization was the slowest of all reforms. Ironically, Poland started transition in a better position than its neighbors. In 1982, the state sector accounted for around 95% of total output and total employment in East Germany and Czechoslovakia, but 81.7% of output and 71.5% of employment in Poland.⁷¹ Just before the collapse of communism, the Polish industrial sector counted not only 3,177 state-owned enterprises but also 231,000 private establishments, which had only two workers on average and operated in a command economy in which state bureaucrats dictated taxes, salaries, and access to raw materials.⁷² From the start, Poland preferred public sale and direct sale, two methods that required more state capacity and time to accomplish than mass privatization. These classical methods gave the upper hand to communist managers. Let’s take two examples. In the so-called “spontaneous privatizations”, managers could trade state property for personal gain by granting foreign partners a favorable stake in the enterprise in return for an attractive job in the new venture. As in Czechoslovakia, managers could

keep the company a prisoner to their own private firms. To complicate things further, the workers' councils established in state enterprises just before the imposition of martial law were allowed in 1990 to decide whether the enterprises could sell assets, form a trade company, and buy or sell stock in corporations, steps that made them direct competitors to the managers. Both workers and managers gained control over the activity of state-owned firms before they acquired ownership of them. Under these conditions, the temptation to strip companies of their assets, appropriate their capital, or pressure managers to raise workers' wages was too high. Wages and prices soon spiraled out of control. The mass privatization, launched with delay in 1995, offered shares in 15 National Investment Funds that initially controlled 512 state-owned companies in manufacturing and construction. In time, some companies found investors and left the program, while others faced financial difficulties. Although millions of Poles bought shares, mass privatization was not as central to state devolution as in the other Visegrád countries.

In the early 1990s, Hungary's first post-communist government raised energy prices and liberalized foreign trade without public consultations, a move that led to the famous taxi strike and the collapse of local enterprises whose products could not compete with Western ones that were flooding the local market. These initial reforms built on the ones adopted in 1988 by the last communist government, which launched stabilization and liberalization. By 1996, the Hungarian Socialist Party (MSZP) government had implemented key market reforms despite its center-left ideological identity and its supporters' opposition to reforms on grounds that "goulash communism" was the best behind the Iron Curtain. As elsewhere in the region, the reform program worsened living standards and increased inflation and unemployment. In response, the center-right government, formed in 1998 by the center-right Fidesz-Hungarian Civic Union, loosened fiscal policy, offered generous social benefits, and raised the minimum wage by 75% before the 2002 election. All these populist policies deepened the deficit. To consolidate the budget, the MSZP government introduced painful measures in 2006–2007, just before austerity measures sought to contain the impact of the global financial crisis. The effort to consolidate the economy twice in a short time period, according to Sandor Richter of the Vienna Institute for International Economic Studies, fueled the strong nationalist feelings that led to the landslide electoral victory of Viktor Orbán in 2010.⁷³ Remember, however, that Hungary has preserved a strong voice for organized labor in negotiations over economic policy, with both Fidesz and MSZP governments committed to the welfare system, consulting regularly with social partners, and involving them in decision-making. This commitment echoes the 1989 constitution, which declared Hungary a market economy protecting both public and private property but also guaranteeing the social welfare of the citizens. In 2005, to boost productivity, the government lowered income tax from 40% to 38%, and corporate tax from 18% to 16%.⁷⁴ Hungary is one of the region's leading recipients of foreign direct investment per capita, although taxes remain high and progressive.

In 1990, in order to limit the underselling of state-owned enterprises through “spontaneous privatization”, the Hungarian Parliament centralized control by auctioning enterprises in the service sector. Two years later the political executive assumed direct control over privatization. By 1995, when the government decided no longer to maintain majority holdings in banks, utilities, and large industries, only 553 of the 1,848 companies registered in 1989 remained in the hands of the state; at the same time, the number of private businesses increased from around 5,000 in 1989 to more than 69,000 in 1993, whereas 90% of the land was privately owned.⁷⁵ Privatization then proceeded at an accelerated pace so that “virtually everything of value [was] privatized and sold to foreign investors,” which flocked to Hungary because the country had “the most business-friendly laws” in East Central Europe.⁷⁶ In time, this initial success came to be viewed as problematic. The average Hungarians, and their political leaders as well, have blamed foreign investors for undermining local firms and driving them into bankruptcy, gaining control over valuable national assets, initiating mass layoffs once asserting ownership of Hungarian companies, catering to the needs of the rich but not of ordinary Hungarians, treating the country “as a theme park for outlandish schemes” that deface Budapest and go against its historic character, decapitalizing Hungary by transferring profits outside of the country, and ultimately reducing Hungarians to “a state of ‘intellectual and artistic serfdom’ as cheap wage slaves for these developers.”⁷⁷

By the mid-2000s the Visegrád countries had consolidated market democracy and joined the EU, registering a net advantage over their Balkan neighbors even during the financial crisis of 2008–2010 and the pandemic of 2020–2021. At the same time, a drastic loss of population because of out-migration and low fertility has bred illiberalism, populism, nationalism, and conservatism that impacted economic policy as well. The populist governments have been concerned less with attracting foreign investment and more with strengthening market protections and enforcing the payment of taxes by employers. In all, Visegrád countries’ inequality has increased and short-term or temporary contracts have proliferated.

Romania, Bulgaria, and Albania

Economic reforms have been much more turbulent and incoherent in Romania, Bulgaria, and Albania, preventing them from closing the gap with the Visegrád group. Part of the problem was the much stricter command, centralized economy that these countries had maintained during communist times, the difficult and delayed transition away from communism of 1989–1990, and the vacillating economic reforms enacted since then.

When Ceaușescu was ousted, Romania was trailing far behind its neighbors in almost all macroeconomic indicators: it had the lowest GDP per capita in the region (except for Albania), the second lowest productivity rate (after Poland), the lowest average monthly salary at 150 dollars, and one of the highest dependency

rates on the Soviet market (which accounted for 22% of its exports and 31% of its imports).⁷⁸ The communist officials who formed the first post-communist governments rejected radical reforms; so Romania's record was sluggish until 1996. Reforms broke the monopoly of state-owned export–import companies, allowed goods to cross the border, and permitted citizens to buy and sell foreign currency. Stabilization and liberalization led to high inflation, a chronically devalued currency, and decreased living standards. State-owned enterprises and agricultural cooperatives were slated for privatization as early as 1990, but the government's violence against anti-communist groups deterred foreign investors. Direct sales, MEBOs and mass privatization helped the state divest its assets, but led to abuse, scandal, and insider deals. Instead of benefiting ordinary Romanians, privatization favored “a powerful coalition of vested interests with well-established claims to public resources and strong ties to the offspring of the ex-communist party” who managed “to convert their former positions into new forms of post-communist privilege.”⁷⁹ More importantly, in the absence of meaningful banking reforms, the government continued to decide the fate of deposits according to political criteria. The exchange rate was arbitrarily controlled, banknotes were freely printed, and loans were offered to well-connected individuals in the absence of repayment guarantees. As most Romanians were destitute, they could not buy enterprises without first securing a bank loan. As Stan has written, “sound business plans, entrepreneurial spirit, risk-taking or initiative were much weaker determinants than good political connections”⁸⁰ in determining which individuals qualified for a loan, and which did not. Substantial loans were offered to “paper barons” (*miliardarii de carton*), who were connected to civil administrators, politicians, and government officials but had few if any managerial skills. The result was “state corporatism cum political clientelism,” not a fully free market.⁸¹ During 1996–2000, the Democratic Convention of Romania, a heterogeneous alliance of anti-communist forces that bickered with each other more than they fought with the former communists, perpetuated clientelism, although they did accelerate privatization, unblocked the restitution of nationalized property, and opened the Romanian market to foreign investors.

The landslide 2000 election eviscerated the Democratic Convention and returned the Social Democratic Party (PSD) to power, all too eager to extend its tentacles over large sectors of the economy, preferentially disbursing scarce public resources to members and supporters, and reserving for its leading figures some of the best dwellings once confiscated from the pre-communist elite. As a result, clientelism and nepotism rose to unprecedented levels, as reflected by the Corruption Perception Index computed yearly by the independent Transparency International organization: Romania ranked 68th in 2000 but 87th in 2004.⁸² That very year, the pro-European Justice and Truth Alliance (DA) formed the government with the help of a heterogeneous coalition, seen by the new Democrat President Traian Băsescu as an “immoral alternative” to a minority government.⁸³ The new cabinet, consisting of a number of young, Western-educated members

who had not served in any previous government, initiated radical reforms that included a 16% flat tax for individuals and businesses, which replaced the 40% tax for individuals, and the 25% tax for corporations.⁸⁴ Direct foreign investment started to pour into the country, helping local companies to modernize. A set of anti-corruption institutions were empowered to punish public officials involved in nefarious deals and traffic of influence, targeting Social Democratic opposition leaders more than Democrat Party members. After Romania joined the EU in January 2007, close to two million Romanians left the country to work and live in Italy, Spain, Germany, and the United Kingdom. The remittances they sent back home have kept the local economy afloat. This massive out-migration has dampened nationalist feelings but has also generated huge social problems. For example, hundreds of thousands of children were left behind with grandparents or more distant relatives by parents desperate to make a dollar abroad.⁸⁵ Women, in particular, have accepted menial jobs, even at the risk of becoming victims of human trafficking and inhuman working conditions. As of 2022, Romania registered 34.4% of its population “at risk of poverty or social exclusion” – the highest rate in Europe.⁸⁶ For the first seven years after the regime change, much of Bulgaria’s production capacity was at a standstill, and during the winter of 1990–1991, the country experienced a crisis in food and energy supplies.⁸⁷ Bulgaria’s economic reform program was as erratic and ad hoc as the one in Romania, amounting to a “clear illustration of the pitfalls of partial reform,” that reflected “recurrent surges in inflation, stumbling structural reform, and a series of banking crises,” and led to utter “economic and financial collapse.”⁸⁸ The strongest explanation for why a radical reform program remained an orphan that both center-left and center-right governments were unwilling to foster was perhaps the ability of the last communist governments to keep the country afloat in the 1980s and the Bulgarians’ preference for maintaining the communist-era economic system, which underperformed but, at least, allowed ordinary citizens to meet their daily basic needs and feel equal with their neighbors. This preference was shown in 1994, when voters empowered the former communists, restyled as the Socialist Party, to prioritize the construction of a social market economy. As economist Ilian Mihov noted, this gave managers of state-owned enterprises the perfect opportunity to create “parallel structures” that were “charging the losses to the state-owned enterprises they ran while channeling the profits into their own private companies.”⁸⁹ The presence of such hidden privatization deals aligned Bulgaria with all the other countries overviewed in this chapter, giving the communist elite ample opportunity to retain its advantageous position in the new post-communist market democracy. The proliferation of bad loans further enriched the new elite while driving state-owned banks into insolvency and kept bankrupt state-owned enterprises afloat. The losers of the delayed economic transition were ordinary Bulgarians, whose jobs vanished; savings, salaries, and pensions diminished; poverty and inequality increased; and precarity of daily life spiraled up. As many workers were forced into early retirement, the percentage of adults not working was even higher than

official unemployment rates suggested. Despite having some of the cheapest labor force in Europe, the Bulgarian economy was unable to attract a substantial capital inflow. Foreign direct investment was just \$69 per capita in 1996, one of the lowest in the region.⁹⁰ Until 1996, most of the large industries remained in state ownership; only in that year did Bulgarian authorities get serious about privatization. But, by then, the country was impoverished. In 1997, real wages sank to their lowest point since 1989, tanking at 30% of the level of real wages in 1990.⁹¹ That year, the Socialist Party suffered a decisive electoral defeat, and the incoming government of the United Democratic Forces adopted a program that initiated economic stabilization.⁹²

Thus, by 1997 it had become evident that the former communists were more apt at making promises than at restarting the economy: under their leadership, almost 60% of all state-owned enterprises produced losses, with two-thirds of those losses being generated by 60 enterprises employing as many as 85,000 workers; inflation reached 242% in February 1997 alone.⁹³ Snap elections organized that summer gave the center-right United Democratic Forces the parliamentary majority needed to implement a stabilization program comprehensive enough to bring inflation down, eliminate subsidies, improve tax collection, and allow the banking system to recover. The new government also accelerated privatization of state-owned companies and land belonging to agricultural cooperatives. A second round of voucher privatization, launched in 1998, attracted a wider range of foreign and Bulgarian companies and investors in public auctions, lifted time limits for registration, allowed investment vouchers to be supplemented by money deposits, and introduced new opportunities to use vouchers as payment in all forms of privatization.⁹⁴ In a clear departure from regional practice, Bulgaria was very late in allowing the restitution of land abusively confiscated by the communist regime to its initial owners. By 2000, barely 56% of cultivated land was in individual farms, as most restitution beneficiaries preferred to lease or sell the land to large farms or cooperatives. Surprisingly, a World Bank study found that, as recently as 2004, close to 70% of rural households engaged in subsistence farming on very small land plots, explaining why they remain poor.⁹⁵

By the time the region's poorest country, Albania, decided to abandon communism, it had already suffered financial autarchy and isolation, once the 1976 constitutional ban on all forms of foreign finance was fully enforced. The Albanian economy consisted of a large agricultural sector that was functioning at close to subsistence levels, complemented by a very small service sector and an industrial sector of overstaffed plants affected by obsolete technology and low productivity. The agricultural sector underperformed, and as such, Albanians often had to scramble to survive on the meager food rations that were periodically introduced in an effort to balance ever-depleted food stocks with an ever-growing demand. Large state-owned enterprises (*combinats*), employing between 700 and 4,000 workers, dominated the economy. While all enterprises were fully subject to central planning, in some of them, workers' participation eroded the authority of the

managers, who already had very little leeway in deciding production and investment.⁹⁶ Demoralized by long-term poverty and precarity, the Albanians were, nevertheless, unwilling to accept radical reform programs that would jeopardize their livelihood.

The stabilization and liberalization attempted by the first post-communist governments in the 1990s led to a sharp decrease in gross industrial and agricultural production and the rapid deterioration of the local currency, virtually obliterating salaries and pensions. The dismantling of the agricultural cooperatives in 1991 led to a steep decline in the share of products distributed through the state-controlled stores as private landowners preferred to sell their produce on private markets for higher prices. That same year, the Albanian government decided to abandon the five-year plan in favor of annual targets to be met by state-owned enterprises, in which most economic activity still took place. The unintended consequence of this move was a substantial and rapid erosion of work discipline. In 1991, a series of legislative amendments allowed private ownership of all types of property, a provision that later was extended to land as well. On that basis, a comprehensive privatization program envisaged the sale of state-owned assets at auction, tender, as part of buy-outs, direct sales, mass privatization with voucher schemes, and joint ventures with foreign capital, all under the watchful eye of two government agencies that valued the state assets and then mediated between the state and the buyers. The mass privatization was considered a failure because vouchers were not fully distributed or used, and their value decreased to “ridiculous” levels.⁹⁷ Subsequently, however, thanks to revenue from tourism, fiscal stabilization, and measures to strengthen the national currency, by October 2023, the IMF was praising the Albanian economy as “one of the strongest performers in the region” and forecasting a “robust” growth of 3.3% in GDP for 2024.⁹⁸

The Impact of the War of Yugoslav Dissolution on the Yugoslav Successor States

The Yugoslav economy was already in trouble in the 1980s, with one out of every four persons living below the poverty line in the years 1985–1987 (as shown in Table 3.4), and the rate of inflation inching upward; beginning in 1982, the recorded rate was 29%, then reached 88% by 1986, and then more than doubled to register 199% in 1988, attaining a rate of 1,356% in 1989.⁹⁹ There were, however, two factors that allowed the Socialist Federative Republic of Yugoslavia (SFRY) to hobble along: first, there was the fact that most of the goods produced in the SFRY were sold within the country. Indeed, as the data in Table 3.10 show, more than two-thirds of all goods produced in Yugoslavia were sold within the same constituent republic in which they were produced, meaning, for example, that three-quarters of the goods produced in Serbia were sold within Serbia. Even so, the domestic market was important; again, for example, farmers in Slavonia (in Croatia) were dependent on being able to sell some of their produce in adjacent

TABLE 3.10 The Percentage of All Goods Sold within the Republics in Which They Were Produced (1987)

	%
Bosnia-Herzegovina	69.5
Croatia	68.7
Macedonia	66.5
Montenegro	59.8
Serbia	76.2
Slovenia	62.9

Source: Mladen Lazić and Laslo Sekelj, "Privatisation in Yugoslavia (Serbia and Montenegro)," in *Europe-Asia Studies*, 49, no. 6 (September 1997), 1058.

Bosnia-Herzegovina. Second, the SFRY had privileged trade arrangements with the member states of the Council for Mutual Economic Assistance (COMECON): specifically, the Soviet Union, the German Democratic Republic (GDR), Poland, Czechoslovakia, Hungary, Romania, and Bulgaria. All these countries were manufacturing goods that were below world standards, such as cars, radios, television sets, and other appliances. But the agreement among the eight of them allowed them to trade even with goods below world standards. (Thus, in Belgrade in 1979–1980, Robna Kuća, the major department store downtown, sold radios manufactured in the Soviet Union, the GDR, and Yugoslavia; the East German product was the best of this set, but none of them could have been marketed successfully in the United States or Western/Northern Europe.) Table 3.11 shows the share of COMECON in Yugoslav foreign trade in the years 1965–1981.

In addition to this, the Soviet Union extended very generous credit conditions to Yugoslavia. For example, in July 1981, the Soviets granted Yugoslavia a credit of \$450 million for 10 years at 4% interest, with no repayment required during the first two years.¹⁰⁰

Between 1989 and 1991, all of this changed. To begin with, in the last months of 1989, Serbian companies unilaterally canceled contracts with 98 Slovenian firms.¹⁰¹ With that, the unified Yugoslav economic market ceased to exist. On 28 September 1990, the Serbian Assembly passed a new constitution for Serbia,

TABLE 3.11 The Share of Members of COMECON in Yugoslav Foreign Trade, 1965–1981 (Trade Value in %)

	1965	1975	1979	1980	1981
COMECON, excluding the Soviet Union	22.2	16.0	14.1	13.3	13.4
The Soviet Union	12.4	15.4	15.3	21.6	24.8
COMECON – total	34.6	31.4	29.4	34.9	38.2

Source: Tatjana Globokar, "Foreign Trade between Yugoslavia and the European Countries of the CMEA," in *Soviet and Eastern European Foreign Trade* 19, no. 2 (Summer 1983): 102.

placing its military and security affairs exclusively under the government of the Republic of Serbia. This was tantamount to a unilateral declaration of independence, directly in violation of the provisions of the 1974 federal constitution.¹⁰² Soon after that, “Serbia organized Serbian defense units not under federal command”¹⁰³ and stopped transferring sales tax earnings to the federal budget, as required by law.¹⁰⁴ The following month, the Serbian government imposed tariffs on goods coming from Slovenia and Croatia, thus treating these republics as if they were foreign states. By November, four federal units – among them, Serbia and Croatia – had announced that they would make no further tax payments to federal coffers. Then, in December, in a move that crippled what was left of the federation, the Serbian National Bank executed a withdrawal by Serbia (disguised as a loan) of \$1.8 billion from the National Bank of Yugoslavia, resulting in the federal government having to operate at 15% below budgetary requirements and having to lay off 2,700 federal officials.¹⁰⁵

Six months later, the Socialist Federative Republic of Yugoslavia was laid to rest when Slovenia and Croatia declared their independence. Macedonia followed suit in November 1991, as did Bosnia-Herzegovina in March 1992, albeit without the agreement of the leading Bosnian Serb politicians to respect the will of the majority.

At the same time that the Yugoslav domestic market was crumbling, COMECON was entering its death throes. As early as 1 January 1991, the member states of moribund COMECON were demanding payments for exports in hard currency. The final COMECON meeting was held on 28 June 1991 – eerily on the anniversary of the 1389 Battle of Kosovo as well as of Yugoslavia’s 1921 “Vidovdan” Constitution – at which the decision was made to dissolve the organization within 90 days.

The breakup of the Yugoslav domestic market and the dissolution of COMECON were the first two hammer blows to the new republics which had comprised the SFRY until June/October 1991. There were three more hammer blows: direct war damage, affecting Croatia and Bosnia-Herzegovina; the severe United Nations (UN) economic sanctions imposed on Serbia and Montenegro on 30 May 1992; and the Greek trade embargo of Macedonia, imposed in February 1994, that lasted 19 months, costing land-locked Macedonia approximately \$2 billion.

In the following pages, we will discuss how these factors, and especially the war, impacted Bosnia-Herzegovina, Croatia, and Serbia. After a very short engagement of forces in Slovenia, the fighting during 1991–1995 was limited to the territory of Croatia and Bosnia-Herzegovina. But Serbia was also seriously affected by the war, primarily because of its not inconsiderable support for Serb insurgents in those republics and because of the UN economic sanctions. In the concluding part of this section, we shall compare changes in GDP, unemployment, inflation, and consumer prices across all the Yugoslav successor states to assess exactly what difference the war and sanctions/embargo made for these republics.

Bosnia-Herzegovina

The war came to Bosnia-Herzegovina (hereafter, Bosnia) in March 1992. By the time the war ended in November 1995, up to 110,000 people had lost their lives in this republic, 2.7 million persons had been displaced, and Bosnia's GNP, as of 1996, had been reduced to less than 10% of its 1991 level, according to Rusmir Mahmutćehajić.¹⁰⁶ Approximately 60% of all private residences had been destroyed or damaged.¹⁰⁷ The 1992–1995 siege by Bosnian Serb forces caused approximately \$18.5 billion in damage just to Sarajevo.¹⁰⁸ Total damage to Bosnia as a whole has been estimated at very roughly \$100 billion. Along the way, 90% of livestock were killed, and farmers lost more than half of their assets.¹⁰⁹

According to one estimate, GDP in 2001 stood at about 20% of its pre-war level. That same year, the unemployment rate was estimated at between 40% and 50% of the labor force. About the same time, 46% of people living in the Federation of Bosnia-Herzegovina (as the Bosniak/Croat part of post-war Bosnia has been called) were living below the poverty line, while 75% of the people in the Republika Srpska (as the Serbian part of post-war Bosnia has been called) were classified as below the poverty line.¹¹⁰

Croatia

The war in Croatia began in June 1991 and did not end until November 1995 (see Chapter 4 for details). Roughly 12,000 citizens of Croatia lost their lives during the war, but many more emigrated, with the result that Croatia's population in 2001 had about 350,000 fewer inhabitants than it had in 1991.¹¹¹ Between 1960 and 1990, Croatia's GDP had grown at an average annual rate of nearly 4%. In 1991, the war sent Croatia's GDP crashing by 20%. Croatia's GDP continued to sink during the war years and, by 1994, had sunk to approximately two-thirds of its pre-war level.¹¹² Tourism and the shipping industry had been important hard currency earners for Croatia before the war, with foreign tourists accounting for about 10% of the Croatian GDP before 1991.¹¹³ The number of tourists dropped by almost 75% in 1991 and tourism did not recover until after the war had ended.¹¹⁴ The war also resulted in a drop in orders for Croatian ships. Serb insurgents destroyed or damaged more than 10% of all housing units, as well as numerous bridges, churches, and service facilities. Two years after the war had ended, it was common to see private houses with new roofs. Farmers lost a lot of their cattle and equipment; in addition, as a result of the war, farmers in Slavonia lost their Bosnian market.¹¹⁵ Added to these economic challenges were the high levels of expenditures on weaponry and other war materiel, rising from 7.6% of GDP in 1992 to 10.7% of GDP in 1993, reaching a height of 11.1% of GDP in 1994 before gradually declining thereafter (see Table 3.12 for the relevant data). All told, damage to Croatia's infrastructure, economic enterprises, and private housing cost the republic \$5 billion, according to one estimate.¹¹⁶

TABLE 3.12 Croatia's Military Expenditure as a % of its GDP, 1992–2000

	%
1992	7.6
1993	10.7
1994	11.1
1995	9.3
1996	8.3
1997	8.9
1998	6.6
1999	4.4
2000	3.0

Source: Stockholm International Peace Research Institute, “Military Expenditure by Country as Percentage of Gross Domestic Product, 1988-2019.” 2020. <https://www.sipri.org/sites/default/files/Data%20for%20all%20countries%20from%201988%E2%80%932019%20as%20a%20share%20of%20GDP.pdf>.

The war fueled inflation, which became a serious problem during 1992–1993. The first economic stabilization plan, intended to reduce inflation by reining in public spending and removing price controls (except for milk, bread, cooking oil, electricity, and other such basic requirements), came into effect in summer 1992, but public spending continued undiminished, while the public debt continued to climb.¹¹⁷ By April 1993, there was a new government in place, headed by Prime Minister Nikica Valentić, who promised to present a fresh, comprehensive economic plan in the Autumn. Possibly the toughest year for Croats in economic terms, in 1993, the country experienced rising poverty and deteriorating economic conditions. As Ivo Bićanić has recorded, “the real value of social welfare payments in the first seven months of 1993 was down 36.4% on the same period in 1992.”¹¹⁸

These were indeed difficult times for Croats. In September 1993, industrial production was recorded at 52% of the average monthly rate in 1989, while prices of rail transport, gasoline, and electricity, among other items, increased by 40% in 1993. In addition, the country's foreign trade surplus (in 1992) turned into a \$512 million deficit in 1993.¹¹⁹ In spite of that, real wages rose by 17% during the second quarter of 1993.

Prime Minister Valentić kept his promise by announcing an ambitious stabilization program in October 1993, with serious anti-inflationary measures combined with a liberalization of the foreign exchange market and restructuring of the banking system and of loss-generating enterprises. Pensions were reduced to the bare minimum, a war tax was introduced, and a decision was taken not to engage in deficit spending (by contrast with Serbia, where deficit spending contributed to extremely high inflation, ruining the economy). This decision entailed a tight monetary policy and some spending cuts. But with all of this, Croatian authorities

avoided the real danger in the Summer of 1993, of sliding into hyperinflation; by the Spring of 1994, inflation had been brought under control.¹²⁰

Croatia emerged from the war with roughly 25% of its production capacity in ruins;¹²¹ a total foreign debt in December 1997 of \$6.1 billion, of which \$3.7 billion was Croatia's share of the debt accumulated by the SFRY;¹²² and unemployment recorded at 10% (at the start of 1998).¹²³ Moreover, as a result of the war, Croatia's privatization plan had been slowed down and, at the end of 1995, the state still had a majority share in 270 large enterprises, which accounted for 30% of the workforce.¹²⁴ As late as 2006, 31% of the labor force was still employed in the public sector.¹²⁵ Nonetheless, by the end of the war, Croatia had been admitted to the IMF, the World Bank, and the European Bank for Reconstruction and Development. Subsequently, Croatia was admitted into NATO on 1 April 2009 and to the EU on 1 July 2013. With these accessions, Croatia could feel assured of a protective security blanket.

Serbia

Although none of the fighting during the War of Yugoslav Dissolution took place on the territory of Serbia or Montenegro (the Federal Republic of Yugoslavia, as Serbia and Montenegro called their federation from April 1992 until February 2003), Belgrade paid the salaries of the commanders and line officers of the Serb insurgent armies in Croatia and Bosnia during the war, providing them with logistical support,¹²⁶ and supplied Bosnian Serb forces with arms, food, clothes, war materiel, medicine, and medical supplies.¹²⁷ But the biggest blow to the Serbian and Montenegrin economy came from the UN trade embargo of May 1992, which cut off the FRY from much of the world market, resulting in the closure of factories, rising unemployment (750,000 officially unemployed as of April 1993), shortages of fuel in Belgrade, and shortages of medicine and cigarettes, stimulating the growth of a black market in cigarettes.¹²⁸ Social product, industrial production, social sector employment, real personal income, and, eventually, even agricultural production all went into serious decline, as the data in Table 3.13 graphically show.

TABLE 3.13 Rates of Shrinkage in Select Macroeconomic Indicators in Serbia, 1991–1992 (in %)

	1991	1992
Social Product	-11.1	-27.0
Industrial Production	-17.6	-22.9
Agricultural Production	9.7	-22.0
Social Sector Employment	-8.2	-4.3
Real Net Personal Income	-5.2	-50.6

Source: Ljubomir Madžar, "The Art of the Impossible: Economic Policies in the New Yugoslavia," in *Communist Economies & Economic Transformation* 5, no. 3 (1993): 337.

The federal government in Belgrade had been operating at a deficit of 3% of GDP already in 1990, before the war had begun and before the imposition of UN sanctions. But under the pressure of these factors, the government of the Republic of Serbia increasingly relied on deficit spending and, by 1993, was functioning at a deficit of 28% of GDP.¹²⁹ This only reinforced the hyper-inflation, which began in 1992, eventually reaching a peak of a *monthly* rate of 313,563,588% in January 1994.¹³⁰ At that point, inflation was logged at 62% per day, at an hourly rate of 2.03%. Prices in shops were hiked several times a day and, in December 1993, a 500 billion dinar banknote was issued.¹³¹ In January 1994, after a redenomination, one billion “old” dinars were converted to one “new” dinar. Real wages crumbled during the years 1990–1993, as shown in Table 3.14.

In December 1993, Slobodan Milošević, President of FRY since 1997, asked Professor Dragoslav Avramović to draft an austerity plan to address the country’s economic problems. The Avramović plan was adopted and implemented beginning on 24 January 1994. Among other things, it brought a halt to the carefree printing of money, stabilized prices, pegged the new dinar to the German mark, and brought inflation down to a minus 0.6%, i.e., a small deflation.¹³² The Avramović program enjoyed temporary success, keeping prices stable until August 1994 and holding the annual inflation rate to 9% until mid-November. But by October, the dinar was slipping against the mark; in this context, the government approved an inflationary increase of 50% for electricity bills and, by the end of 1994, the economy was once more sliding out of control.¹³³ Finally, as a result of the costs of supplying Serb insurgent forces in Croatia and Bosnia, as well as the result of the UN sanctions,¹³⁴ Serbia’s GDP plunged by more than 50% by 1995.¹³⁵ Much later, during the presidency of Aleksandar Vučić, Serbia rebounded, with GDP growth estimated at 2% for 2023 and projected to reach 3.5% in 2024. The key to Serbia’s post-war success story is its diversification “away from light manufacturing and agribusiness – the traditional mainstays of its economy – toward information and communication technology (ICT).”¹³⁶ According to Paul Gamble, senior director of the Sovereign Group at Fitch Ratings, “ICT is now the fastest-growing sector” in Serbia.¹³⁷

TABLE 3.14 Changes in Real Wages in the SFRY/FRY, 1990–1993

	%
1990	–4.7
1991	–5.8
1992	–48.7
1993	–61.0

Source: Svetlana Adamović, “Efforts towards Economic Recovery and Monetary Stabilisation in FR Yugoslavia,” in *Communist Economies & Economic Transformation* 7, no. 4 (1995): 533.

The Impact of the War and Sanctions

All six of Yugoslavia's erstwhile republics were affected by the breakup of COMECON. But four of them – Serbia and Montenegro (joined during the war years in the Federal Republic of Yugoslavia), as well as Croatia and Bosnia – were involved in the war. Only the Federal Republic of Yugoslavia was hit by UN sanctions, and it was also the only republic to engage in prolonged deficit spending – a recipe for disaster. Finally, only Macedonia was the target of the Greek trade embargo, closing its ports to Macedonian imports and exports. To compensate for this, Macedonia had to truck its exports to the Bulgarian town of Varna, 700 km. from Skopje. Because Macedonia and Serbia shared a common border, there continued to be trade between those two during the war years.¹³⁸ These compensations notwithstanding, the Greek embargo cost the Macedonian economy, as already mentioned, an estimated \$2 billion in lost revenue – a significant sum for a country of fewer than two million inhabitants.

Economic data for Croatia, Macedonia, FR Yugoslavia, and Slovenia for 1990–1994 are collected in Tables 3.7 and 3.15–3.17. It is important to compare data in each table both horizontally, across time, and vertically, across republics. Comparable and reliable data for Bosnia are not available for the war years. Table 3.15 shows changes in GDP for the years 1990–1994.

What is perhaps immediately striking is that all four countries experienced shrinkage in GDP in 1990, before COMECON collapsed and before the outbreak of war. This was due, primarily, to economic mismanagement and rent-seeking by elites. Shrinkage continued in 1991 and 1992 for all four reporting, in 1993 for all except Slovenia, and in 1994 in Macedonia because of the Greek trade embargo. During 1992 and 1993, the FR Yugoslavia and Macedonia experienced the highest rates of shrinkage of GDP, while Slovenia, which stayed out of the fighting except for a brief engagement in late June–July 1991, was able to register growth in GDP in 1993 and 1994, even while the war continued.

Of all the economic data shown here, figures for unemployment tell the most about how ordinary people were living. Table 3.16 shows unemployment rates for

TABLE 3.15 Changes in GDP, 1990–1994 (in %)

	1990	1991	1992	1993	1994
Croatia	-8.6	-14.4	-9.0	-3.2	1.8
Macedonia	-9.9	-10.7	-14.7	-15.5	-14.7
FR Yugoslavia	-8.4	-11.2	-26.1	-30.3	2.6
Slovenia	-4.7	-8.1	-5.4	1.3	5.0

Sources: Svetlana Adamović, “Efforts towards Economic Recovery and Monetary Stabilisation in FR Yugoslavia,” in *Communist Economies & Economic Transformation* 7, no. 4 (1995): 528; Štefan Bojnec, “Macroeconomic Stabilization and the Reform Process in Slovenia,” in *Eastern European Economics* 34, no. 1 (January–February 1996): 23; and IvanStat, “Serbia. Gross domestic product, 1990–2020,” <https://ivanstat.com/en/gdp/rs.html>.

TABLE 3.16 Unemployment Rates (Official Figures), 1991–1994 (in %)

	1991	1992	1993	1994
Croatia	11.14	11.01	10.68	10.68
Macedonia	24.50	26.30	27.70	30.00
Serbia	13.33	12.94	12.82	13.40
Slovenia	7.08	7.68	8.51	8.24

Source: *macrorends (country reports)* [accessed on 18 July 2023] <https://www.macrorends.net/index.html>

TABLE 3.17 Inflation in the Yugoslav Successor States, (1986–2004) in %

	Croatia	Slovenia	Serbia #	Bosnia
1986	50	95.9	–	4,413,374
1987	133.3	132.1	–	4,440,300
1988	185.7	198.8	–	4,463,320
1989	1,400.1	1,281.4	–	4,481,230
1990	500.9	552.1	–	4,494,310
1991	122.2	114.8	–	4,502,386
1992	625.5	209.9	–	4,275,730
1993	1,500.9	31.8	–	3,942,981
1994	107.3	20.9	–	3,762,330
1995	3.9	13.5	82.7	3,750,527
1996	4.3	9.9	95.6	3,907,751
1997	4.2	8.4	23.3	4,047,748
1998	6.4	7.9	30.2	4,115,059
1999	4.0	6.2	42.5	4,163,059
2000	4.6	8.9	71.1	4,179,350
2001	3.8	8.4	95.0	4,194,932
2002	1.7	7.5	19.5	4,198,410
2003	1.8	5.5	9.9	4,183,757
2004	2.0	3.6	11.0	4,142,860

Source: *Macrorends* [accessed on 1 July 2023] <https://www.macrorends.net/index.html>

Data for Serbia for the years 1986–1991 are included in data for the SFRY; data for Serbia for the years 1992–1994 are included in data for the FRY. See the text.

Croatia, Macedonia, Serbia, and Slovenia for the years 1991–1994. Not surprisingly, Slovenia, historically the most prosperous republic in Socialist Yugoslavia and the only one of the four shown here to be unaffected by either economic sanctions or a trade embargo and to avoid all but a short engagement in the war, recorded the lowest rates of unemployment among the four, although its rate for unemployment increased gradually from 7.08% in 1991 to 8.51% in 1993, before dipping slightly to 8.24% in 1994. Among the other three republics, Serbia held more or less steady in terms of unemployment in these years, Croatia uniquely saw unemployment recede slightly from 11.14% in 1991 to 10.63% by 1994, and

only Macedonia saw its unemployment rate increase steadily from an already severe figure of 24.50% in 1991 to an alarming 30.00% in 1994.

Finally, Table 3.7 (provided earlier in the chapter) shows changes in consumer price indices for 1991–1994. Although this is a dimension of inflation, change in consumer prices is what affects ordinary people the most directly. It is, thus, a useful measure of economic suffering. Data for Croatia and FR Yugoslavia show a worsening of the situation between 1990 and 1993. Slovenia, after seeing consumer prices increase by more than 200% between 1991 and 1992, managed to bring the rate of increase in prices between 1992 and the first nine months of 1993 down to 22.3%. Macedonia reached its highest rate of increase in consumer prices in 1992.

In sum, what these data show is that, by staying out of almost all of the fighting, Slovenia was quickly able to overcome most of the damage inflicted on its economy by the disbanding of COMECON and the breakup of the Yugoslav domestic market. Although the Greek trade embargo hit Macedonia very hard, that republic's highest inflation in the years 1990–1994 was recorded in 1992, before the embargo was put in place. Finally, and perhaps ironically, the data show that, among the four republics for which data are available, it was FR Yugoslavia that was the hardest hit in terms of GDP, inflation, and rising prices of consumer goods, while only Macedonia, historically the poorest of the four republics discussed here, recorded considerably higher rates of unemployment than the other three republics during the war years (See Table 3.17).

Final Thoughts

The massive economic transformation enacted in East Central Europe was perhaps one of the most ambitious projects ever implemented on the continent, transmogrifying within the short span of two decades the command, centralized and planned economies of shortage inherited from communist times into market economies encouraging innovation. The results of these economic reforms are palpable and visible throughout the region. East Central Europeans live better, have a wider range of jobs to select from, can deposit their money at foreign or national banks, and can accumulate more wealth to leave behind to their children. The region's economic transformation was not devoid of suffering, despair and precarity, especially during the 1990s when successive governments tried various formulas in the absence of firm guarantees for success. More importantly, the reforms led to some notable unintended consequences, social inequality, and rampant corruption being perhaps the best documented. However, today, few ordinary citizens in that region would argue that their future is "small, black and knocking on our door," as one communist-era joke suggested. Citizens in the region own dwellings in unprecedented numbers, earn more than their parents could earn in the communist economy, and can spend their hard-earned money on a wide diversity of higher quality consumer goods and services.

Notes

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- 16 For an example of a shock therapy prescription couched in medical terms, see "Up for Debate: Shock Therapy: Bolivia, Poland, Russia. Same Policies – Different Results," PBS (no date), https://www.pbs.org/wgbh/commandingheights/shared/minitext/ufd_shocktherapy_full.html.
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- 31 Dabrowski, “Results and Prospects,” 56.
- 32 Kuznetsov, “The Economic Challenges,” 357.
- 33 Åslund, *How Capitalism Was Built*, 166.
- 34 Regarding Hungary, see Maria Csanádi, Márton Gerő, Miklós Hajdu, Imre Kovách, Mihály Laki, and István János Tóth, *Dynamics of an Authoritarian System: Hungary, 2010-2021* (Budapest-Vienna-New York: Central European University Press, 2022).
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4

THE FUNCTIONS, DYSFUNCTIONS, AND UNINTENDED CONSEQUENCES OF WAR

Yugoslav Conflicts, 1991–2001

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The breakdown of the Socialist Federative Republic of Yugoslavia (SFRY), which began with Milošević's coup within the Serbian party in September 1987 and came to a conclusion with the declarations of "disassociation" by Slovenia and Croatia in June 1991, led directly to 10 years of conflict and impoverishment. During the years 1991–2001, there were two wars and one insurrection: the War of Yugoslav Dissolution² (27 June 1991 to 21 November 1995), the War for Kosovo (28 February 1998 to 11 June 1999), and the Albanian Uprising in Macedonia (16 March to 13 August 2001). These conflicts served as the baptism by fire of six new states – Slovenia, Croatia, a divided Bosnia-Herzegovina, Macedonia (since June 2018, called North Macedonia), and, after an interval, albeit without local conflict, Montenegro (in 2006) and, 10 years after the conclusion of fierce fighting, Kosovo (in 2008). Serbia had passed a new constitution in September 1990, declaring itself exempt from the Yugoslav constitution without, however, declaring Serbia's secession from the SFRY. The status of the Albanians in Macedonia was partly resolved through the Ohrid Framework Agreement, which ended the 2001 insurrection, while the status of the Serb-run portion of Bosnia-Herzegovina, created by the Dayton Peace Accords of 1995, known as the Republika Srpska, remains disputed to this day. The latent functions of these wars included the criminalization of the local economies, the stimulation of high rates of inflation (especially in Serbia in the 1990s), and the sowing of levels of hatred, resentment, and trauma that will last until the memories of these conflicts fade away. The first two of these conflicts also produced indictments for war crimes before the International Criminal Tribunal for the former Yugoslavia and the Kosovo Specialist Chambers in The Hague. All three conflicts served to catapult certain prominent figures into

high positions in politics (e.g., Janez Janša in Slovenia, Hashim Thaçi in Kosovo, and Ali Ahmeti in what is now North Macedonia).

The goals pursued by the Serbian, Croatian, and Bosniak sides to the conflict were, on the face of it, mutually exclusive. The Serbian side launched the war with the idea of annexing two-thirds of Bosnia-Herzegovina together with at least a quarter of Croatia. Led by President Franjo Tuđman (1922–1999), the Croatian side sought, until the conclusion of the Washington Agreement in March 1994 (see below), to preserve Croatia's pre-war borders while also annexing portions of Bosnia-Herzegovina, especially southwestern Herzegovina, with its large Croatian population. The Bosniak side (called ethnic Muslims in the 1991 census) sought, above all, survival but also hoped to preserve the republic's pre-war borders. Yet, in spite of the incompatibility of Croatian and Serbian war aims, Tuđman tried to reach an agreement with Serbian President Slobodan Milošević (1941–2006) on the partition of Bosnia-Herzegovina and entered into an over-determined war against the Bosniaks.

Both the course of the war and its results were products of unintended, unforeseen consequences. This applies not only to Tuđman's endeavor to find common cause with Milošević, but also, prominently, to the United Nations (UN) arms embargo, imposed in September 1991, nominally to bring the war to an early end; because it cut off legal channels for the Croats and Bosniaks (along with all the rest of the former Yugoslavia) to arm themselves, it had the unintended consequence of driving these parties to seek weaponry on the black market and certainly did not shorten the war. The economic sanctions imposed on Serbia and Montenegro had the unintended consequence of fueling the criminalization of these societies and enriching criminals. The dispatch of UN peacekeepers to the region did not restore, let alone keep, peace, but it had the unintended consequence that, in order to be allowed by Bosnian Serb forces to bring food and other humanitarian supplies to civilians in need, the UN peacekeepers had to surrender some of their food and fuel to the Bosnian Serbs, thereby actually *prolonging* the ability of the Bosnian Serb army to function. And, of course, for the Serbian regime, which had sought to expand the borders of Serbia, the failure to achieve that goal was associated with the unintended consequence of inflicting serious damage on the economy, driving professionals to emigrate to Western countries and pushing people into poverty.

The Roots of War

It is striking that the damage done to the infrastructure in Bosnia-Herzegovina (hereafter, usually, Bosnia) was tangibly more extensive than that perpetrated in that region during the Second World War. The Bosnian front in the War of Yugoslav Dissolution was also marked by extremely high levels of cruelty, even between persons who knew each other and had been on friendly terms prior to the outbreak of fighting. These wars had nothing to do with supposedly "ancient

hatreds” – an unfortunate bit of disinformation that contributed to claims by some in the first part of the War of Yugoslav Dissolution that nothing could be done to bring peace as, allegedly, the peoples of the region had been at war with each other even before they settled in the Balkans and, thus, supposedly, at a time when they all shared the same polytheist religion. The notion was completely preposterous. On the contrary, such problems that may have existed between the peoples of Yugoslavia became more serious only after December 1918, when the Kingdom of Serbs, Croats, and Slovenes was formed. However, beginning in the second half of the 1980s in Serbia and in the beginning of the 1990s in Croatia and Bosnia-Herzegovina, the competing elites (here, mainly the Serb and Croat nationalist parties), and later also Albanian elites in Kosovo and among the Albanians of Macedonia, mobilized their populations on the basis of claims of threats to their respective nations, while identifying specific nations as enemies (especially in the first two of these wars).

One of the roots of subsequent trouble was that, in socialist Yugoslavia, a distinction was drawn between *state-forming (or constituent) nations (narodi)* and *nationalities (narodnosti)*. The distinction was employed to assign greater rights to those ethnic or national groups designated as state-forming – Serbs, Croats, Slovenes, Macedonians, Montenegrins, and, beginning in 1968, Bosniaks, designated at the time as “ethnic Muslims” equal in status to Serbs, Croats, and the other Yugoslav nations – while all other ethnic or national groups were labeled nationalities. This use of the term “nationalities” or even “minorities” had nothing to do with numerical minorities and, thus, did not refer to a group constituting less than 50% of the population either across the country as a whole or within any of the countries six constituent republics or two autonomous provinces. In fact, in 1981, the largest group in Yugoslavia, the Serbs, accounted for only 36.3% of the population. By conventional thinking, this meant that every single ethnic or national group in Yugoslavia was a (numerical) minority. More curiously, while Montenegrins, who numbered 577,298 that same year, were assigned status as a state-forming nation entitled to their own republic, Albanians, who numbered 1,731,252 at that time, were described as a “minority.” The justification provided was that Albanians already had their own national state – Albania – and could not have a second national state (Kosovo) within Yugoslavia (let alone secede to join Albania). Yet Albanians comprised 73.7% of the population of Kosovo, according to the census of 1971 (rising to 77.4% in the 1981 census) and were, thus, a majority within that province. Be that as it may, Serbs were not covered under this supposed rule; rather, the 531,502 Serbs living in Croatia (out of a total population of 4,601,469 in the Socialist Republic of Croatia in 1981) were designated a state-forming nation under Croatia’s socialist constitution, even though the Serbs already had their own national state – Serbia – where they were likewise designated a state-forming nation.

There were three problems with this system: first, there was the obvious double-standard, privileging Serbs over Albanians on the basis of specious and

inconsistent argumentation; second, the word “minority” was redefined, so that, in 1991, at which time Serbs comprised 12% of the population of Croatia, Serbs insisted that they were not a “minority” in Croatia (but a state-forming nation in that republic); and third, the entire scheme undermined any prospect for civic democracy (or even civic autocracy) but, instead, laid the foundation for a system of ethnic-based federal units, with Bosnia-Herzegovina classified as the home to three state-forming nations – the Serbs (a state-forming nation in two other republics), the Croats (a state-forming nation in one other republic, Croatia), and, after 1968, the ethnic Muslims or Bosniaks. Sitting on top of this cumbersome, creaky system was the communist party, operating a one-party state and employing an inconsistent system of quotas for the composite national groups. Given the foregoing, once the system began to suffer economic decline – starting with the quadrupling of the price of oil between October 1973 and January 1974, but accelerating with uncontrolled borrowing, sending the foreign debt up to \$20 billion by 1983 and placing 25% of the population below the poverty line by the late 1980s – it was not a question as to whether the system would confront severe political crisis, but when. This does not mean that Yugoslavia would inevitably have broken up or that astute leaders could not have found a path to transform the country peacefully. But some dramatic transformation – whether peaceful or conflictual, whether retaining a one-party state or, more likely, seeing the country or its parts adopting multi-party systems – was only a matter of time.³

Serbian Exceptionalism & the Disintegration of Yugoslavia 1986–1991

The League of Communists of Yugoslavia (LCY) laid a certain stress on the proper name of the country, the *Socijalistička Federativna Republika Jugoslavija* (Socialist Federative Republic of Yugoslavia), underlining that it was “federativna” (federative), rather than “federalna” (federal). By this the authorities meant that, at the time the country was stitched back together again after the end of the Second World War, sovereignty resided with the six future republics that voluntarily decided to federate to reconstitute a united Yugoslavia; on the other hand, the term “federalna,” they explained, would have suggested that sovereignty had originated at the center, in Belgrade, and that the constituent republics were brought into a pre-existing federation. But the communists insisted that the diverse “state-forming nations” joined Yugoslavia voluntarily on the basis of enjoying their several sovereignties before adhering to the restored South Slav state. The word “federative” exists in the English language; thus, writers who, perhaps following Wikipedia’s lead, or possibly out of laziness, translate “federativna” as “federal” commit not just a foolish mistake but also a historical, factual mistake.

Unfortunately, socialist Yugoslavia was not as consensual as the term “federative” implied. Probably all of the Yugoslav peoples included elements subscribing to nonconsensual ideologies. Moreover, it should be stressed here that none of

the peoples that comprised socialist Yugoslavia were ideologically homogeneous. All of them included communists subscribing to the ideology built on the triad self-management, brotherhood and unity, and nonalignment in foreign policy. All of them included people who celebrated their distinctive pasts – with some Croats recalling with pride or pleasure stories about King Tomislav (reigned as King from 925 to 928) or Count Josip Jelačić (who served as Ban of Croatia from 1848 to 1859, defending Habsburg rule against the Hungarian Revolution during 1848–1849), some Serbs celebrating the remembered glories of the reign of Tsar Dušan the Mighty (who reigned as King of Serbia 1331–1346 and as Tsar of Serbia 1346–1355 and whose empire included Kosovo) or, more problematically, the doomed Prince Lazar Hrebeljanović (who reigned from 1373 until he lost his life on the field of battle in Kosovo on 28 June 1389 in a vain attempt to preserve Serbian independence), and the other peoples of Yugoslavia recalling other imagined or real heroes of the past. These memories of the distant past served to divide the peoples of Yugoslavia not to unite them, as there was no ancient or medieval ruler or saint who could inspire all of them. All of Yugoslavia's peoples included those who had collaborated with the Axis during the Second World War as well as those who had opposed the Axis, either as liberals or as communists fighting as foot soldiers of the anti-Axis Partisan movement led by Josip Broz Tito. And most of the constituent peoples of socialist Yugoslavia included not only those supportive of communist rule, whether out of commitment or out of opportunism, but also those who rejected communist rule, whether from a liberal or a nationalist or even a fascist perspective. Nor should one forget that, among every people, one can also find those who are politically apathetic and those who pay so little attention to what is going on around them that one cannot expect them to have an articulate point of view or, in some cases, any point of view at all.

Among the Serbs in particular, there were (as there are also today) liberals committed to the notion that all peoples everywhere enjoy equal rights and to the principle that moral rules should be universalizable, which is to say applying to all peoples equally, and that the laws of any state should be applied to all citizens equally. But there were also those, such as novelist Dobrica Ćosić (1921–2014), Serbian and later Yugoslav President Slobodan Milošević (1941–2006), and Vojislav Koštunica (b. 1944), who would serve as the last President of the Federal Republic of Yugoslavia, 2000–2003, and as Prime Minister of Serbia, 2004–2008), who subscribed to the doctrine of Serbian exceptionalism. This doctrine, already anticipated four decades earlier by Serbia's reabsorption of Kosovo after World War II, was first fired into the firmament in September 1986, with the release by the Serbian Academy of Sciences and Arts of its ill-famed Memorandum (always written with a capital "M"). The Memorandum presented a litany of complaints and charges, claiming that the Serbs had been the victims of distinctive discrimination in the system constructed by Tito and his fellow communists, that the Serbs living in Croatia were suffering in the 1980s much as they had during the four-year existence of the fascist Independent State of Croatia (NDH⁴), 1941–1945, and that

the creation of the autonomous province of Kosovo, within the Republic of Serbia, had deprived the Serbs of full control of their historic heritage. The authors of the Memorandum did not acknowledge that, from the point of view of the Albanians, who constituted the majority of the population of Kosovo, it was *they* who had been compelled to sacrifice their rights in order to accommodate Serb desires to control their province. As a reflection of the self-image of those Serbs subscribing to a nationalist ideology, the Memorandum imagined the Serb nation as the centerpiece of Yugoslavia around which the other peoples revolved, like planets around the Serbian sun, deriving their light and warmth and life itself from Serbia, a people and land favored, allegedly, by God. Not surprisingly, there were repeated comparisons, not in the Memorandum but in *Književna reč* and elsewhere, of Holy Serbia with the chosen people of Israel or with Job, about whom a story was spun in the Old Testament

It was also in 1986 that a Serbian man named Martinović came forward with a broken bottle inserted into his posterior. He claimed that Albanians had plunged it there, while Albanians replied that the ill-fated Martinović had been trying to pleasure himself – but with a broken bottle? The Serbian press began referring to this as “Jasenovac for one man,”⁵ recalling the camp at which Croatian fascists killed between 50,000 and 100,000 Serbs during World War II.⁶ It was also in 1986 that articles began to appear in the Serbian press alleging that the transfer of factories from Serbia westward to protected highlands at a time when the Soviets were actively preparing to invade Yugoslavia was “actually” intended above all to weaken Serbia, sowing panic that the high birthrate among Albanians would eventually reduce Serbs to a numerical minority in Serbia, claiming that Montenegrins were actually Serbs (and thus that Montenegro should be part of Serbia), and dwelling at length on the so-called Martinović affair.⁷

The exceptionalist narrative continued in 1990 when Čosić, Milišević, and various Serb politicians in Croatia began to repeat the incantation, “All Serbs should live in one state.” This incantation was employed to justify the separatist movements of Serbs in Croatia and Bosnia-Herzegovina who sought to adjoin the areas they claimed to the Republic of Serbia. The obvious problem with this notion is that it is not universalizable. If all peoples are equal then, if all Serbs should live in one state, the same right – looking just within the boundaries of socialist Yugoslavia – should have been extended to Croats, Hungarians, and Albanians, among others. That, in turn, would have plausibly entailed allowing the Croats of the Serbian province of Vojvodina to have their land annexed to Croatia, the Hungarians living in Vojvodina to have their land restored to Hungarian sovereignty, and the Albanians of Kosovo to secede from Yugoslavia and attach all or almost all of Kosovo to neighboring Albania, not to mention the small numbers of Bulgarians living along the border with Bulgaria and the few Italians living in the northwest of the country. Of course, it would have been territorially impossible to honor all such claims without massive, coerced population movements and the creation of ethnically homogeneous states. Yet those Serbs subscribing to the

exceptionalist narrative did not intend for other peoples of Yugoslavia to claim this right; this was a “right” belonging exclusively, so they claimed, to the Serb nation. Why the Serbs? In the Memorandum, the argument was offered that the Serbs continued to suffer as no other Yugoslav nation had suffered and that their suffering had been especially intense during the Second World War. In other words, past and present Serb suffering, but especially in the Second World War, supposedly entitled the Serbs in the late twentieth century to annex land from Croatia and Bosnia-Herzegovina and to establish and maintain Serbian rule over Kosovo, even when the majority of its population consisted of Albanians. And note, too, that this approach to setting boundaries places greater value on the supposedly superordinate rights of an ethno-linguistic group (the nation) than on establishing a state founded on liberal values and equal rights for all citizens.

Turning to Croatia in the 1980s, the doctrine of Serb exceptionalism provided an unthinking response to Croatian pleas for tolerance and co-existence and inspired a rejection of Croatian President Franjo Tuđman’s guarantees of civil rights to those Croatian Serbs who would be loyal to the Croatian state. In the view of some of the leading figures among those Serbs who rose up against the Republic of Croatia in 1990, Croats were Ustashas (i.e., fascists associated with the NDH) and those Serbs who chose to live peacefully within Croatia were “fascists” and traitors to Serbia.⁸ Later, during Koštunica’s prime ministership, the doctrine of Serb exceptionalism was resurrected to justify Belgrade’s refusal, for as long as this could be sustained, to turn political figures indicted for war crimes, such as Milošević, over to the International Criminal Tribunal for the former Yugoslavia (ICTY). The argument registered by Koštunica and his associates was that Serbian law stood higher than international law and that, under Serbian law, the transfer of Milošević to The Hague to stand trial could not be justified. But again, this application of the doctrine of Serb exceptionalism was founded on a rejection of the principle of universalizability because if every people and every state could declare its national laws to be higher than international law, then there would be no such thing as international law – an absurd result. But, again, Koštunica did not mean to suggest that Croatian law or Slovenian law or, for that matter, German or British law stood above international law, only that Serbia enjoyed this unique right to place its national law higher than international law.

The Memorandum of 1986 flashed across Serbia like a bolt of lightning, seeming to illuminate everything more brightly than sunlight. But this was an illusion, as the entire text of the Memorandum was a fabric of distortions, exaggerations, false memories, and outright lies. But it energized those Serbs who nurtured nationalist fears and fantasies and contributed to a change in the direction in which Serbia and, thus, Yugoslavia, would move. Just over six months after the publication of the Memorandum, Milošević, President of the Central Committee of the League of Communists of Serbia since May 1986,⁹ visited Kosovo in April 1987 and met with local Serbs, promising them, “No one will ever beat you again!” This single sentence transformed Milošević’s career, and its reception encouraged him

to orchestrate the removal of Ivan Stambolić (1936–2000) from the presidency of Serbia and secure his own seizure of power in that republic in September of that year.¹⁰ By May 1989, Milošević had attained the post of President of the (collective) Presidency of the Socialist Republic of Serbia and would move from one leadership position to another until October 2000, when a coalition of opposition parties won the elections held in Serbia that month and removed him from office. Milošević was arrested by Yugoslav authorities on 1 April 2001 and transferred to The Hague on 28 June – the anniversary of the 1389 Battle of Kosovo as well as of the first constitution of the Kingdom of Serbs, Croats, and Slovenes in 1921 – and died in confinement in March 2006.

In the years 1986–1995,¹¹ Serbian propaganda stoked and inculcated collective neurotic and psychotic syndromes in Serbs, emphasizing six themes: *victimization* (the Serbs as victims of Croatian fascists in the Second World War, of the Tito regime, and of non-Serbs, generally), *dehumanization* of non-Serbs (Croats depicted as genocidal, Bosniaks as Islamic fundamentalists, Albanians as not fully human), *belittlement* (non-Serb enemies beneath contempt), *conspiracy* (imagining that Croats, Slovenes, Albanians, the Vatican, Germany, Austria, and perhaps also Bosniaks and the United States were plotting to break up the SFRY and harm Serbs), *entitlement* (meaning that Serbs were entitled to annex parts of Croatia and Bosnia-Herzegovina where there were Serbs), and *superhuman powers and divine sanction* (constructing a self-image that Serbs “were the best fighters on the planet, [that] they could stand up to the entire world, [and that] they were sanctioned by God himself, because ... Lazar had chosen the heavenly kingdom [in 1389]).”¹² These became fixations for enough Serbs to change the political atmosphere and contributed to moral disengagement, in which perceived harm was attributed to the machinations of Croats, Bosniaks, and Albanians while the consequences of actions undertaken by the Belgrade regime were distorted.¹³

Returning to 1989, what was abundantly clear by then was that the country’s economic policies, both those adopted during Tito’s life and those implemented after, were shortsighted. The economy was a mess, with inflation soaring at an annual rate of more than 1,000%, incomes sinking below the poverty line, and people becoming increasingly desperate. In some cities, according to the Croatian weekly magazine *Danas*, some people were leaving their electricity turned off, because they could not afford the costs.¹⁴ Petty crime was becoming more common – a trend that the authorities attributed to desperation fostered by the economic crisis.¹⁵ And in Montenegro, 30,000 people protested on the streets in August 1989 against hunger and increasing poverty.¹⁶ What the country needed was a savior, a modern-day secular Messiah, to pull the country out of crisis.

With his pledge to Serbs, “No one will ever beat you again,” Slobodan Milošević had already presented himself as a Messiah – but for Serbs, not for all the peoples of Yugoslavia. With the 600th anniversary of the Battle of Kosovo looming, Serbia’s cultural sector exploded with performances and productions commemorating the day on which Prince Lazar’s army had met the army of Sultan

Murad Hüdavendigâr on the field of battle. These included the performance of a play devoted to Prince Lazar, an opera "The Kosovo Crag," and a ballet entitled "Kosovo Maiden," as well as an orchestral work entitled "The Passion of Saint Prince Lazar" and a film devoted to the 1989 battle directed by Zdravko Šotra, alongside a steady stream of often mournful songs devoted to Kosovo. Finally, the big day arrived, and on 28 June 1989,¹⁷ between 600,000 and two million Serbs gathered at Gazimestan, the site of the famous battle. Prominent political, military, and religious figures, including Patriarch German of the Serbian Orthodox Church and the entire Yugoslav political leadership (i.e., including non-Serbs) were seated in the front row. Then, as anticipation spiked, Milošević arrived by helicopter, descending from the sky like a god. His speech to the crowd included this ominous passage:

Six centuries ago, Serbia heroically defended itself in the Kosovo Field, but it also defended Europe. At that time, Serbia was the bastion that defended European culture, religion, and European society in general. Six centuries later, we are now once again being engaged in battles...They are not armed battles, although such things cannot yet be ruled out.¹⁸

The Disintegration of the SFRY

Socialist Yugoslavia began to fall apart in 1988–1989 when Milošević, with the critical assistance of Miroslav Šolević, a leader in Kosovo's Serb community, brought hundreds of thousands of people onto the streets of Novi Sad and Titograd (today's Podgorica) to induce the elected leaderships of Vojvodina and Montenegro to resign in October 1988 and January 1989, respectively; Milošević installed loyalists to take their places. From there, he moved to crush the autonomy of Kosovo in March 1989, again replacing the elected leaders with his own men (details concerning Kosovo are presented later in this chapter). With this, the Serbian leader controlled four of the eight members in the state presidency. After that, he tried, but failed, to remove Croat Stipe Šuvar (1936–2004), a conservative communist, from the state presidency. In Slovenia, authorities decided to take steps to protect themselves from the Serbian leader and, in September 1989, published a series of draft amendments to the constitution of their republic. Among these amendments were an affirmation of Slovenia's right of secession and a statement that only the Slovenian Assembly was authorized to declare a state of emergency in Slovenia or to allow military forces to be deployed in Slovenia.¹⁹

After this, Šolević announced his committee's intention to mobilize between 30,000 and 40,000 Serbs and Montenegrins to come to the Slovenian capital on 1 December to explain to Slovenes the reality of life and politics in Kosovo. Slovenian leaders feared that this planned protest was intended to destabilize their republic but, in collaboration with Croatian authorities, arranged for the Slovenian

and Croatian railway unions to stop all trains carrying would-be protesters and turn them back.²⁰ By then, rumors about incidents between local Serbs and Croats were circulating in Bosnia; in Montenegro, there were some who talked of wanting to partition Bosnia;²¹ in Macedonia, there were open expressions of concern about the future of inter-ethnic relations; and in the Sandžak, local Muslims were demanding cultural autonomy. In mid-December 1989, the League of Communists of Croatia (LCC) held its 11th Congress, at which it approved the initiative of the Presidency of the LCC Central Committee to hold multi-party elections in Croatia. In the same document in which that intention was expressed, the Croatian communists declared that sovereignty in socialist Yugoslavia should reside in its six republics individually.²² While the Yugoslav People's Army (JNA) debated how, if at all, to respond to these tremors, the Serbian party pushed for agreement to convene an extraordinary Congress of the League of Communists of Yugoslavia. After the other regional parties gave their consent, the Fourteenth (Extraordinary) Congress opened in Belgrade's Sava Center on 20 January. Milan Pančevski, a Macedonian politician and the last President of the LCY, presented the opening address, during which he explicitly declared that introducing a multi-party system – already being discussed in Slovenia and Croatia – was unacceptable, as it would spell the end of the country's socialist system.²³ Milošević also spoke, insisting on a unified League of Communists, at a time when it was already fracturing and, of course, also on a unified Yugoslavia. Against this, the Slovenian delegation called for the LCY to be transformed into a “confederal association of independent parties.”²⁴ The Slovenes also wanted the Congress to condemn the economic blockade introduced by Serbian firms against Slovenian firms the previous year. Now, the Slovenian delegation spelled out a program of reform opposite to anything that the Serbian party could have supported. Addressing the Congress, the President of the LC Slovenia, Milan Kučan, declared that his republic would never accept the Serbian-Montenegrin proposal to recentralize power in Yugoslavia and, in agreement with the Croatian stance on sovereignty, emphasized that Slovenia was a sovereign state.²⁵ The Serbian and Montenegrin delegations rejected the Slovenian program and, in response, the Slovenes walked out of the Congress, followed quickly by the Croatian delegation. With this, the Congress ended in fiasco. Soon after that, the Slovenian communists chose a new name for their party: the Party of Democratic Renewal.

In the course of 1990, the entire framework, outlook, and prospects for Yugoslavia changed. Although there had been tendencies pointing to the collapse of the SFRY prior to 1990 – as signaled very clearly in Milošević's speech at Gazimestan in June 1989 – by March 1990, the Serbian leadership had concluded that the breakup of the country had become unavoidable and that war would break out in those parts of Croatia where Serbs were living.²⁶ By then, Slovenia and Croatia had passed legislation allowing the organization of noncommunist political parties. On 8 and 12 April 1990, parliamentary elections were held in Slovenia; the anti-communist DEMOS coalition took first place and Christian Democrat

Lojze Peterle took office as prime minister. In Croatia, multi-party elections were held in two rounds – 22–23 April and 6–7 May 1990. Historian Franjo Tudjman's Croatian Democratic Union (HDZ²⁷) swept to victory, winning 205 out of 356 seats in the Croatian Assembly (Sabor). Tudjman subsequently took office as President of Croatia later that year. Already on 14 April – thus, immediately after the Slovenian elections – the general staff of the Yugoslav People's Army (JNA) issued orders for the confiscation of the weapons arsenals of the Croatian and Slovenian Territorial Defense (TO) forces (roughly the equivalent of the American National Guard). The JNA began confiscating these weapons the following month, seizing all 200,000 firearms in the Croatian arsenal and about 70% of the weapons held by the Slovenian TO forces.²⁸ At the same time, in the wake of the Croatian parliamentary elections, the leadership of the Serb minority in Croatia decided to take control of parts of Croatia. In February 1990, Croatian Serbs had set up the Serbian Democratic Party (SDS) under the leadership of psychiatrist Jovan Rašković. From the beginning, the SDS leaders claimed the right to secede from Croatia and rejected autonomy as a long-term solution for local Serbs.²⁹ By the end of 1990, the SDS would declare the establishment of the Serbian Autonomous Oblast (SAO) of Krajina, with its headquarters in Knin. As of the end of 1990, the JNA disposed of 1,863 tanks, 3,760 combat vehicles, 1,034 pieces of heavy artillery, and 455 aircraft.³⁰ As tensions rose, armed Serbs from Knin rolled logs and boulders onto roads to obstruct Croatian traffic to and from Dalmatia, in what has come down as the “log revolution.”³¹ Some Serbs also brought their vehicles to serve as obstacles on Croatia's thoroughfares.

In 1990, there was a brief ray of hope that war could be averted. The popular Ante Marković, who had become Yugoslav Prime Minister in March 1989 and who had managed within a matter of months to reduce inflation from something above 2000% to less than 10%,³² hoped to save Yugoslavia and place it on a firm democratic foundation. For that purpose, he planned to set up a pan-Yugoslav political party that could appeal to all the people of the country. For his plan to have any hope of success, he needed to have federal elections held before elections would be held at the level of individual republics. He tried to persuade Milan Kučan, President of the LC of Slovenia, to postpone the parliamentary elections in Slovenia; Kučan refused and the Slovenian elections went ahead in April 1990, before Marković was able to organize his political party.³³ In fact, it wasn't until 29 July 1990 that Marković was able to launch his Alliance of Reformist Forces of Yugoslavia. Marković's party had some success in ethnically mixed communities but did less well in areas affected by ethnic polarization.³⁴ In spite of Marković's enthusiasm for reform, his party was not particularly successful in those elections in which it entered, garnering only 16% of the vote in Macedonia, 9% in Bosnia-Herzegovina, 15% in Montenegro, and a mere 1% in Serbia.³⁵

There were two developments in September 1990 that augured ill for the future. The first was the conclusion reached by Borisav Jović, at the time the Serbian representative on the collective State Presidency, on 11 September that Yugoslavia

could not be held together within its existing borders and that, accordingly, “the open question of the fate of Serbs and Serbia in the collapse of Yugoslavia remains the main political question. At least for us.”³⁶ Jović then outlined where he thought the future borders of Serbia should lie, borders that would have brought portions of Croatia and Bosnia-Herzegovina into Serbia. The second significant development that month was Serbia’s adoption of a new constitution, naming Milošević commander-in-chief of the (Serbian) armed forces in the event of war. Moreover, this new constitution “usurped three core competencies of the federation: in international relations, in national defence, and in state security. In Article 72, Serbia [was] designated as a sovereign and independent state without any obligations to the federation.”³⁷

The following month, in hopes of salvaging something of Yugoslavia and averting war, Slovenia and Croatia submitted a joint proposal for the confederalization of the SFRY.³⁸ The State Presidency discussed this proposal, with Jović arguing forcefully against it. On 16 October, Jović urged that, rather than bringing the Slovenian–Croatian proposal to the Federal Assembly for consideration, he would submit a very different Serbian proposal for that body’s consideration. Janez Drnovšek objected and, even as this row continued, the Croatian government replaced Šušteršič with Stipe Mesić (b. 1934) as the Croatian representative in that body. Jović objected also to this but Mesić was eventually seated, while Jović refused to forward the Slovenian–Croatian proposal to the *Skupština*, effectively killing it. Even as the Slovenes and Croats were finalizing their proposal, General Martin Špegelj (1927–2014), Croatia’s new defense minister, was traveling to Hungary between August 1990 and January 1991 to purchase weaponry to compensate for the confiscation of TO weaponry by the JNA five months earlier.

Slovenia and Croatia were rapidly losing confidence that any form of Yugoslavia could be salvaged and, in November, they joined Vojvodina and Kosovo in announcing that they were terminating any and all tax payments to the moribund federation.³⁹ The following month, the Serbian government withdrew \$1.8 billion from the National Bank in what was nominally a loan; as everyone understood that this would never be repaid, the withdrawal was, in effect, a theft, and one that broke the budget. The governments of Slovenia and Croatia now

announced that they would recognize no further debts incurred by the federal government. As a result of these pressures, in December [1990], the federal government was operating at a level 15 percent below its basic budgetary needs and had had to lay off some 2,700 federal officials, thus reducing the ability of the central government to function. The federal government was unable, in turn, to meet its commitments to the republics (in the form of subsidies to the three less developed republics, funds for stimulating exports, war veterans’ pension supplements, and other [expenses]).⁴⁰

Bosnia was hit hard by this development and, in March 1991, the government in Sarajevo demanded that the federal government settle its debt to the republic “within a week,” threatening to, otherwise, follow the example set by others and stop remitting funds to the federal budget.⁴¹

By October 1990 at the latest, Belgrade was shipping arms to Serb civilians in Croatia. For example, in mid-October, cargo trains were rerouted through Knin on two occasions, in each case loaded with weapons, with local Serbs advised in advance of the cargo coming their way and apprised that the railcar doors would be left unlocked. Accordingly, local Serbs unloaded the weapons.⁴² Nor was this just a matter of rifles and grenades; Croatian Serbs around Knin were coming into possession of some military hardware.⁴³ Members of the Serbian police and of Serbian State Security⁴⁴ came to Croatia to set up Serb militias and train their militiamen.⁴⁵ Over the succeeding months, Belgrade would also send medicine, clothing, food, communications equipment, and money to the Serb insurgents in Croatia.

Bosnia-Herzegovina, February 1990–December 1991

Neither Radovan Karadžić (b. 1945), who would become head of the SDS in Bosnia, serving as President of the Republika Srpska from April 1992 to July 1996, nor Mate Boban (1940–1997), President of the Bosnian branch of the HDZ from November 1992 to July 1994 and President of the breakaway Herceg-Bosna from 1991 to 1994, had much use for the notion of individual rights, championing supposed *collective rights* instead. By contrast, Alija Izetbegović (1925–2003), the leading figure among Bosniaks during the war and President of Bosnia-Herzegovina from December 1990 to October 1996, was – according to some accounts – committed to the idea of individual rights, which in local terminology meant a *citizens’ state* (rather than a *national state*).⁴⁶ Boban, like Karadžić, rejected this orientation totally. Boban put it this way back in the day when Herceg-Bosna, which had broken off from Bosnia-Herzegovina, still existed:

The Muslims want a citizens’ state, without specific rights for Nations [*narods*]. They guarantee Rights of the Individual, but not of the *narod*. For this reason, it was especially necessary to create a community spiritually, culturally and economically tied to Croatia, because we are historically part of that *narod*.⁴⁷

In 1990 Karadžić singled out Izetbegović for praise and, in an interview with the daily newspaper *Glas*, he declared that “The Serbs and Muslims do not have conflicting interests in any field whatsoever, and neither do the Croats, except for the separatists.”⁴⁸ But, in fact, Karadžić and Izetbegović subscribed to fundamentally opposed ideologies. Where Izetbegović spoke in favor of individual rights (human rights), Karadžić’s promotion of the notion that “all Serbs” should live in one state reflected his focus on so-called collective rights, rights that supposedly take precedence over

the individual rights both of one's own people (in Karadžić's case, fellow Serbs) and of members of other peoples (here, in practice, Croats and Bosnian Muslims). His focus on the collective being of peoples would also be reflected in the strategic use of Bosnian Serb firepower to destroy mosques, libraries, Islamic cultural monuments, and even Islamic cemeteries. Thus, in April 1992, after Bosnian Serb forces took control of the Bosnian town of Zvornik (population 15,000 at the time, with 60% Muslims), they killed or expelled all of Zvornik's Muslims, destroyed all of the town's mosques and other evidence of an Islamic presence, and then famously declared that there had never been any Muslims living in Zvornik.⁴⁹

On 6 February 1990, legislation was passed permitting the founding of non-communist political parties in Bosnia. This was followed by passage of a law on 31 July 1990 allowing religious and ethnic-based political parties to be established. Then, on 18 November 1990, the first multi-party elections in post-Tito Bosnia-Herzegovina took place. The political parties founded by Izetbegović, Karadžić, and Stjepan Kljuić presented themselves as the advocates for their respective national groups, marginalized the civic parties, and garnered the majority of seats in the Bosnian parliament; Izetbegović's Party of Democratic Action (SDA), won 86 seats, Karadžić's Serbian Democratic Party (SDS) picked up 72 seats, and the Bosnian branch of the HDZ, headed by Kljuić, garnered 44 seats, with the remaining 38 seats shared among other parties.⁵⁰ The leaders of the victorious parties then proceeded to divide the major political posts among themselves, installing Izetbegović as president of the (collective) Bosnian presidency, Karadžić's colleague Momčilo Krajišnik (1945–2020) as president of the Bosnian Parliament, and Jure Pelivan (1928–2014) of the HDZ of Bosnia-Herzegovina as prime minister; Pelivan took office in December 1990 and resigned from office on 9 November 1992. As Robert Donia records,

Although war was far from inevitable at the time, democratic practices and institutions [served the covert function of] facilitat[ing] the growth of organized nationalism, the emergence of leaders with a predilection for extreme measures, and intensified rivalry among leaders of the major ethnonational communities.⁵¹

Karadžić soon fell out with Bosniak and Croatian leaders. The heart of the issue between them was Karadžić's commitment to the dogma "all Serbs in one state," which entailed the creation of a Greater Serbia. Speaking with a reporter from the Banja Luka newspaper *Glas* in November 1990, he threw down a gauntlet: "It is not acceptable," to Serbs, he stated,

for Bosnia to be an independent state in a confederal community with other states [or in] any other form of state organization in which [Bosnia's Serbs] would be divided from the whole of the Serb people or relegated to the status of a national minority.⁵²

Thus, for Karadžić and others, Serbs should never be in the position of a minority; Serbs, in his view, should always be the dominant factor in any land where they lived. His associate, Slavko Leovac, a member of the SDS Party Council, endorsed Karadžić's view, declaring that "No one can proclaim us a minority because we are a constituent nation."⁵³ With this Leovac, like Karadžić, repudiated majority rule, which is the essence of democracy, according to Norberto Bobbio.⁵⁴

At one point in 1991, Karadžić publicly advocated population exchanges in order to define new borders between ethnically homogeneous states.⁵⁵ But this would have meant abandoning the notion that, wherever there are Serbs, *there* is Serbia, and settling for a somewhat less ambitious agenda. Instead, SDS officials decided, in October 1991, to set up a separate Serb Assembly alongside the Bosnian Parliament, which had been elected 11 months earlier. This *ad hoc* Assembly came into being on 24 October under the rubric, Assembly of the Serb People of Bosnia and Herzegovina, and included Serbs who had been elected to the Bosnian Parliament in November 1990. A plebiscite was held, in which Bosnian Serbs were invited to state whether they preferred to remain in Yugoslavia (i.e., in union with Serbia) or separate. Most voted to remain with Yugoslavia. Karadžić presented a speech to the aforementioned Serb Assembly soon after its founding and told the delegates that Serbs could claim any territory where Serbs had voted, whether or not the local vote favored union with Serbia and without regard to the percentage of Serbs living in the locality.⁵⁶ The logic here is astounding.

Meanwhile, the Bosnian Parliament opened at 10 a.m. on 14 October in what would prove to be a long session. After midnight, as the session dragged on, Karadžić rose to address the deputies. In this stunning speech, Karadžić explicitly rejected the principle of majoritarianism and underlined that, in his view, the Serbs of Bosnia, in which they constituted barely over 30% of the population, had the right to keep Bosnia-Herzegovina in political union with Serbia, against the will of the majority of the population. Declaring his opposition to any referendum on Bosnian independence, Karadžić issued a shrill warning to the non-Serb deputies: "Don't think that you won't lead Bosnia and Herzegovina into hell and possibly [cause] the Muslim nation to disappear, for the Muslim people will not be able to defend itself if it comes to war here."⁵⁷ The SDS deputies left the hall and, in their absence and with the support of the international community, the HDZ and SDA deputies voted 124 to 0, with only 12 abstentions, to hold a referendum on Bosnian independence. Two months later, Karadžić issued an order to local SDS leaders to seize power in their municipalities. He also instructed them to set up secret storage units for food and other items that would be important when war would break out and called on local Serbs to prepare for war.⁵⁸ That same month, the JNA installed artillery batteries on the hills overlooking Sarajevo. Serb forces also took the precaution of "dismantl[ing] a number of weapon[s] factories located in Bosnia and transport[ing] them to Serbia. These facilities included the SOKO aerospace facility from Mostar, an explosives plant from Bugojno, and an ammunition facility from Konjic."⁵⁹

The Economic Roots of Collapse

Socialist Yugoslavia's big spending spree on credit may have come to an end in 1979, but the overspending had already bankrupted the country. Harold Lydall traced the dysfunctionality of the system not only to the country's rising indebtedness and spiraling inflation (already 150% per annum by late 1987) but also to "a fragmentation of enterprises, an undermining of managerial efficiency, a weakening of work discipline, and the strangulation of the economy in a mass of 'social compacts.'"⁶⁰ Real social product contracted by almost 6% between 1979 and 1989, while consumer spending sank by 3.1% between 1979 and 1985.⁶¹ The Serbian economy, in particular, was in trouble; its industry was kept afloat only thanks to subsidies from Slovenia and Croatia – 5.2% and 8% of their respective social products in 1989.⁶² In the late 1980s, Belgrade cut investment and reduced imports but did not succeed in getting control of inflation. The steady deterioration in living standards in conjunction with the growing economic crisis contributed to the collapse of the SFRY. Many political observers understood where this was heading. Thus, for example, when I met Professor Dimitrij Rupel (b. 1946) – the future Foreign Minister (FM) of Slovenia – in 1989, he confidently predicted that Slovenia would become an independent state within the foreseeable future. Referenda concerning independence were conducted in Slovenia on 23 December 1990 and in Croatia on 19 May 1991; in both cases, citizens overwhelmingly voted for independence (95% in Slovenia, 93.24% in Croatia), albeit, in the Croatian case, with the possibility of confederal association with one or more other post-Yugoslav republics.⁶³

The Slide to War

On 9 January 1991, as armed Croatian Serbs developed into trained militias, and as the Croatian police began to build up their strength, the SFRY Presidency called for the disarmament of all paramilitary groups within 10 days: this demand, issued with the support of five of the eight representatives in the Presidency, was aimed, above all, at the Croatian police, but, in any event, it had no practical effect. In fact, by the Summer of 1991, about 12,000 Croatian Serbs were armed for war.⁶⁴

The leaders of the six constituent republics met in a series of summit meetings beginning on 28 March 1991, discussing how to find a way out of the impasse. In these meetings, Serbia and Montenegro insisted on a tight federation, while Slovenia and Croatia demanded a much looser association (if any), ideally a confederation; Bosnia-Herzegovina and Macedonia benefited from the federation and wanted to retain it in some form and the subsidies that had been funneled to the less developed republics. Eventually the talks reached a dead end.

The last flicker of hope for the preservation of peace came when opposition politician Vuk Drašković led a crowd of approximately 40,000 Serbian protesters on Belgrade's streets on 9 March 1991 to demand Milošević's resignation. The ever-inventive Borisav Jović came to Milošević's rescue by telephoning other members

of the eight-member State Presidency – a constitutionally dubious alternative to meeting face-to-face – to solicit their support for the use of force to suppress the protesters. The Slovenian and Croatian representatives opposed this proposal, but the other six representatives (five plus Jović) of the State Presidency agreed and, late in the evening on 9 March, tanks entered downtown Belgrade and brought an end to Yugoslavia's “last chance café.” Drašković was arrested but later released.⁶⁵

Meanwhile, there were a number of confrontations in Croatia, beginning in Pakrac on 1 March 1991, when local police of Serb nationality, together with local Serb insurgents, disarmed Pakrac's Croatian police and took over the police station as well as the town of Pakrac itself. Croatian reinforcements were rushed to the municipality. and 2 March saw the first armed confrontation between Serb insurgents and Croatian police. There were no fatalities, but several Croatian police were wounded. In early March 1991, as the drama in Pakrac was being played out, Jović and Veljko Kadijević, the Minister of Defense, called for a state of emergency to be declared, with Jović to be empowered with “full powers of war.”⁶⁶ Then, following the failed protest of 9 March, the State Presidency met on 12, 14, and 15 March. Jović, acting on behalf of Milošević, once more argued forcefully for the introduction of a state of emergency. In spite of implied and even explicit threats, the Slovenian, Croatian, Macedonian, and Bosnian representatives held firm against what was, in effect, the proposal for a coup. But Milošević now concocted another trick and ordered Jović to resign as chair of the State Presidency. Milošević seemed to have believed that this would cause the Presidency to collapse in disarray and went on television the next day to announce that, with the Presidency unable to function, Serbia would no longer recognize that body.⁶⁷ However, Stipe Mesić, as vice chair, declared himself ready to assume the responsibilities as chair. Jović now claimed that, as the Serbian Assembly had not yet had time to accept his resignation, he was still the chair and withdrew his resignation. Milošević returned to his main theme in a speech on 16 March, asserting, once again, that it was the right of the Serbian people to live in one state. The first casualties in the waxing conflict – one Croatian policeman and one Serb insurgent – came on 31 March, when a Serb militia attempted to take over the Plitvice National Park. By the end of the day, Croatian police had taken 29 Serb insurgents prisoner and had established their control of the park. The SFRY State Presidency convened for an emergency session and, with Jović pressing the point, ordered the JNA to move units into the park. The JNA arrived and, as the phraseology of that time had it, “separated the sides.”

Even as these events were being played out, Milošević and Tudjman prepared to meet at Karadjordjevo in Vojvodina to discuss the crisis. What Tudjman hoped to accomplish there was to settle any outstanding issues peacefully and to come to an agreement on partitioning Bosnia. Although there has never been any official account of the discussions at Karadjordjevo on 25 March,⁶⁸ Mesić would later report that Milošević had told Tudjman that Serbia entertained no territorial pretensions vis-à-vis Croatia but wanted (and intended) to annex two-thirds of the

territory of Bosnia-Herzegovina, thus leaving one-third for Croatia to absorb.⁶⁹ However, none of this was finalized either then or at a second meeting between Tudjman and Milošević the following month. The chief effect of these meetings was to encourage Tudjman to hope for a peaceful resolution of issues even after war had broken out, with the result that he vetoed General Martin Špegelj's urging that JNA facilities in Croatia be placed under siege without delay so that Croatia could take possession of JNA weapons held there.⁷⁰ Tudjman authorized sieges of JNA facilities only in September 1991, after the JNA had already withdrawn much of its heavy weaponry from Croatian territory. Nonetheless, the fall of the JNA barracks at Varaždin was a major success for Croatia, yielding much needed weaponry.⁷¹

On 2 May, there was a confrontation in Borovo Selo (near Vukovar), involving Serb volunteers from Srem and Vojvodina, who ambushed Croatian police, killing 12 of them.⁷² On 28 May, nine days after the Croatian referendum on independence, Croatia formed the Croatian National Guard (ZNG⁷³). Slovenes had announced their intention to declare independence by 26 June. In the event, Slovenia and Croatia declared their "disassociation" from the defunct SFRY on 25 June. On 27 June, the JNA moved to secure Slovenia's external borders. According to what Janez Janša, former Slovenian Minister of Defense at that time, told me, Slovenian President Kučan asked Tudjman to obstruct the movement of JNA across Croatia; Tudjman did nothing.⁷⁴

The First Three Phases of the War of Yugoslav Dissolution, June 1991–January 1993

The First Phase: Slovenia, Summer 1991

As of 20 June 1991, Slovenia had a stock of 23,000 rifles, insufficient ammunition, and a little more than 1,000 light anti-tank weapons. Against this small force, as of June 1991, the JNA had 138,000 troops on active duty available, supplemented by 400,000 in reserves, with a weapons arsenal that included 1,850 battle tanks, 2,000 towed artillery pieces, 500 armored personnel carriers, and other armaments obtained from the Soviet Union. The Yugoslav Air Force commanded a force of 32,000 personnel with 455 combat aircraft and 198 helicopters.⁷⁵ Slovenia waited until 25 June to declare its independence, as it would be receiving 5,000 automatic rifles, five million rounds of ammunition, more than a thousand anti-tank weapons, and a number of anti-aircraft missile systems by 21 June.⁷⁶ Although, on paper, severely outclassed by the JNA, the Slovenes prevailed, suffering only 17 casualties and 149 wounded, while taking the lives of 37 JNA troops and wounding an additional 163.⁷⁷ There are several reasons for this outcome. First, the mobilization of the JNA against Slovenia was actually illegal under Yugoslav law, as only the SFRY Presidency had the authority to commit the JNA to any operations and that body was not functioning, given that

the Serbian bloc was holding up confirmation of Mesić as the incoming chair of the Presidency, which he was supposed to take over on 15 May. The operation had, thus, been authorized by PM Ante Marković in league with Defense Minister Kadijević, neither of whom enjoyed this authority. Second, the JNA at that point in time was still a multi-ethnic force, and its officers and troops lacked motivation for any sustained combat against the Slovenes. Third, there were already desertions from the ranks of the JNA, primarily on the part of Slovenes and Croats. And fourth, Milošević, who was the driving force behind plans for war against Croatia and Bosnia-Herzegovina, had no ambitions where Slovenia was concerned. Moreover, even among the generals of the JNA, there was no consensus supporting the operation in Slovenia.

Even so, the JNA launched a second offensive against Slovenia on 29 June and called on the government in Ljubljana to surrender. The Slovenes refused; instead, they placed JNA barracks located on Slovenian soil under siege, cutting off electricity and water. Finally, on 30 June, addressing a session of the Council for the Defense of the Constitution, “Borisav Jović told the army generals that the federal Assembly should recognize Slovenian independence and that the JNA should prepare to withdraw from Slovenia...[This] signaled the end of the JNA mission in Slovenia.”⁷⁸ That brought the first phase of the War of Yugoslav Dissolution to a close.

The Second Phase: Croatia, July 1991–January 1992

Three days later, 180 tanks, accompanied by thousands of troops, left their barracks in Belgrade, splitting into three branches. The first of these entered Croatia, the second secured Vojvodina’s northern border with Hungary, and the third crossed into Bosnia-Herzegovina.⁷⁹ Meanwhile member-states of the European Community (EC) (the forerunner to the European Union (EU)) were becoming concerned and convened a meeting at Brioni, an island in the Adriatic and part of Croatia. Hans van den Broek, the Dutch FM, chaired the meeting, in which Kučan, Tudjman, and Jović participated. Van den Broek pressed the presidents of Slovenia and Croatia to agree to a 3-month moratorium on the operationalization of their newly declared independence, although no one had any idea as to what purpose this moratorium might serve. Belgrade could, of course, welcome the Brioni Moratorium, as one of its provisions was to prohibit Slovenia and Croatia from establishing armed forces or organizing their defenses until the expiration of 3 months. Croatia was painfully short of weapons at the start of 1991 but retrieved a few World War II-vintage rifles from museums and film studios and purchased ammunition from Slovenia that that republic’s forces had confiscated from JNA barracks.⁸⁰ In addition, Croatia smuggled some weapons from Hungary and managed to get around the EC’s prohibition on building up an army by expanding and upgrading the ZNG and its police force.⁸¹ By July 1991, through various channels, Croatia had acquired 22,000–24,000 firearms with 42 million cartridges,

2,100 machine guns with 14 million munitions, 40 anti-aircraft cannons, and other weapons (some of which were purchased in Hungary).⁸²

In February 1991, police were ordered to replace their caps with the five-pointed Yugoslav star with new caps with the Croatian coat-of-arms. The following month, several Serbs in Pakrac resigned from the force rather than wear the new caps.⁸³ Toward the end of June, 34 more Serbs serving in the Pakrac police station took sick leave. Then, at the beginning of August 1991, all Serb police in Western Slavonia (in northwest Croatia) with one exception left the Croatian police force and joined the Serb uprising.⁸⁴

Meanwhile, on 2 April 1991, the Serbian Assembly in Belgrade had pledged that Serbia would provide whatever materiel and other forms of assistance Serb insurgents in Croatia would need. Immediately after this, on 4 and 7 April, Serbia sent two convoys of arms and other equipment to Knin, the center of the Serb uprising. Among other things, the shipments included 1,450 weapons of diverse calibers, 60,000 bullets, a grenade launcher with 180 grenades, three boxes of hand grenades, and medical supplies.⁸⁵ Serbian State Security agents were also active in Croatia, doing their best to undermine Croatia's intelligence service. Moreover, in anticipation of eventual sanctions, Serbia had stockpiled many essential goods before the war began.⁸⁶ The JNA and Serb insurgents drove Croats out of their villages – typically with a warning to leave within 20 minutes or be killed – and quickly overran about 30% of Croatia's territory. The Croats, observing the 3-month moratorium, established their army (the HV, *Hrvatska vojska*) in September 1991.

Serb forces quickly overran Croatian villages in and beyond the Dalmatian hinterland (the *Krajina*) as well as in eastern and western Slavonia, but the Croatian side had more success in defending the republic's larger cities. There were, however, two jewels that the Serbs were determined to capture: Vukovar in eastern Slavonia and Dubrovnik on the Adriatic coast. According to the 1991 population census, the city of Vukovar was inhabited by 21,065 Croats and 14,425 Serbs.⁸⁷ The siege of Vukovar began in July 1991. An estimated 5,500 defenders, including members of the Vukovar police force, held off a JNA force numbering 45,000 troops, equipped with tanks and other heavy weaponry, for 3 months. Each day, the JNA fired an average of 15,000 projectiles into the city.⁸⁸ Zagreb sent forces to relieve the siege, but the EC asked Croatian authorities to halt the advance of its forces to allow a convoy being sent by Doctors without Borders, bringing medicine and other humanitarian supplies to reach the city. Meanwhile, the JNA brought additional units into play from east and south of the besieged town. The siege of Vukovar lasted for 89 days, during which the JNA suffered heavy losses, with the city's defenders destroying 50 tanks, about 250 military vehicles, 29 aircraft, and one helicopter. Between 6,000 and 8,000 JNA troops died at Vukovar, including one general. Approximately 600 defenders also lost their lives in the siege, alongside some civilian casualties.⁸⁹ The defense of Vukovar ended when the defenders ran out of ammunition. But, for the JNA, it was a costly victory.

According to the 1991 census, Dubrovnik had a population of approximately 71,000, of whom 82.4% were Croats. Yet, on 17 September 1991, in preparation for an attack on Dubrovnik, Belgrade ordered a naval blockade of the port city.⁹⁰ Then, in early October, in a move that scandalized the United States and much of Europe, the JNA initiated a siege of Dubrovnik, a beautiful medieval city beloved by tourists and having little strategic value.⁹¹ About this time, Belgrade asked the UN Security Council to impose an arms embargo on all the Yugoslav successor states, including Croatia and Bosnia. Since the Serbian forces (both the JNA and the Serb insurgents) were well armed, this embargo, imposed on 25 September 1991, was of some assistance to the Serbian side, at least in the short run. The JNA, whose ranks were filled with Montenegrin reservists, mopped up Dubrovnik's suburbs and destroyed one church of historic value in the inner city. But unlike Vukovar, Dubrovnik eluded capture by the JNA.

In the meantime, the EC made some ineffective efforts to bring the war in the post-Yugoslav region to an end.⁹² On 28 August 1991, the EC set up a Conference on Yugoslavia, chaired by Lord Carrington (1919–2018), a former Secretary General of the North Atlantic Treaty Organization (NATO), and an Arbitration Commission chaired by Robert Badinter (b. 1928), a former Minister of Justice under French President François Mitterrand. As discussions got underway, the rump SFRY Presidency, consisting of representatives from Serbia, Vojvodina, Kosovo, and Montenegro, declared that “The right to self-determination and secession is the right of nations [*narodi*, i.e., the constituent peoples of what had been socialist Yugoslavia] and not the right of republics,”⁹³ even though the 1974 federal constitution had recognized a qualified right of secession precisely of the *republics*. At any rate, the Badinter Commission rejected the self-serving argument presented by the Serb-dominated rump Presidency and, instead, endorsed the principle of *uti possidetis*, under which, when states fracture, administrative borders become international borders. The Badinter Commission also offered the opinion that “The Serbian population in Bosnia-Herzegovina and Croatia must...be afforded every right accorded to *minorities* under international convention.”⁹⁴ The EC now declared that Slovenia and Macedonia met all the conditions for immediate recognition (though Greece disapproved where Macedonia was concerned), required that Croatia pass legislation protecting the rights of ethnic minorities (which Croatia did shortly thereafter), and called for Bosnia to hold a referendum on independence before applying for international recognition (more on Bosnia below). In making these recommendations and stipulations, the Badinter Commission accepted the view of four of the six republics (i.e., all except Serbia and Montenegro) that socialist Yugoslavia was breaking up, thus rejecting the Serbian-Montenegrin claim that their two states constituted a rump Yugoslavia on the basis of state continuity, a state from which the other four were seceding.⁹⁵ On this basis, Germany announced its recognition of Slovenia and Croatia in December 1991 and joined eight other countries in establishing diplomatic relations with the two new states between January and February 1992. Spain established diplomatic relations with

Slovenia and Croatia in March, followed by France in April, China and Russia in May, and the United States in August 1992. The United Kingdom established diplomatic relations with Slovenia in January and with Croatia in June 1992.

By November 1991, the Serbian side had taken control of as much of Croatia as it wanted (or could digest) and the Croatian side was willing to accept a UN mission both to signal its openness to cooperation with the international community (and to encourage international recognition of its independence) and in the hope that the UN mission would disarm Serb forces in parts of Croatia that they occupied. Responding to these mutually reinforcing positions, the UN Special Envoy Cyrus Vance (1917–2002), who had served as Secretary of State under US President Jimmy Carter, drafted a plan that he submitted to Presidents Milošević and Tudjman for their approval. Both were satisfied with it and signed an accord accepting the plan in Geneva on 23 November. The plan called for an end to the Croatian blockade of JNA barracks, the withdrawal of JNA troops and weaponry from Croatia, a ceasefire, delivery of humanitarian aid where needed, and the deployment of a UN peacekeeping mission in Croatia to be known as UNPROFOR (the UN Protection Force). After this, an implementation agreement was signed in Sarajevo in the first week of January 1992. But between the signing of the Geneva Accord and the conclusion of the Sarajevo Agreement, Serbs in Knin declared the establishment of the Republic of Serbian Krajina. At first, the Krajina Serbs resisted acceptance of either the accord or the agreement but, after a lot of pressure from Belgrade, the insurgents eventually accepted the Vance Plan, as it came to be known.⁹⁶ It was now that those JNA forces still in Croatia were withdrawn and transferred directly to Bosnia, taking along their weapons. UNPROFOR came into being on 21 February 1992.

Of the 8,883 personnel who comprised UNPROFOR at the end of 1992, 5,135 were either British or French (as shown in Table 4.1). Although the point of the mission was to protect civilians in Bosnia-Herzegovina as far as possible, each of the contributing nations had its own additional reason to take part. Whitehall, inspired by “conservative realism,” believed that it needed to send a contingent to Bosnia in order to safeguard British interests.⁹⁷ The British also kept in mind very clearly the duty to work for peace. For Paris, the commitment to take part in UNPROFOR represented a departure from the country’s traditional skepticism regarding UN peacekeeping missions and could serve as a vehicle to parade France’s status as a “great power.”⁹⁸ For the Kremlin, which somewhat later dispatched 472 peacekeepers to Sector Sarajevo, participation in UNPROFOR provided an occasion for Russia to reinforce its recently improved relations with the West.⁹⁹

The Third Phase: Bosnia-Herzegovina, November 1991–May 1993

At the explicit request of the EC, the elected government of Bosnia conducted a referendum on independence 29 February–1 March 1992. Karadžić told his fellow Bosnian Serbs to boycott the referendum, and they did so. Almost everyone else (mainly Bosnian Muslims and Croats) took part, resulting in a participation

TABLE 4.1 National Composition of UNPROFOR Personnel in Bosnia-Herzegovina at the End of 1994

<i>Nationality</i>	<i>Number of Personnel</i>
British	3,390
French	3,640
Canadian	863
Spanish	1,259
Dutch	1,650
Egyptian	426
Ukrainian	581
American (USA)	5
Danish	286
Belgian	276
Norwegian	663
Pakistani	3,016
Malaysian	1,544
Turkish	1,462
Russia	506
Other	2,635

Source: *USA Today* (9–11 December, 1994), p. 54.

rate of 62.7%, with 99.4% of voters endorsing independence.¹⁰⁰ Bosnian Serbs had already declared their autonomy (in the absence of any constitutional provision allowing this) in April 1991 and proclaimed the founding of the Serb Republic (*Republika Srpska*) of Bosnia-Herzegovina on 9 January 1992, more than 7 weeks before the referendum on independence was held. The day after the referendum, Serbs set up barricades in Sarajevo. Karadžić, who spoke for a majority of Bosnian Serbs, insisted that the Serbs of Bosnia had the *right* to keep Bosnia-Herzegovina in political union with Serbia, which is to say that their minority preference overruled the preference of the majority of Bosnia's citizens. In claiming a right, it must be some sort of right. In theory, a claimed right could be a *contractarian right*, grounded in tradition, or a *conventionalist right*, based on the laws in place in the country concerned, or a *natural right*, derived from the universally valid moral law (Natural Law), under which all rights would be universalizable. But there was no accepted tradition of allowing Serbs to overrule non-Serbs; nor was there a right to unilateral secession by local Serbs secured by law; and, of course, it is impossible to assert a nonuniversalizable right under the universal moral law. Thus, the assertion by Karadžić and his adherents that Bosnian Serbs had a right to dictate to Croats and Bosnian Muslims what the future of the Republic of Bosnia-Herzegovina would be was completely absurd.

Previously, on 9 January 1992, the erstwhile self-declared (i.e., illegal) Serbian autonomous oblasts of Herzegovina, Bosnian Krajina, Romanija, and North Bosnia united under the name, the Republika Srpska of Bosnia-Herzegovina, with Bosnian Serb spokespersons declaring that all they wanted was for Bosnia-Herzegovina to

remain in political union with Serbia.¹⁰¹ Now, as hostilities in Croatia were winding down (temporarily), Belgrade had divided the JNA, by then commanded entirely by Serb generals, in two on 12 May 1992, creating the Army of the Republika Srpska (Vojska Republike Srpske, VRS), to which Bosnian Serb recruits were assigned and placed under the command of General Ratko Mladić (b. 1943), and the Army of Yugoslavia (Vojska Jugoslavije, VJ), to which recruits from Serbia and Montenegro were assigned. Following the decisive support for independence registered in the referendum – albeit only among Bosnian Muslims and Croats – the government in Sarajevo declared the independence of Bosnia-Herzegovina. In a slightly delayed reaction, violence erupted in Sarajevo on 5 April. During the first 3 months of 1991, President Izetbegović had repeatedly expressed optimism that peace could be preserved. But the events of 5–7 April persuaded him that this was an illusion and, thus, it was only now, on 15 April 1992, that the Army of the Republic of Bosnia-Herzegovina (ARBiH) was formed out of what was left of the Territorial Defense units. The Patriotic League, a self-defense force set up in early 1991 by the SDA, merged into the newly established army.¹⁰²

The Serb military advantage in Bosnia in 1992 was overwhelming. To begin with, the VRS was, by now, in possession of 900 tanks, 852 pieces of heavy artillery and rocket launchers, an unspecified number of armored vehicles, with eight tank brigades, one tank regiment, 62 infantry brigades, etc.¹⁰³ In addition, the VRS was supported by two Serbian paramilitary groups: the Tigers, led by Željko Ražnatović (1952–2000) also known as Arkan; and the Chetniks, led by Vojislav Šešelj (b. 1954). The Croatian and Bosnian government forces at that time were completely outclassed by the VRS. Moreover, the JNA had taken the precaution of removing or destroying Bosnia's weapons factories. Desperate for weapons, under the conditions of the UN arms embargo, the newly created ARBiH attacked JNA barracks in its republic and, in this way, expanded and improved its arsenal.¹⁰⁴ In addition, another fighting force – the Croatian Defense Council (the HVO, *Hrvatsko vijeće odbrane*) had been formed in April 1992 in Bosnia-Herzegovina – and Dobroslav Paraga's Croatian Party of Right had set up a similar force – the Croatian Defense Forces (the HOS, *Hrvatske obrambene snage*). In the short run, an unintended and unanticipated consequence of the establishment of competitive Croatian defense forces was the eruption of "serious tensions between HOS and government forces, including shooting incidents."¹⁰⁵ HOS would be absorbed into the HV in August 1992. As the conflict escalated, the Serbian regime feared that economic sanctions might be imposed and, in an effort to ward off such sanctions, brought in Milan Panić (b. 1929), an American citizen and successful businessman, to serve as a figurehead prime minister of the Federal Republic of Yugoslavia, consisting of Serbia and Montenegro that had just been declared the previous month.¹⁰⁶ But this was to no avail and, with reports of atrocities reaching the international community (by which is meant the permanent members of the UN Security Council and the member states of NATO), the UN Security Council imposed economic sanctions on 30 May on the FRY. The sanctions were crippling

and, as a result of these sanctions, the FRY economy went into a tailspin, with inflation driving prices up by more than 10% each day and with people thrown out of work and construction projects put on hold. Nor was it much better in Croatia. I happened to visit Zagreb briefly in March 1992 and, walking across the Trg Josipa Jelačića (Josip Jelačić Square) with a friend, we ran into a friend of my friend. He had just been paid that morning and was carrying a grocery bag in each hand. He told me that, given the high rate of inflation of both prices and wages, he needed to purchase everything he needed on the day he was paid. The following day, his wages would have significantly less purchasing power.

It was far worse in Serbia, where things were going from bad to worse. The anti-war feminist group, Women in Black, had been among the first to protest what Žarana Papić called “the Serbian Hegemonic War.”¹⁰⁷ On 14 June 1992, Patriarch Pavle, the head of the Serbian Orthodox Church, led several thousand Serbs along Belgrade’s streets to protest the war and to call on Milošević to resign. Upon reaching the Saborna crkva (Cathedral), Patriarch Pavle presented a short talk in which he accused the Serbian leader of spreading hatred in ways “that would shame the devil.”¹⁰⁸ The following day, university students in Belgrade occupied university buildings downtown to echo the patriarch’s demand that Milošević step down.¹⁰⁹

The sanctions imposed by the UN Security Council required that all states terminate all trade with the FRY and suspend all exchange programs. Foreign airlines were not allowed to land in Belgrade, Yugoslav planes were banned from landing abroad, and, by late August 1992, most of Serbia’s larger factories had shut down. Shortages were spreading, although supplies of food, while more expensive, were largely unaffected.¹¹⁰ In violation of the sanctions, barges based in Russia and Ukraine reportedly were sailing up the Danube River from the Black Sea, bringing oil, steel, coal, and other items to Serbia. Even so, the sanctions were sufficiently severe that, according to journalist Misha Glenny, Serbia and Montenegro “were no longer in a position to balance the books with their traditional exports and...the easiest way of underwriting the affairs of state was through mafia business: drugs, arms, oil, weapons, women and migrants.”¹¹¹ The sanctions imposed by the UN Security Council were a gift to Balkan organized crime and directly fueled the rapid criminalization of the economy locally – certainly an unintended consequence of the decision to impose sanctions and also a clue to the ignorance on the part of the Security Council as to what the side effects of the sanctions might be. The mafias of the three warring nations immediately recognized that this presented them with a huge opportunity to corner certain markets (such as cigarettes) and that they had common interests. So they pooled their resources. Cigarette smuggling became big business for the Balkan mafia after May 1992; it cost the EU approximately \$6–8 billion in lost tax revenue each year the sanctions were in place¹¹² – yet another unintended consequence.

In conditions of economic duress, short-term thinking often prevails over long-term calculations; thus, as the war and attendant economic hardships continued,

Serbia allowed weapons from Romania and Bulgaria to transit its territory to reach its enemies in Croatia and Bosnia¹¹³ – obviously for a fee. For their part, Croats were selling fuel to the VRS and continued to do so long after they entered into an alliance with the legitimate Bosnian government.¹¹⁴

In early August, Ed Vulliamy, a reporter for *The Guardian*, ITN reporter Penny Marshall, and Channel 4 News reporter Ian Williams gained access to the Omarska camp, one of several detention camps operated by the Bosnian Serbs. What they saw shocked them. Prisoners were emaciated and barely alive, and there were claims, in hushed tones, of rapes of Bosnian Muslim women by Bosnian Serb guards.¹¹⁵ According to official data from Bosnia's Ministry of Internal Affairs, approximately 50,000 Bosniak women were systematically raped in rape camps, in most cases multiple times.¹¹⁶ News reports of these camps outraged much of the world and there were calls for an effective response by Western states. British Prime Minister John Major (b. 1943) did not want to see British troops sent into combat and, thus, on 4 August, wrote to Paddy Ashdown (1941–2018), at that time leader of the Liberal Democrats in the House of Commons, that “all the advice I have tells me that we cannot use force...It is the nature of the Yugoslav tragedy that solutions cannot be imposed from outside.”¹¹⁷ Two days later, in an opinion piece for *The New York Times*, Lady Margaret Thatcher (1925–2013), the former British Prime Minister, urged that the West should present the Serbs with nonnegotiable demands and then,

If those demands (which should be accompanied by a deadline) are not met, military retaliation should follow, including the aerial bombardment of bridges on the Drina..., of military convoys, of gun positions around Sarajevo and Goražde, and of military stores and other installations useful in the war. The Serbian side of the border should not be exempt from the threat.¹¹⁸

On 11 September 1991, Serb insurgents had destroyed the Maslenica bridge, which connected the bulk of Croatia with Dalmatia. Given how vital the bridge was and given that the UN was doing nothing to arrange for repairs to the bridge, Tudjman authorized a “limited military action” in January 1993 to create conditions under which a new bridge could be constructed at Maslenica gorge. The Croatian attack started on 22 January 1993 and achieved its immediate objective. However, after Croatian forces liberated the Zadar hinterland, Serb insurgents set off an explosive at the Peruća dam. Operation Maslenica had the salutary effect of permitting the renewal of traffic across Croatia but, although the United States expressed understanding for the Croatian position, the UN Security Council, meeting on 25 January, condemned the Croatian operation.¹¹⁹ After a second successful operation, this one targeting Medak Pocket (*Medački džep*), the Croatian Army was accused of having perpetrated atrocities against local Serb civilians.¹²⁰

On 21 July 1992, Izetbegović and Tudjman had signed a pact under which the HV would be committed to Bosnia's defense against the VRS. Tudjman wanted to

conclude a confederal union with Bosnia, but Izetbegović demurred.¹²¹ The pact did not hold and, by October 1992, these supposed allies were at war with each other, in spite of having a common enemy in the Bosnian Serbs, turning the war into a three-sided conflict.¹²² As the savagery continued, it was decided to make a second effort, following the doomed Cutileiro Plan of February 1992, to stitch together a peace plan that might offer the three sides to the conflict sufficient satisfaction that they might end their fighting. For this purpose, UN Special Envoy Cyrus Vance and Lord David Owen (b. 1938), who had replaced Lord Carrington as EU representative, were put to work on a new plan in October 1992. This plan, like the Owen-Stoltenberg Plan of August 1993 and the Contact Group Plan of May 1994,¹²³ proceeded from the premise that the best solution was to divide Bosnia-Herzegovina into economically unfeasible ethnic cantons (to use the terminology elected by Vance and Owen). This approach reflected, once again, the prioritization of short-term interests, with an eye to stopping the bullets from flying, over the long-term goal of assuring stability in the region. On such a calculation, it could have been considered desirable to bring Bosnian Muslims (called Bosniaks beginning in 1993), Bosnian Serbs, and Bosnian Croats together in a common state, with a common school curriculum, shared political institutions, and shared interests. But none of these plans even considered this option.

The Vance-Owen Plan proposed to divide Bosnia into 10 ethnic cantons: three for each of the three national groups plus Sarajevo, which would be demilitarized and placed under UN administration.¹²⁴ Bosnian Croat leader Mate Boban, who had previously met with Radovan Karadžić at Graz airport on 6 May 1992 in order to reach an agreement about a partition of Bosnia,¹²⁵ immediately accepted the plan, as it promised to give the Bosnian Croats lands adjacent to Croatia, including a large swathe of southwestern Herzegovina. Bosnian President Izetbegović was unenthusiastic about the plan but, under Western pressure, eventually accepted it. Under the influence of the Vance-Owen Peace Plan, Izetbegović and Boban signed a document on 18 April, agreeing, henceforth, to resolve all disputes between their respective peoples by negotiation. At the same time, they declared an immediate halt to mutual hostilities and called on Bosnia's Serbs to approve the plan.¹²⁶ A week later, Izetbegović and Boban announced that units of the ARBiH and the HVO would immediately cease all hostilities; they also agreed to form a joint command under Generals Halilović for the ARBiH and Petković for the HVO.¹²⁷ This agreement proved to be a dead letter. Indeed, their agreement quickly evaporated, with the ARBiH beating the HVO in several engagements, driving Croatian forces from Jablanica and Konjic, taking Travnik and Kakanj from the Croats in June, and pushing Croatian forces out of Bugojno and Vareš in July and November, respectively.¹²⁸ Karadžić, however, had rejected the plan already on 12 January 1993, even though the proposed allocation of 52.8% of Bosnia's territory to Serbs was generous relative to their proportion of the overall population. But, after pressure was brought to bear on him by Milošević and also by Greek Prime Minister Konstantin Mitsotakis,¹²⁹ Karadžić finally signed the

plan on 2 May but said that his signature alone did not commit the Bosnian Serbs to anything;¹³⁰ the Bosnian Serb Assembly in Pale (population 14,480 in 1991), he insisted, had to review the plan and give its approval. Milošević attended the 6 May session of the Assembly and told the members of that body that the plan had to be accepted. The Assembly disagreed and rejected the plan, but referred the Vance-Owen Plan to a plebiscite among Bosnian Serbs; it was rejected by 98% of those taking part in the plebiscite. Even so, “Belgrade continued to supply the Bosnian Serbs with food and medicine, and to pay the salaries of Bosnian Serb officers, including Ratko Mladić, and arms supplies were later resumed.”¹³¹ But the Vance-Owen Plan, even though not ratified, had unexpected consequences. As I noted in 2006,

The flare-up in Muslim-Croat fighting in April 1993 was fanned by the Vance-Owen Plan, as the HVO moved in to claim its allotted portions. On 14 April, ARBiH forces attacked the Croatian villages of Bušćak and Butuović Polje. Two days later, HVO forces, commanded by General Tihomir Blaškić, advanced against the village of Ahmići, situated at a strategic point on the main route in the Lašva Valley, linking Travnik, Vitez, Busovača, Zenica, and Kiseljak. The HVO attack on Ahmići came on the order of Dario Kordić, then vice president of Herceg-Bosna, and began at 5 a.m.; by the end of the day, 116 Muslim villagers (including women and children) lay dead, 24 were wounded, and all 169 houses owned by Muslims and two mosques had been destroyed.¹³²

The War of Yugoslav Dissolution: The Fourth Phase, 1993–1995

The failure of the Vance-Owen Plan marked a turning point in the war, as the warring sides now recommitted to achieving their war aims on the battlefield. Sarajevo, which had been placed under siege by Bosnian Serbs, continued to be under siege in 1993, with snipers picking off Bosniak civilians one by one, on some occasions when one or more of them merely ventured out of their houses to try to cross the street to buy bread. The VRS captured Mount Igman in August, cutting off a vital supply line for the city.¹³³ There were clashes at and around Srebrenica in late 1992, continuing into 1993.¹³⁴ In response, the UN Security Council declared Srebrenica a “safe haven” in April; Sarajevo, Tuzla, Bihać, Žepa, and Goražde were soon likewise designated “safe areas.” Nonetheless, as Marko Hoare has noted, “the UN made no provisions to render them ‘safe’ in practice; on the contrary, it took steps to disarm the defenders of Srebrenica.”¹³⁵ Leaving the inhabitants of Srebrenica unable to protect themselves obviously made them *less* safe. Moreover, the continuing Bosniak-Croat conflict worked to the advantage of the Bosnian Serbs. After the massacre at Ahmići, Croats perpetrated a second large massacre in 1993 – this one at Stupni Do on 23 October. But there were also “large-scale atrocities against Croat civilians [perpetrated by the ARBiH], such as at Grabovica on 7–8 September and Uzdol on 14 September 1993.”¹³⁶

The Bosnian Army had continued to expand and, as of June 1993, it comprised 120,000 troops and 80,000 reservists; it possessed 40 tanks and one aircraft. The Bosnian Army had more troops than the VRS, which could field only 60,000 troops. However, the Bosnian Army was dramatically outmatched in terms of armaments by the VRS, which possessed 350 tanks and 35 aircraft, not to mention mortars and heavy artillery.¹³⁷ As for the HVO, it commanded the smallest force among the three warring parties (although the HVO had a larger force on hand) – just between 40,000 and 60,000 troops, active mainly in Herceg-Bosna.¹³⁸

The international community decided on a third attempt to bring peace to the Western Balkans. Thorvald Stoltenberg (1931–2018), who had served as Norway's Minister of Defense from 1979 to 1981 and as Minister of Foreign Affairs from 1987 to 1989 and again from 1990 to 1993, was appointed Special Envoy of the UN Secretary General for the former Yugoslavia after Vance's resignation following the Bosnian Serb rejection of the Vance-Owen Plan.¹³⁹ The idea was that Stoltenberg would work with Owen to craft a third internationally mediated peace plan. The Owen-Stoltenberg Plan piggy-backed on a map drawn up by Tudjman and Milošević in Geneva. The plan, presented on 20 August, proposed to assign 53% of Bosnia to the Serbs, 30% to the Bosniaks, and 17% to the Croats. The Bosniaks rejected the plan.

In August 1993, Charles Redman, US President Clinton's personal envoy, met with Haris Silajdžić, Bosnia's PM, and Mate Granić, FM of Croatia, to explore prospects for reconciliation between the Bosniaks and the Croats. It was clear to all three of them that ending their conflict would redound to their mutual benefit. On 14 September 1993, a draft was prepared to fashion a Croat-Bosniak federation; this was later downgraded to a confederation, but then slipped away. Months passed, but then, on 16 February 1994, Redman and US Ambassador Peter Galbraith met with Croatian President Tudjman to persuade him to give up his goal of creating a Greater Croatia and to accept the idea of a confederal union with Bosnia. By the end of February, Croatian and Bosnian officials were in Washington D.C. to work out an agreement. The result was the Washington Agreement signed in March 1994, which restored military collaboration between the two nations although, as already noted, it did not immediately resolve all issues between the parties to the new agreement.

The Washington Agreement came none too soon as, by mid-1994, Serb forces controlled about 70% of Bosnia's territory, even though they accounted for only 31.2% of Bosnia's population, according to the 1991 census (see Table 4.2). In addition, a rift in Bosniak ranks had developed between those loyal to Izetbegović and a schismatic group gathered around Fikret Abdić (b. 1939), a successful businessman and, until October 1993, one of two Muslim (Bosniak) members of the Presidency of the Republic of Bosnia-Herzegovina, alongside Izetbegović. In late September 1993, Abdić set up the Autonomous Province of Western Bosnia in the northwestern corner of the republic and took office as President of the breakaway province. From Izetbegović's point of view, the presence of Abdić's statelet was

TABLE 4.2 Population of Bosnia-Herzegovina by Nationality, According to the 1991 Census

	<i>Number</i>	<i>Percentage</i>
Muslims	1,902,956	43.5
Serbs	1,366,104	31.2
Croats	760,852	17.4
Yugoslavs	242,682	5.5
Others	104,439	2.4

Source: *Popis stanovništva 1991, Bosna i Hercegovina*, accessed December 28, 2022, <http://fzs.ba/index.php/popis-stanovnistva-1991-i-stariji/>.

problematic and hence, in the course of the Summer and Autumn of 1994, the ARBiH 5th Corps, commanded by General Atif Dudaković, succeeded in wiping the breakaway statelet off the map.

In March 1994, Croats and Krajina Serbs signed a ceasefire, which held for most of 1994. Croatian authorities were increasingly interested in reopening roads and railroads blocked by Serbs. Eventually, in December 1994, negotiations between Zagreb and Serb insurgents produced an economic agreement; under the terms of this agreement, a portion of the highway running through Serb-controlled Western Slavonia was reopened on 21 December.¹⁴⁰ The agreement also regulated the supplies of water, electric energy, oil, and public highways.¹⁴¹ The agreement was, thus, limited in scope and did not entirely satisfy either party. Later, in February 1995, RSK leaders would break off talks with Zagreb, throwing the economic agreement into question.

On 29 March 1994, the VRS initiated an operation directed against Goražde, one of the six designated “safe havens,” which had had a population of c. 40,000 prior to the outbreak of war.¹⁴² By 5 April, the VRS had taken control of several surrounding villages, driving their inhabitants to flee to Goražde. After a Bosnian Serb tank started firing into the town itself, General Michael Rose, at the time UNPROFOR commander, requested clearance to launch punitive air strikes. Clearance was granted and, on 10 April, two US F-16 fighter aircraft hit Serbian targets around Goražde. Bosnian Serbs returned fire on the aircraft, and the next day, NATO fighter aircraft returned and destroyed at least one Bosnian Serb tank. By 11 April, an estimated 156 residents of and refugees in Goražde had lost their lives. After an exchange of threats between General Mladić and US President Clinton, the VRS seized 58 UN peacekeepers and aid workers, detaining them for the time being. In the face of an ultimatum from NATO, the VRS finally withdrew its heavy artillery from the proximity of the town. This ended the 1994 siege of Goražde, which had lasted for 26 days and, by the end of the operation, had taken the lives of 716 persons.

By 1994, the balance of forces was shifting. The RSK was sinking ever deeper into an economic morass. Petty crime was widespread in this occupied territory

whose leaders were dependent on Belgrade to cover the salaries of the Krajina militia. The combination of the UN economic sanctions and slow strangulation of the Serbian economy with the RSK's self-imposed isolation from the rest of Croatia led to the increasing impoverishment of an already less developed part of Croatia and, as an unintended consequence, the growth of a smuggling business between the Krajina Serb and the Bosniaks living in Bihać, with the former selling not only "food and fuel to the Bosniaks, but also weapons and ammunition."¹⁴³ The economy of the Republika Srpska was, likewise, in trouble for most of the same reasons. Indeed, according to testimony given by retired Serbian General Aleksandar Vasiljević (b. 1938) in the trial of Slobodan Milošević in The Hague on 6 February 2003, "99.6 percent of the RS budget came from 'credits' from the Federal Republic of Yugoslavia [Serbia and Montenegro]; 95.6 percent of that budget was used to fund the military and police."¹⁴⁴ At the same time, the VRS was suffering from low morale and an erosion of discipline. Some VRS recruits simply deserted the ranks. Increasingly, the VRS encountered problems obtaining spare parts for its heavy weaponry or even reliable intelligence.

Meanwhile, starting soon after the outbreak of hostilities in Bosnia, Iran began to send arms to Bosnia, with Saudi Arabia, Malaysia, Brunei, and Pakistan defraying some of the costs; Croatia siphoned off a portion of these weapons for its own army.¹⁴⁵ Croatia also received armaments from Argentina and South Africa. During 1993, however, Croatian authorities refused to allow weapons intended for Bosniak forces to cross their territory; as a result, the arms pipeline dried up. But after the signing of the Washington Agreement, Tudjman approached US Ambassador Galbraith to inquire if the US would object to a resumption of weapons shipments to Croatia and through Croatia to Bosnia. Following consultation with the State Department, Galbraith told Tudjman that he had "no instructions" concerning this question – which, in effect, gave Tudjman an "all clear" to proceed. A short while later, the first shipment reached Croatia, bringing rifles, rocket launchers, grenades, and miscellaneous ammunition.¹⁴⁶ As a result of these arms imports, by November 1994, the combined strength of Croatian and Bosnian armed forces was more than a match for the VRS (see Table 4.3).

TABLE 4.3 Armaments Possessed by the Combatants in Bosnia (November 1994)

	<i>Bosnia Serbs</i>	<i>Bosnian Muslims</i>	<i>Bosnian Croats</i>
Tanks	330	40	75
Artillery Pieces	800	a few	200
Armoured Personnel Carriers	400	30	n/a
Aircraft	37	0	0

Sources: McNeil Lehrer News Hour (4 November 1994); and International Institute for Strategic Studies, *The Military Balance, 1993-1994* (London: Brassey's, October 1993), 74–75.

a = 1993

Even so, the VRS continued its bombardment of Sarajevo from its artillery positions overlooking Sarajevo. As one Bosnian Serb claimed at the time, “We are just defending our traditional hills from the city below.”¹⁴⁷ Thus, on 21 January 1994, Izetbegović asked NATO to launch air strikes against Bosnian Serb artillery batteries, while Clinton wanted to see the arms embargo against the Bosniaks lifted and strikes against the VRS launched, in what was called “lift and strike” at the time. The British and French governments objected, claiming that any such strikes would endanger their “peacekeepers.”¹⁴⁸ As if to mock the British and the French, the VRS launched a grenade into the Markale market in downtown Sarajevo on 5 February, massacring 68 civilians and injuring more than 200 others.¹⁴⁹ In the wake of this atrocity, UN Secretary-General Boutros Boutros-Ghali (1922–2016) called for a tougher approach, while Yasushi Akashi, a Japanese diplomat appointed by Boutros-Ghali to grant or withhold authorization for air strikes, withheld authorization for the time being. Instead of undertaking immediate air strikes, NATO issued an ultimatum to the Bosnian Serbs to pull their heavy artillery away from Sarajevo to a distance of 12 miles or face NATO air strikes. After some resistance, Karadžić agreed and, on 14 February, surrendered some heavy weaponry to NATO, withdrawing other weapons beyond the 12-mile perimeter. By 21 February, 11 days past the deadline for compliance, the Bosnian Serbs had complied in part, but not in full. Hence, on 28 February, NATO fighter aircraft fired on four Serbian military vehicles.¹⁵⁰

Under persistent pressure from Zagreb, the UN Security Council finally issued Resolution 815, recognizing the UN protected areas as part of Croatia.¹⁵¹ Subsequently, on 30 September 1994, with the issuance of Resolution 947, the UN Security Council confirmed the territorial integrity and sovereignty of Croatia within its pre-June 1991 borders. In the wake of this confirmation, Croatian authorities informed UNPROFOR that they would not renew its mandate when it would expire on 31 March 1995. With this, the UN Security Council adopted Resolution 981, agreeing to the termination of UNPROFOR and reconfirming its recognition of Croatia’s sovereignty within its pre-war borders. Nonetheless, the peacekeeping forces deployed under UNPROFOR’s mandate would continue under a new name – the UN Confidence Restoration Operation in Croatia (UNCRO) – with the mandate to supervise Croatia’s internationally recognized borders.¹⁵²

At the end of 1994, work began on the so-called Z-4 Plan, presented to Croatian President Tudjman and to the leaders of the RSK on 30 January 1995. This completely wrong-headed plan offended the Serb insurgents by calling for some of the land they held to be returned to Croatia immediately, with Serb-held Eastern Slavonia to be returned to Zagreb’s jurisdiction within two years. It also demanded that what would be left of the Republic of Serbian Krajina would be converted to an autonomous Serb region – a notion unacceptable to both the Krajina leaders and the Croatian government, albeit, obviously, for different reasons. A Serb politician in the RSK put it this way in March 1995: “the coexistence of Serbs and Croats will never again be [possible].”¹⁵³ Tudjman was very dissatisfied with the

Z-4 Plan but indicated that he was open to further discussion. The Krajina Serbs simply rejected it. With that and with the international community unable to imagine peace without ethnic cantonization, Tudjman reached the conclusion that only military force would ever bring an end to Serb occupation of Croatian territories.

Moreover, Croatian forces were being steadily upgraded and, by August 1995, enjoyed a decisive advantage over the Krajina Serb army, as the data in Table 4.4 show.

In addition, the Croatian Army and the Bosnian Army were both benefiting from guidance offered by retired US generals working for Military Professional Resources, Inc. (MPRI), an agency based in Alexandria, Virginia. In addition to this, Americans also helped in the construction of a secret airfield between Visoko and Kakanj (in Bosnia) where cargo planes carrying weapons for the ARBiH could land.¹⁵⁴

The Croatian Operations “Flash” and “Storm”

Croatian forces were now ready to take the offensive to reclaim territories recognized by the UN as parts of sovereign Croatia. The first target was Western Slavonia. Accordingly, on 1 May 1995, Croatian military forces launched Operation Bljesak (Flash) at 5:30 a.m., with the goal, among other things, of reopening the Zagreb-Lipovac highway to traffic.¹⁵⁵ Serb civilians began abandoning their homes the same day. Zagreb announced that any local Serbs who had not committed war crimes were welcome to remain where they were and would be guaranteed full civil rights. Croatian authorities even promised a blanket amnesty to Serb military personnel not guilty of war crimes (so that, for instance, they would not be punished for looting).¹⁵⁶ Croatian forces quickly took control of the

TABLE 4.4 Military Strengths of the Croatian Forces and the Krajina Army at the Time of Operation Storm (August 1995)

	<i>HV/HVO</i>	<i>Krajina Serb Army</i>
Troops	160,000	20,000–30,000
Brigades/Regiments	51	20
Tanks	320–705	385–430
Armoured Personnel Carriers	240	195–210
Artillery Pieces	812–1,400	440–570
Aircraft	36	20–25
Helicopters	12	10–13

Sources: Ozren Žunec, “Operations Flash and Storm,” in *The War in Croatia and Bosnia-Herzegovina, 1991-1995*, ed/ Brank Magaš and Ivo Žanić (London: Frank Cass, 2001), 78; *Welt am Sonntag* (Hamburg), July 16, 1995, 23; Daniel Eisermann, *Der lange Weg nach Dayton: Die westliche Politik und der Krieg im ehemaligen Jugoslawien 1991 bis 1995* (Baden-Baden: Nomos Verlagsgesellschaft, 2000), 327; *Neue Zürcher Zeitung*, July 31, 1995, 1; and *The Economist* (London), August 5, 1995, 47.

entire shoreline of the Sava River, entering Jasenovac. Serb insurgents responded by shelling the hospital in Pakrac.¹⁵⁷ By 2 May, the Zagreb-Lipovac highway was completely under Croatian control, as were both Jasenovac and Pakrac.¹⁵⁸ The following day, Serb forces fired six projectiles into Zagreb, killing one person while also shelling other Croatian towns. Those strikes notwithstanding, by the end of 3 May, Croatian forces had achieved all of their objectives with Operation Bljesak, with only a few casualties. Zagreb-Pleso airport was immediately put back into operation.¹⁵⁹

Croatia's next major military operation was Operation Oluja (Storm), set for early August. As a preliminary, Croatian forces took control of Bosansko Grahovo on 28 July, followed by Glamoč. Operation Oluja began on 4 August 1995, with coordinated strikes on 30 locations across Serb-held areas.¹⁶⁰ Given the poor economic conditions in the Krajina, many Krajinan Serbs were afflicted by apathy and a lack of will to rise to face a Croatian attack. In addition, Croatia's Serbs were reading Serbian newspapers, where they encountered the characterization of Croats, as a people, as "genocidal Ustashas."¹⁶¹ No doubt some of them were concerned. Hence, on 2 August, two days before the start of Operation Oluja, the Civil Defense Headquarters of the RSK issued a decree, ordering Serbs to prepare to evacuate the Krajina and to take along, among other things, archives, movable cultural objects, and financial resources. In fact, Serbs started to leave their villages in the Krajina on 3 August.¹⁶² An order from Milan Martić (b. 1954), who at the time was the President of the Republic of Serbian Krajina, to Serbs to leave was reinforced by General-Colonel Mile Mrkšić, commander of the Krajina Army, who advised Serb civilians in advance that he and other RSK leaders were expecting an imminent attack by the HV.¹⁶³ On 4 August, in a public message, President Tudjman assured Serbs holding Croatian citizenship, who had not participated actively in the rebellion, that they would enjoy the same rights as Croats, if they chose to remain in Croatia.¹⁶⁴ The Belgrade dailies *Večernje novosti* and *Politika* poured scorn on Tudjman's reassurances, comparing the Croatian President to the Croatian *Poglavnik*, Ante Pavelić (1889–1959), who had headed the Axis regime in Croatia during the Second World War.¹⁶⁵ Through *Večernje novosti*'s lenses, Croatia's reconquest of lands seized by the insurgents in 1990–1991 was presented as evidence of Croatia's alleged "expansionist policy."¹⁶⁶

On 5 August, the Croatian Army liberated Knin, shattering local insurgent forces.¹⁶⁷ The following day, Croatian forces continued their advance, pushing Serb insurgents out of Drniš and Glina, as well as surrounding villages. Petrinja had been occupied by Serbs since 21 September 1991, when about 10,000 Croats were expelled from the city.¹⁶⁸ In a dramatic contrast with the massacre by Serb troops under Ratko Mladić's command of more than 8,000 unarmed Bosniaks at Srebrenica (discussed in the next subsection), the Croatian Army command announced on 5 August that Serb civilians would be allowed to flee in either of two directions – toward Srb or toward Dvor.¹⁶⁹ By 7 August, Croatian forces had achieved all of their objectives, and Operation Oluja came to an end. Perhaps as many as 1,806 people had lost their

lives in the course of the operation; according to the Croatian Helsinki Committee, 677 of these were civilians.¹⁷⁰ According to official figures from the Commission for Refugees of the Republic of Serbia, 151,934 refugees arrived in Serbia from the Krajina in the first two weeks of August 1995.¹⁷¹ After the completion of Operation Oluja, there was no reason for UNCRO to continue, and its units were disbanded.

The Bosnian Front

In May 1995, VRS troops removed heavy weapons from a UN-monitored storage facility and then brought them into position to bombard Sarajevo. Lt. Gen. Rupert Smith, at that time commander of UNPROFOR, demanded that the weapons be returned to storage, threatening air strikes in the event of noncompliance. The Serbs ignored General Smith's demand, and Smith then ordered NATO aircraft to carry out strikes against ammunition depots near the Bosnian Serbs' capital of Pale, striking them on 25 May. The VRS replied by shelling five of the six UN-declared "safe areas" – civilian targets. NATO responded by sending 12 aircraft to bomb six more bunkers at the Pale ammunition depot on 27 May; all six were either damaged or destroyed. The Bosnian Serbs now staged what was perhaps their most direct provocation of NATO by surrounding, disarming, and taking into custody 377 UN peacekeepers. Most of these were UNPROFOR troops. They were taken to various locations, chained, in some cases, to bridges, in other cases to the gates at military installations, and in still others to other potential targets across the RS.¹⁷² As this crisis reached its peak, General Mladić played chess with a fellow Bosnian Serb soldier in an ostentatious display of bravado, while news cameras filmed the general's circus.¹⁷³

On 29 May, Karadžić "explained" that the Serbs were exempt from international law as well as from decisions made by international actors, in a stunning reaffirmation of the claim to Serbian exceptionalism. Just two weeks earlier, Karadžić and Mladić had been indicted as war criminals by the ICTY.¹⁷⁴

It turned out that, when they were taken into custody by Bosnian Serb troops, UNPROFOR troops "had also surrendered hundreds of flak jackets and rifles, six French light tanks, and 11 French and Ukrainian armored personnel carriers to the Serbs," along with 616 miscellaneous UNPROFOR vehicles.¹⁷⁵ It was not long before Serbs were driving around, masquerading as UNPROFOR peacekeepers. NATO was forced to negotiate the release of its UNPROFOR peacekeepers. Convinced now of the perpetual impotence of NATO, VRS troops personally commanded by Mladić¹⁷⁶ overran the supposed safe havens of Srebrenica and Žepa in July. In the course of 12–13 July, Mladić's troops killed a total of 8,372 Muslims, mostly men.¹⁷⁷ At the start of the Serbian assault on Srebrenica, there were just 429 Dutch soldiers stationed there – not remotely sufficient to repel an attack by the VRS.¹⁷⁸

After the fall of Srebrenica, Mladić turned his sights to Žepa, another so-called "safe haven." As I wrote in 2006, "Žepa is situated on top of a hill and, on the face

of it, should have been defensible, given the will and the military resources. But NATO/UNPROFOR, which had the resources, lacked the will.¹⁷⁹ After the VRS detained the Ukrainian UNPROFOR “peacekeepers” who had been assigned supposedly to protect Žepa, the town’s residents knew that they faced the VRS alone. They decided to negotiate terms of surrender, hoping, in this way, to save their own lives. Some of Žepa’s residents were shot by VRS soldiers, although at least 3,000 of them managed to flee. After taking possession of Žepa, the VRS troops looted the town, set it ablaze, and fired volleys into the surrounding forest, with an eye to killing any Bosniaks who might have sought refuge there and were within range.¹⁸⁰

At this point, NATO councils decided, finally, that it was time to act. As a preliminary precautionary prophylactic, NATO undertook to move its so-called peacekeepers out of Gorazde. The Serbs were not impressed and killed three high-ranking diplomats who were driving along Mount Igman, and then, on 28 August, fired a 120-mm mortar round into the Markale Market in downtown Sarajevo, killing at least 37 civilians and wounding an estimated 90 more.¹⁸¹ Two days later, NATO began a campaign of air strikes against VRS targets, including barracks, weapons depots, and artillery batteries. NATO called a halt to the bombing on 1 September, to see if the Bosnian Serbs were ready to negotiate. When this proved not to be the case, the air strikes were resumed on 5 September, now destroying radar sites, communications centers, ammunition dumps, and barracks they had left off their target list in the first round of bombing. NATO’s bombing hit targets not only around Sarajevo and Pale but also at other locations across Bosnia.¹⁸² Although the bombing was crippling the VRS’s already weakened ability to continue with the war, NATO was limiting itself, and avoided striking at front-line units. The UN and NATO demanded that the VRS pull its heavy guns out of the UN weapons exclusion zone around Sarajevo. By nightfall on 16 September, the VRS had removed 43 heavy artillery pieces from close proximity to Sarajevo. Meanwhile, as the NATO bombing was continuing, the HV and ARBiH had been pushing the VRS out of western Bosnia, capturing Jajce and, by 17 September, were within striking distance of Banja Luka. By then, NATO’s bombing campaign had come to an end, although the Croatian Army’s advance continued until 19 September. The last major military operation conducted by the Bosnian Army ended on 12 October, with the capture of seven towns, including Kulen Vakuf, from the Serbs. At this point, the Americans persuaded Milošević, Tudjman, and Izetbegović to come to Dayton, Ohio, to negotiate peace at Wright-Patterson Air Force Base. Their negotiations started on 1 November and ended on 21 November, with an agreement to assign 51% of Bosnia-Herzegovina to the Republika Sprska and 49% to a Bosniak-Croat Federation, with both the RS and the Federation supposedly united under a common political umbrella. The Dayton Peace Accords were signed in Paris on 14 December 1995. The final chapter in the War of Yugoslav Dissolution was written in Erdut, a small municipality in Eastern Slavonia on the border with Serbia and registered as having had a population of

10,197 in the 1991 census. Here, on 12 November 1995, an agreement was signed specifying that Eastern Slavonia, Baranja, and Western Srijem (Srem) would be returned to Croatian rule. This was accomplished in January 1998.

The Costs of the War

Although higher figures have been offered in the past, the current consensus is that up to 110,000 people, overwhelmingly civilians, lost their lives due to the war in Bosnia.¹⁸³ According to Dražen Živić and Nenad Pokos, there were 8,147 military casualties and 6,605 civilian casualties in Croatia.¹⁸⁴

Mirjana Kasapović calculated that, of the dead, 87,451 were men (among them, 30,317 civilians) and 9,756 were women (among them, 9,367 civilians).¹⁸⁵ More than a million people were driven from their homes, some taking refuge in Croatia, others in Serbia, and still others in other countries. The economic impact was staggering, with industrial production in Bosnia in 1996, for example, pegged at 10% of its pre-war level and GNP estimated at about a quarter of its level in 1991.¹⁸⁶ Almost two-thirds of Bosnia's inhabitants were living below the poverty line in 1996. Croatia suffered significant losses in tourism (a mainstay of its economy) and in shipbuilding, and an overall decline in population of about 350,000, although the figure would have been higher but for the arrival of refugees from Bosnia. Croatia also lost a significant number of churches, bridges, and private houses, which were specifically targeted by Serb insurgents.¹⁸⁷ Croatia's GDP declined by 21% in 1991 and did not return to pre-war levels until the war had ended.¹⁸⁸ Serbia also suffered economically not only because of the economic sanctions and the criminalization of its economy but also because of the huge outlays of financial resources to pay for the war; this included salaries for officers of the VRS, salaries for military personnel and functionaries in the RSK, arms and ammunition for both the VRS and the Army of the RSK, and medicine and medical supplies sent to the front, which resulted in shortages of some medicine on the home front.¹⁸⁹ The war also impacted the physical and mental health of Bosniaks, Serbs, and Croats alike, with an outbreak in 1993 of tuberculosis and typhus; there were also cases of premature aging. Psychological problems experienced by people living in Croatia, Bosnia-Herzegovina, and Serbia included post-traumatic stress disorder (PTSD), nightmares, schizophrenia, startle reactions, and alcoholism.¹⁹⁰ According to a study conducted by Bosnia's Ministry of Health and published in March 2012, more than 60% of the residents of Sarajevo were still suffering from PTSD at the time of the study. Moreover, according to veterans' associations in the RS and the Federation, approximately 4,000 soldiers committed suicide after the war had ended.¹⁹¹

The International Criminal Tribunal for the Former Yugoslavia

The ICTY was established by the United Nations on 25 May 1993 in response to the atrocities being committed in Croatia and Bosnia-Herzegovina.¹⁹² In the

14 years of its existence, it charged 161 persons with genocide, crimes against humanity, or war crimes; of the 161 accused, 78 persons were accused of crimes of a sexual nature and, of this number, by September 2016, 32 individuals had been convicted.¹⁹³ Of the total of those who were indicted, 90 were found guilty, 19 were acquitted, and 15 were referred to national or other UN courts; in 20 cases, the indictments were withdrawn and 17 died before conviction (in one case, while resisting arrest).¹⁹⁴ Although Serbs made up the largest number of the accused, Croats, Bosniaks, and, in connection with the War for Kosovo in 1998–1999, Albanians were also brought before the court.

Among the most prominent convictions were (in chronological order): **Tihomir Blaškić**, a colonel in the Croatian Defense Council (HVO), was convicted in 2004 of willful killing, extensive destruction of property, inhuman treatment of persons, plunder of public and private property, etc., and was sentenced to 9 years' imprisonment, but he was granted early release; **Momčilo Krajišnik**, a Bosnian Serb leader, co-founder (with Radovan Karadžić) of the Serbian Democratic Party in Bosnia, and the first Speaker of the People's Assembly of Republika Srpska from 24 October 1991 to 19 October 1996, was convicted in 2006 of crimes against humanity and sentenced to 27 years in prison, with the sentence reduced in 2009 on appeal to 20 years; **Radovan Karadžić**, Bosnian Serb leader and President of the Republika Srpska from 1992 to 1996, was convicted of genocide, war crimes, and crimes against humanity and was sentenced in 2016 to 40 years' imprisonment, which was increased on appeal in 2019 to life imprisonment; and **Ratko Mladić**, commander of the VRS, was convicted in 2017 of genocide, persecution, extermination, murder, etc., and was sentenced to life imprisonment.

Among the most prominent acquittals were (in order of acquittal): **Sefer Halilović**, Deputy Commander of the Supreme Command Staff of the Army of Bosnia and Herzegovina, was accused of responsibility for murders in Grabovica and Uzdol and acquitted of all charges in 2009; **Ante Gotovina**, commander of the Split Military District of the Croatian Army from October 1992 to March 1996, was accused of responsibility for killings committed during Operation Oluja and was convicted in April 2011 and sentenced to 24 years' imprisonment, but acquitted on appeal on 16 November 2012; **Ramush Haradinaj**, commander of the Kosovo Liberation Army in the Dukagjin operational zone, was accused of having been a co-perpetrator in a joint criminal enterprise and of the unlawful removal and mistreatment of Serb civilians, was found not guilty on 3 April 2008 and, following a partial retrial, was acquitted of all charges on 29 November 2012; **Momčilo Perišić**, who, from June 1992, was the Chief of Staff of the Yugoslav Army, was convicted in September 2011 of aiding and abetting war crimes and sentenced to 27 years in prison but acquitted on appeal in February 2013; and **Vojislav Šešelj**, President of the Serbian Radical Party and member of the Assembly of the Republic of Serbia, as well as founder of the Chetnik paramilitary group, but accused of participation in a joint criminal enterprise having as its objective the

forcible removal of non-Serbs from parts of Croatia, Bosnia-Herzegovina, and Vojvodina, etc., was acquitted of all charges in 2016.

Among the most prominent accused to die while in detention were (in order of death): **Milan Babić**, President of the SAO of Krajina 1990–1991, President of the Republic of Serbian Krajina (RSK) from December 1991 to February 1992, and its FM during 1994, who, after being sentenced to 13 years' imprisonment for crimes against non-Serbs, committed suicide on 5 March 2006; **Slobodan Milošević**, President of Serbia from 1989 to 1997 and of the Federal Republic of Yugoslavia from 1997 to 2000, accused of various crimes perpetrated in Croatia, Bosnia-Herzegovina, and Kosovo, including but not limited to the forcible deportation of approximately 800,000 Kosovar Albanian civilians, the extermination or murder of hundreds of Croats and other non-Serb civilians within and outside Croatia, and the widespread killing or confinement of thousands of Bosniaks as well as the forcible deportation of thousands of Bosniaks, Bosnian Croats, and other non-Serb civilians living in Bosnia-Herzegovina, died on 11 March 2006 while awaiting judgment; and **Goran Hadžić**, President of the RSK from February 1992 to December 1993, accused of persecution, extermination, murder, unlawful imprisonment, deportation, torture, etc., died on 12 July 2016 while awaiting judgment.

By nationality, 72 of the 161 indicted persons were Bosnian Serbs; 25 were Serbs from Serbia, Croatia, or Kosovo; 25 were Bosnian Croats; five were Croats from Croatia; there were also nine Bosniaks, eight Kosovar Albanians, and 17 members of other national groups who were indicted for various crimes. Inevitably, there were accusations of ethnic bias from all three peoples involved in the War of Yugoslav Dissolution. Among 1,545 Serbs polled in 2003, 59% alleged discrimination against Serbs, arguing that Serbia should not cooperate with the ICTY; among Croats, 52% of those polled in 2000 felt that the ICTY wanted “to criminalize the Homeland War.”¹⁹⁵ For their part, Bosniaks told pollsters that sentences handed down to Serbs and Croats were “unacceptably lenient in many cases.”¹⁹⁶ Setting aside suggestions that the ICTY could promote reconciliation – not the function of the court – or deterrence – an absurd delusion – it is, it seems to me, obvious that the ICTY was about *justice* and, more specifically, about, first, wanting to give victims a sense that there had been at least *some* punishment for the injustices they had suffered, and, second, to hold at least some perpetrators accountable for their crimes and to establish that fact for the historical record.

The War for Kosovo, 1998–1999

As the late Serbian historian Dušan Bataković noted,¹⁹⁷ Serbian and Albanian claims to Kosovo in the most recent centuries have had different foundations.¹⁹⁸ For the Serbs, Kosovo was the heartland of the medieval kingdom of Serbia, where Stefan Uroš IV Dušan, also known as Dušan the Mighty, and the imagined martyr, Prince Lazar Hrebeljanović, had reigned. Although some observers, at the time, thought that the outcome of the battle had not been decisive, in fact, the

Battle of Kosovo marked the beginning of Serbia's loss of independence. After the battle, Serbia became an Ottoman vassal before losing its independence entirely by 1459. In 1989, I was granted a private meeting with several members of the Serbian Writers' Association. Among them was Matija Bećković, president of the Association, who told me that so many Serbs had died in Kosovo that it would remain forever part of Serbia, even if the day would come when not a single Serb still lived there. It seems that, for him, at least, the dead could outvote the living. For the Albanians, their growing demographic predominance and the validation by the twentieth century, if not earlier, of democratic principles, dictated that they, rather than Serbs who recalled past glory and martyrdom, should control Kosovo. Of course, if the logic proposed by right-wing (nationalist) Serbs would be accepted as a general principle, then the English might be able to lay claim to the Aquitaine, which belonged to England from 1154 until 1453; Germany could raise a claim to the city of Kaliningrad in Russia on the grounds that it had once been an important city under the name Königsberg in East Prussia; and Greece should be able to reclaim western Anatolia from Turkey on the grounds that the area had once belonged to the Byzantine Empire which, by sheer coincidence, also expired in 1453. There are, of course, more recently alienated lands, such as the Südtirol, lost by Austria to Italy at the end of World War I, and Transylvania, lost by Hungary to Romania, likewise, at the end of World War I. But the recent losses, just as the losses in medieval times, cannot be reversed without inflicting unnecessary harm on the current residents of those countries. The appeal to history, while it may evoke emotional and sentimental feelings of nostalgia, is a weak leg upon which to make a stand for territory. Given the stress that some Serbs place on Kosovo's medieval history as a justification for overruling the will of the region's contemporary inhabitants (in the majority since before its re-annexation by Serbia in 1912),¹⁹⁹ it is striking that, after World War II, communist authorities decided to ignore the centuries-long inclusion of eastern Srijem in Croatia and assign that region to Serbia.²⁰⁰

To understand the problems between Serbs and Albanians in and concerning Kosovo, it is essential to understand, among other things, that the region's inclusion, first in Serbia in 1912, then in the Kingdom of Serbs, Croats, and Slovenes after World War I, and finally in communist Yugoslavia was entirely contrary to the will of the majority of the residents of Kosovo. But some Serbs felt a sentimental attachment to Kosovo because of the way in which they had come to remember King/Tsar Dušan the Mighty and Prince Lazar,²⁰¹ and this consideration induced Tito to impose to a compromise of sorts – for the Albanians, giving Kosovo (at the time, Kosovo and Metohija) status as an autonomous region (later elevated to an autonomous province); and for the Serbs, attaching Kosovo to Serbia. Neither Albanian politicians nor Serb politicians were satisfied with this solution. In 1945, even before the Second World War had come to an end, the Communist Party of Yugoslavia (CPY) decreed that those Serbs, who had moved to Kosovo in the inter-war years only to be expelled in the course of the Second World War, would not

be allowed to return to their erstwhile homes; an estimated 60,000 Serbs or more were affected by this decree.²⁰² During the roughly two decades that followed, Kosovo was run by Serbs, who dominated the civil apparatus and the police in the province. Overseeing this was Aleksandar Ranković, Tito's Minister of Internal Affairs. But throughout the years up to 1966, there was an unremitting rivalry between him and Edvard Kardelj, the country's Deputy Prime Minister and, until 1953, also FM. Ranković championed a tight federation and wanted to see the country's diverse national groups gradually merge together around the Serbian pole, while Kardelj wanted to see the federation become looser than it was and felt that the national groups should not merely be allowed but, rather, even be encouraged to retain their separate languages and to develop their national cultures. This came to a head in July 1966, when Kardelj succeeded in getting Ranković dismissed. This had immediate repercussions in Kosovo, where, over time, Albanians made gains in the civil apparatus, in the police, and in other spheres. As Serbs saw Albanians accounting for an ever larger proportion of the province's population, they became fearful and moral panic set in. Then came rumors that Albanians were assaulting Serbs, killing their cattle, and posing a threat to the Serbs' many holy places in Kosovo. According to Viktor Meier, rumors of assaults on Serbs or their cattle could not be substantiated, let alone documented.²⁰³ Finally, following the violent riots by Kosovar Albanians in April 1981, in which rioters

destroyed a whole wing of the ancient patriarchate of Peć, including the living quarters of the patriarch, a nuns' refectory, a sick ward, a workshop, and a large number of icons and books, and sent thousands of Serbs and Montenegrins streaming out of Kosovo, *Pravoslavlje* published an 'Appeal for the Protection of the Serbian Inhabitants and Their Holy Places in Kosovo', signed by twenty-one priests.²⁰⁴

The Appeal portrayed Serbs as victims, comparable only to the Jews, and asserted that "The question of Kosovo is a question of the spiritual, cultural, and historical identity of the Serbian people."²⁰⁵ Some Serbs resented Albanian gains, and Slobodan Milošević, president of the League of Communists of Serbia from 1986 to 1989 and thereafter president first of Serbia and then of the Federal Republic of Yugoslavia (FRY, consisting of Serbia and Montenegro), played to that audience beginning in 1987, riding on a wave of Serbian nationalism to build his power base. Under the 1974 constitution, the Albanian, Serbian, and Turkish languages had all enjoyed equal legal status in Kosovo but, in June 1988, Milošević had Serbo-Croatian declared the only official language in the province, meaning that locals could no longer use Albanian, or Turkish for that matter, for official business.²⁰⁶ In May 1988, the popular Albanian politician Azem Vllasi was replaced as chair of the party leadership in Kosovo by Kaqusha Jashari.²⁰⁷ But the latter proved to be as much a thorn in Milošević's side as Vllasi had been, and she was dismissed from her newly acquired post in November 1988 and replaced by a politician under

Milošević's thumb. In protest, miners from the Trepça mine marched to Prishtina in solidarity with Vllasi and Jashari; they were quickly joined by about 300,000 outraged citizens of Kosovo.²⁰⁸ The Belgrade regime now fired tens of thousands of Albanian professionals (such as judges, university professors, and physicians), as well as factory directors and industrial workers, and offered their jobs to Serbs to move to Kosovo and take the newly vacated jobs.²⁰⁹ Milošević also had the names of streets in Prishtina changed, replacing Albanian names with Serbian ones. As Albanians saw their rights and cultural space being steadily constricted, Albanian miners from the Trepça mine staged a hunger strike in February 1989 in defense of the federal constitution. Following the strike, Milošević moved forward with his plan to abolish Kosovo's autonomy – in violation of the federal constitution. He sent in tanks to surround the Provincial Assembly to force the corralled deputies of that body to endorse an amendment to the province's constitution to end its self-rule. With a two-thirds vote needed to pass the bill, most members of the Assembly simply abstained.²¹⁰ Nonetheless, Serbian authorities declared that the bill to amend the constitution had passed. The following month, the Serbian Assembly amended Serbia's constitution to give authorities in Belgrade control over all spheres of administration and policy in Kosovo. By then, Albanian students were barred from attending school.²¹¹

The Albanians responded by organizing a parallel society, organizing their own schools, their own healthcare system, and a Council for the Defense of Human Rights and Freedoms. In December 1989, the Democratic League of Kosova (LDK) was formed; Ibrahim Rugova, head of Kosovo's Writers' Union, was elected its president. The following July, locked out of the Assembly building, its deputies met on the steps in front of the building and declared Kosovo a republic within Yugoslavia. Three days later, Belgrade suspended local governments across the province, issued warrants for the arrest of Assembly deputies, and shut down local Albanian-language radio and television stations, as well as the Albanian-language daily newspaper *Rilindja*. Albanians living abroad sent 3% of their earnings to support the underground school system. Meanwhile, in addition to undertaking to replace Albanians with Serbs, the regime also promoted the construction of Serbian Orthodox churches, especially in predominantly Muslim areas. This would later have the unintended consequence that, when given the chance, Albanians, who had come to understand these churches as a form of cultural colonization, would vent their rage on them, destroying as many as 156 Orthodox churches in 1999, according to Bataković.²¹²

The Dayton Peace Accords, which settled the War of Yugoslav Dissolution in Croatia and Bosnia-Herzegovina, was a turning point for the Albanians of Kosovo. Under Rugova's inspiration, Albanians had embraced a posture of nonviolence and had hoped that the international community would take their needs and interests into account. Instead, Kosovo was not even on the agenda at Dayton. It was now that Serb-Albanian tensions escalated.²¹³ Albanians realized that Western powers were taking Albanian passivity for granted; nonviolence had made the Albanians

politically irrelevant. It was on this understanding that, in the Autumn of 1997, the Kosova Liberation Army (KLA) appeared, rejecting Rugova's nonviolent stance, and soon began to attack police stations.²¹⁴ Over the following months, the KLA grew in strength and brought much of the province under its control – at least at night.

In February 1998, the KLA struck a police patrol, killing four of them. In response, Serbian special police forces launched an offensive against the KLA on 28 February, resulting in about 100 dead on the Albanian side.²¹⁵ In March 1998, an estimated 70 Albanians (most of them women and children) in Drenica were murdered by Serbian military and police units. This provoked the KLA to launch a number of hit-and-run attacks on police facilities in reprisal. Yugoslav Army forces in the province were now beefed up, targeting Albanian paramilitaries and civilians alike. By August 1998, an estimated 200,000 Albanians had fled the province.²¹⁶ Additional numbers of Albanians were taking shelter in Kosovo's woods. But the central purpose of Serbia's military operations in Kosovo in 1998–1999, including during its war with NATO, was to drive the Albanians out of Kosovo.²¹⁷ As the fighting continued, Ambassador Holbrooke flew to Belgrade to meet with the Serbian leader on 13 October. Milošević agreed to halt all military operations in Kosovo, to reduce the number of Serbian troops in the field, and even to restore some measure of autonomy to the province. These were empty promises and, after Holbrooke left the Serbian capital, the Serbian presence was actually increased from 18,000 at the time of the supposed agreement to 23,500 by 23 December. The KLA fought back, initiating 310 “attacks and provocations” between 13 October and 30 November, killing or wounding 30 police.²¹⁸ Belgrade reinforced its troops in Kosovo and, by the eve of the start of the NATO bombing campaign on 24 March 1999, Belgrade had 29,000 troops in the province, in addition to police detachments.²¹⁹

In January 1999, Serbian police murdered 45 civilians in the village of Raçak. At this point, Western powers called on the KLA and the Serbian regime to send negotiators to the town of Rambouillet (population less than 25,000 in 1999), in France. A high-level Albanian delegation came to the Rambouillet conference on 6 February; Milošević sent a Yugoslav delegation headed by Milan Milutinović, the Serbian president at that time. But the Serbs had little interest in actually negotiating and, as Tim Judah reported, kept “much of the rest of the château awake by late-night carousing and the singing of Serbian songs, which induced the [other] negotiators to complain.”²²⁰ The emerging draft plan included sending a NATO peacekeeping force to Kosovo but, in general, struck a balance between the Serbian and Albanian positions. The need for a resolution was obvious, as an estimated 459,000 Albanians had been driven from their homes by mid-March 1999 (260,000 displaced within Kosovo, with 199,000 having fled abroad).²²¹

The Serb delegation left Rambouillet without having agreed to anything, but the Albanians signed NATO's proposed text on the understanding that Serbian compliance would be imposed, one way or the other. In the wake of the conference,

Ambassador Richard Holbrooke flew to Belgrade on behalf of NATO on 22 March, the day the conference ended. He told Milošević that NATO was presenting him with an ultimatum: either agree to the terms spelled out at Rambouillet or NATO would attack Serbia. Milošević refused, and on 24 March, NATO initiated a bombing campaign that would last for 78 days, targeting bridges, government buildings, and military objects. Altogether, the campaign involved almost 10,500 strike missions, dropping roughly 12,000 tons of munitions on Serbia.²²² In the course of this campaign, NATO inflicted severe damage on the Serbian economy, causing 600,000 workers to lose their jobs, knocking out 70% of road bridges and 50% of rail bridges, and slicing Serbia's economic output in half.²²³ According to an article published in *Comparative Southeast European Studies* in 2022, NATO was responsible for the deaths of 758 Yugoslav citizens while the Yugoslav Army and Serbian paramilitary troops were responsible for the deaths of an estimated 7,000 Kosovar Albanian civilians.²²⁴ Initially, Serbs rallied around their state, directing their anger against NATO, but, as the bombing continued, Serbs turned against Milošević for failing to find a path to peace. Yet, for Milošević, the bombing campaign offered an opportunity of sorts: his forces, some of whom were convicted criminals released on condition that they rage and plunder across Kosovo, drove between 800,000 and 850,000 Albanians out of Kosovo while NATO's bombs continued to drop.²²⁵ Of this number, an estimated 300,000 took refuge in Macedonia, while 460,000 ended up in Albania. With Serbian military and paramilitary forces ravaging across Kosovo, more than 40% of Albanian homes lay in ruins by the time peace was agreed.

By late May, with Milošević still unrelenting, NATO leaders decided to revise their demands. Instead of demanding that NATO administer post-war Kosovo, they now called for UN administration, while also abandoning their earlier insistence on "free passage of NATO anywhere in the FRY, and withdrawing the demand for a referendum on Kosovo's status after three years."²²⁶ On 3 June 1999, Milošević accepted the new terms and the bombing came to an end. Belgrade signed a protocol with NATO in Kumanovo that same month, agreeing to remove its military and police forces, as well as its civilian administrative apparatus from Kosovo. Taking into account both the 459,000 Albanians driven from their homes prior to the start of NATO's bombing and the up to 850,000 driven out of Kosovo altogether during the bombing campaign, roughly 1.3 million persons had been driven from their homes by the start of June; after the signing of the Kumanovo Protocol, these displaced persons returned to their homes, often finding them looted, roofless, and ravaged by fire.²²⁷

To keep the peace, NATO dispatched the Kosovo International Security Force (KFOR) to the province, consisting of nearly 50,000 troops drawn from 19 NATO member states and 19 non-members. In addition, the UN set up the UN Mission in Kosovo (UNMIK), which established 47 courts, began training judges, and set up a detention system, among other things.²²⁸ The big question was, of course, whether Kosovo should be returned eventually to Serbian control. Contributing to the eventual resolution was a report that

[d]uring the first three months of UN administration, approximately 250,000 Serbs and other non-Albanians (Roma, Muslim Slavs, Croats, and members of the tiny Jewish community) were displaced and expelled from Kosovo, finding asylum in the rest of Serbia and in Montenegro.²²⁹

After long discussions, the Contact Group (the United States, Great Britain, France, Germany, and Italy) concluded that it would be impractical to try to restore Serbian sovereignty over Kosovo and decided, accordingly, to offer independence to the Kosovar Albanians.²³⁰ Following this, the Albanians issued a declaration of independence on 18 February 2008. Thus, as Anton Bebler has perceptively noted, “the declaration was not really a unilateral act by Kosovo as its substance, wording and very timing were coordinated beforehand with the five Western members of the Contact group, including three permanent members of the UN Security Council.”²³¹ Moreover, in order to be granted permission to declare independence, the Kosovar Albanian leaders had been required to accept some temporary limitations on independence.

In 2008, Kosovo’s independence was recognized by 22 EU and NATO member states; by May 2015, 108 members of the UN had recognized Kosovo’s independence, although not Serbia or Russia. In the meantime, on 10 September 2012, the UN closed the International Steering Group for Kosovo, which had been supervising Kosovo’s administration and policies.²³² From Belgrade’s standpoint, the conflict during 1998–1999, given NATO’s bombing campaign, had the unintended consequences of reducing and eventually ending Serbian control of Kosovo – a result to which Belgrade had not reconciled itself even in 2024 – bringing the UN into the province (albeit with what proved to be a 4-year mandate) and of putting the Kosovar Albanians on the road to independence. It also had the side effect (intended by NATO) of severely damaging Serbia’s infrastructure and economy.

The Albanian Uprising in Macedonia (2001)

In March 1995, I spent two weeks in Macedonia,²³³ talking with appropriate people in Skopje and Tetovo. Among those I met at the time were Boris Trajkovski (1956–2004) and Ljubčo Georgievski (b. 1966), who received me at their party headquarters (the Internal Macedonian Revolutionary Organization—Democratic Party for Macedonian National Unity). They impressed me at the time as sincere people who cared about their country but also as somewhat naïve and unpracticed in the art of politics. Be that as it may, Georgievski, who had already served as Vice President of Macedonia during 1991, went on to serve as the country’s Prime Minister between November 1998 and September 2002, while Trajkovski would later serve as President of the Republic of Macedonia from 19 November 1999 until his death in a plane crash on 26 February 2004. In 1995, at my request, Trajkovski, a Methodist, when most Macedonians were Orthodox Christians (with most Albanians being Muslims), told me about the history of the Methodist

presence in Macedonia and took me along to one of the Methodist services. Given his non-Orthodox religious affiliation, I was not surprised to hear that he owed his election to the Presidency to strong support from the country's Albanians. The last time I saw Trajkovski was during the 2000–2001 academic year, when I was affiliated with the Woodrow Wilson International Center for Scholars, and President Trajkovski presented a lecture at the Center for Strategic and International Studies on 1 February 2001. I was struck by his favorable mention of Immanuel Kant (1724–1804) who, in his day, had sketched a vision of a perpetual peace and had urged people to behave toward others in such a way that, if everyone behaved that way, the world would be a better place. Trajkovski, I believe, was a convinced idealist, by which I mean someone who felt that we should all work together for the common good.

Trajkovski was an unusual man, and, as far as I can see, none of his successors have shared his vision of Macedonia as a moral commonwealth. Even so, Macedonia stayed out of the War of Yugoslav Dissolution, survived both the UN economic embargo and the Greek embargo, and struck many observers as not entirely unsuccessful in managing its transition out of self-managing socialism. But in the Spring of 2001, Macedonia was put to its greatest post-SFRY test, when a self-declared Albanian liberation army staged an uprising that spread across much of the country.

Macedonia's Albanians, who accounted for just under 23% of the population, according to the 1994 census (see Table 4.5), had been nurturing various grievances since the founding of independent Macedonia in 1991. To begin with, the Albanians had boycotted the referendum on independence in 1991, fearing that they would enjoy fewer rights and prerogatives in an independent Macedonia than they had enjoyed when Macedonia was part of socialist Yugoslavia. Grievances piled up soon enough. For example, in 1994, when Albanians accounted for 22.9% of the overall population, they accounted for less than 12% of the police force.²³⁴ Then there was the fact that Albanians were underrepresented in the civil service

TABLE 4.5 Ethnic Distribution in Macedonia (1994, 2002) in %

	1994	2002
Macedonians	66.5	64.2
Albanians	22.9	25.2
Turks	4.0	3.9
Romany	2.3	2.7
Serbs	2.0	1.8
Others	2.3	2.2

Sources: Republic of Macedonia – Basic Data (Skopje: Ministry of Foreign Affairs, December 1994), 6; and Thorsten Gromes, “The Armed Conflict in Macedonia,” in *Democracy in Macedonia* (Frankfurt: Peace Research Institute, 2009), 4.

as well as in the higher ranks of the army officer corps. There was discrimination in language, too. When I visited Tetovo in March 1995 – a city almost entirely Albanian in population – I was surprised to find the bus station and other public buildings identified only in Macedonian. Immediately, I thought back to Washington D.C. and San Francisco, in each of which I have seen a large number of streets identified in both English and Chinese (and, for that matter, many streets in Los Angeles and other cities in the American southwest have had only Spanish names). Again, Albanians, at one time, thought in terms of obtaining local autonomy; this was blocked.²³⁵ And yet again, Albanians wanted to have a university with Albanian as the language of instruction. A first attempt in this regard was undertaken when a group of Albanians set up the University of Tetovo on their own initiative, but they asked the state to underwrite it after they had declared its establishment. This, they were told, was contrary to the constitution, which did not allow private groups of citizens to set up a state university. The university was accordingly suppressed.²³⁶ The idea did not die, however, and the University of Tetova reemerged a few years later, now as a private, thus legal, university with 14 faculties.²³⁷ Meanwhile, Max van der Stoep (1924–2011), in his capacity as Organization for Security and Cooperation in Europe OSCE High Commissioner for National Minorities, launched an initiative in the Spring of 2000 to establish a new university to be supported initially by international donors (later by the state), with instruction in Albanian, Macedonian, and English and, likewise, located in Tetovo. Passage of a Law on Higher Education by the country's parliament laid the legal foundation for this initiative. Planning started in late 2000, and construction work began in March 2001. The South East European University, as it is officially called, opened its doors for instruction in September 2001, with six faculties, including law and health sciences.²³⁸

The founding of the South East European University was an important step forward. But the Albanians had other grievances – grievances that they felt were being ignored. These included the fact that the constitution defined Macedonia as the national state of the Macedonian people, setting Albanians to the side. The aforementioned, self-styled National Liberation Army (NLA) emerged and engaged government forces in a clash near Tanusevac on 17 February. Fighting escalated in the first half of March, with members of the NLA attacking police in Tetovo on 14 March (leaving 10 civilians wounded) and advancing to within 12 miles of Skopje the following day. At first, the insurgents said that they wanted to attach the Albanian-populated parts of Macedonia to Kosovo. A few weeks later, however, NLA spokespersons asserted that their purpose in taking up arms was to give the Macedonian government a wake-up call and win more rights for Albanians *within* Macedonia.²³⁹ Arben Xhaferi (1948–2012), president of the Democratic Party of Albanians (DPA), offered that what the insurgents wanted was to see Macedonia become a “Balkan Switzerland,” with peoples speaking different languages living together in peace and harmony.²⁴⁰ But he believed that the DPA was the insurgents' real target and, indeed, in 2008, Ali Ahmeti, the political

leader of the NLA and now President of the Democratic Union for Integration, joined the government as a junior partner, even as Xhaferi's DPA dropped out of the government.

By mid-March, the NLA had taken control of several villages above Tetovo; Macedonian security forces were brought forward and pushed the insurgents out of their newly gained villages. As fighting continued, the European Commission Against Racism and Intolerance issued a report calling for "urgent action" to restore peace.²⁴¹ On 21 March, the insurgents announced that they would hold their fire, but by late April, the fighting had resumed.²⁴² Needless to say, both Macedonian and Albanian civilians were affected by the uprising, during which tens of thousands of Albanians fled the battle zones, taking refuge in Kosovo.²⁴³ Meanwhile, as just noted, Xhaferi was convinced that the insurgents wanted to replace the DPA in government with their own people²⁴⁴ and, therefore, refused to endorse the uprising. On 8 June, the insurgents took control of Aračinovo, a village 17 kilometers from Skopje with a population of about 7,000. Within the government, discussions between the Macedonian and Albanian government parties got nowhere. Eventually, the UN became engaged, mediating a ceasefire on 5 July – but fighting continued around Tetovo, intensifying 22–24 July. Finally, after an earlier false start, peace negotiations resumed in Ohrid on 28 July. By 5 August, the sides had agreed to establish Albanian as a second official language in predominantly Albanian areas and to initiate reform of the police, training more Albanians to serve on the police force. In spite of continued violent incidents, the two sides signed a peace accord – the Ohrid Framework Agreement (OFA) – on 13 August 2001.

Among its provisions, the OFA (1) defined Macedonia as a citizens' state rather than as a national state, meaning that rights were invested in the first place in individual citizens; (2) affirmed "the unitary character of the state," meaning that territorial autonomy for any ethnic group or region was ruled out; (3) provided for the decentralization of government; and (4) guaranteed that, in any town or region where some language other than Macedonian is spoken by at least 20% of local residents, that language would be treated as an official language for any government business.²⁴⁵ After the OFA was signed, the NLA gave up 3,300 weapons.²⁴⁶ As more Albanians were recruited into the police and civil service, alongside some gains in the officer corps, Macedonia turned over a new leaf in its post-Yugoslav history. Although the uprising, as such, had ended, a rival group presenting itself as the Albanian National Army continued to fight, reportedly with the aspiration of attaching western Macedonia to Albania, albeit without any encouragement from the government in Tirana. Repeated incidents continued into 2003 in various locations, including in villages of Lipkovo, Slupčane, and Vaksince. After major clashes between the so-called Albanian National Army and the Macedonian Army in September 2003, the Defense Ministry announced that it had neutralized armed groups in the region around the village of Brest.²⁴⁷

Functions, Dysfunctions, & Unintended Consequences: Conclusion

The decade-long turmoil in the lands that had comprised socialist Yugoslavia betrayed the fact that there was agreement on neither the terms of the Yugoslav breakup nor the question of rights of the sundry ethno-national groups (*narodi i narodnosti*, in Serbo-Croatian). As a result, the breakup resulted in various dysfunctions, although, here, one needs to indicate for whom a result was dysfunctional.

The main actors in the War of Yugoslav Dissolution that were able to act as subjects and make decisions were *the Serbs* (Milošević and the Belgrade regime; Karadžić, Mladić, and the Bosnian Serbs; the Krajina Serbs; and to a lesser extent the paramilitary leaders Šešelj and Ražnatović); *the Croats* (Franjo Tuđman and the HDZ; the HV and the HVO; and Mate Boban and Herceg-Bosna); and *the UN*, which decided on deploying peacekeeping troops to Bosnia, imposing a no-fly zone (albeit not very effectively enforced), and declaring six cities to be “safe areas” (but not providing adequate defense for any of these cities). The *United States* asserted its agency intermittently but decisively only in 1995. The *Bosnian government of Alija Izetbegović* was largely reactive, defensive, and scarcely in a position to undertake strategic initiatives. When it comes to determining what was functional or dysfunctional, one needs to keep in mind the intentions and objectives of the main actors. For example, the erosion of the Serbian economy brought on by the war and the UN embargos was obviously dysfunctional for the Serbs, whether directly, in the case of Serbia, or indirectly, in the case of the Bosnian Serbs and the Krajina Serbs, who were dependent on Belgrade for equipment, medical supplies, spare parts, and other materiel. The UN economic embargo also impacted the rest of the SFRY successor states.

Milošević, Tuđman, Izetbegović, and the UN all made serious miscalculations, producing unintended consequences or, in a word, dysfunctions. Milošević miscalculated how hard the Croats would fight and seemed to be surprised that the Bosniaks could put up any resistance at all. He also miscalculated the costs of the war, was taken aback by Karadžić’s defiance of the peace plan offered in 1993, and, based on a study conducted by his own army, had not expected that NATO would ever respond in a military way. The siege of Vukovar, as already noted, sapped the Yugoslav Army beyond what could have been anticipated. Tuđman made at least three miscalculations that cost Croatia dearly. The first was to think that, in 1991, he could reach a gentleman’s agreement with the Serbian leader, divide Bosnia, and secure the withdrawal of JNA forces from Croatia together with the disarming of Serb militias operating in his republic. His second miscalculation, at least according to General Martin Špegel (1927–2014), was to reject the general’s advice to lay siege to the JNA barracks and other facilities immediately in order to seize their armaments, postponing this for 3 months. And finally, Tuđman’s decision to send his army against Bosnian government forces from 1992 to 1994 was almost definitely the most serious miscalculation he made during the years of

the war. In combination, Tadjman's three miscalculations had the unintended consequence of prolonging the war by at least a year, possibly by as much as 2 years.

Of course, it should be stressed that Milošević took Serbia and Montenegro into a war of conquest, but not only did the Serbian side not win the war but also, in the long term, lost both Montenegro (in 2006) and Kosovo (in 2008). Milošević also lost his personal freedom, as he was arrested in April 2001 and remanded to The Hague on 28 June 2001 to stand trial for genocide and crimes against humanity. The UN Security Council's imposition of an arms embargo on all of the Yugoslav successor states had the presumably unintended consequences of giving the Serbian side an overwhelming military advantage in the short term and of driving Croatia and Bosnia to seek weapons on the black market from sellers willing to defy the arms embargo. The economic sanctions imposed on Serbia and Montenegro in May 1992 were intended to grind down the economy of those republics; however, although it accomplished that, it also had the unintended consequence of opening doors for smuggling, illegal trade, and the criminalization of the local economies. The secession of parts of Croatia under the name "Republic of Serbian Krajina" was intended, by its architects, to be a prelude to annexation to Serbia; instead, it had the unintended consequence of impoverishing its own population and of draining resources from Serbia to no good effect. The dispatch of UNPROFOR peacekeepers was intended to prove to the British and French publics that their governments were doing something useful in Bosnia-Herzegovina and was presented as helpful in safeguarding civilians in border regions between the warring sides and later also civilians in so-called "safe havens." However, on repeated occasions, UNPROFOR units were forced to surrender their uniforms, weapons, and vehicles to the VRS – obviously unintended consequences of sending "peacekeepers" with insufficient firepower and an insufficiently strong mandate to impose peace, let alone keep it. And UNPROFOR did not manage to protect Srebrenica and Žepa, both designated as "safe" by the UN. Among the various indictments and verdicts of some of the participants in the war, discussed above, we may highlight Radovan Karadžić, for whom an unintended consequence of his decision to play a prominent role in the war was his attempted flight into anonymity and conjured career as a practitioner of alternative medicine, working under the pseudonym Dragan Dabić. And finally, in the post-war period, the dispatch to Bosnia of the international Stabilization Force (SFOR) had the unintended consequence of stimulating the emergence of "a vast and sprawling marketplace...called Arizona Market...where men from the region would bring women to be bought and sold like chattel alongside drugs, weapons, bootleg media, and knock-off athletic gear."²⁴⁸ Some people hunger for glory, some for wealth, others for power, and still others for justice. For the poor, it is often all they can do to hope for survival.

Notes

- 1 I am grateful to Nikica Barić for comments on a preliminary draft of this chapter and for sending me useful publications of the Croatian Institute for History, and to

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- 2 Previously, I have used the term “War of Yugoslav Succession”; at Josip Glaurdić’s suggestion, I have adopted this new term.
 - 3 As I suggested in “Yugoslavia and the Threat of Internal and External Discontents,” in *Orbis* 28, no. 1 (Spring 1984): 103–121.
 - 4 From the Croatian: *Nezavisna Država Hrvatska*.
 - 5 Julie A. Mertus, *Kosovo: How Myths and Truths Started a War* (Berkeley & Los Angeles: University of California Press, 1999), 98–101.
 - 6 49,602 according to Meho Visočak and Bejdo Sobica, *Jasenovac: Žrtve rada prema podacima statističkog zavoda Jugoslavije* (1998), as summarized in a review by Norman Cigar, in *Journal of Croatian Studies* 39 (1998): 146–148; 100,000 according to Vladimir Žerjavić, *Population Losses in Yugoslavia, 1941–1945* (Zagreb: Dom i Svijet & Hrvatski Institut za Povijest, 1997), 89; between 80,000 and 90,000 according to Ivo Goldstein with Slavko Golstein, *Holokaust u Zagrebu* (Zagreb: Novi Liber & Židovska općina Zagreb, 2001), 342.
 - 7 Regarding allegations concerning the transfer of industrial concerns out of Serbia, see *Duga*, no. 406 (16 September 1989): 82–83.
 - 8 Nikica Barić, “Je li 1995. godine Hrvatska počinila ‘etničko čišćenje’ Srba?,” in *Časopis za suvremenu povijest* 36, no. 2 (2004): 444, 450; and Ivan Radoš, “Operacija ‘Oluja’ i srbijanski Dnevni tisak (*Večernje Novosti* i *Politika*),” in *Časopis za suvremenu povijest* 43 no. 1 (2011): 295, citing B. M. and G. M., “Crni barjak nad Marjanom,” *Večernje Novosti* (Belgrade), August 2, 1995, 5.
 - 9 See Kosta Nikolić, “Kako je Slobodan Milošević izabran za vođu srpskih komunista,” (II), in *Istorija 20. Veka*, no. 2 (2006).
 - 10 See Momčilo Pavlović, Dejan Jović, and Vladimir Petrović (eds.), *Slobodan Milošević: Road to Power – The Eighth Session of the LCS Central Committee* (Belgrade & Stirling: Institut za savremenu istoriju & University of Stirling, 2008).
 - 11 This paragraph draws upon my “Under the Holy Lime Tree: The Inculcation of Neurotic and Psychotic Syndromes as a Serbian Wartime Strategy, 1986–95,” in Serbian P. Ramet and Vjeran Pavlaković (eds), *Serbia since 1989: Politics and Society under Milošević and After* (Seattle & London: University of Washington Press, 2005), 125–142.
 - 12 *Ibid.*, 126.
 - 13 See Albert Bandura, “Moral Disengagement in the Perpetration of Inhumanities,” in *Personality and Social Psychology Review* 3, no. 3 (August 1999): 193–209.
 - 14 *Danas* (Zagreb), no. 394 (September 5, 1989): 11.
 - 15 *Vjesnik* (Zagreb), August 28, 1989, 5.
 - 16 *Intervju* (Belgrade), no. 215 (September 1, 1989), 19.
 - 17 Radina Vučetić, “Kosovo 1989: The (Ab)use of the Kosovo Myth in Media and Popular Culture,” in *Comparative Southeast European Studies* 69, nos. 2–3 (2021): 228, 230–231.
 - 18 As quoted in *Ibid.*, 237.
 - 19 *Svet* (Belgrade), September 1989, special edition, 7.
 - 20 *Delo* (Ljubljana), November 21, 1989, 5; FBIS, *Daily Report* (Eastern Europe), Tanjug trans., November 27, 1989, 99; and FBIS, *Daily Report* (Eastern Europe), Belgrade Domestic Service and Ljubljana Domestic Service, trans., November 27, 1989, 99.
 - 21 On Montenegro, see *Borba* (November 1, 1990), 4.
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- 24 *Ibid.*, 123.
- 25 Pauković, “Posljednji kongres,” 27.
- 26 Borisav Jović, *Posljedni dani SFRJ – izvodi iz dnevnika* (Belgrade: Politika, 1995), 146; entry for 26 March 1990.
- 27 From the Croatian: *Hrvatska Demokratska Zajednica*.
- 28 Ozren Žunec and Tarik Kulenović, “Die jugoslawische Volksarmee und ihre Erben. Entstehung und Aktionen der Streitkräfte 1991-1995;“ in *Der Jugoslawien-Krieg. Handbuch zu Vorgeschichte, Verlauf und Konsequenzen*, 2nd expanded ed., trans. Oliver Hach, ed. Dunja Melčić (Wiesbaden: VS Verlag für Sozialwissenschaften, 2007), 379; confirmed in Marko Attila Hoare, “The War of Yugoslav Succession,” *Central and Southeast European Politics since 1989*, 2nd ed., ed. Sabrina P. Ramet and Christine M. Hassenstab (Cambridge: Cambridge University Press, 2019), 112. See also Sabrina P. Ramet, *The Three Yugoslavias: State-Building and Legitimation, 1918-2005* (Washington D.C. & Bloomington: Woodrow Wilson Center Press & Indiana University Press, 2006), 371, 374–375.
- 29 Harry Jack Hayball, “A Wolf in Sheep’s Clothing? Jovan Rašković, the Serbian Democratic Party, and the ‘Serbian Question’ in Croatia,” in *East European Politics and Societies* 31, no. 1 (February 2017): 163, 168.
- 30 Hoare, “The War of Yugoslav Succession”, p. 115.
- 31 For a video of the log revolution, see “Little Serbia: The Revolution of the logs,” at https://www.youtube.com/watch?v=-0m_xEis7Lo.
- 32 Christopher Bennett, *Yugoslavia’s Bloody Collapse: Causes, Course, Consequences* (Washington Square, N.Y.: New York University Press, 1995), 118.
- 33 *Ibid.*, 118–119.
- 34 Josip Glaurdić, Vladimir Filipović, and Christopher Lesschaeve, “The Failure of ‘Yugoslavia’s Last Chance’: Ante Marković and his Reformists in the 1990 Elections,” in *Nationalities Papers* (2022).
- 35 *Ibid.*, 6.
- 36 Jović, *Posljedni dani*, 193 (entry for September 11, 1990).
- 37 Davor Marijan and Nikica Barić, *The Fall of Yugoslavia and the Creation of the Croatian State* (Zagreb: Hrvatski Institut za Povijest, 2019), 41.
- 38 Text in *Vjesnik* (Zagreb), October 12, 1990, 5.
- 39 *Oslobodjenje* (Sarajevo), November 12, 1990, 1; FBIS, *Daily Report* (Eastern Europe), November 29, 1990, 74.
- 40 Sabrina P. Ramet, *Balkan Babel: The Disintegration of Yugoslavia from the Death of Tito to the Fall of Milošević*, 4th ed. (Boulder, Colo.: Westview Press, 2002), 56.
- 41 FBIS, *Daily Report* (Eastern Europe), trans. Tanjug, March 5 1991, 56.
- 42 See FBIS, *Daily Report* (Eastern Europe), trans. Zagreb Domestic Service, October 18, 1990, 58; and FBIS, *Daily Report* (Eastern Europe), trans. Tanjug, October 20, 1990, 53.
- 43 FBIS, *Daily Report* (Eastern Europe), trans. Zagreb Domestic Service, October 18, 1990, 58.
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- 47 As quoted in Ed Vulliamy, *Seasons in Hell: Understanding Bosnia’s War* (New York: St. Martin’s Press, 1994), 213.
- 48 *Oslobodjenje* (July 13, 1990), 3, as quoted in Robert J. Donia, *Radovan Karadžić: Architect of the Bosnian Genocide* (Cambridge: Cambridge University Press, 2015), 62.

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- 51 *Ibid.*, 68.
- 52 As quoted in *Ibid.*, 65–66.
- 53 As quoted in *Ibid.*, 122.
- 54 See Norberto Bobbio, *Future of Democracy*, trans. Roger Griffin (Cambridge: Polity, 1987).
- 55 Vulliamy, *Seasons in Hell*, 87.
- 56 Donia, *Radovan Karadžić*, 126.
- 57 As quoted in *Ibid.*, 118.
- 58 *Ibid.*, 133.
- 59 Stephanie G. Neuman, “The Arms Trade, Military Assistance, and Recent Wars: Change and Continuity,” in *The Annals of the American Academy of Political and Social Science*. 541 (September 1995): 62.
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- 61 *Ibid.*, 24–25.
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- 64 Ozren Žunec, “Rat u Hrvatskoj 1991-1995. 1. Dio: Uzroci rata i operacija do Sarajevskog primirja,” in *Polemos* 1, no. 1 (1998): 67–68; and Meier, *Yugoslavia*, 163.
- 65 Laura Silber and Allan Silber, *The Death of Yugoslavia* (London: Penguin Books & BBC Books, 1995), 130–131, 133. See also Slavoljub Djukić, *Između slave i anateme: Politička biografija Slobodana Miloševića* (Belgrade: Filip Višnjić, 1994); Adam LeBor, *Milošević: A Biography* (Polmont, Stirlingshire: Bloomsbury, 2002); Louis Sell, *Slobodan Milošević and the Destruction of Yugoslavia* (Durham, N.C.: Duke University Press, 2002), 130–132; and Ramet, *Balkan Babel*, 61.
- 66 As quoted in Viktor Meier, *Yugoslavia: A History of Its Demise*, trans. Sabrina Ramet (London & New York: Routledge, 1999), 165. Regarding Pakrac, see also Ivica (Ivo) Lučić, *Uzroci rata. Bosna i Hercegovina od 1980. do 1992. godine* (Zagreb: Hrvatski institut za povijest, 2013), 308.
- 67 *Ibid.*, 166–167.
- 68 Ivo Goldstein, *Hrvatska 1918-2008* (Zagreb: EPH Liber, 2008), 727.
- 69 Stipe Mesić, *Kako je srušena Jugoslavija: Politički memoari*, 2nd ed. (Zagreb: Milav Press, 1994), *passim*. See also Lučić, *Uzroci rata*, 389–394.
- 70 Hoare, “The War of Yugoslav Succession”, 116. See also Martin Špegelj, *Sjećanja vojnika*, ed. Ivo Žanić (Zagreb: Znanje, 2001).
- 71 Marijan, *Hrvatska 1989.-1992.*, 510.
- 72 Siniša Tatalović, “Military and Political Aspects of the Croato-Serbian Conflict,” in *Politička misao*. 33, no. 5 (1996): 179; and Marijan, *Hrvatska 1989.-1992.*, 499.
- 73 From the Croatian: *Zbor narodne garde*.
- 74 See also Konrad Kolšek, *Spomini za začetek oboroženega spopada v Jugoslaviji 1991* (Maribor: Založba Obzorja, 2001), 90.
- 75 Janez Janša, *The Making of the Slovenian State 1988-1992: The Collapse of Yugoslavia* (Ljubljana: Založba Mladinska knjiga, 1994), 141–142; and Ramet, *Balkan Babel*, 66.
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- 77 Nicolo Janigro, *L'Esposizione delle Nazioni: Il caso Jugoslavo* (Milan: Feltrinelli, 1993), 21.
- 78 Ramet, *Three Yugoslavias*, 395.

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- 80 Bennett, *Yugoslavia's Bloody Collapse*, 166; and Marijan and Barić, *The Fall of Yugoslavia*, 78.
- 81 Marijan, *Hrvatska 1989-1992. Rađanje države, passim*.
- 82 Žunec and Kulenović, "Die jugoslawisch Volksarmee," 383.
- 83 Marijan and Barić, *The Fall of Yugoslavia*, 52.
- 84 Ivica Miškulin, "Srpska nositelji i tijek," in *Scrinia Slavonica* 11 (2011): 388. See also Nikica Barić, *Srpska pobuna u Hrvatskoj 1990-1995* (Zagreb: Golden Marketing-Tehnička knjiga, 2005).
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- 86 Palairret, "Economic Consequences," 908.
- 87 Davor Marijan, *Obrana i pad Vukovara* (Zagreb: Hrvatski institut za povijest, 2013), 13.
- 88 The estimate of the number of defenders comes from *Ibid.*, 20. Žunec offers a smaller estimate of no more than 2,500 defenders. See his "Rat u Hrvatskoj 1991-1995. 1. Dio," 83.
- 89 The figure of 600 defenders killed comes from Janine Natalya Clark, "Giving Peace a Chance: Croatia's *Branitelji* and the Imperative of Reintegration," in *Europe-Asia Studies* 65, no. 10 (December 2013): 1933. See also Žunec, "Rat u Hrvatskoj 1991-1995. 1. Dio," 83.
- 90 Marijan, *Hrvatska 1989-1992.*, 516.
- 91 Gow, *Serbian Project*, 165.
- 92 See Josip Glaurdić, *The Hour of Europe: Western Powers and the Breakup of Yugoslavia* (New Haven, Conn.: Yale University Press, 2011).
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- 94 As quoted in *Ibid.*, 137, my emphasis.
- 95 Josip Glaurdić, "Review Essay," in *East European Politics and Societies* 24, no. 2 (May 2010): 298–299.
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- 99 *Ibid.*, 107, 175.
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- 109 *New York Times* (June 26, 1992), <https://www.nytimes.com/1992/06/26/world/serbs-react-with-anguish-as-the-un-sanctions-bite.html>. An extremely useful book about Serbia in the Milošević era is Robert Thomas,

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- 113 *Ibid.*, 98.
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5

THE LATENT FUNCTIONS OF EU ACCESSION AND EU NORMS

Lavinia Stan

In many respects, formal acceptance into Europe has been regarded as the ultimate destination of the extended, and extremely painful, road toward liberal democracy and free market economy on which East Central Europe embarked in 1989. Transition was a veritable “valley of sorrows” that consumed significant reserves of energy and the best youthful years of an entire generation – my very own – whose members were born and educated during communist times in compliance, submission, lack of critical thinking and absence of initiative, only to be forced to have a family, a career, and a public life in ever-changing post-communist politics predicated on democratic and market principles that had to be internalized “on the go” chiefly by experimenting and learning from one’s own mistakes. In those countries at the beginning of the 1990s, the lure of Europe was perhaps the single most important deterrent that blocked any serious effort to forge a path toward what the first Romanian post-communist president Ion Iliescu named the “third way,” a blended and novel form of government that was neither communist, nor democratic, which protected people from the pitfalls of both regimes while permitting them to enjoy the benefits of both.

This utopian proposal of an undetermined outcome, entertained *sotto voce* by Iliescu and other local communists worried that democracy would force them into retirement, had little appeal in comparison to the concrete model of good life embodied by Western Europe. In (that) “Europe,” the government granted people the fundamental human rights that the communists denied, oversaw market economies that took advantage of innovation and entrepreneurship while also protecting the poor, promoted pride in one’s country without excluding minority groups or others who were different, conserved the environment instead of neglectfully polluting it, and accepted, even celebrated, differences among individuals as a

legitimate part of life, while the communists sought to transform all people into a cyborg-like *homo sovieticus* (Soviet man, or as the Russians put it, *sovietskiy chelovek*). To East Central European eyes, accustomed to the “plentiful privation” and the “economies of shortage” specific to communism,¹ Western Europeans looked well fed, well spoken, happily rested, joyously active, more creative, more politically involved, even better dressed in bright, exuberant colors, if only a tad disinterested to commiserate with Eastern Europeans about the gloom and doom of communist rule. As in the classic cargo cults, the promise of joining the civilized, advanced, and respectful Europe was – in and of itself – the absolute guarantee that East Central Europe had arrived at its destination, that its transition had, indeed, been successfully completed.²

Of course, many local pundits rushed to point out that East Central Europe was already located in Europe by virtue of its geography and history and, in addition, that it could draw on a number of great precedents to teach some valuable lessons to its Western counterpart. While not denying the substantial differences dividing the two halves of the continent, East Central Europeans prided themselves on not being an insignificant and inconsequential periphery but at the very center of the European identity, if such a unified identity even existed. Indeed, as these voices insisted, Western Europe might be rich, healthy, productive, and technologically advanced, but they were neither more culturally sophisticated nor more morally righteous than their poor cousins who had just escaped from behind the Iron Curtain. Others noted, with a hint of malice, that the European Union (EU) was not really Europe and that the ambition of this particular supranational body – one of many that, at the time, were gathering together various neighboring states – to speak on behalf of the entire continent gave it little right to treat the poor half with any disdain, lest the world would understand that its claims of representing the entire continent were vain. Despite these voices, and others equally skeptical of the integration project, East Central Europe’s eyes were set on the EU, and only accession to it would do.

This lofty ambition, however, had to grapple with significant difficulties on both sides. On the one hand, East Central Europe was devastated politically, socially, demographically, and environmentally by more than four decades of dictatorial rule. While hopes and ambitions were high in the region, its capacity to bridge the development gap with Western Europe in any prompt and effective manner was rather modest. Even more important, long-term communist deprivation meant that the population in East Central Europe, including politicians selected through free and fair, democratic elections, were privileging materialist concerns and personal enrichment over respect for gender equality, environment protection, and other goals considered increasingly important in the West. At the same time, national communism had molded political culture in East Central Europe into a set of illiberal attitudes and beliefs that normalized intolerance, verbal violence, cockish posturing, conspicuous consumption, political fragmentation, corruption and cronyism, and blatant disregard for the rule of law. The newly acquired freedom was

often interpreted as freedom to pursue personal or group interests at the expense of the community, a sort of “*après moi, le déluge*” mentality embraced by former proletarians who, overnight, demanded to be recognized as the new kings, “masters in their own land,” as some of the local nationalists insisted.

On the other hand, one should remember that at the time when East Central Europe left communism behind and set reentry into Europe as its main ambition, the EU was not yet the organization we know today. Instead, in 1989, a network of distinct pan-European organizations operated in various domains. Three of them were the most important. The first of them was the European Economic Community (EEC), which had been set up in 1957 by the Treaty of Rome to create a common market and customs union. The treaty brought together six founding Western European members: Belgium, France, Italy, Luxembourg, The Netherlands, and West Germany. That same year, the six states set up the European Coal and Steel Community (ECSC) to prevent the outbreak of another war between France and Germany, the most important players on continental Western Europe at the time, by integrating their coal and steel, the industries that were essential for any war effort. There were high hopes, which luckily materialized in the coming decades, that “solidarity in production” would show everyone that a war between the two historical enemies was “not merely unthinkable, but materially impossible.”³ A third organization also established in 1957 by the same founding members was the European Atomic Energy Community (Euratom or EAEC), which was initially tasked with developing nuclear energy, distributing it to member states, and selling the surplus to others. Over time, Euratom greatly expanded its mandate to keeping nuclear materials safe, protecting against radiation, and building the International Thermonuclear Experimental Reactor for research in southern France.

By 1989, this network of supranational organizations had three decades of experience under its belt, an expanded list of member states, and plans to further integrate into a tighter supranational organization. The three Communities were able to bring the six founding members closer together, appease old and new tensions among them, and convince their neighbors to join (adding the United Kingdom, Ireland, and Denmark during the 1970s, as well as Greece, Spain, and Portugal during the 1980s). At the same time, however, notable differences of opinion, importance, capacity, and interest persisted among member states, and enlargement proved to depend not only on which other country wished to join but also on the historical affinities or contentions each aspiring member had with or against states that were already members, as its acceptance depended on their approval. As the Communities made strides toward further integration and bureaucratization, critics lamented the dangers of transferring ever growing decision-making powers from the national to the supranational level, the fat price tag and inflexibility that came with bureaucratization, and the chronic democratic deficit that could result from enlargement.

Regardless of these voices, the train of European integration had already been set in motion with no scheduled stop to make in the near future. In 1992, the

12 Western European states of the European Communities signed the Treaty of Maastricht and, through it, agreed to come together (or, as they kept insisting, to “integrate”) into a new Union that would have a shared European citizenship, and a single currency (the Euro), as well as common foreign and security goals. A new institutional framework was designed not only to accomplish all these lofty goals but also to share power among members of unequal population and economic potential and to bring ordinary Europeans at the decision-making table, albeit predominantly through their elected representatives. Note that by the time the EU was formally set up in 1992, the entire continent, from the Atlantic Ocean to the city of Brest, and from Iceland to Crete, was either democratic or busy enacting reforms meant to transform it into a democracy.

The development gap between West and East was glaringly evident in terms of the diversity of consumer goods citizens could purchase in their towns and villages; the healthcare, education, public transportation, and other services they could access; the infrastructure at their disposal, and the economies in which they could find a job. In 1989, the gross domestic product (GDP) per capita exceeded 17,740 USD in France but fell short of 2,500 USD in Bulgaria, which translated to a 7 to 1 ratio.⁴ That same year, life expectancy was 74.8 years in Denmark, but only 71 years in Poland and barely 69.5 years in Romania, a country where women still died from botched abortions seeking to evade one of the most draconian pro-natalist programs in the world.⁵ The following numbers reflect the quality of the healthcare systems in Western and Eastern Europe in 1989: Romania had 1.8 physicians per 1,000 people, while Belgium had three.⁶ Also in 1989, the unemployment rate reached 8.8% in France but as much as 17.7% in Yugoslavia, whose economic model had been celebrated among communist countries.⁷ Still, such macroeconomic indicators could barely capture the grim reality of life in the Eastern half of the continent, where coffee was mixed with barley or rye in many poor kitchens, trains and buses took forever to reach their destinations, socks were repeatedly mended before being passed down to close relatives for further use, and police raids routinely disturbed the lives of ordinary citizens often for no good reason. The differences separating West and East complicated integration, as even with the best intentions on both sides, the East needed time to reach levels comparable to Western ones.

To the gap between the western and eastern halves of the continent, one should add the many disparities setting East Central European countries apart. Apart from goulash communism, which made Hungary the happiest barrack behind the Iron Curtain, life was grey and grim throughout the region, but it was almost impossible to bear in some countries. In 1989, infant mortality was 11 per 1,000 births in Czechoslovakia, 22 in Serbia, 26 in Romania, and as much as 30.8 in Albania.⁸ Some 47.5% of Romanians and 39% of Poles lived in the countryside at the time when only 25% of Czechs and Slovaks did.⁹ My birth country, Romania, barely had 100 kilometers of shoddy highway, connecting the capital Bucharest with the industrial town of Pitesti, whereas East Germany had more than 2,000 kilometers

of four-lane highway (deemed subpar by West Germany, which rushed to upgrade them after the country's reunification).¹⁰ And many households in rural areas of Romania, but also other parts of the Balkans, still used outhouses even during the winter, whereas the public squat toilets in those countries were unsanitary. These developmental differences were recognized not only by the EU officials but also by publics in East Central Europe and were at the foundation of the delay with which the Balkans were considered fit for joining the Union. Enlargement was to be multi-track, with the Central European states retaining an advantage over the Balkans and receiving an invitation first.

Understanding Enlargement

Taking stock of the first five rounds of enlargement of the EU, Sonia Piedrafita and José I. Torreblanca noted that accounts of the process, which by the time of their writing in 2005, the EU had expanded from six to 25 member states, resembled “the classic Indian tale of the three blind men: each described to the other two what an elephant looked like after having touched three completely different parts of the animal (the trunk, an ear and a foot).”¹¹ Rational institutionalists saw enlargement as a power game in which both the EU and the candidate states sought to maximize the economic, political, and security benefits of membership while, at the same time, minimizing the costs of accepting new members or, respectively, joining a structure in which not all neighbors always saw eye to eye. Others identified “a feeling of shared identity, a hint of common purpose, a common understanding of history, tradition or political values” as the driving forces of enlargement policies. Still others, Piedrafita and Torreblanca insisted, considered enlargement akin to “a typical deliberative process in which actors exchange arguments about the best course of action and seek to justify their policy positions in terms of some universally valid principles (democracy, peace, etc.) rather than in terms of relative power or costs and benefits.”¹²

Whether interests, identities, or arguments were at play, it was certain that after the Cold War, the EU could hardly turn its back on East Central Europe not only because the “geopolitical stabilization and economic revitalization” of the region could “dampen nationalist conflict and ... illegal immigration” but because enlargement could turn the EU into a significant “global geopolitical actor, raising its status in the eyes of the United States, Russia and Asia.”¹³ Equally important was that by opening the gates of its exclusive club to countries that had barely escaped communist tyranny, the EU was fulfilling its moral duty to overcome the division of Europe that, for so many decades, it had lamented while East Central Europe was under Moscow's thumb. Post-communist countries anticipated significant benefits as well: acceptance into the EU promised to boost their economy and trade, facilitate access to a larger market, provide jobs for their inexpensive but qualified labor, and stimulate better business practices. And let's not forget that “entering Europe” was one of the desires most frequently voiced by East Central

Europeans, the ultimate seal to their return to democracy, capitalism, peace, and stability. As one Romanian wrote to an American professor in December 1989, during the revolution that toppled dictator Nicolae Ceaușescu, the crowds gathered in the streets of Bucharest chanted “Europe is with us!”¹⁴ At the same time, people across East Central Europe felt as though they were a part of Europe. If the EU wanted to represent the entire continent, it could hardly ignore its eastern half.

Shared feelings of identity and benevolence aside, the European Community (EC) might not have denied the East its rightful place at the continental table, but it could snub it out of fear that enlargement would threaten agricultural and other common policies, divert financial resources from necessary infrastructure projects and social programs, and render decision-making complicated and, thus, unworkable. This is why the association agreements of December 1991 failed to recognize acceptance into the EC as a shared goal with Hungary, Poland, and Czechoslovakia, as previous agreements had done for Greece, and, instead, noted only the candidate states’ wish to become future members. The transformation of the EC into the EU in 1992 did little to smooth negotiations; they remained wrinkled by the EU’s reluctance “to liberalize trade in sensitive sectors (coal and steel, textiles and agriculture),” recourse to “compensations, negative linkages and veto threats” to dominate the talks, and a penchant for judging the benefits of enlargement exclusively in terms of a cost/benefit calculation of longer term effects.¹⁵

In 1993, the European Council in Copenhagen spelled out three well-known criteria that new members had to fulfill: a functioning democratic system with high standards of human and minority rights protection, a functioning free market economy able to sustain the pressures of the free competition within the EU common market, and the introduction of the *acquis communautaire*. It also affirmed that “the associated countries in Central and Eastern Europe that so desire shall become members” of the EU.¹⁶ While this formal invitation demonstrated that enlargement was uncontested but rather taken for granted by the old EU members, it provided no concrete steps toward integration and, therefore, seemingly served the latent function of helping the EU to prevent, rather than facilitate, a speedy enlargement process. Even before deciding which countries to invite first to the negotiation table, the EU busied itself with reducing the political, socioeconomic, and security enlargement costs and quelling the numerous concerns of its most stubborn anti-enlargement members. Piedrafita and Torreblanca noted the EU’s unwillingness to shoulder the costs of enlargement and give candidates a fair deal. In their reading, the Balladur Pact on Stability of 1993–1995 forced candidates to address their minority and border problems in order to reduce “the threat posed by the spread of ethno-nationalism in the region following the Yugoslav outbreak”; the pre-accession strategy agreed on in Essen in 1994 and the White Paper on the internal Market of 1995, which asked candidates to adopt the *acquis communautaire* dealing with the internal market well before accession, allowed EU firms “to reap the economic benefits of enlargement in advance ... so as to help stabilize the new governments and deter massive immigration to the EU”; and finally, the

EU institutional reform did nothing but “ensure that the largest member states, and not the small and over-represented EU member states, would run the show after enlargement.”¹⁷ After years of noncommittal wavering, the *Agenda 2000: For a Stronger and Wider Union*, passed in 1997, was the first document to suggest openly that candidates closer to fulfilling the Copenhagen criteria (that is, the Czech Republic, Poland, Hungary, and Slovenia) could be admitted, but only after 2002. To placate dissent from older member states, the document also guaranteed the post-enlargement continuity of key agricultural and structural policies.

By now the stuff of legends, the *acquis communautaire* gathers together the legislation, treaties, declarations, resolutions, legal acts, and court decisions that form the EU law, all of which have been “acquired” by the “community” (as the French name implies). During the first two waves of eastern enlargement (2004 and 2007), the *acquis* was divided in 31 chapters that dealt with the free movement of goods, persons, services, and capital; company law; competition policy, agriculture and fisheries, transport and industrial policies; taxation, economic, monetary, and customs unions; statistics; social policy and employment; energy; small and medium-sized enterprises; science and research; education and training; telecommunications; culture and audio-visual policy; regional policy; environment; consumers and health protection; justice and home affairs; external relations; common foreign and security policy; financial control; financial and budgetary provisions; and institutions. But starting with Croatia’s accession process, accumulated rules bulged to as many as 35 chapters, which dealt with slightly different areas, recombined for a greater balance and easier negotiation. As the European Commission insists, the *acquis* is the constantly evolving “body of common rights and obligations that is binding on all the EU member states.”¹⁸

Within months of the *Agenda 2000*, at the end of 1997, the European Council officially opened talks with the four better-off candidates. For Piedrafita and Torreblanca, those talks were not genuine negotiations because the balance of power consistently tilted in favor of the EU, and the integrity of the *acquis* took priority over the candidates’ concerns. With few bargaining chips to exchange for more advantageous terms, candidate states found negotiations often frustrating and occasionally even humiliating.¹⁹ One should not discount, however, the EU’s real concerns relative to this bunch of noisy and belligerent paupers knocking at its door. Prisoner to its own ambition to speak on behalf of the entire continent, the EU could hardly refuse even the unruliest candidate, but it could, and did, postpone accession long enough to meet its own interests. The way it did so was by fighting

both to reduce to the minimum the length of the transitional periods which the candidates requested in order to fully apply the *acquis* in a given field (e.g., environmental regulations, land acquisition, etc.) and, at the same time, to extend to the maximum the length of the transitional periods which it granted itself in order to extend the full benefits of EU membership to the candidates

(e.g., with respect to agricultural support, regional funding and the free circulation of labour).²⁰

Moreover, negotiations also reflected the existing power disparities within the EU, with the big players (Germany and France) shaping enlargement more often than the less powerful member states (such as Ireland or Malta). Enlargement changed the EU institutional arrangements as well by redistributing power from the small and medium-sized to the largest members through “the hard-fought reweighting of the votes of each member state in the Council” enshrined by the Treaty of Nice. The change protected the interests of the big players, which could have been overwhelmed by the generally smaller post-communist countries accepted as new members.²¹

The 2004 Wave

The 1 May 2004 enlargement led to the acceptance of ten new members, thus becoming the largest in the history of the EU. Because eight of the accepted candidates were former communist countries from East Central Europe (the Czech Republic and Slovakia, Hungary, Poland, and Slovenia) and the former Soviet Union (Estonia, Latvia, and Lithuania), the 2004 wave was celebrated as the “return to Europe” for a mishmash of territories derailed by 45 years of communism and a coming together of states that belonged to opposing blocs during the Cold War. Since the EU was not prepared for such a large wave, the referenda on the draft constitutional treaty in France and The Netherlands in 2005, and three years later in Ireland on the Lisbon Treaty, showed that people across the continent had misgivings about “an ever-closer” and “an ever-larger” EU, misgivings that, ultimately, affected its legitimacy.²²

However, in 2004 attention was paid almost exclusively to “conditionality,” a technical term that denoted “the linking, by a state or international organization [the EU], of perceived benefits to the fulfillment of certain conditions.”²³ Probably nothing else shows as clearly as conditionality the asymmetrical relationship between West and East before, during, and after accession. From the beginning, as Piedrafita and Torreblanca rightly noted, the countries that were already inside the EU posed as rigid examiners who were putting candidate countries to test time and time again.²⁴ Indeed, the EU *acquis* was developed for the needs of older member states that “were at a more advanced stage of economic and political development than the candidate countries,” “reflected the degree of integration” among the older member states, and was not designed to address the needs of countries undergoing such an extensive transition.²⁵ In addition, the periodic assessment of the degree to which post-communist candidates fulfilled the legal, political, and economic membership conditions imposed by the EU reinforced the roles assumed by the two halves of the continent, even more so as after the Copenhagen European Council of 1993, it became clear that “the candidate countries were

required to meet higher standards than the old member states. None of the old member states had ever been judged with respect to the quality of economic institutions, the effectiveness of their market economy or the standard of their protection of minorities' rights,"²⁶ obviously because they had joined a free trade bloc, not a supranational political community. For East Central Europe, passing such regular assessments in the hope of graduating toward acceptance was humiliating, tiresome, and occasionally confusing, but the process must have been no less frustrating for the West European members seeking to guard what they saw as the EU's long-term interests.

Conditionality followed a strategy of "reinforcement by reward" in which "the EU paid the reward if the government of a candidate country complied with the conditions and withheld the reward if it [the country] failed to comply."²⁷ The conditions sought to appease existing member states that enlargement would not destabilize the EU and, at the same time, ensure the EU's proper functioning after accession was completed. All this meant that conditionality was imposed rigidly to shape the internal policies of the candidate states so that necessary reforms were enacted fully. East Central European candidates could do little to reject or change the conditions, but they were allowed some temporal flexibility in meeting the imposed targets. At a closer look, conditionality divided into two categories, which occasionally contradicted themselves and even contribute to democratic backsliding.²⁸ The first was democratic conditionality, which related to the fundamental political principles of the EU, the norms of human rights and liberal democracy, areas in which post-communist countries had much work to do to overcome the legacy of communist dictatorship. The second, *acquis* conditionality, had to do with the precise rules of the *acquis communautaire*,²⁹ which was binding on all the EU member states and comprised:

the content, principles and political objectives of the Treaties; legislation adopted pursuant to the Treaties and the case law of the Court of Justice; declarations and resolutions adopted by the Union; instruments under the Common Foreign and Security Policy; and international agreements concluded by the Union and those entered into by the member states among themselves within the sphere of the Union's activities.³⁰

In plain language, this meant that close to 3,000 directives and some 100,000 pages of the Official Journal of the European Union needed to be transposed internally by each of the candidate states. The *acquis* demanded substantial administrative work, monumental economic changes, the use of legal concepts that were new for those countries, besides solutions to address language inconsistencies.

The 2004 acceptance was the culmination of 15 years of pre-accession efforts. Soon after the collapse of the communist regime in Poland in June 1989 and Hungary in October that year, the EU set up the first of several pre-accession instruments to assist candidate states in East Central Europe. The Poland and

Hungary: Assistance for Restructuring their Economies (PHARE) program was created with only two countries in mind, but after its launch in 1989, it was gradually offered to all other post-communist countries. For a while, it also served countries in the Western Balkans (Albania, Bosnia-Herzegovina, and Macedonia), but in 2001 they were transferred to the jurisdiction of another program called Community Assistance for Reconstruction, Development and Stability in the Balkans (CARDS). For each candidate state, the PHARE program funded pre-accession priorities including the Road Maps and the Accession Partnerships, which enumerated the priorities the country must address to prepare for accession, in compliance with the National Program for the Adoption of the Acquis, which provided the timetable for preparing accession, the costs of the different steps involved, as well as the staff and financial resources required. The Regional Quality Assurance Program, started in 1993, was another tool in the PHARE strategy meant to help post-communist states to reform their economy in line with EU expectations. In 1999, the Special Accession Program for Agriculture and Rural Development (SAPARD) took over responsibilities in those areas, whereas the Instrument for Structural Policies for Pre-Accession (ISPA) took over infrastructural projects in the environmental protection and transportation, thus allowing PHARE to focus on its key priorities in other fields.

The Treaty of Accession 2003 was signed on 16 April 2003, at the Stoa of Attalus in Athens, Greece, between the EU and the ten candidate countries. The text also amended the main EU treaties, including the qualified majority voting of the Council of the European Union, which instituted a type of consociational democracy. Afterward, accession was presented to citizens in the East Central European states in referenda. All candidate states reached out to their citizens, but national referenda rules differed, as some countries required a minimum of 50% of registered voters for a binding referendum, whereas other countries did not. Instead of coordinating all referenda so that they occurred at the same time, the EU allowed each state to organize its own poll at its own convenience. The first 2003 nonbinding referendum took place in Cyprus, which had signed an association agreement with the precursor of the EU as early as 1972. While amply fulfilling the economic accession criteria, Cyprus was dragged down by the illegal occupation of its northern territories by Turkey, a non-EU member claiming to protect the interests of the Cypriot Turks.³¹ In Malta, the referendum occurred on 8 March, and resulted in a narrow yes vote, which prompted snap elections on 12 April. The vote was won by the pro-EU Nationalist Party, which then declared that the people had given it a mandate for accession. These lukewarm sentiments for the EU contrasted powerfully with the enthusiasm with which East Central Europeans embraced the accession project.

Slovenia stood out among East Central European countries for its decision to hold a combined referendum for both accession to the EU and NATO membership on 23 March. Voter turnout was 60.2% of registered voters, the highest among candidate states, and much higher than in other referenda organized in Slovenia.

(In September 2003, only 27% of Slovenians cared to participate in a poll asking whether they approved of limiting shops to open only ten Sundays a year, instead of 54.³²) Both questions received a resounding yes, as 90% of the voters supported EU accession and 66% NATO membership. The message of the President of the European Commission, Romano Prodi, that with “its entry into the EU Slovenia would witness a strengthening of both its sovereignty and its identity, and this alone by the Slovenian language’s rise to the status of being an official European language” resonated with Slovenian voters.³³ Most of the campaign focused on dissociating EU from NATO membership and warning voters not to choose one over the other.

The second post-communist candidate state to go to the polls was Hungary, which organized the referendum on 12 April. All major political parties agreed that a binding referendum was required for accession, but that was an easy bar to cross, as the minimum had already been lowered from 50% of all registered voters to 25% plus one of participants in 1997. The strong public support for the EU, and the weakness of the anti-EU political camp represented only by some extremist formations, meant that a victory of the yes side was taken for granted. Opponents took care to underscore that they “did not reject ‘Europe’ but rather the EU’s current form and/or Hungary’s accession terms and/or the timing of Hungary’s entry given the country’s current state” or to criticize the referendum question for leaving “no scope for the expression of such doubts” and the yes campaign for being “offensive and patronizing.”³⁴ The yes camp registered a crushing victory with 84% of the vote, although voter turnout was 45%, the lowest among candidate countries. Observers attributed the low voter turnout to the fact that Hungarian voters did not believe that their vote mattered “in terms of affecting what was seen as an inevitable result” or that the referendum results “would make much immediate difference to their lives.”³⁵

The EU referendum was the first ever organized in the Czech Republic and Slovakia, after their amicable split more than a decade earlier. On 16 and 17 May, Slovaks were the first in the former federation to voice their position on the EU accession. As many as 93.7% of the Slovak voters chose yes, establishing a record in Euro-enthusiasm in what was the first referendum since 1993 to be declared valid in their country. That was because all previous referenda, which asked questions about the country’s NATO membership, the scope of privatization, the election of the President of the Republic by direct universal suffrage, and the early general elections, had failed to gain the minimum 50% of registered voters. Voter turnout in 2003 reached 52% in a country where all major political parties supported EU accession.³⁶

Held on 13 and 14 June in the Czech Republic, the poll scored a victory for the yes side with 77% of the vote, and a voter turnout of 55.2%. The topic of accession had been highly disputed by parties and elites throughout the 1990s, but those debates did not sway Czech voters in a significant way. Nor did the parties’ lavish spending during the campaign that preceded the referendum impact

the vote if analysts are to be trusted. Rather, as Sean Hanley suggested, in voting for accession. Czechs “took their cue from the positive linkage of ‘Europe’ with democracy, market reform and Czech identity” and relied on information from an official campaign strategy that sought to address their “concerns about the impact of accession on everyday life and stress the benefits it would bring [to] ordinary people.”³⁷ In the secularized Czech Republic, the Catholic Church championed the yes side, although its Polish sister Church was divided, with some clergy supporting EU accession and others deeply skeptical. We should note, however, the presence in the Czech Republic of strong Euro-skeptic parties, one of which was the center-right Civic Democrats of Vaclav Klaus, voted as the President of the Republic barely three months before the accession referendum.

In Poland, the referendum that took place one week before the Czech one showed a wide margin of 77% for the yes side, and a comfortable turnout of around 59%, which surpassed the general apathy the Polish voters had consistently shown in all previous presidential and parliamentary elections, and even in the referendum for the 1997 constitution. Accession generally appealed to the political left and repelled the political right. Indeed, the yes side was supported by the former communists organized as the Democratic Left Alliance, and the smaller agrarian Polish People’s Party and the Labor Union but was opposed by formations on the right side of the political spectrum, especially the Law and Justice Party of Lech and Jarosław Kaczyński and the League of Polish Families, a social conservative organization opposing homosexuality and same-sex marriage. Many supporters of right-wing parties chose to stay at home and not vote at all, wary that the EU’s demands for protecting sexual, linguistic, religious, and other minorities would dilute Polish Catholic, marriage-oriented identity.³⁸ The Civic Platform umbrella, which included many former members of the anti-communist Solidarity independent union, threw its support behind the yes camp.

EU accession polls were subsequently held on 10 and 11 May 2003 in Lithuania, 14 September in Estonia, and 20 September in Latvia. Results ranged from a whopping 90% in favor of accession in Lithuania to 67% in Estonia and Latvia, where publics had embraced a degree of Euro-skepticism. The timing of the referenda might explain differences in support levels, as Lithuanians voted at the beginning of 2003, ahead of other candidate states, whereas Estonians and Latvians voted after Euro-skeptics across the post-communist bloc had raised doubts about accession. The questions were also formulated in significantly different ways, more straightforward in Lithuania than in the other two Baltic countries. In addition, Lithuania alone saw the majority Catholic Church and the local governments (the so-called elderships) backing the “yes” camp, thus reaching voters in the remotest communities. Secular Estonia had no such religious ally at its disposal. Another reason might have been the fact that Lithuania extended the voting hours, allowed voting by post for 11 days before the poll, and added a second day of voting, but voter turnout was high in all three republics, reaching 64% in Lithuania and Estonia, and as much as 71.5% in Latvia. The perceived threat of neighboring

Russia further boosted voter turnout in these small, formerly Soviet republics eager to close the distance with Europe. However, citizens in the Baltic republics had spoken, showing their support for accession, a decisive move that was “putting a final full stop to the sequels of the second world war, and willing out forever the divisions on the map of Europe that the odious Molotov-Ribbentrop Pact of 1939 placed there,” as the Latvian President Vaira Vike-Freiberga noted.³⁹ Latvia’s vote allowed the timely ratification of the Treaty of Accession 2003, which entered into force on 1 May 2004 amid ceremonies around Europe.

The 2007 and 2013 Waves

By the late 1990s, it had become evident to everybody across Europe that Romania and Bulgaria were seriously lagging behind their northern post-communist neighbors in almost every political, economic, and legal requirement for EU membership. Their regime change away from communism was too fractious or violent, the former communists’ hold over the countries was too strong, their economies were too outdated, their post-communist rulers were too inclined to disregard the law when it suited them, and their electorate was too prone to support nationalist views for these countries to successfully fulfill the *acquis communautaire* in a timely manner. By the time the other eight countries mentioned above were sealing accession to the EU with referenda results, Bulgaria and Romania were still struggling to finalize important chapters required for their entry. Seeing the other post-communist countries being accepted ahead of them was a bitter pill for citizens and politicians in the eastern Balkans not least because, as they pointed out, they had put in the necessary effort to comply with a set of rules that, in fact, unfairly disregarded both their deep commitment to the EU and the fact that they had to travel the longest to overcome the legacy of their own communism, more brutal than elsewhere in East Central Europe. The public debates sparked during 2003 in Sofia and Bucharest bitterly suggested that it would have cost the powerful and prosperous EU very little to accept the two countries in 2003, together with the others. More clear-headed local pundits noted, however, that even the most forward-looking professor would not allow a student to pass an exam on promises of future work. As such, they argued, it was logical for the EU to ask Bulgaria and Romania to do their homework *before*, not *after*, membership was granted.

To alleviate the concerns of the two laggards, on 22 June 2004, the EU confirmed that both Bulgaria and Romania had made good progress in preparing for accession, but needed significant more reforms of their judicial structures, particularly at the pre-trial phase, and further efforts to fight against political corruption and (in the case of Bulgaria) to curb organized crime, including human trafficking. In December 2004, the European Council confirmed the conclusion of accession negotiations with the two countries. Two years later, the European Commission confirmed that Bulgaria and Romania would, indeed, gain entry on 1 January 2007, but also announced that progress in judicial reforms, anti-corruption, and

elimination of organized crime would continue to be strictly monitored even afterward through the so-called Mechanisms for Cooperation and Verification. Although the mechanisms were designed as transitional remedial mechanisms to be used during the three years following acceptance, they produced reports annually ever since, a fact attesting to the two countries' great difficulty in aligning themselves with EU requirements. It was only in 2023 that the European Commission announced its intention to formally close the mechanism, something that has yet to become reality at the time of this writing. Tellingly, neither the Bulgarian nor the Romanian governments called a referendum, assuming that most of the population was pro-accession, and the failure to gain acceptance in 2003 might turn into a *vote de blame* against the local political class.

The last to make it into the select European club was Croatia, a country that was formally accepted on 1 July 2013, after a referendum showed in January 2012 that 67% of citizens favored accession. As early as 2005, leading Croatian political formations and local luminaries set up the Alliance for Europe, an informal group advocating for accession within and outside the country. All Croatian parties represented in Parliament supported the country's entry, with opposition to it coming exclusively from parties outside the house, many of which objected to the lack of information and the short campaign more than the EU itself. These parties had a point, as poor organization had resulted in a low voter turnout of only 43% of all registered voters. Albania, Bosnia-Herzegovina, Macedonia, and Serbia were identified as potential candidates for EU membership during the Thessaloniki European Council held in the Summer of 2003. Two years after gaining independence in 2006, tiny Montenegro also applied for membership. For all these countries, relations with the EU and progress reports have been conducted through the Directorate-General for Neighborhood and Enlargement Negotiations (DC-NEAR). Whereas assessments state that cooperation proceeds "smoothly," none of these Western Balkan countries are close to fulfilling the accession requirements.

At the time of their EU entry, Bulgaria and Romania were not as democratically consolidated or economically viable as their post-communist neighbors had been when accepted four years earlier. This point was amply illustrated by statistics and noticed by neighboring countries and EU technocrats. For example, Bulgaria ranked 57th and Romania 84th in the Corruption Perception Index in 2006, whereas Slovenia had ranked 29th and Hungary 40th in 2003, the year preceding their acceptance.⁴⁰ Bulgaria had a Human Development Index of 0.91 and Romania of 0.9 in 2006, whereas the Czech Republic registered 0.96 and Poland 0.95 in 2003.⁴¹ And the GDP per capita was 9,820 USD and 8,700 USD in the Czech and Slovak Republics, respectively, in 2003, but only 4,523 USD in Bulgaria and 5,757 USD in Romania in 2006.⁴² The handicap of the two Balkan countries was further noticed in regard to human rights, proving that acceptance was politically motivated by strategic calculations more than by real progress in implementing the *acquis*. According to political scientist Tom Gallagher, Romania was accepted

because its government officials were skillful enough to tell the EU technocrats what they wanted to hear while continuing to engage in corrupt and self-interested behavior that hurt both their own country and the EU.⁴³ Unfamiliar with Romanian local reality, preoccupied with the multitude of other tasks calling for their attention, and their inability to distinguish between the Romanian politicians' actions and words, the EU was duped to believe that Romania (and Bulgaria, whose situation did not differ that much) would complete its homework even after joining the EU. Problems have continued to plague these countries since then, preventing them from closing the gap with the first accession wave members.

Political Representation within the EU

As new EU members, the new East Central European states have representation at EU institutions. The Council of the EU and the Parliament jointly exercise legislative authority in the EU. The Council of the EU is composed of national ministers from each EU country. The other Council, named the European Council, includes the heads of the states or governments of the EU member states. It has the power to define the EU's general political direction and priorities but does not adopt EU legislation. As the executive power, the European Commission shapes the EU's overall strategy, proposes new EU laws and policies, monitors their implementation, and manages the EU budget. The members of the European Parliament are elected by the citizens of EU member states. The judicial power in the EU is exercised by the Court of Justice of the EU, which ensures that EU law is applied in the same way across the EU and that EU institutions and countries abide by EU law. The presidents of the EU head the European Parliament, the European Commission, and the European Council, and are probably the most visible among EU officials. The European Central Bank and the Court of Auditors complete the list of EU institutions. The Bank, located in Frankfurt, is the main bank of the EU countries that use the euro as their currency. At the time of this writing (March 2024), the Eurozone included only six post-communist countries: Estonia, Latvia, Lithuania, Slovakia, Slovenia, and Croatia; these countries, together with the Czech Republic, Hungary, and Poland, were also part of the Schengen area, where EU and non-EU citizens and residents can travel freely. The Court of Auditors, which audits the finances of the EU in five audit chambers, includes one representative for each EU member in its leadership.

Each East Central European country has a representative in the European Commission, although not all commissioners oversee areas of significance, and it took time for vice-presidents of the Commission to be nominated from among East Central Europeans (to date no president of the European Commission has come from the region). In 2004–2009, only one of José Manuel Barroso's five vice-presidents came from a post-communist state: Siim Kalas of Estonia, who oversaw Administrative Affairs, Audit and Anti-fraud. During the second Barroso tenure of 2010–2014, Kalas remained vice-president, this time for transportation, while

Maroš Šefčovič of Slovakia was appointed vice-president for Inter-Institutional Relations and Administration. Under Jean-Claude Juncker's presidency (2014–2019), there were two vice-presidents from East Central Europe: Šefčovič in charge of Energy Union, and Valdis Dombrovskis (from Latvia) in charge of Euro and Social Dialogue, as well as Financial Stability, Financial Services and Capital Markets Union. Šefčovič was promoted to the rank of first vice-president by Ursula von der Leyen (2019–2024), who also retained Dombrovskis as vice-president, and appointed Czech Věra Jourová in charge of Values and Transparency and Croatian Dubravka Šuica of Democracy and Demography. Besides these, the region has been overrepresented in “soft portfolios” such as food safety, education, and culture, although a number of women from the region held more significant portfolios, such as industry and internal market, justice, and transport.

Post-communist countries are also represented in the European Parliament, whose seats were reallocated among member states proportional to their population before the first group of post-communist countries gained accession in 2004. Much has been written on the fact that the reweighting of votes somehow cheated East Central Europeans of their rightful representation within the EU, but one should remember that proportionality in terms of population was retained as an allocation principle.⁴⁴ In 2023, for example, of the 705 European Parliament members, 98 represented Germany, 53 Poland, 33 Romania, 21 Czechia and Hungary each, 17 Bulgaria, 15 Slovakia, 12 Croatia, 11 Lithuania, nine Slovenia and Latvia each, and seven Estonia. That is, 208 seats belonged to 11 post-communist countries, whereas the remaining 399 seats represented the other 16 member states, many of which are much larger in terms of their population.⁴⁵ To date, only one East Central European served as President of the European Parliament: Jerzy Buzek (2009–2012). Significantly, Buzek came from Poland, the largest East Central European member state. The 2004 accession wave brought additional MEPs to the two most important groups, the center-right Christian Democrats and the center-left Socialists, but the 2009 elections, the first to be organized after Romania and Bulgaria joined the Union, allowed two Euro-skeptic groups to gain seats: the ultranationalist, Euro-skeptic and anti-immigration group euphemistically named “Europe of Freedom of Democracy,” and the “European Conservatives and Reformists,” a nationalist, anti-immigration and populist movement. Both include East Central European MEPs, who believe that now that their own countries are in, the EU should think twice about extending membership to other candidate states.

In line with EU institutional arrangements, East Central European states have held the presidency of the Council of the EU, which together with the European Parliament creates the EU legislation. The presidency is not an individual position but, rather, is held by the government of each member state for six months on a rotating basis. The Slovenian government of Janez Janša was the first post-communist member state to hold the presidency, and it did so in the first six months of 2008. It was followed by the government of the Czech Republic in January–June

2009, Hungary and Poland in 2011, Lithuania in late 2013, Latvia in early 2015, Slovakia in July–December 2016, Estonia in late 2017, Bulgaria in early 2018, Romania in January–July 2019, and Croatia in the first half of 2020. Interspersed with these countries were all the other EU member states. Once the first rotation of all EU members was completed, a second rotation started. Slovenia took over for the second time in July–December 2021, and the Czech Republic's turn came in late 2022. Hungary's turn will come in July 2024, followed by Poland in January–July 2025.

Elected for a two-and-a-half-year term with the possibility to be reelected once, the President of the European Council steers the activity of this institution, which includes all heads of state or heads of government of the EU member states as well as the president of the European Commission. It was only in January–June 2008 that Janez Janša (Slovenia) retained that position, followed in January–June 2009 by Mirek Topolánek and Jan Fischer from the Czech Republic. Donald Tusk from Poland also served as a Permanent President from 1 December 2014 to 30 November 2019.

Numerical representation on the EU institutions has not always translated into qualitative representation. For example, many of the East Central European MEPs and commissioners have been backed by formations which, in their own countries, were involved in political corruption scandals, plagiarism, waste of government funds, and smear campaigns against their political rivals. A handful of them engaged in questionable behavior that negatively affected both their careers and the reputation of their countries. In 2011, for example, the European Parliament opened a formal investigation of Adrian Severin and two other MEPs for corruption. While initially professing his innocence, Severin had to renounce his seat in the European Parliament, and to return in Romania. In 2016, the courts in that country found him guilty of corruption, and he served 15 months in prison as a result.⁴⁶ Another handful of East Central European representatives have performed exceedingly well at the EU level, proving their personal initiative, determination, perseverance, and vision for a brighter future. Often, their accomplishments were eclipsed in their countries of origins by the incessant rivalry pitting politicians against each other and the wider appeal of the populists.

The Latent Functions of EU Norms

Has the EU managed to impose its norms on East Central Europe? Many observers believe it has, as post-communist European member states are now stable democracies with vibrant market economies. Dimitrova and Pridham, for example, are convinced that EU pressure during the pre-accession process helped to strengthen East Central Europe from a political and economic viewpoint, creating the conditions for what they call a unique model of democracy promotion through integration. By using the regular reports, the accession partnerships and other mechanisms at its disposal, the EU was able to identify areas where reforms were

incomplete or insincere and to make “the environment for abusing or neglecting such reforms less permissive.”⁴⁷ For Vachudova, pressure from the EU represented a key element in forcing the post-communist governments to conduct reforms in the judiciary and the civil service.⁴⁸ In these and other areas, a wide range of reforms could be successfully completed precisely because the candidate states in East Central Europe were “more receptive to the standards and solutions imposed by the EU than existing member states ever were.”⁴⁹ That was partly because the candidate countries were seeking “new institutional models and guidance, and the EU was offering them.”⁵⁰ However, one should not forget that democratization in the absence of Europeanization might have led to similar results, albeit after a longer and possibly more painful transition. A satisfactory answer to the question raised at the beginning of this paragraph might not be possible, as comparing the political and economic performance of countries inside the EU with those waiting at its doors would afford no additional clarity. The EU itself had picked and chosen from among post-communist candidates, opening its doors earlier for the most prepared of countries – that is, those who had the shortest distance to travel toward establishing a liberal democracy with free market economy.

Perhaps a more appropriate question to ask is whether the EU norms have been influenced by the acceptance of East Central Europeans, whether pernicious new developments such as the rise of populism, disinformation, and anti-immigration can be attributed mainly to Eastern enlargement, and whether the EU’s democratic deficit has increased, and its legitimacy has decreased, since the first post-communist states joined in 2003. Depending on the sort of information one is compelled to marshal, one might respond in the affirmative or in the negative, but answers to such broad questions would lack precision, as too many factors are at play simultaneously for anyone to be able to discern the impact of any one of them taken in isolation. Instead of laboring in that direction, I will discuss some of the most obvious consequences of enlargement and explain the latent functions of accession.

First, although accession compelled East Central European countries to adopt a monumental *acquis* that was affecting on an increasing number of areas of life, those who had assumed that post-communist countries have become more European – or at least more similar to Western Europe – have overlooked the fact that many other aspects were not within the purview of the accession process and, as a result, remained largely untouched by integration. Let’s take religion and religious affairs as an example. The Czech Republic, today, is one of the most secularized countries in Europe, with the vast majority of its population belonging to none of the major religions of the world. This remains true more than a decade after the country joined the EU, although several new ephemeral denominations (the Church of Beer or the Jedi religion) were constituted in the country and recognized by the government, as Chapter 7 explains. At the same time, religiosity in Poland and Romania remains high, although not as high as in the early 1990s, but it is local scandals and Church support for heavy-handed policies that eroded

the citizens' appetite for religion more than any EU influence. None of the EU documents mentions secularism as a European feature or goal, in recognition of the fact that the EU members – old and new – differ significantly in terms of their religious make-up, Church-state relations, levels of membership in religious groups, and frequency of practising rituals. Catholic Poland's attempt to include references to God and Christianity in the 2009 Treaty of Lisbon, which amended the constitutional basis of the EU, was criticized by older EU member states (especially France) as a misguided attempt of an "excessively religious" country to erode democracy on the continent. However, some academic observers read it as a way to challenge long-standing EU hierarchies that placed the "West" above the "East" by proposing a religiously grounded view of European identity as alternative to the secular solution enshrined in the constitutional proposal.⁵¹ Having lived for decades under communist atheism, the Poles knew, as much as other East Central Europeans, that secularism could be disrespectful of and harmful to human rights. While praised as quintessential to the French democracy, the strict separation of Church and state (*laïcité*) had been vigorously contested by minority groups in that country as undemocratic and discriminatory ever since the *l'affaire des foulards* erupted in the late 1980s.

A similar interpretation might apply to EU immigration policies. The refusal by East Central European countries to accept refugees from Syria has been widely deplored as one more proof of their unwillingness to extend a helpful hand to people in the direst of circumstances. In 2015, at the height of the Syrian refugee crisis, the EU imposed mandatory refugee quotas on all member states, but Hungary and Poland refused to take in any refugees and then joined a coalition that blocked an attempt to impose financial penalties for such refusal.⁵² This led to delays in the EU asylum policy, dividing West from East and pitting Europe against the rest of the world, whose intellectuals and governments criticize Europe as racist and colonial but whose shores ordinary citizens still try to reach, sometimes through perilous journeys that cost them their lives. None of the Western observers raised the possibility that the East Central European refusal might have stemmed not so much from chauvinism as from an unwillingness to silently accept and passively submit to quotas agreed in remote EU institutions by politicians and technocrats who did not bother to obtain popular opinion on the matter. That East Central Europeans are charitable was amply demonstrated by the warmth with which they welcomed millions of refugees from Ukraine, even some of Russian ancestry, that is, connected with the very ethnic group that once had oppressed them and against which they had fought at various times in history. For many journalists and policymakers, the fact that the East blocks or challenges EU policies predictably demonstrates that something is wrong with the East, not that something is wrong with the policies.

Membership in the EU means relinquishing some decision-making power and transferring it from the national level to the supranational EU. That much has been clear since post-communist countries first demanded accession, as clear as the

extension of the EU's areas of competence from economics and trade to education, asylum, foreign policy, and security over the past three decades. However, the major drawback of the EU remains the fact that most of its institutions are unelected, and each East Central European member state can decide only on a small fraction of deputies in the European Parliament, the only EU elected institution. The EU, by its very institutional structure, is remote from the daily concerns of citizens in Europe. That disconnect is felt even more acutely in smaller countries such as those in the East (except Poland). There, the representation link between citizens and national politicians will always be stronger than the ties that bind citizens to EU decision-makers. As an increasing number of East Central Europeans gain positions of power, responsibility, and visibility in the EU institutions, that representation link might become stronger, but for now, citizens in the East either take their European identity for granted or identify more readily as Hungarians, Poles, Bulgarians, or others. Although much attention has been given to the East Central Europeans who chose to migrate from East to West in search for better opportunities (the Polish plumber or the Romanian caretaker, symbols of cheap laborers taking jobs from West Europeans), one should not forget that many more millions have stayed put in their post-communist countries. For them, the EU remains a remote promise, a bureaucracy that delivers little and admonishes a lot. After decades of painful and rapid reforms that sucked up their energies and savings, it is no wonder that these EU citizens might have difficulty accepting the need for further change.

Second, East-West migration and West-East remittances deserve some attention, as the free movement allowed within the Schengen area, and more broadly among EU member states, has served some unfortunate latent functions. On the one hand, they have helped many East Central European families get out of dire poverty. By 2019, for example, 3% of Romania's total population had left the country in search of better opportunities in Western Europe.⁵³ Monthly remittances sent by Romanians living and working abroad to their relatives at home reached a high of 787 million euros in December 2006, and 537 million euros in December 2023.⁵⁴ These numbers are low compared to Poland – more than 4.3 million Poles are living abroad, but many of them choose not to settle permanently in the countries where they work, due to strong emotional ties linking them to Poland. Poles living abroad sent home a total of 6 billion USD in remittances, received mostly from Germany and the United Kingdom.⁵⁵ The increased interactions between Easterners and Westerners facilitated by these migration trends initially led to fears on both sides, but in time, they have subsided. Smart publicity campaigns have sometimes helped. With a touch of humor, barely one year after Poland gained admission in the EU, its government ran a campaign meant to lure tourists to Poland with handsome model Piotr Adamski occupying the center stage. The poster featuring the reserved 21-year-old, who was dressed in blue overalls and gripping a wrench, declared “Je reste en Pologne, venez nombreux” (I remain in Poland, come in great numbers). The campaign was meant as a “humoristic wink

to get people to visit Poland, but also a political wink at the Polish plumber...who stands for the xenophobic feeling”⁵⁶ that gripped France during the weeks leading to the referendum on whether to accept the EU constitution. The campaign was a success, breaking Western stereotypes about citizens in some Eastern countries, although not in all. At the same time, Eastern misconceptions about the West have lessened, too. During my own annual visits to Romania, for example, I heard fewer criticisms of the materialistic, uncultured, and duplicitous West and more determination to travel abroad, grow a business, or make efforts for personal growth. At the same time, I am told that less forgiving sentiments are shared by citizens in other post-communist EU member states.

On the other hand, the crimes committed by few migrants have sullied the reputation of all migrants from the East, even of the honest and hard-working ones, while migration has left tens of thousands of children abandoned in the East by parents working in the West, has exposed women to the risk of being trapped by human traffickers or ruthless employers, and has fueled a serious brain drain of professionals (especially nurses, physicians, dentists, and university professors) educated by cash strapped governments in the East but eager to find better paying jobs in the West.⁵⁷ In 2019, at least 159,000 Romanian children were found “home alone” with their old and frail grandparents because one or both parents were working abroad, mostly in Italy, Spain, Germany, or the United Kingdom. Psychologists and social workers have repeatedly warned that such abandonment can have long-term consequences on the children and the parent left behind to take care of them.⁵⁸ Add to these problems the terrible conditions in which some women work on various farms. In 2017, for instance, the Romanian and Italian governments agreed to collaborate in view of stopping abuses in the province of Ragusa in Sicily, Italy, after journalists found that “thousands of Romanian agricultural workers were being used as forced labor and sexually exploited by their Italian employers” who threatened to dismiss the women if unwilling to have sex with them.⁵⁹ Romania’s acceptance into the EU served the latent function of fueling a massive brain drain of professionals. Since 2007, at least 14,000 Romanian doctors (many of them women) have found jobs in Western countries, where they help to alleviate the lack of general practitioners in isolated rural areas or work as specialists in hospitals. In 2014, some 4,300 of these Romanian physicians practised in France, 4,000 in the United Kingdom, 3,100 in Germany, and 2,600 in Belgium.⁶⁰ Such outmigration hit East Central European countries very hard, as they already had low ratios of nurses and doctors per 1,000 inhabitants when they gained admission in the EU.

Within this context, it is important to recognize the cultural disconnect between the Western intellectuals, journalists, and technocrats who define what an inclusive democracy is and what kind of further reforms are required to reach it, and their Eastern counterparts, often too eager to embrace opposite, even extremist views just to assert their freedom to choose. Westerners are quick to label anyone who questions or rejects feminism, political correctness, or decolonialism

as retrograde, traditional, or conservative, although each one of these ideologies (because, by now, they are a matter of belief more than anything else) appeared out of a need to understand the position of the subalterns and to champion their interests. East Central Europeans have shown that women's rights and concerns can be promoted in novel if controversial ways (as FEMEN has done), and specific regional developments have led to specific demands not aligned with the three waves recognized by Western feminists; that political correctness obfuscates more than illuminates real institutional and social problems that persist even after discourse is altered according to prescribed norms; that until 1989, the West was not the main colonizer of East Central Europe, whiteness is not always linked to colonization or exploitation, and a country can have mixed histories that show it as a colony and a colonizer of different other groups. The mental disconnect extends to the way in which the two halves of the continent relate to recent history, as the West continues to recognize the Holocaust as the main evil of the twentieth century, whereas the East insists that communism perpetrated more crimes and was more evil in virtue of its longer rule. Whereas the West has repeatedly asked the East to admit to its collaboration with the Nazi regime and involvement in the Holocaust, it has downplayed its own support for the most extreme forms of communism, which many Westerners continue to revere as an excellent and just ideology that unfortunately was put into practice poorly in the East.

Third, the assumption that accession and integration will lead mostly to positive results has been only partly supported in practice. Some alarms were sounded early on in the accession process, when observers noted that “due to regulation in a number of public policy areas, EU membership can have negative consequences on attempts to reduce the size of government in the [East Central European] countries and therefore increase the risk of corruption.”⁶¹ The bureaucratic expansion brought about by the EU increased the chances of corrupt behavior both inside member states, as many old members had no distinct anti-corruption institutions, and the newer members lagged behind in the implementation of relevant laws, and at the EU level, where oversight and reporting mechanisms continue to remain lax even after the European Public Prosecutor's Office (EPPO) was set up. The previously mentioned case of Adrian Severin illustrates the greed of an MEP coming from East Central Europe, but it would be a mistake to believe that legislators representing older Western member states are less prone to engage in traffic of influence, cronyism, or political corruption. As recently as 2023, for example, the Italian MEP Pier Antonio Panzeri was found to have colluded with unnamed paymasters to destroy all copies of a book critical of Qatar that somehow had reached the European Parliament and to block “six parliamentary resolutions condemning Qatar's human rights record and working to deliver a visa-free travel deal between Doha and the EU.”⁶² Tellingly, whereas the EU has made anti-corruption one of the main conditions for the acceptance of post-communist countries, its old member states never ratified the Criminal Law and the Civil Law Conventions on Corruption, both originating with the Council of Europe, or ratified them years

after East Central Europe did so. Indeed, France, Germany, Italy, and Spain have not ratified either document, and Austria, Denmark, Greece, Ireland, Luxembourg, The Netherlands, and Portugal ratified only one of them, whereas Belgium and Sweden ratified both documents with some delay.⁶³

Scholars have identified other negative consequences of accession, each one of them qualifying as a latent, unanticipated function of EU enlargement. Technocratic conditionality allowed the EU to export its democratic deficit to post-communist member states by restricting political choices and debates, favoring “status quo elites against political competition, excluding some more popular actors who have responded by turning themselves into populists,” and promoting the creation of institutions that require “cooperation” but “include actors – and sometimes whole governments – which behave in ‘confrontational’ and ‘non-transparent’ ways.”⁶⁴ In addition, the exclusion of the civil society groups from the accession negotiations and the limiting of discussions of policy choices fostered a technocratic logic that, ultimately, led to a neglect of “the norms and rules of participatory and/or popular democracy”⁶⁵ and, by doing so, failed to foster trust and social capital, the building blocks of stable democracy. Jacques Rupnik lamented the fact that the development of citizenship and participation took a back seat to constitutionalism and economic liberalism, which over the long run, fostered “populism, the curtailment of civil society, centralization of power, threats to citizenship and to minorities, exaggerations of threats, public *ennui* with democracy, and disillusionment with elites.”⁶⁶ For others, the hasty accession led to the return of nationalist and populist politics in the new member states, a development that has “undermined government accountability and constrained public debate over policy alternatives.”⁶⁷ However, as Grzegorz Ekiert noted in a poignant piece, there is a lot of truth to the claim that the EU enlargement has been not only one of the most important accomplishments of the EU, but also “the most effective democracy promotion mechanism ever developed and applied.”⁶⁸

Fourth, the lag between post-communist EU members has remained largely intact since their accession, and Bulgaria, Croatia, and Romania still struggle to catch up with their northern neighbors in key political and economic indicators. During the early 2000s, observers warned that not all East Central European states would enjoy membership benefits equally, given the differential effect of these countries’ proximity to and economic ties with Western markets, capacity to absorb EU funds, economic structure, and trade potential. Indeed, Bulgaria and Romania have failed to access key European funds for agriculture, even after some application requirements were revisited, and they, as well as Croatia, have remained plagued by significant issues affecting their judiciaries. In February 2024, for example, Ivan Turudić was appointed as the new Attorney General of Croatia, a move poised to deepen divisions in an already politically polarized country. Not only that Turudić was close to the ruling party and might try to protect some of its corrupt leaders, but the local press alleged that he counted some suspects and defendants among his acquaintances.⁶⁹ It is no exaggeration to claim

that the EU accession had the latent function of entrenching the differences within the East that were observed in 2003, when the first post-communist member states gained acceptance.

Fifth, acceptance in the EU has not prevented democratic backsliding, and the EU has not served as a firm guarantee for respect for the rule of law, an independent judiciary, or tolerance of minorities. In both Hungary and Poland, populist politicians representing traditional, conservative political formations took the helm after these countries joined the EU. While initially it was a political formation founded by young anti-communists who wished for Hungary to become an EU member state, the Hungarian Civic Party (Fidesz) has pursued an increasingly uncivic political agenda since returning to government in 2010. Ironically, whereas the Fidesz leader, Viktor Orbán, as a prime minister helped Hungary to obtain membership into the EU, the marriage between Hungary and the EU turned sour as Orbán's Euro-skepticism, appetite for dictators such as Vladimir Putin, support for Transylvanian Magyars' irredentist claims, and populist penchant increased. His determination to contradict and challenge important EU decisions has been matched by the Polish populists gathered in the Law and Justice Party, headed since 2003 by Jarosław Kaczyński. Both Orbán and Kaczyński have trampled on the rule of law, threatened journalists, and stoked nationalist sentiments against the EU, which they blame for all that goes wrong in their countries. They have adopted legislation to punish political foes and reward political supporters under the very nose of the EU, which proved unable to stop the slide into illiberal democracy.⁷⁰ The populist epidemic has proven more resilient than the COVID-19 pandemic, being able to outlive it. Populists have risen not only in East Central Europe but also in Western member states of the EU, and they include in their ranks the likes of Vladimir Mečiar in Slovakia, the late Jörg Haider of Austria, Alexis Tsipras of Greece, Pim Fortuyn and Geert Wilders of The Netherlands, Nigel Farage of the United Kingdom, Martin Helme of Estonia, George Simion of Romania, the exiled Bulgarian king Simeon II of Saxe-Coburg-Gotha, and many others.

Conclusion

The golden egg of EU membership has been, perhaps, the prize most coveted by the ragged and impoverished countries that escaped communism in 1989, and 1991, if we are to include the Baltic republics as well. Accession into the European club had several latent functions, many of which were not anticipated at the time when the post-communist countries applied for membership in the early 1990s. Enlargement entrenched the West ascendant over the East, as the pre-accession conditions were more stringent than any to which the old EU members had to adhere and were unilaterally decided by the West for reasons that served their purposes and interests. It also entrenched divisions among post-communist countries, as the member states in the Balkans seem unable to catch up with their

northern neighbors even after being granted access to important European funds for development. Immediately before and after their acceptance, the East Central European countries were taken by storm by an unprecedented wave of migration, which depleted their thin ranks of key professionals and provoked major social problems in the form of abandoned children and battered women workers. EU enlargement has been unable to stall populism, voter apathy, and democratic deficit, and has complicated decision-making at the supranational level so as to prevent coherent policies with respect to the acceptance of refugees, the sourcing of energy, or the invasion of Ukraine by Russia. Despite all these shortcomings, the EU remains a remarkable political endeavor whose resilience and unity in diversity are to be commended. It has withstood the impact of the populists, Euro-skeptics, Russian sympathizers, and nationalists of all ideological persuasions, showing that a European identity connects the multitude of diverse people who live on the continent.

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6

THE MEDIA – FUNCTIONING IN WHOSE INTEREST?

Sabrina P. Ramet

I

At the time the communist systems collapsed, there was no generally shared vision of the future of freedom of the media. There was a widespread agreement that privatization was desirable and that the media should be free, but how to operationalize this in practice and what would freedom of the media look like? Almost everyone had a vague notion of freedom, which extended to freedom of the press. Yet as in some other policy spheres, Western models were of only limited help. Most major newspapers in the West – for example, the *New York Times*, *The Guardian*, *Le Monde*, and the *Frankfurter Allgemeine Zeitung* – had all been founded as private concerns. In undertaking to privatize state-owned (in Socialist Yugoslavia, the term was “socially owned”) media, including the official party news organ, the post-communist societies of East Central Europe (ECE) had to chart their own course. Inevitably there were disputes about how to proceed. In Slovenia, for example, it took 3 years before there was enough agreement that a Law on Broadcasting could finally be passed in 1994 – and that, only after the major broadcasting frequencies had already been assigned. Much the same thing happened in Romania. Interestingly but, perhaps, inevitably, there was more discussion about how privatization should be effected than about the shape of and limits to the freedom to be achieved. Who would be free in the media? Would it be the journalists themselves, the editors, the general public, the owners of the media, or, perhaps, politicians, who would find a way to exert their influence and/or control over the press and broadcasting stations? Ultimately, the shape adopted by the media was determined, to a great extent, by money, whether by the purchase of the media by interested foreign or domestic actors or by the use of state advertising to keep otherwise insolvent media outlets afloat. The result, thus, is a

mediascape that has less in common with the mediascape of the United States or Western Europe than some locals might have hoped for.¹

The evolution of the ECE media since 1989 unfolded over three phases: Phase 1 was a phase of domestic ownership; in Phase 2, foreign investors entered the local media market; and in Phase 3, the foreign investors withdrew from the region, selling their shares to local businessmen, in effect oligarchs. As the post-communist era dawned, legal acts were adopted, spelling out the duties and functions that the media were supposed to perform. For example, the Broadcasting Act adopted in Poland in 1992 established a National Council to serve a supervisory function and stated further that

The National Council shall safeguard freedom of speech in radio and television broadcasting, protect the independence of broadcasters and the interests of the public, as well as ensure the open and pluralistic nature of radio and television broadcasting.²

In a similar vein, the Law on Broadcasting Activity passed in Macedonia (since June 2018, North Macedonia) specified that the Broadcasting Council was expected

to ensure “the freedom and pluralism of expression, existence of diverse, independent and autonomous media, economic and technological development of broadcasting activity, and protection of the interests of citizens in broadcasting.”³

The same principles applied also to the print media.

For the media to serve the public, provide objective reporting, and act as the fourth estate (alongside the executive, legislative, and judicial branches of government), serving as a check on potential abuse of power and corruption at high levels, it would have been vital that persons being entrusted with supervisory or administrative authority in these sectors be appointed on the basis of their professional competence and integrity, rather than because of their association with certain political elites. It would, likewise, have been critical that media owners not meddle in editorial policy. In the long run, neither of these conditions were met, although one can speak of a golden age of journalism in ECE during the period when many of the media outlets came under foreign ownership, as the foreign owners were interested in profits and, in some cases, in the prestige of the given outlet, and not in wielding political influence. Once the media passed into the hands of domestic oligarchs, in much of the region beginning roughly in 2008, the media were typically instrumentalized to advance political interests, especially of those in power, and to promote the political aspirations of ambitious media owners. Although there have been, of course, media owners who have wanted to exploit their properties for financial gain, in Bulgaria, according to Lada Trifonova Price, most media owners are less interested in profit than in

the political and promotional uses of broadcast and print media.⁴ Moreover, profit-seeking is no guarantee of high-quality professional journalism. On the contrary, some of the most read newspapers, especially in the Balkans, are tabloids, peddling psychotic views of reality, invented scandals scripted by certain political interests, and so-called “human interest” stories that provide the reader with no useful information whatsoever. Worse yet, when tabloids publish false allegations, independent newspapers are compelled to devote time to refuting them.⁵ Where the broadcast media are concerned, the profit motive has inspired media owners to recycle American soap operas, comedies, and blockbusters.⁶ When these and other American concepts proved popular, local media owners introduced locally produced soap operas, quiz shows, and inexpensive action films.⁷

In fact, since 2008–2010, as foreign investors sold their assets to local oligarchs, there has been a significant alliance in certain countries of the region between big business, organized crime, and the political elite. Indeed, in some cases, the media owners and the dominant politicians are one and the same, although sometimes the identity of the real owners is concealed behind the skirts of nominal owners.⁸ By one estimate, as much as 70% of the mainstream television audiences in the region were served by stations whose owners either had been under criminal investigation or had spent time in prison. By the end of the second decade of the 21st century, much of the media scene across the region had been either captured outright (by political actors) or tamed by use of the carrot of state advertising to reward reportage favorable to the governing elites.

Among the latent functions of captured or tame media, one may list the suppression of entire topics, the highlighting or dramatization of some stories conceivably out of all proportion to their actual importance, and, as the record shows, the dissemination of the message that the world is a dangerous place. In fact, most ECE media may be considered dysfunctional to the extent that they are either captured by political actors or dissuaded, whether by threats or violence or even murder, or by the threat of withholding state advertising revenue, from engaging in investigative journalism or reporting on important developments in an objective fashion.⁹ But it did not have to be this way. If ownership of much of the media had not passed into the hands of domestic oligarchs allied with local politicians, the mediascape might look entirely different today. For a glimpse of what that alternative reality might look like, one need only think of the independent Polish daily, *Gazeta Wyborcza*, edited by Adam Michnik, which was able to maintain its critical independence, in spite of regime pressures, during the years that the right-wing Law and Justice party was hegemonic.

II

In the first years following the implosion of communist hegemony in ECE, laws regulating the media were put in place at varied speeds and, in the short term, privatization, whether of the media or of other properties, was undertaken before

relevant laws had been passed. There was even a widespread (though not universal) sentiment in policymaking circles that there was no need to regulate the media or, to put it another way, that freedom of the media would be best served if no restrictions would be put in place. In Albania, a law on the press was prepared in 1992 but, after local journalists complained that it was too complicated, the legislature in Tirana adopted a new law in 1997 with just one general provision: “The print media are free. Media freedom is protected by law.”¹⁰

Privatization of the media was one of the most salient issues that the newly installed post-communist governments faced. In Czechoslovakia and later the Czech Republic, about 80% of state property was distributed among the country’s citizens through the issuance of vouchers that could be converted into shares in one or another company.¹¹ In Slovenia, at the daily newspaper *Delo*, 40% of the shares were allocated to the Pension Fund and other funds, 20% of the shares were distributed free of charge to current and past employees, 22% were offered for sale to editors and reporters, and the remaining 18% of the shares were made available for purchase by ordinary Slovenes.¹² In Croatia, after the Croatian Democratic Union (HDZ) led by historian Franjo Tuđman came to power in 1990, it steadily brought all the major media under its wing by December 1992, except for *Novi list* (based in Rijeka) and *Slobodna Dalmacija* (based in Split). Tuđman, who served as President of Croatia from 1990 until his death in December 1999, declared, on several occasions, that he wanted to see most Croatian businesses and assets, thus including the media, owned by 200 favored families. The HDZ and its allies took over *Vjesnik*, *Večernji list*, and *Glas Slavonije*, appointing editors supportive of the regime.¹³ In Slovakia, as Gabriel Šipoš has pointed out, there was “no single pattern in the privatisation of newspapers.”¹⁴ Rather, while *Pravda*, which had been the party’s flagship in Slovakia, was sold to its journalists as early as 1990, the journalists at *Smena*, the news organ of the communist youth organization, simply abandoned their erstwhile professional home and established a new newspaper called *SME*, while *L’ud*, recast as *Nový Čas*, was sold to two Austrian entrepreneurs.¹⁵ In Poland, under the provisions of the Act on Liquidation of the Workers’ Cooperative (1992), some press titles were sold to private persons, some were assigned to journalists’ cooperatives, and some remained the property of the state.¹⁶ Finally, in Serbia, as long as Slobodan Milošević held power (i.e., from the late 1980s until October 2000), the regime held onto Radio-Television Serbia and the daily newspapers *Politika*, *Politika ekspres*, and *Večernje Novosti*, which is to say the most influential media. Even in 2011, the government held a 50% share in *Politika* and 29.5% of the shares in *Večernje Novosti*, which, as Izabela Kisić has pointed out, were the daily newspapers with the highest circulation.¹⁷ That same year, 109 media outlets in Serbia were put up for sale to private persons or firms; of this number, only 56 were privatized at this time. Another 34 passed into private ownership by the end of October 2015, with 17 more in the process of being privatized by late February 2016. In the absence of any interest in private investment or purchase, 22 media outlets were simply shut down. By

2020, most of Serbia's media outlets were in private hands, although a few were still state-owned.¹⁸

III

The first phase of privatization gave way to a second phase, as foreign investors bought majority shares in both print and broadcast media. In some cases, the initial shareholders did not hold onto their shares for long. In Slovenia, for example, journalists who had been given shares in *Delo*, a Ljubljana daily newspaper, treated their stock as available cash and soon sold their shares to local entrepreneurs in order to buy new houses or boats or take holidays.¹⁹ The pattern was similar in the Czech Republic and Hungary, where journalists were quick to sell their newly acquired shares to foreign investors. Soon most print media in Hungary and the Czech Republic were purchased by foreign business concerns. By the end of the 1990s, foreign investors dominated both print and broadcast media in Bulgaria, the Czech Republic, Hungary, and Slovakia.²⁰ Among the most important foreign investors in the ECE media in the 1990s were the Swiss Ringier Publishing House, the German Westdeutsche Allgemeine Zeitung (WAZ), French media baron Robert Hersant, and Australian-born American businessman Rupert Murdoch. Swiss Ringier Publishing House, the first foreign investor to enter the Czech media market, took over the Serbian daily *Blic* and launched the now-defunct free weekly newspaper in Belgrade, *24 sata* in 2006.²¹ In 2001, the WAZ group acquired a 50% share in the Politika group, which publishes the Belgrade dailies *Politika* and *Politika ekspres*; later purchased *Dnevnik*, the daily newspaper published in Novi Sad; purchased the Montenegrin daily *Vijesti*; and, at one point, controlled 89.2% of media outlets in Macedonia as well as shares in media in Romania and Bulgaria.²² Robert Hersant acquired 49% of the stock in the Polish daily *Rzeczpospolita* as early as 1989 and, subsequently, invested 3.75 million euros in that paper to build up its professionalism and reputation. Hersant also purchased the Hungarian dailies *Magyar Nemzet* and *Magyar Hirlap*, while Rupert Murdoch acquired the Hungarian dailies *Mai Nap* and *Nepszabadsag*.²³

The late 1990s and early 2000s were a bull market for foreign investments in the newly privatized media market. Among the late-comers was OST Holding Vienna, which acquired 93.8% of the stock in the Macedonian daily *Dnevnik* in June 2003, picking up majority stakes in two more Macedonian dailies the following month. Another Austrian enterprise, Styria Verlag, was able to purchase most of the stock in *Večernji list* after Croatian President Tudjman died, and the Norwegian firm Orkla (based in Oslo), bought six regional daily newspapers in Poland.²⁴ Italian concerns also invested in the region's media, with Il Sole 24 purchasing a majority share in the Polish newspaper *Nowa Europa* and Finninvest acquiring shares in the Warsaw daily *Zycie Warszawy*, with Edisud Radio-TV investing in Albanian print and broadcast media.²⁵ Yet another Italian company, S-Tei, at one time controlled 13 television stations in Poland.

The influx of foreign capital was generally welcome, with cash-strapped Czech owners of daily newspapers, for example, actively seeking strategic partners to keep their publications afloat. One result was the transient French ownership of the daily *Mladá fronta Dnes*, later sold to the German publishing group Rheinisch-Bergische Verlagsgesellschaft in 1998 and resold, still later, to Czech media mogul Andrej Babiš (who would serve as his country's Prime Minister from 2017 to 2021). Foreign investors were also known to start up new media outlets – for example, the economic weekly *Českomoravský profit* and the full-color tabloid *Blesk* [Flash], both launched by Ringier in the Czech Republic between 1991 and 1992. The era of foreign ownership was the golden age for journalism in ECE. According to Robert Čázenský, at one time editor-in-chief of *Mladá fronta Dnes*, foreign media owners promoted a culture of professionalism and impartiality. They were interested in making money from their investments and, at least in some cases, in building up the quality of their media.²⁶ The foreign investors had no ambitions to engage themselves in politics, let alone to back one or another political party.

IV

This “golden age” came to an end when the foreign investors sold their shares to domestic media moguls – in some cases because their investments had not proved to be as lucrative as the investors had originally hoped, in other cases because of pressure to sell. But this transformation came at a cost: domestic owners could be pressured by the party in power to adopt a regime-friendly line and might even be personal friends of the prime minister. Serbia had been a laggard in privatization as long as Milošević was in power but, by October 2000, he was out of power. The criminalization of the Serbian economy, which had started under Milošević,²⁷ now shifted into high gear: by March 2003, according to information cited by Izabela Kisić, criminals from the Zemun Clan had already succeeded in taking control of some media outlets.²⁸ By April 2007, Serbian tycoons owned the most important media in the country, including 12 of the 20 television and radio stations with national frequencies.²⁹ One by one, foreign investors in other countries in the region sold their assets, beginning in Bulgaria in 2009, when the major national media were sold to businessmen close to Prime Minister Boyko Borisov.³⁰ This process received a boost when, as previously mentioned, the German WAZ media group decided in 2010 to pull out of Bulgaria, Romania, and Serbia. The Balkans Investigative Reporting Network (BIRN), which publishes the online news service *Balkan Insight*, was, however, not up for sale and continued to publish its independent and highly reliable analyses of politics, including of media issues. This was displeasing to Serbia's then-Prime Minister Aleksandar Vučić, who orchestrated a media campaign against BIRN in January 2015, accusing the network of publishing lies.³¹ In Hungary, the provisions for the regulation of the media were changed dramatically at the end of 2010, and, by 2018, Lőrinc Mészáros, a friend

of Prime Minister Viktor Orbán, controlled more than 200 media outlets across the country.³² In the Czech Republic, foreign investors owned an 88% share in national dailies in 2007,³³ but the process of renationalization of media ownership which began in 2013–2014 was essentially complete by 2020, when the domestic PPF group, of which the majority owner was Petr Kellner, the wealthiest man in the Czech Republic, purchased Central European Media Enterprises from Time Warner. Among the earliest domestic investors to purchase Czech media was Andrej Babiš who, in 2013, picked up MAFRA, the media company responsible for publishing two influential newspapers.³⁴ Where local media are not controlled by owners friendly to the regime, the single most effective means of bringing the outlet in line is the dual strategy of rewards in the form of lucrative state advertising and discipline in the form of lawsuits, threats, and violence.³⁵

In the following pages, I propose to focus on four countries, which set out in a direction different from other countries in the region:³⁶ Hungary, Macedonia (now North Macedonia), Poland, and Romania: Hungary because the situation for the media is arguably the most extreme in the region and also because Prime Minister Orbán has been moving Hungary steadily in the direction of authoritarianism; Poland because it is the largest country in the region both population-wise and in terms of territory, as well as because of the pivotal role of the Catholic Church in that country; Macedonia/North Macedonia because, unlike Hungary up to now, the center-left opposition proved able to supplant the conservative ruling party; and Romania because, unlike Hungary, Poland, and Macedonia, it did not experience rule by a populist leader (as defined in Chapter 1) during the years since 1989 (at this writing). Among the countries of ECE, only Albania and Serbia received lower rankings for media freedom than Hungary from Reporters without Borders in 2023, when Hungarian media ranked 72nd among 180 countries for freedom of the press.³⁷ In 2021, Hungary's media were judged by Reporters Without Borders to be the least free in the region (see Table 1.4). During the years 1990–1994, there were frictions between the center-right governments of József Antall and Péter Boross and the left-liberal media. In the absence of some other recourse, the government decided in early 1994 to dismiss more than 100 journalists at Magyar Rádió, together with additional numbers at Magyar Television.³⁸ The center-right's victory was short-lived because the Socialist Party won the parliamentary elections in May 1994, bringing Gyula Horn to the Prime Minister's office and restoring the jobs to the journalists who had just been fired. During the years Horn was at the helm (1994–1998), Hungary was touted as one of the success stories of ECE. It was during the prime ministership of his Socialist colleague, Péter Medgyessy (2002–2004) that Hungary was admitted to the European Union (EU), and under fellow Socialist Ferenc Gyurcsány, that the government adopted a bill allowing the legal registration of same-sex partnerships (passed by the National Assembly six days after Gyurcsány left office). Viktor Orbán first served as Prime Minister between the prime ministerships of Horn and Medgyessy – thus, 1998–2002. At that time, Orbán (Fidesz) was viewed as a center-right politician. But in the years

he was out of office, 2002–2010, Orbán gravitated to the right. It was also during these years that he undertook to promote right-wing media.

Orbán drew two important conclusions from the fall of his center-right government: first, he was convinced that the persistent opposition of most journalists to the center-right was a major factor in its electoral loss; and second, he concluded that the solution was not to court liberal media but, rather, to build up a network of conservative media that would be supportive of Fidesz's agenda. According to Mária Vásárhelyi, a sociologist specializing in media affairs, Orbán wanted to appeal to three distinct opinion groups: moderate conservatives, national populists, and far-right extremists.³⁹ Accordingly, Fidesz arranged for billions of forints to be pumped into burgeoning or pre-existing media, with different media catering to each of the three opinion groups. Conservatives could listen to *Inforádio* and, after May 1998, read *Heti Válasz*; national populists could read *Magyar Nemzet*, watch *Hír TV*, or listen to *Lánchíd Rádió*; and adherents of the far right could read *Magyar Demokrata* or *Magyar Hírlap* or watch *Echo TV*. In addition to this media strategy, Orbán undertook, in the wake of his electoral setback in 2002, to construct a network of rural organizations he called “civic circles,” which over time, promoted Christian morality, Hungarian patriotism, and family farming.⁴⁰

The left-liberal media and the Socialist governments proved to be ineffectual in resisting the advance of Fidesz-oriented media. Already in May 1998, Orbán's Fidesz party captured the most seats in the National Assembly (even though the Socialist Party attracted the most votes). Fidesz now redoubled its push to build up right-wing media and, during Orbán's first term as Prime Minister, used public funds to assist *Magyar Nemzet* and tax money to launch the aforementioned weekly, *Heti Válasz*.⁴¹ In spite of this effort, the Socialists returned to power in 2002 and retained the reins of the government until April 2010 when, partly due to a scandal engulfing Socialist Prime Minister Gyurcsany, Fidesz, in coalition with the Christian Democratic People's Party (KDNP), won 53.8% of the vote, collecting 68% of the seats in the parliament. Among Fidesz's highest priorities – all accomplished within its first year in power – were passing a new constitution, stacking the Constitutional Court with conservative justices, and passing a new law on the media which, among other things, set up a new five-member Media Council empowered to impose stiff fines on media found guilty of “unbalanced” news coverage. All five members of the Council were drawn from the ranks of Fidesz.⁴² What should qualify as unbalanced was not precisely defined but was left up to the judgment of the Media Council.

Fidesz now launched a four-pronged strategy designed to establish its control over or exert influence in the media. First, following the elections, the incoming government fired “1,600 journalists and media workers at the public service broadcaster (MTVA), replacing them with government talking heads, effectively turning MTVA into a government-controlled broadcaster.”⁴³ Second, following a well-understood playbook, the regime channeled advertising revenues to media it favored. Third, the regime used the instruments at its disposal to place as many of

the major media as it could with Fidesz-friendly owners (such as Lajos Simicska, until a rift developed between him and Orbán). And fourth, the regime used various methods, including forbidding state-owned companies to advertise in critical media and levying unusually high taxes to bring about their financial ruin.⁴⁴ Meanwhile, regime-friendly media attacked non-Fidesz Hungarian members of the European Parliament as “unpatriotic liberals who consistently work against the interests of their own country,”⁴⁵ disparaged the EU, warned against the supposed dangers allegedly posed by would-be refugees wishing to enter Hungary, and, as ever, assailing billionaire financier George Soros, whose major contribution to Hungary (and ECE), the Central European University, would be driven out of Budapest in 2019, to take refuge in Vienna.

As early as 2014, Orbán targeted the television station RTL Klub, which had proven to be consistently critical of his regime. His government, thus, announced, abruptly, that all advertising revenue paid to any commercial television station would be subject to a 50% tax. The opposition claimed that the law had been framed in order to create serious difficulties for RTL Klub. However, in early 2015, in the face of stiff criticism from the EU and certain West European politicians, the tax was withdrawn. The RTL Group, nonetheless, took the precaution now of moving the licenses of its pay television programs to Luxemburg. RTL also decided to return fire, broadcasting various negative reports that its editors had held back. Among these reports was one that noted that the Prime Minister’s father’s business had prospered even during the economic downturn that had hit the country; RTL also noted that Papa Orbán’s business was heavily dependent on orders from the state.⁴⁶

In the first years following the parliamentary elections of 2010, Orbán’s friendship with Simicska paid benefits in terms of media coverage. But after the two split in 2015, Orbán could no longer count on friendly coverage in Simicska’s outlets, which included *Magyar Nemzet* and *Hír TV*. To take the place of *Nemzet*, Orbán conjured a new daily, *Magyar Idők*, into being.⁴⁷ The Orbán machine was not yet ready to rest and, over the following 18 months, expanded its network of pro-regime media.

Nevertheless, the independent online news portals *Origo* and *Index* continued to be critical of the regime, thus remaining major irritants to the Prime Minister. The former was the most-read online news service in 2013 but was overtaken by *Index* by June 2020, when *Index* registered 50 million visits against 28 million for *Origo*.⁴⁸ *Origo* had been created in the first post-communist decade by Magyar Telekom, in which Deutsche Telekom purchased a majority share in 2005. After Orbán’s return to power in 2010, he levied a punitive – nominal emergency – tax on the telecommunication sector. Magyar Telekom was now told to pay an additional \$100 million in taxes. After extended negotiations, in exchange for tax relief, *Origo* entered into a contract with a media firm headed by Attila Várhegyi, a former official in Fidesz. In effect, *Origo* came under Várhegyi’s supervision. The chief editor of *Origo* resigned; his successor, Gergő Saling, authorized an

investigation into the travel expenses of János Lázár, Orbán's head of office. As the outlet's research produced results, *Origo* published reports about Lázár's expenses. This was too much for Orbán and Saling was dismissed in June 2014. Subsequently, in June 2015, Magyar Telekom put *Origo* up for sale. The highest bid came from New Wave Media, partly owned by Tamás Szemerey, a member of Orbán's extended circle. Now under new management, *Origo* became a vehicle for the regime's views and benefited from large inputs of government advertising revenue. At the time of the sale, *Origo* was one of 31 media outlets that had been acquired by allies of the Prime Minister. By 2018, Orbán's media empire had expanded to more than 500 outlets.⁴⁹

Then, in 2019, thanks to a transaction that journalist László Bartus has described as a "business gimmick," Rev. Sándor Németh, pastor of Faith Church and an Orbán crony, came into ownership of ATV, the third largest commercial TV channel in the country (and previously a left-oriented channel), and followed this up by establishing a second TV channel under the name ATV Spirit. To no one's surprise, Rev. Németh's media have been granted billions of forints in government funding, much of it via government advertising.⁵⁰

The next online media outlet on the chopping block was *Index*. In June 2020, László Bodolai, chairman of the board of the Foundation for Hungarian Progress, which owns *Index*, fired Szabolcs Dull as editor-in-chief of the outlet. The editorial staff responded by asking Bodolai to reinstate Dull. Huge numbers of people gathered on the streets of Budapest to protest the termination of Dull's contract but to no avail. More than two dozen journalists resigned from its staff in protest and, even before the end of 2020, it appeared certain that *Index* would be added to the Prime Minister's media portfolio. Bodolai held firm and, in August 2020, *Index* posted an editorial, stating that its independence was endangered.⁵¹ In the meantime, *Népszabadság*, which prior to 1989 was the official news organ of the ruling communist party, became the most important left-oriented daily and a frequent critic of Orbán. It was put out of business in October 2016. As the BBC noted at the time, "the suspension came days after the paper had broken stories of alleged corruption involving senior officials."⁵²

In 2020, the Media Council announced that it would not renew the broadcast license for Klubrádió, the last important independent radio broadcaster in Hungary, when it expired in February 2021. Klubrádió appealed the decision, but its appeal was rejected in February 2021.⁵³ With that, the radio lost its broadcasting frequency, which was reassigned to a broadcaster in Orbán's camp, and Klubrádió was limited to broadcasting online. Four months later, the European Commission initiated a legal case against Budapest.⁵⁴

In the effort to keep journalists in line, the authorities placed some of them under surveillance, took some to court on charges of defamation, and, in the case of investigative reporter András Dezső, brought him to court on the charge of misuse of personal data.⁵⁵ As for the question of what to report, journalists at Hungary's state broadcaster, MTVA, have received specific instructions "to take

a critical stance in reporting on migrants, LGBT issues, climate change, and other issues.”⁵⁶

As Orbán continued to build his media empire, the issue of its compatibility with the laws restricting media concentration arose. This was solved in June 2020 when Hungary’s Constitutional Court decreed that the government was free to exempt itself from the law limiting cross-ownership of multiple media outlets.⁵⁷ By 2021, Marius Dragomir, director of the Centre for Media, Data and Society at the Central European University, expressed his concern about the continued effort by oligarchs friendly to Fidesz to take over what few independent media remained at the time.⁵⁸ By July 2022, the EU had enough of Orbán’s authoritarian measures and, through the European Commission, referred Hungary to the European Court of Justice over the strangling of the free media, discrimination against sexual minorities, and discrimination in the price of gasoline against car owners with foreign license plates.⁵⁹

Finally, it appears that Orbán’s vision of the “Hungarian dream” (to adapt a phrase from American culture) is not limited to Hungary. Among other things, Orbán has backed Dodik’s endeavor to break the Republika Srpska off from Bosnia-Herzegovina, even pledging to veto any EU-level sanctions against the RS.⁶⁰ Beyond that, Hungarian investors close to Orbán have been purchasing media outlets in Slovenia, North Macedonia, and Romania, beginning in 2018 and, as of July 2022, the aforementioned Mészáros, the richest man in Hungary, was among those interested in acquiring television outlets in Serbia.⁶¹ In fact, Mészáros and other magnates close to the Orbán regime have established dominant positions in Hungary-language local media in Romania, Serbia, Slovakia, and Ukraine, promoting an anti-gender narrative in Romania and Slovakia and, to some extent, in Serbia. These media have also promoted an anti-migration narrative in Romania, Serbia, and Slovakia.⁶² Orbán’s strategy of media capture reflects his understanding that people cannot assess developments of which they are kept in ignorance and cannot be sure of the content or importance of news that is published; indeed, many, if not most, people will likely accept most of what is published, if there are no rival media offering different points of view. In addition, Orbán’s strategy demonstrates clearly the centrality of the media in any quest for autocratic rule. But the existence of even a few independent online news outlets was too much for Viktor Orbán who, in late 2023, pushed through a new law on “sovereignty,” under which independent media outlets receiving foreign funding, even from the EU, will have to register as “foreign agents,” allowing the regime to violate the confidentiality of journalists’ sources.⁶³

V

It was during the decade-long prime ministership of Nikola Gruevski of the Internal Macedonian Revolutionary Organization-Democratic Party for Macedonian National Unity (IMRO-DPMNU), from August 2006 to January 2016, that the

Macedonian media became seriously corrupted. There had been problems with the Macedonian media before 2006, but matters only got worse once Gruevski took office. There were credible reports of nepotism and cronyism from the very beginning of Gruevski's ten-year reign,⁶⁴ which was also marked by corruption in the judicial system, public procurement, and elections, as well as extensive wiretapping by Gruevski's government of more than 20,000 Macedonian citizens, including opposition politicians and critical journalists.⁶⁵ Within this context, Gruevski's Macedonia began its march into a kind of fantasyland, erecting a huge equestrian statue of Alexander the Great in downtown Skopje, installing a faux Spanish galleon on the Vardar River in the capital city, and decorating the capital city with neoclassical façades, neobaroque statues including a statue of Philip of Macedon, and constructing a triumphal arch with scenes from Macedonia's history at the center of Skopje. It appeared to an outside observer that Skopje was being turned into a virtual theme park. The Macedonian Orthodox Church lent its voice to this reconceptualization of the nation when a local radio broadcast its message that Macedonia was the "oldest nation on earth."⁶⁶

Needless to say, a regime marred by cronyism, nepotism, and corruption, engaging in illegal wiretaps of political opponents, and undertaking a hugely expensive remake of Skopje could scarcely welcome the presence of independent media, with journalists poking their noses into the government's business. One of the priorities of the Gruevski regime, accordingly, was to make sure that all the journalists at the public broadcaster (Macedonian Radio & Television, or MRT) were politically reliable from the viewpoint of the party. Competent journalists who were considered unreliable were removed from sensitive positions and reliable persons were hired even when they were understood to be "incapable of journalistic work."⁶⁷ Indeed, as Vesna Šopar reports, "during 2006 and 2007, MRT underwent many changes in its managerial and editorial structure. However, these changes had a negative impact on its programs and ratings."⁶⁸ In violation of the Law on Broadcasting, Article 68, party leaders and other politicians acquired ownership of radio and television stations, listing other people close to them as the legal owners. Article 11 of the same law bound the media to operate on the basis of "autonomy, independence, and accountability of broadcasters, i.e., editors, journalists, and other authors involved in the creation of programs and editorial policy."⁶⁹ Yet media owners were frequently interfering in editorial policy and were known to move journalists who protested to other media outlets or even to suspend or fire them. Media not controlled, whether directly or indirectly, by figures in the conservative IMRO-DPMNU or friendly to that party, could sometimes be persuaded to support the government line by the placement of government ads, such as ads urging good personal hygiene. On 8 March 2011, Vasil Mickovski, deputy editor of the Macedonian weekly *Globus*, "claimed that the government was deliberately directing advertisers away from *Globus* in order to bring about its closure."⁷⁰ Some media publishers changed their editorial policy in response to pressures from the government; for example, Kanal 5 TV had been critical of

the Gruevski government, but later began praising that government. Sitel TV, a private national broadcaster, also adopted a posture more supportive of the government than before. In addition, not surprisingly, the Macedonian government changed the 2005 Law on Broadcasting seven times by September 2013. Among other things, the government drew up a plan to introduce tough new penalties for libel and defamation in 2012, ranging from 3,000 to 10,000 euros for journalists, up to 40,000 euros for editors, and up to 80,000 euros for media owners. Jadranka Kostova, the editor of *Fokus*, expressed concern that the threat of fines would promote self-censorship.⁷¹

Since not all media could be brought into line by a combination of pressures and advertising revenue, repression could be employed. For example, Velja Ramkovski, owner of A1 Television and three independent newspapers (among them, *Vreme*), was arrested in 2010 on charges of money laundering, tax evasion, and criminal conspiracy – charges of which he was judged guilty the following year. That same year, A1 Television lost its broadcasting license, Ramkovski was handed a 13-year prison sentence, and 19 associates of his also went to prison for terms ranging from 2 to 7 years.⁷² Thanks to financial pressures, the daily newspapers *Shpic* and *Vreme* were forced to close. And there were repeated instances of journalists being taken to court for libel and defamation – indeed, 170 cases in 2010 alone, mostly involving media critical of Gruevski’s government and the IMRO-DPMNU. The instigators of these lawsuits were mostly politicians, although municipal officials, enterprise directors, sports clubs, rival media owners, and even judges initiated some of them.⁷³

The use of government advertising to pressure media to tow the line was, inevitably, becoming a matter of controversy and, in June 2015, the major political parties came to an agreement known as the Przino Agreement, which called for cuts to government advertising in the media.⁷⁴ Subsequently, the parliament adopted an amendment to its legislation, prohibiting the government, local municipalities, and state-owned companies from advertising in private media.⁷⁵ But this move created financial difficulties for some media and, in 2018, an association of newspapers was able to obtain a pledge of annual subsidies to keep the papers afloat. By the Spring of 2022, the media were pleading for the return of government advertising, and there were signs that government advertising in the media would be restored.⁷⁶

In the meantime, Gruevski was forced to resign the prime ministership on 18 January 2016 and was put on trial on charges of having illegally ordered the demolition of an important building in Skopje. While the trial was still in progress, Gruevski fled to Hungary, where he was granted political asylum by Hungarian Prime Minister Viktor Orbán. In May 2022, sentence was finally passed, in absentia, imposing a 9-year prison sentence on the former Prime Minister.⁷⁷ The Social Democrats, who were the beneficiaries of the collapse of the Gruevski government, had demanded free and fair elections and media reforms.⁷⁸ Zoran Zaev (Social Democrat) occupied the office of Prime Minister from 31 May 2017 to 3

January 2020 and again from 30 August 2020 to 17 January 2022. (It was during Zaev's first term as Prime Minister that the Macedonian government agreed to change the name of the country to North Macedonia, as the price of admission to the EU.) However, the Zaev government found it difficult to move forward with reforms in the media sector. Among other things, as of September 2020, IMRO-DPMNU was blocking the appointment of new members to the MRTV program council proposed by the Social Democrat-led government. The result was that the program council was still staffed by IMRO-DPMNU appointees, whose mandates were extended until new members could be appointed.⁷⁹

Finally, as a report filed with the Center for International Media Assistance in 2015 found, corruption, cross-ownership, the intervention by media owners in editorial decisions, and the uses to which government advertising were being put were not the whole story in Macedonia. Quite apart from these difficulties,

Journalists often work without contracts, insurance, paid vacation, overtime hours or sick leave, and minimum wage is not regulated. Journalists' tenuous economic and social position – low incomes, little job security, often no pension and health insurance – also engender self-censorship for fear of losing their positions.⁸⁰

VI

Where Orbán seemed to find inspiration in a distant pre-liberal past, unable to let go of the territorial losses imposed at Trianon in 1920, and to want to take Hungarians back in political time, Gruevski's architectural reimagining of Skopje mixed classical Greek with Baroque and other historical styles. Poland's Jarosław Kaczyński, leader of the right-wing Law and Justice (PiS) party, by contrast, takes Church law⁸¹ as his beacon and would like ideally to see Poles far more deeply religious, and, thus, traditional, than they are today. In this context, it is no accident that Kaczyński was especially troubled by the editorial policy at the very secular daily *Gazeta Wyborcza*, though also for other reasons. Kaczyński, a few years ago, referred to Poland as having instituted its fourth republic, thereby signaling a break with the third republic of 1989–2015. More recently, refusing to accommodate the EU's criticisms of the politicization of the Constitutional Tribunal and the creeping efforts to muzzle the press, Kaczyński declared that Poland had “no reason to fulfil its obligations towards the European Union.”⁸²

The parliamentary elections of October 2015 gave PiS the same advantage as that afforded Fidesz by the Hungarian parliamentary elections of 2010, viz., the ability to form a government without bringing along a coalition partner. Taking control of the media was the incoming government's highest priority and, as early as 30 December 2015, the newly elected Sejm passed the Small Media Act (SMA), thereby amending the Broadcasting Act of 1992. Elżbieta Kruk, a PiS member of the Sejm and chair of that body's Committee for Culture, emphasized the

importance she attached to passage of this legislation by claiming that the public service media

ignore their mission [to serve] the national community. They promote ideological and moral fashions that are not accepted by a societal majority. The journalists, instead of creating media exposure to Polish *raison d'être*, often sympathise with unfavorable opinions regarding Poland. For the good of the national community, this should be changed as soon as possible.⁸³

The SMA prescribed that members of the Board of Management of the Public Service Media would be appointed by the Minister of the Treasury and that the terms in office for members of the Board would be shortened, with the mandates of sitting members expiring upon passage of the Act. The associated personnel changes provoked protests across the country, including by the Committee for the Defense of Democracy. Paweł Surowiec and his collaborators warned in 2020 that the changes effected by PiS in media policy worked to dismantle the “democratic values governing public media.”⁸⁴ The Association of Journalists of the Republic of Poland protested passage of the SMA, charging that it effectively killed media pluralism and objective information. Indeed, on 13 December 2016, the Constitutional Tribunal ruled that the SMA was unconstitutional.⁸⁵ In the meantime, the Big Media Act (BMA) had been passed earlier that year. This Act comprised three laws, covering the national media, audiovisual media, and the Polish Press Agency (PAP). Among other things, Article 9.3 of the BMA called on the media to “enrich historical consciousness and counteract misrepresentations of Polish history.”⁸⁶ The new act did add some safeguards concerning the appointment of the five members of the National Media Council and, on 22 July 2016, three members of PiS and two members of opposition parties were appointed to the council. One manifestation of this self-arrogated mission to “enrich historical consciousness and counteract misrepresentation of Polish history” was the introduction of a law in 2018 making it illegal to use the phrase “Polish death camps” in discussing Nazi-run camps in Poland during World War II or to allege that any Poles had been complicit in Nazi war crimes. Infraction of the law could be punished by imposition of a fine or a term of up to three years in prison.⁸⁷

Almost from the start of their electoral victory in 2015, PiS officials were sounding the clarion call for placing the Polish media in the hands of Polish owners. What the regime meant by this was to take ownership of the media out of the hands of foreign investors and see it entrusted to Polish media tycoons friendly to PiS. In this connection, the Polish government prepared a law as early as 2017 to restrict foreign ownership of Polish media outlets,⁸⁸ threatening the American-owned TVN with a hefty fine because of its coverage of protests in 2016 only to rescind the fine in January 2018.⁸⁹ Kaczyński was entirely explicit on this point, stating in May 2016, “We should, step by step,...buy the media out and make them Polish with the highest percentage [majority stake held by Polish capital]

possible.” He added that he considered it “unacceptable that in a sovereign state ‘the media outlets, in great part, are in the hands of foreign owners and that they are being exploited for political ends.’”⁹⁰ The leader of PiS spoke as if he was completely oblivious to globalization and to the tendencies of private investors to put their money wherever they believe they can make a profit. As for exploiting the media for political ends, foreign investors have generally had little interest in this, whereas the transfer of ownership of key media into the hands of Polish entrepreneurs would allow the Polish government to exert pressure on these owners precisely in order to exploit their media for political purposes.

In July 2021, PiS proposed an amendment to legislation to exclude non-European Economic Area (EEA) media corporations from investing in Polish media. The amendment was seen as aimed, in the first place, at TVN, a popular private television station owned by Discovery Corporation with a record of critical commentary about the PiS regime. The phrasing of the bill would have forbidden non-EEA investors from acquiring majority stakes in any Polish media.⁹¹ The bill received a stormy reception in the Sejm and President Andrzej Duda himself described the proposed media bill as “highly controversial,” adding that any takeover of a non-Polish owned media outlet should be “based on market principles.”⁹² In September 2021, the Polish Senate vetoed the Sejm’s proposed media bill, but in December the Sejm took up the bill once again and voted 229 to 212, with 11 abstentions, to overrule the Senate’s vote, forwarding it to President Duda for his signature. Duda was being pressured by both supporters and opponents of the measure. In addition, thousands of Poles took to the streets in front of the presidential palace in Warsaw to register their horror at the provisions of what was widely called the “anti-TVN bill.”⁹³ On 27 December 2021, Duda came down on the side of the bill’s opponents, vetoing the draft bill.

The struggle over the future of TVN was no small matter. According to BBC, TVN has been “Poland’s most watched news channel,”⁹⁴ while *Gazeta Wyborcza* reported, in February 2022, that TVN’s “Fakty” was the single most watched news program in the country, with a 21.7% share of the audience.⁹⁵ Even so, PiS continued to consolidate its influence in the media. In early 2021, the state-owned company Orlen purchased Polska Press from the German firm Passauer Neue Presse. Polska Press is a conglomerate consisting of 20 regional dailies and 50 weeklies, as well as internet portals. Upon hearing of the purchase, Kaczyński remarked, “This is one of the best pieces of news I have heard in recent years.”⁹⁶ Dorota Kania from the right-wing *Gazeta Polska* was quickly put in charge of Polska Press and proceeded to purge the editors-in-chief of most of the conglomerate’s daily newspapers.

Where free media are concerned, the PiS regime has turned, at times, to financial pressures, such as fines and special fees.⁹⁷ There have also been death threats against independent-minded journalists and their children.⁹⁸ The regime’s gnawing away at press freedom has not, however, brought the regime all the benefits for which it had hoped. In particular, as *Notes from Poland* reported in June 2022,

Poles' trust in their country's media has sunk dramatically, with TVP, the unofficial mouthpiece of the ruling party continuing to be the least trusted media source among Poles. The most trusted news outlets, as of June 2022, were the private radio stations RMF FM (trusted by 68% of those surveyed) and Radio Zet (62%), together with the privately owned television channels TVN News (64%) and Polsat News, both owned by the TVN group (64%).⁹⁹

As a result of parliamentary elections held in Poland in October 2023 (see Chapter 1), Kaczyński's right-wing PiS lost control of the government and, on 15 December 2023, the centrist coalition headed by Donald Tusk took office, with Tusk as Prime Minister. Tusk and his coalition partners were aware that PiS had converted the public media into tools of propaganda. Smearing the Civic Platform (Tusk's party) was among the uses to which PiS put its weaponized media group.¹⁰⁰ Tusk was determined to restore integrity to the public media and that meant dismissing politically driven journalists and media directors and freeing the media from political controls. Thus, soon after taking office, Tusk's government replaced the directors of state television, state radio, and the Polish Press Agency (PAP).¹⁰¹ In a patently illegal strategy of resistance, PiS loyalists occupied the state television facility and the building housing PAP. In an additional act of defiance, (PiS promised to veto the new government's 2024 budget, which allocated 3 billion zloty for public media; Duda specifically objected to the provision in the budget regarding the media.¹⁰² "We [have] wanted to change everything" in the public media, Paweł Pluska, appointed by Tusk to serve as news editor at 19:30, explained, "starting with the language. Because for the last eight years it has been the language of hate, of exclusion."¹⁰³ Stable democracy requires free media adhering to professional standards and doing their best to provide well-researched, objective, nonpoliticized information on serious subjects of use to the public. This is why the struggle over the public media in Poland matters.

VII

As Peter Gross has noted, Romania's constitution and laws are designed to *appear* to conform to EU standards, but interpretation and observance are another matter.¹⁰⁴ Moreover, as in other countries in the region, governmental subsidies have played their part in shaping the national mediascape; as early as 1989–1990, Romanian media began receiving subsidies from Romanian political parties in exchange for favorable treatment. Romania was admitted to the European Union in January 2007, but, in the wake of that milestone, local corrupt elites moved to circumscribe and control the mass media. Soon Romanian media conglomerates were able to concentrate their control of various media. As for wayward journalists – they were threatened by unknown persons and attacked.¹⁰⁵

As of November 2021, Romania's two principal political parties – the Social Democratic Party (PSD) and the National Liberal Party (PNL) – were spending more than half of the subsidies they received from the government on the media

– whether in the form of paid advertising or as paid propaganda. According to Cristian Pantazi, a founder of G4Media, an independent news website, who writes on media affairs, “many media outlets, especially television, have lost their independence and [have] become political players dependent on political advertising contracts.”¹⁰⁶ But supervision of the media has taken other forms as well. For example, in March 2007, “the Romanian Parliament lifted the accreditation of the intellectual weekly 22, which ha[d] been a consistent critic of Romania’s new political elites.”¹⁰⁷ Media owners view their holdings as instruments to advance their interests and careers and repeatedly use them as tools for political influence. Media owners and politicians frequently interfere in editorial policy. The result, as Peter Gross reported in 2008, has been persistent “disinformation, misinformation, intimidation, trivialization, [dissemination of] rumors, advocacy, and propaganda on all political and economic issues or those tinged by them.”¹⁰⁸ The National Audiovisual Council even complained in 2013 that the media were being hamstrung by “willful misrepresentations or misapplications” of the laws.¹⁰⁹

The case of investigative journalist Emilia Sercan is illuminating. Beginning in 2016, she devoted much of her time to uncovering plagiarism on the part of government officials, police officers, and military officers, as well as other public officials. She discovered that many of them held doctorates on the basis of plagiarized dissertations; for example, in January 2022, she published an article accusing Nicolae Ciuca, Romania’s Prime Minister since November 2021, of having plagiarized his doctoral dissertation. As a result of her work in this area, she received threats of various kinds, insults, and defamatory emails.¹¹⁰

Romanian politicians clearly fear media over which they do not command at least strong influence. This was made completely obvious by accusations by certain political figures that journalists were guilty of treason, involved with mafia groups, and so forth. On 17 July 2012, Romania’s interim president, Crin Antonescu, who served in that office only from 10 July to 27 August 2012, went so far as to describe the *Washington Post* and the Paris daily *Le Monde* as “contaminated publications.”¹¹¹ Romanian politicians’ fear of free media was also obvious from the drafting of a law authorizing the parliament to remove the director of the state news agency *Agerpres* at any time, without providing any objective reasons. Protests by the sitting director and representatives of other news media forced the government to back down and, as of this writing, the law has not been adopted. Moreover, a report published in May 2022 indicated that laws drawn up to protect press freedom were not being adequately respected.¹¹² Given the conditions in which the Romanian media operate, it is no surprise that circulation figures (in 2015) for daily newspapers showed a troubling downward trend.¹¹³ Romanian readers do not find a captured press particularly interesting.

In the past two decades, the number of independent media outlets operating in Romania has steadily increased; even so, as of 2023, the country ranked 53rd in the World Press Freedom Index published by Reporters without Borders.¹¹⁴ Among persistent problems are government interference in national television,

the use of political rather than professional criteria in appointments to the council regulating public radio and television, slanted reporting, and the use of the media, by their directors, to advance their own personal interests.¹¹⁵

VIII

In 1994, Rowland Lorimer wrote that what we understand reality is a function of the meaning we attach to our perceptions of the world.

The mass media, ... [in turn] ... are major contributors to our perceptions, both on the basis of the information they carry and [on the basis of] the interpretation they place on that information. But our perceptions are also organized by the prevailing dynamics of our communities, our acquired ideas and even our personalities.¹¹⁶

And, by the same virtue, developments, policy changes, instances of corruption, and scandals that are ignored by the media are unlikely to become part of the public discourse, turning events into nonevents, just as it is possible for the media to recast nonevents into seemingly important “events.” Some observers have speculated that the less regulation of the media, the better. But in a 2003 article, Robert W. McChesney pointed out that it was a mistake to think about regulation of the media as if it were a matter of quantity; what is central, he noted, was that regulation be tailored to protect the public interest¹¹⁷ rather than the interests of media owners. Accordingly, as Curran, Iyengar, Lund, and Salovaara-Moring have argued, deregulation of the media may actually lead to lower levels of civic knowledge,¹¹⁸ especially, we would add, when the media decide to emphasize entertainment and even turn news into infotainment (as has happened in some media outlets in ECE). The challenge is to find the right balance. Here, as Peter Gross has pointed out in his seminal study of the region’s media, civic values provide a bedrock both for a functional free press and, for that matter, for liberal democracy itself.¹¹⁹

What is clear from the record of more than three decades since the implosion of the communist systems in ECE is that the media have *not* found the right balance. The various legislative acts adopted in these countries, some of them cited in this chapter or in the introduction, spell out the functions ideally to be performed by the press. Among other things, these acts specify that the media must inform the public about important matters, maintain professionalism and objectivity in reporting, and promote diversity of viewpoints. Although these functions are performed to one extent or another in most of the countries of the region, the dysfunctions – in the form of outright media capture (as in Hungary), the use of state funds to purchase favorable coverage (as in Macedonia under Gruevski), and pressures on the media including by threats and physical attacks (in several countries) – have rendered the functioning of the media highly problematic.¹²⁰ There are also

covert and not so covert functions that have been performed by the media – such as the promotion of pro-Russian and anti-Ukrainian sentiments in Serbia’s tabloid press during 2022, the dwindling of public trust and interest in the media in several countries, and recurrent instances of self-censorship on the part of journalists who fear losing their jobs. If the existence of free media is a fundamental pillar of a healthy democracy,¹²¹ then corrupted and not always professional (or even competent) media can be expected to allow or even reinforce corruption in the state, impacting the stability of state negatively.

Notes

- 1 I am grateful to Peter Gross, László Kürti, and Lavinia Stan for helpful comments on the first draft of this chapter and to Vesna Nikodinoska, Manuela Preoteasa, and Pawel Surowiec for helpful comments on the second draft.
- 2 As quoted in Beata Klimkiewicz, “State, Media and Pluralism: Tracing Roots and Consequences of Media Policy Change in Poland,” in *Publizistik* 62 (2017): 199.
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7

GOD, RELIGIOUS INSTITUTIONS, AND POLITICS

Lavinia Stan

While its manifest function was to remove religion and spirituality from the hearts and minds of ordinary people, the unintended function of the communist-era anti-religious policies was to legitimize religious denominations as righteous victims of repression and violence, emboldening clergy to advocate for a greater role of religion in public and private life, and bringing the ordinary folk to church, synagogue, or mosque once communist-era restrictions on freedom of religion were removed. The communists dismissed religion as the “opium of the masses” and religious leaders as retrograde troublemakers, but after 1989, citizens in democratizing East Central Europe saw religion as a refuge from daily hardships, a safe space of communion with fellow believers, and a personal improvement tool able to provide a measure of certainty in times of extreme political and economic precarity. On their part, post-communist politicians appealed to religious themes, symbols, and leaders when wishing to win elections, even when their personal convictions bordered on atheism. Overt gestures of piety have made presidents of electoral candidates ready to publicly broadcast their spirituality and outcasts of candidates unable to pay lip service to God. Under communism, religious groups that were denied their basic rights, were driven underground, or had their social work drastically curtailed became, almost overnight, some of the most trusted institutions in these new democracies. In the name of democracy, the weak post-communist states that embarked on the political and economic reforms necessary to discard communism and build democracy had to bend to the will of religious majorities, but one unintended function of the privileged relationships, thus, forged was to benefit these majorities well beyond their share in the population. Indeed, religious majorities have represented some of the most powerful interest groups in the region, drawing on reserves of legitimacy, credibility, and capital

that other interest groups, social movements, and even political parties could only dream of. During the 1990s religion was palatable to many more East Central Europeans than left-wing or right-wing ideologies discredited by decades-long failure to protect basic human rights, including the right to religion, and to attain social prosperity on par with Western standards.

East Central Europe remains a religious melting pot, home to a variety of denominations ranging from world religions, such as Christianity, Islam, Judaism, and Hinduism, to smaller groups, such as the Inochenti, Hare Krishna, Church of Beer, and Jedi religions. Despite its religious diversity, the region also divides into the predominantly Roman Catholic Poland, Slovakia, Hungary, Slovenia, and Croatia; the predominantly Orthodox Romania, Bulgaria, Serbia, Montenegro, and Northern Macedonia; and the predominantly Muslim Kosovo, Bosnia-Herzegovina, and Albania. The only exception is represented by the Czech Republic, where citizens unaffiliated with any denomination represent the largest group. (See Table 7.1 for religious affiliations in East Central Europe.) This chapter examines two predominantly Catholic countries (Poland and Hungary), two Orthodox countries (Romania and Bulgaria), the predominantly Muslim Albania, and the Czech Republic, where nonreligious people form a majority.

Decades of atheistic and repressive communism allowed religious groups to capitalize on their victim status and claim the moral high ground relative to the plethora of political parties constituted after 1989. This does not mean that all religions command the same support from society or the government. After 1989, East Central Europeans embraced religion out of a desire to taste the fruit forbidden by the communists, personal conviction, allegiance to family traditions, curiosity to discover spirituality, or opportunistic desire to tap into the aid brought to the region by some religious groups. The 1990s saw high levels of religiosity and church attendance throughout the region, but that religious fervor leveled off by the end of the decade, with further losses registered after year 2000. As Pippa Norris and Ronald Inglehart found, “the older generations are almost always significantly more religious than the young,” and countries such as Poland, Romania, and Bosnia-Herzegovina are “consistently more religious” than Montenegro and Germany,¹ both because in post-communist Europe, “religious pluralism is linked with relatively low levels of religiosity” and because religiosity remains weaker in countries that attained political stability and economic prosperity than in poorer countries with lower standards of living, longevity and education.² As time goes by and East Central Europe attains Western European levels of modernization, urbanization, and human development, religion will likely play less of a role in people’s lives.

Until (if ever) the region tolls the death knell for all deities and turns completely secular, even in countries where people practise religion infrequently and declare that they belong more than they believe, political elites and religious groups will continue to use religious symbols and values to legitimize themselves and to rally nations together in “imagined communities,” to use Benedict Anderson’s famous

TABLE 7.1 Religious Affiliation in Central and Eastern Europe (% of Total Population)

<i>Country</i>	<i>Catholic</i>	<i>Eastern Orthodox</i>	<i>Protestant</i>	<i>Muslim</i>	<i>Unaffiliated</i>
Albania (2011)	10	7	–	59	24
Bosnia (2017)	8	35	1	52	3
Bulgaria (2011)	0.8	76	1.1	10	7.1
Croatia (2021)	79	3.32	0.3	1.3	4.7
Czech Rep. (2021)	9.4	0.4	2.1	3.3	47.8
Hungary (2011)	38.9	0.1	13.8	–	18.2
Kosovo (2015)	1.7	6.8	0.1	88.8	2.3
Montenegro (2011)	3.4	72.1	0.02	19.1	–
North Macedonia (2021)	0.4	46.1	0.1	32.2	0.2
Poland (2016)	92.9	0.7	0.2	–	3.1
Romania (2011)	4.62	86.45	6.9	0.3	0.1
Serbia (2011)	4.9	84.59	1	3	1.1
Slovakia (2021)	56.2	0.9	6.9	0.1	23.8
Slovenia (2002)	57.8	2.3	0.9	2.4	13.6

Sources: “Obyvatelstvo podle náboženské víry v letech 1991 až 2021” (2021), <https://web.archive.org/web/20220122135853/https://www.czso.cz/csu/scitani2021/nabozenska-vira>; GUS Central Statistical Office, “Infographic – Religiousness of Polish Inhabitants,” December 22 2016, https://stat.gov.pl/en/infographics-and-widgets/infographics/infographic-religiousness-of-polish-inhabitants_4,1.html; “Население по местоживеене, възраст и вероизповедание,” 2011, <https://web.archive.org/web/20180303153448/http://censusresults.nsi.bg/Census/Reports/2/2/R10.aspx>; “The Evolution of the Religious Structure in Romania Since 1859 to the Present Day” (2014), https://www.revis-tadestatistica.ro/supliment/wp-content/uploads/2014/09/RRRS06_2014_A2_en.pdf; “Population of Montenegro by Sex, Type of Settlement, Ethnicity, Religion and Mother Tongue, per Municipalities,” July 12, 2011), [http://www.monstat.org/userfiles/file/popis2011/saopstenje/saopstenje\(1\).pdf](http://www.monstat.org/userfiles/file/popis2011/saopstenje/saopstenje(1).pdf); “Population by Region, Statistical Regions, Slovenia, Census 2002,” 2002, https://www.stat.si/popis2002/en/rezultati_html/REG-T-18ENG.htm; “Share of Croats in Croatia Increases as Census Results Published,” *Croatia Week*, September 22, 2022, <https://www.croatiaweek.com/share-of-croats-in-croatia-increases-as-census-results-published/>; “2011 Census of Population, Households and Dwellings in the Republic of Serbia,” September 30, 2011, https://pod2.stat.gov.rs/ObjavljenePublikacije/Popis2011/Knjiga4_Veroispovest.pdf; “Dataset Comparison – Kosovo in Period 2006 – 2015,” 2015, https://www.smre-data.ch/en/data_exploring/region_cockpit#/mode/dataset_comparison/region/-99/period/2010/presentation/table; “Census of Population, Households, and Dwellings in the Republic of North Macedonia, 2021,” 2021, https://www.stat.gov.mk/PrikaziSoopstenie_en.aspx?rbtxt=146; US Department of State, “2021 Report on International Religious Freedom: Albania,” June 2, 2022, <https://www.state.gov/reports/2021-report-on-international-religious-freedom/albania/>; “Religious Belief and National Belonging in Central and Eastern Europe,” 2017, https://assets.pewresearch.org/wp-content/uploads/sites/11/2017/05/09154356/Central-and-Eastern-Europe-Topline_FINAL-FOR-PUBLICATION.pdf.

phrase.³ In exceptional times, these influential actors might also use religious arguments to undermine neighboring nations, as shown during Russia’s 2022 invasion of Ukraine, a country bordering East Central Europe. Their historical association with nation- and state-building, large memberships as a percentage of the total population, and clearly established hierarchies with an exceptional reach in urban and rural areas have allowed religious majorities to mold the new post-communist

East Central European democracies, especially when governments enlisted them as supporters of the sweeping reforms enacted after 1989. Even in these countries, post-communist constitutions uphold the rights to conscience and association, prohibit discrimination based on religion, and protect all officially recognized religious minorities, occasionally also subsidizing their activities. At the same time, national laws on religion make official recognition a rather cumbersome and untransparent process that governments use selectively to block those they consider undesirable religious groups.

During the past three decades religious groups have interacted with the state in different ways, each in pursuit of distinct goals. One useful way to understand religion and politics in post-communist East Central Europe is to classify these interactions into three models capturing political representation for religious leaders, official registration of and governmental subsidies for religious groups, and the presence of religious instructions in public schools.⁴ The Czech church–state *separation model* treats religion and politics as separate areas of life. The *pluralist model* present in Hungary regards religion, education, and the family as complementary areas of life that the state should recognize and support. Religious and areligious groups are treated equally by the government, which funds either all or none of them. Informally, Poland and Romania uphold the *dominant religion model* in which the state recognizes the religious majority as a national Church entitled to financial and nonmonetary benefits that go beyond what is offered to other religious groups. The regional picture is further complicated by the interaction of religion and politics in such areas as sexuality, health care, and family life (abortion, euthanasia, divorce, adultery, recognition of same-sex marriages) as well as reassessment of the communist past (including collaboration with the authorities and restitution of property abusively confiscated by the communists). Rather than covering all these interactions in all six countries being discussed here, this chapter highlights the most important markers characterizing the interplay of religion and politics in post-communist East Central Europe.

One further note: the typology presented above does not account for the way in which religion is actually *lived* in the region. One can only be impressed by the pious faithful who crowd cathedrals and monasteries during religious processions and pilgrimages, kiss icons, give alms, make donations, light candles, and buy crosses, rosaries and religious calendars and books. Częstochowa in Poland, Medjugorje in Bosnia-Herzegovina, Nicula in Romania, Velehrad in Moravia or Mount Tomori in Albania are just a handful of the sites that attract thousands of faithful Catholics, Orthodox Christians, or Muslims each year. It is said that the Blessed Virgin Mary performed miracles at some of these sites by curing illnesses, saving nations, or giving messages to the world; that some of the religious celebrations organized in these places represent moments when the earth, people, and God come together; and that venerable saints have visited these locations while spreading the message of their God. East Central Europeans remember their faith not only in times of need but also in moments of joy and choose to involve

their congregations in their marriages, baptisms, and funerals, which are often lavishly celebrated. The vast majority of East Central Europeans cook and receive guests for Easter, Christmas, Eid, and other religious holidays; many agree for their children to attend religion classes in school; some attend church services more or less frequently; and quite a few confess their sins to their local priest or monks in monasteries. Others in the region, however, remain indifferent to religion or even consider it a topic of discord that is better ignored in conversations or ignored in personal identification.

The Czech Republic

After a brief interest in organized religion in the early 1990s, the Czechs became indifferent to it soon after. Polls conducted in 1997–2007 revealed that the Czech Republic registered ever lower percentages of people belonging to religious groups (dropping to 17% by 2007), identifying themselves as religious or very religious (25%), and attending religious services at least once a month (lower than 10%). The less religious the Czechs, the more they saw churches as unimportant in democracy (almost 53% in 2007).⁵ That same year, however, one-third of Czechs believed that Christianity strengthened freedom in Europe, and one-fourth of them agreed that Europe needed Christianity to preserve its social spirit needs.⁶

The dominance of the Civic Democratic Party (Občanská demokratická strana, ODS) and its leader Václav Klaus (born in 1941) over Czech post-communist conservative politics forced the Catholic Church to rely on the support of the tiny Christian Democratic Union–Czechoslovak People’s Party (Křesťanská a demokratická unie–Československá strana lidová, KDU–CSL) and the Freedom Union, whose concern for social solidarity and opposition to technocratic politics aligned with the Catholic social agenda more than Klaus’s commitment to individualism and the free market. Appalled by Klaus’s willingness to adopt reforms that moved the country away from the planned economy but exposed the population to high unemployment, inflation, and inequality, the Roman Catholic Church in the Czech Republic warned against the “dangerous views of extreme libertarians who consider man an isolated creature, selfishly seeking only his narrow personal interests under an extreme form of freedom” and a transition program that “suffered from a one-sided emphasis on the economic dimension” while neglecting “regeneration involving the cultivation of the legal and moral order, the development of civil society, modernization of the economy, civil service and public administration—and not least—a revitalization of the cultural and spiritual life of society, its visions, hopes and ideals.”⁷

The Catholic Church’s political allies have won little support among the secularized Czechs. Among the parties represented in Parliament, the KDU–CSL alone used religious symbols and proposed a political platform of Christian inspiration. Founded in 1919, banned under communism, and reconstituted after the Velvet Revolution, the KDU–CSL retained close ties to the Roman Catholic

Church and the voters from the rural and traditionally Catholic province of Moravia but has never gathered more than 7.2% of the national vote. The KDU–CSL was an uneasy junior member in the ODS governments of 1992–1997, “crossing swords with Klaus on such issues as social policy [and] restitution of church property.”⁸ Overall, its influence over policies, including those affecting religious affairs, remained limited. Born in 1998 as a splinter of the ODS, the Freedom Union served from 2002 to 2006 as a junior partner in a coalition government with the Social Democratic Party, a pre-communist party forced to merge with the Communist Party of Czechoslovakia in the 1945–1989 period. The government’s wavering performance meant that after the 2006 general elections, the Freedom Union remained outside parliament. The US-DEU dissolved in 2011 due to poor electoral performance and lack of leadership, but the KDU–CSL supported the ODS government until 2009 and has continued to attract a small but stable voter base and to win representation both in the Czech Parliament and in the European Parliament.

Three important laws adopted in 1991–1992, before the breakup of Czechoslovakia, touched on religious issues and were carried over by the independent Czech Republic. The Charter of Fundamental Rights and Freedoms, part of the constitution, declared that the state was bound by no particular religion (Article 2.1) but was obliged to guarantee religious freedom and to grant denominations the right to administer their own affairs by appointing clergy, establishing religious orders, and offering religious instruction in public schools to the extent that these measures conform with democratic norms, public security, and order; health and morality; and the rights of others (Articles 15 and 16). Act 308/1991 on Freedom of Religious Faith and on the Position of Churches and Religious Societies guaranteed state noninterference in the daily affairs of the Church (Article 5) and religious education of children younger than 15 years of age (Article 3). Act 161/1992 on Registration of Churches and Religious Societies stipulated that a minimum of 10,000 adults with permanent residence in the republic were needed for a Church to register officially with the Ministry of Culture, but members of the World Council of Churches needed as few as 500 members. This high bar was somewhat lowered for Council nonmembers by Act 3/2002 on Freedom of Religion and the Position of Churches and Religious Associations, which introduced a two-tiered registration system. Religious groups with at least 300 adult members permanently residing in the country could register at the lower tier, which granted limited tax benefits but introduced annual reporting requirements. After ten years, first-tier groups with membership amounting to at least 1% of the total Czech population (that is, 10,000 citizens) qualify for the second tier, which allows them to establish Church schools and hospitals, receive government subsidies, perform marriage ceremonies, and send chaplains to prisons and army barracks. Religions registered prior to 1991 were automatically re-registered, in recognition of their long-term presence in the country. The failure of the 2002 Act to define religion had the unintended

consequence of allowing groups traditionally considered nonreligious, such as the Church of Beer and the Jedi religion, to seek official recognition as first-tier denominations.

In 1998, almost a decade after the collapse of communism and much later than elsewhere in East Central Europe, religion instruction was introduced in the Czech public schools at the request of civil groups and Catholic parents. The delay reflected the pronounced secularization of the post-communist Czech society, the memory of the severe obstacles faced by children enrolled in such classes during communist times, and the historical marginalization of religion in public schools. Directive 36 318/97-22-23 on Religious Education in Elementary, Middle and Special Schools, issued in 1998 by the Minister of Schools, Youth and Physical Training, allowed Churches to offer religion classes at the pre-university level but only on the condition that they were “in accordance with moral and humane values of education and the principles of tolerance and religious pluralism.”⁹ In elementary schools, religion classes could include students from several grades, several schools, and even several localities, if interested students were too few. In secondary schools, religion classes could be offered “in the framework of applicable social-scientific class subjects or in the framework of available periods for discretionary or optional subjects of social-scientific character.”¹⁰ Because the subject matter of religion classes had to accord with the topics presented in social science classes, “educators of relevant social-scientific subjects participate in [religion] classes, together with the lecturers [who are] authorized representatives of registered churches.”¹¹ These provisions ensured that creationism would not replace Darwinist evolution in the schools.

Church registration and other aspects of religious life became the purview of the Department of Churches in the Ministry of Culture, heir to the communist-era State Office for Church Affairs, which used to monitor and often suppress religious affairs in Czechoslovakia. As part of its mandate, the Department has disbursed tax benefits and government subsidies to recognized denominations that did not reject such support as a matter of principle or an expression of their independence. During the 1990s, annual state subsidies of 68 million USD (CZK 1.1 billion) were divided among second-tier denominations proportional with the number of clergy and used to cover the priests’ wages and pensions, as well as expenses related to church administration and maintenance of Church property.¹² Both registered and nonregistered religious groups can assemble and worship as they see fit, but unregistered groups cannot own community property. In 2004, the Center of Muslim Communities became the first Muslim organization to gain first-tier status. By 2010, the number of state-recognized religious organizations reached 30 and included historically important groups such as the Roman Catholic Church, the Evangelical Church of Czech Brethren, the Czechoslovak Hussite Church, and the Orthodox Church in the Czech Lands. The country’s 3,900 Jews are represented by the Federation of Jewish Communities in the Czech Republic, presided by Petr Papoušek (born in 1977) since 2012.

New groups, such as the Church of Beer, the Jedi religion, or the Messengers of the Holy Grail, have also sought official recognition, but academics and policy-makers alike have dismissed them as pseudo-religions, invented religions, hyper-religions, or fiction-based religions. On its Facebook page, the minuscule Church of Beer confidently states that “faith is more than religion. It’s about a relationship between a person and Beer. Together, we make faith worth living.”¹³ Church documents further explain that the magic potion distilled from hops serves non-sacred but welcomed purposes: “Drinking beer has a beneficial effect” and “it is a holy drink, for it best calms the bodies and minds of people at times of rest and rouses them to exceptional performance in the future.”¹⁴ In the 2011 census, as many as 15,070 Czechs declared themselves members of the Jedi religion, which is based on “the moral values of the Jedi knights” as depicted in the popular *Star Wars* movie series, whose first installment was shown in Czech cinemas in 1992.¹⁵ After conducting interviews with some of the Jedes, Dušan Lužný, a professor at Palacký University Olomouc, concluded that followers of this religion consist mostly of young people, likely brought up in a nonreligious environment, who feel no need “to come to terms with existing religious traditions,” are “interested in ‘mysterious’ and unknown sides of existence,” want to understand and help the world around them, and construct their image of the world and religion “randomly according to whatever they had access to.”¹⁶ The force is not only with Czech Jedes but also with Jedes in the United States, the United Kingdom, Canada, Australia, New Zealand, Ireland, Turkey, and Croatia. These two religions, if religions they are, struggled to retain popularity beyond the 2011 census, when a social media campaign encouraged Czechs to declare these religious affiliations. Unsurprisingly, these groups and Jan Dvorsky’s Messengers of the Holy Grail have been regarded with apprehension by the Czech government. Dvorsky convinced his followers that he was the Messiah but not the Czech authorities that he could keep his children out of school. His followers, several dozens, lost faith while Dvorsky was on the run from the authorities, and the group eventually vanished.¹⁷

The 2002 Church law intended to clarify relations between the state and the denominations, but its unintended function was to spark considerable controversy. Smaller and less-established religious groups complained that the high membership requirements made second-tier registration, and the privileges and perks accompanying it, prohibitive for them. In its turn, the Roman Catholic Church complained that the law registered it as a “civic enterprise” devoid of any social purpose, feared that the state could disband its charities unilaterally, without consulting Church leaders, and deplored restrictions on its use of the profits generated by its “enterprises” for its work in health and social services. Opposition to the draft law from various quarters was significant enough for President Václav Havel (1936–2011; served as the head of the Czech state from 1993 to 2003) to believe it revived communist-era state supervision over religious life and threatened the very existence of Catholic and Evangelical charities. In the end, the Czech Parliament decided to adopt the controversial law, despite opposition from

the Christian Democrats (KDU–CSL), the Freedom Union, and the Communists. In 2007, the Constitutional Court found that several amendments introduced two years earlier, which instituted state regulation over Church-sponsored charities, schools, and hospitals, did not contradict Article 16 of the Charter of Fundamental Rights and Basic Freedoms, which allowed Churches to “found religious orders and other Church institutions, independently of state authorities.”¹⁸

The legislative framework governing religion instruction in public schools was refined by Act 2/2002 on Religious Freedom and the Position of Churches and Religious Associations, which clarified that only registered religious groups can teach religion in public schools. By 2010, ten of the 30 registered denominations had obtained permission to organize religion classes at the pre-university level, a surprisingly high number in Europe’s most secularized country. Religion is optional for students, but not for public school directors, who are obliged to introduce it in the school if at least seven students in one class of the same religious group request such classes. All students may freely enroll in religion classes of another faith if they so desire. The Ministry of Culture covers teachers’ salaries and pensions, but teachers need the permission of religious groups to offer religion classes. Rumor had it that religion classes are more popular in some regions than in others, but statistics on this topic are not collected. This rather permissive religious instruction formula was intended to satisfy religious denominations, but it irked them instead. Churches complained that attendance was diminished by the fact that religion classes were taught during the only free half-day of the week, usually on Wednesdays, when students went home. Churches further resisted the introduction of a mandatory ethics class as a religiously neutral subject on grounds that religion classes offered an ecumenical perspective inclusive of all religious traditions. Dissatisfaction extended to the general public: in 2017, only 31% of Czechs believed that the education system should instill moral values, as opposed to developing knowledge (69%), independence and autonomy (60%), teamwork skills (58%), creativity (56%), public appearance skills (54%), and self-confidence (54%).¹⁹

The Concordat signed by the Czech government with the Vatican in mid-2002, the first ever in the history of the Czech Republic and its predecessor, Czechoslovakia, never came into force. The then parliamentary majority – which included the communists, the ODS, and the Social Democratic Party – claimed that the Concordat infringed on the principle of equality among Churches, as no similar treaties were signed with other denominations and rejection of the document amounted to protection of state sovereignty in the face of the Catholic Church, which retains the image of a foreign, imposed Church.²⁰ These attacks were rooted in a secularized worldview, and the electoral calculations of the parties represented in Parliament more than in the wording of the document, as the Czech Concordat was remarkably “restrained” compared to agreements signed with other post-communist countries.²¹ It explicitly recorded the nonconfessional character of the state and allowed Czech citizens to choose between church and

civil weddings, but included no obligation on the part of the Church to notify the Czech government in advance of the nominees of the Holy See.

Given its fairly liberal attitudes, the Czech society has undergone no vigorous debate on social issues seen as highly controversial elsewhere in the region. In the 1990s two-thirds of Czechs considered abortion the decision of the pregnant woman alone, a permissive attitude that led four in ten pregnancies to be terminated through abortion. Under Czech law, the procedure starts with the woman's written request to her gynecologist, who informs her of the possible consequences of abortion and in which health center the abortion is to be performed, for first-trimester pregnancies. A medical commission evaluates requests lodged by women who might face health complications as a result of abortion. Beyond the first trimester, pregnancy can be terminated only if the woman's life or health is endangered or if the fetus is impaired. Peaking at 100,000 a year in 1990 (in a population of 10 million), abortion rates steadily declined to 15,500 in 2021, remaining one of the lowest in the region.²² The Roman Catholic Church first adopted a conciliatory tone. Its *Peace and Good: A Letter on Social Issues in the Czech Republic* document, released in 2001, acknowledged the changed relationships within the family by rejecting "the idea that the work concerns mainly men and the family concerns mainly women" and encouraging men "to realize their new roles ... in a modern marriage. An increasing flexibility of roles and equality in partnership contributes to creating better relations in family life."²³ Widely circulated in Czech Catholic circles, the letter led to little flexibility in matters of abortion. In 2008, the Catholic Church and the KDU–CSL deputies sought to restrict abortion when the Ministry of Health Care proposed to remove time restrictions on abortion for cases in which the embryo is suspected to be damaged. The Church wanted to restrict abortion only to cases based on "health grounds" and allow fathers to have a say in whether the child is aborted. Ignoring these demands, the ministry approved a bill allowing "abortion tourism" of European Union citizens interested in coming to the Czech Republic to discontinue pregnancy.²⁴ According to Patrick Flood, the women's organizations and the general public tend to be pro-life in the more religious Slovakia, and pro-choice in the secularized Czech Republic.²⁵

Several events in 2005 further revealed the position of denominations, especially of the Catholic Church, on sexuality, family, and health. That year, the Czech Republic became the first post-communist country to recognize same sex couples and grant them limited rights to inheritance and health care, but not marriage and child adoption. During the debates that preceded the vote, the Christian Democrat deputies in the KDU–CSL strenuously rejected the law on grounds that marriage was a privilege granted to couples "in return for reproduction and the upbringing of a new generation," a condition not met by homosexual couples. A joint letter signed by the Catholic, Orthodox, and Protestant leaders echoed this position by claiming that "the family is the basic element of society and is irreplaceable. We think that the adoption of a law on same-sex partnership will further weaken

family life and will cause chaos in values, mainly in the young generation.”²⁶ Since 2006, same-sex partnerships (but not marriages) are legally recognized and afforded all privileges enjoyed by married couples, except the rights to adoption and to file taxes jointly.²⁷ In 2021, the Constitutional Court upheld the ban on adoption of children by same-sex couples.²⁸

Also in 2005, the Czech religious leaders criticized a draft bill that set a maximum sentence of six years in prison for those convicted of aiding the death of a terminally ill person. According to them, the proposal unjustly differentiated euthanasia from murder, permitting doctors who performed euthanasia to receive more lenient sentences than the maximum specified for murder. Muslim, Jewish, and Christian religious leaders called for legislation that would shield the terminally ill from having to choose whether or not to continue living. Another attempt to legalize euthanasia as a “dignified death” that was not considered murder legally, lodged three years later, distinguished between passive and active euthanasia based on whether medication was withheld (in the former) or administered (in the latter). “Old age and inability to care for oneself could not be the only criterion” for a procedure that was to be accessed only by patients in hopeless situations, who “are in a state of constant physical or psychological suffering, which is the result of a long-term grave and untreatable disease, and only when the patient himself has asked for the euthanasia in writing.”²⁹ Although it permitted euthanasia under very strict restrictions, the proposal was widely condemned by legislators, doctors, journalists, and citizens.

Finally, a December 2005 report by the Czech ombudsman identified dozens of cases of coerced sterilization of Roma women that occurred in 1979–2001 and called for criminal investigations and possible prosecution against the health care personnel and administrators who participated in the procedures. The report noted that Churches “deem any artificial intervention in the reproductive capacity morally unacceptable”³⁰ and condemned involuntary sterilizations. More recent research suggests that communist Czechoslovakia sterilized Roma women during a long period (1966–2012) without proper consent and understanding of the risks associated with and the irreversibility of the procedure.³¹ In 1988, the Czechoslovak government introduced a one-time monetary reward for the Roma women who underwent sterilization “in the interest of a healthy population and overcoming adverse life circumstances.”³² Denounced as “genocide” by Charter 77, sterilizations continued past the Velvet Revolution. In a 1998 open letter, the Czech bishops asked citizens to “show solidarity” with the Roma, who were “losing hope” of ever being “treated with dignity,” but the letter failed to quell anti-gypsyism. Months later, the Bohemian town of Ústí nad Labem built a wall in response to complaints issued by residents of private houses located on one side of the street against the noise and garbage produced by Roma inhabitants living in subsidized apartments on the other side of the street. Czechs from all over the country voiced their support for the wall, but authorities demolished it in November 1999.³³

Poland

For the conservatives who dominated both the Vatican and the Catholic Church in Poland in 1989, when the communist regime collapsed, “neutrality in issues that involve God’s will or God’s plan is an absurdity” and this is the reason why they saw the need to mold the new post-communist secular democracy according to Catholic “programmatic preferences.”³⁴ Given his intimate knowledge of Poland and steadfast support of the country during communist times, it is unsurprising that the conservative priorities and preferences of Karol Józef Wojtyła (1920–2005), who served as Pope John Paul II from 1978 until his death in April 2005, were assumed by the Catholic Church in Poland. The Church moved quickly and forcefully to spend the enormous capital of trust it had gained during communist times by pursuing several initiatives, which were intended to secure its dominance over Poland, but unintentionally set it on a path of collision with the more reformist, secularized groups and parties. That is because, as Sabrina Ramet suggested, the Church acquired theocratic features when it tried to “use state mechanisms to impose the rules and religious values of its own faith on everyone living” in the country.³⁵ Within months of the regime change, the Church asked for recognition as the state Church of Poland, the introduction of religion in public schools, and a ban on abortion. By 1992, Polish pupils had not one but two religion classes per week, more than children in any other neighboring country. Although religious minorities criticized these classes on grounds that non-Catholic pupils feel pressured from their peer or teacher to submit to Catholic religious instruction, religion classes were popular with children eager to discuss spirituality and religion. The zeal with which the Catholic Church leaders advocated in favor of religious instruction was matched by their zeal in keeping sexuality out of school curricula and in persuading legislators to ban abortion. Abortion was criminalized in 1993, and at the beginning of the post-communist era, Radio Maryja was established by Father Tadeusz Rydzyk (born in 1945) of the Redemptorist Order in the historical town of Toruń.

The role of Radio Maryja in blending Polish identity with Catholic values and traditions, providing moral support for conservative views, delegitimizing liberal takes on issues of theology and ritual, and criticizing other religious groups cannot be overstated. The radio station has been involved in all major debates in post-communist Poland, waging a bitter war to defend the most virulent strand of conservative Catholicism, to win the hearts and minds of religious Poles, and to criticize all politicians and government officials who dared to step out of line and voice more liberal opinions. By using “a combination of religious programs, prayers, news (chiefly about the Catholic Church), and calm religious music”³⁶ and by broadcasting the mass, recitals of the rosary, and discussions on selected social and political themes, this hardline station has promoted views that are conservative even compared to those of Pope John Paul II. Its blend of authoritarianism, antisemitism, and fundamentalism has sustained a worldview in which

Polish Catholicism is seen as being constantly under siege, attacked by internal and external enemies bent on destroying the nation and the country. Radio Maryja has been in direct competition with Radio Jozef, the official mouthpiece of the Catholic Church in Poland. Repeatedly reprimanded by the Polish Catholic leaders for its radical views, Radio Maryja articulated during the 1990s “the feelings of Poles alienated by the country's brisk, materialist business culture and the decay in moral norms.”³⁷ However, by 2013, its audience fell to 2% of listenership and has fallen even more since then.³⁸

As in other new post-communist countries, the adoption of the Concordat was a priority for the Vatican, not so much for the Polish governments that remained chiefly preoccupied with the passing of a new constitution that would renounce communist restrictions and define the new democracy. A version of the Concordat produced locally by a Polish commission comprised of representatives of the government and the Catholic Church was promptly rejected by the Vatican, whose much delayed alternative text was accepted in late 1993 by Prime Minister Hanna Suchocka (born in 1946), who had served as Poland's Ambassador to the Vatican in 2002–2013, days before the end of her mandate in spite of the fact the text was “in conflict with 16 existing laws, two codices, and a number of decrees.”³⁹ Parliament, however, could not adopt the Concordat as long as negotiations for the constitution bitterly divided the political elite and pitted the Catholic Church against powerful formations such as the Democratic Left Alliance (SDL), the successor to the former communists. The Church wanted the Constitution to invoke God in its preamble, protect human life from the moment of conception, define marriage as a relationship between a man and a woman, and describe Polish history and culture as Christian.⁴⁰ Such provisions would have imprinted Catholicism onto the new democracy while stopping short of recognizing the Church as the state Church.⁴¹ After lengthy disputes, the Constitution of 1997 mentioned God and the Christian Polish nation in the preamble but explicitly recognized the state as religiously neutral. The following year, the Concordat was approved, cementing the hegemony of the Catholic Church in Poland. The fact that the Concordat and the Constitution do not formally elevate the Catholic Church to that status does not prevent the Church from behaving as a state Church or successive governments from treating it as such. Therefore, the manifest function of the post-communist constitution is to protect the rights of all faithful, but its not-so-latent function has been to cement the privileged position of the majority denomination, further strengthened by the special agreement Poland arrived at with the Holy See.

By the end of the 1990s the Catholic Church had lost its battle to formalize its dominance over Poland but had successfully expanded its presence in public schools with the introduction of religion classes, in sexuality and health care with a ban on abortion that went further than elsewhere in East Central Europe, and in communications with the opening of several radio stations, among which the rebellious Radio Maryja was “the voice of Catholic obscurantism.”⁴² The unintended function of these fights for hegemony was to take a toll on the Catholic

Church. A 1999 opinion poll showed that 53% of Poles believed that the Church exerted too much of a political influence in the country, although 90% of Poles still identified themselves as Catholic. Political scientist Sabrina P. Ramet believes that this strong allegiance to the Catholic Church is explained, in part, by the memory of the Church's solidarity with the Polish people during World War II and its defense of human rights under the communist regime, in part, by the Church's strong commitment in education, and more particularly by its social and charitable work since the end of communism, which benefits schools, hospitals, hospices, orphanages, villages, the poor, families in distress, women trafficked into forced prostitution, and even homosexuals in heterosexual marriages, as well as the sense of belonging that the Church is able to offer Poles.⁴³ The vitality and significance of the Catholic Church for the Polish nation and Poland were suggested by the number of vocations, which hit a 50-year high in 2003, but has faced a devastating decline ever since.⁴⁴

In conjunction with the ban on abortion, the Catholic Church in Poland was preoccupied with a host of other issues connected to family life, which it viewed in strictly conservative terms that ignored modern trends and developments. It waged war against sex education in schools, prenatal medical testing, contraception and family planning, unmarried couples, same-sex marriage, adoption by same-sex couples, artificial insemination, divorce, and homosexuality. That the Church came out in favor of traditional heterosexual families that engage in sexual intercourse mainly to procreate was deemed scandalous by democrats married to the ideal of equality. Nevertheless, one should not forget that before Pope John Paul II became its leader, the Roman Catholic Church had been less conservative and more committed to aligning itself with modern times and mores through *aggiornamento* or that the primary Christian Church had a more nuanced position toward sexuality that was lost over time.⁴⁵ In short, Ramet is right to state that the conservative personalities and preferences of Pope John Paul II and Cardinal Józef Glemp (1929–2013, who served as Primate from 1981 to 2006) influenced the Church but the Church could have adopted a different position under different leaders.⁴⁶

By intentionally embracing a strict model of acceptable sexual relations and family life that focused on restricting and punishing undesirable behavior, the Catholic Church missed sight of an important unintended consequence: its failure to recognize the importance of protecting the lives of mothers endangered by pregnancy or by advocating against violence within the family. Post-communist Poland initially allowed abortion if pregnancy threatened the mother's life or the fetus was damaged or was the result of rape, but in practice, doctors and hospitals aligned themselves with the Church's policy of zero-tolerance toward abortion by denying the procedure even in these exceptional cases. Hundreds of cases of infanticide and abandonment, especially of children born with disabilities or to poor parents unable to care for them, have been registered in Poland. To discourage infanticide, in 2012, the Polish branch of the Catholic charity Caritas installed

heated boxes in the walls of hospitals and religious buildings where mothers can safely abandon their unwanted babies. The boxes, which are known as “windows of life” (*Okna Życia*),⁴⁷ are meant to address abandonment, the unintended consequence of the restrictive abortion policy promoted by the Church and the state. Controversies surrounding abortion in Poland, including the protests voiced by Polish women, especially in 2020–2022, are discussed in Chapter 9.

During the 2000s the Catholic Church has abandoned its openly militant policy agenda of the 1990s to allow the Law and Justice Party (PiS) and the League of Polish Families (LPR) to promote conservative legislation to its liking. The LPR and its nationalist and Catholic militia arm have repeatedly come out in favor of capital punishment, and against abortion, homosexuality, euthanasia, and same-sex marriages, while publications close to them denounced liberal politicians as “dark forces” and “godless, satanical masons propagating nihilism and demoralization.”⁴⁸ Since 2010, the PiS has repeatedly vowed to bring Poland back to its Catholic roots and away from the liberal multi-culturalism promoted by Western Europe by undoing the legacy of atheistic communism and by championing Christian values.

Poland, more than the Czech Republic, has struggled with the legacy of the collaboration of key religious leaders with the communist secret state security (*Służba Bezpieczeństwa*). During the 1990s, the Catholic Church and other denominations enjoyed tremendous moral support as former victims of the communist regime, but by the 2000s, numerous public revelations seriously challenged the victimhood of religious institutions and individuals. When Cardinal Glemp stepped down as Archbishop of Warsaw in 2006, his prospective replacement was Bishop of Płock Stanisław Wielgus (born in 1939), a nomination accepted by the Holy See. However, on 7 January 2007, minutes before his installation, Wielgus resigned after it was revealed that he had collaborated with the SB and for having disclosed his tainted past to Pope Benedict XVI (1927–2023). Neither Wielgus nor the Vatican took the time to detail the nature or duration of the collaboration, a move whose intended function was to protect the bishop but that, ultimately, backfired by damaging his credibility beyond repair. Wielgus was just one of the many Polish Catholic priests who, after the death of Pope John Paul II in 2005, were unveiled as having been secret SB informers in a series of scandals that gripped the entire country.

Revelations have come from four different sources: the Institute of National Remembrance (IPN), the former victims who identified the priests who had spied on them, the Polish Catholic Church hierarchy, and the priests who confessed to having spied on others. First, Poland’s memory institute and custodian to the extant secret archive, the IPN, suggested in 2002 that one in seven priests had served as secret informers for the communist SB after being recruited in virtue of well-established protocols.⁴⁹ Infiltration spanned all regions of Poland and, more importantly, reached deep into the Vatican, where in the 1980s, Fr. Konrad Hejmo (born in 1936) regularly informed on the anti-communist pope. Second, by

accessing the secret archive housed with the IPN, Fr. Tadeusz Isakowicz-Zaleski (born in 1956) revealed the identity of the priests who spied on him in the 1980s, when he was a chaplain for the independent trade union Solidarity. Alarmed by the detailed secret file compiled on him, Isakowicz-Zaleski set out to identify the spies in his own Archdiocese of Kraków during the 1980s and published his findings in 2007 as a book despite being ordered by his superiors to keep the names to himself.⁵⁰ Isakowicz-Zaleski's book, which quickly became a bestseller, did not represent the only source of unofficial revelations, as both journalists critical of the Church and their colleagues supportive of it conducted their own investigations, released names and evidence, and assessed collaboration and its implications for the Church's moral standing.

Third, a commission officially established by the Catholic Church sought to control the memory of the communist past by proposing its own interpretation of collaboration and the culpability of priests who served as secret informers before 1989. Its *Memorandum on the Collaboration of Some Priests with the Security Organs of Poland during the years 1944–1989*, submitted in 2006 to Cardinal Stanisław Dziwisz (born in 1939), Metropolitan Archbishop of Krakow, admitted that Catholic clergy knowingly collaborated with the communist authorities but also showed that, in some cases, the SB planted false information to implicate innocent clergy.⁵¹ Tellingly, this official cleansing exercise, which led to the removal or demotion of none of the priests identified as former secret spies, was led by Isakowicz-Zaleski's direct superior. Last, in a handful of cases – including those of Monsignor Mieszysław Malinski (1923–2017) and Fr. Michał Czajkowski – clergy members publicly admitted to their tainted past, generally without offering details about the nature of those activities.

Poland's close Church–state relationship remains worrisome. In mid-2021, concerns were raised by the decision of the ultraconservative Minister of Education to ask Catholic universities to train the teachers qualified to offer the ethics classes that were to become compulsory for all school pupils not attending religion classes, which mostly cover Catholic catechism and cost the government 350 million USD annually.⁵² The move was meant to counter the steady decline in attendance in religion classes, especially in larger cities. The minister further called on schools to teach business and sexuality based on the writings of Pope John Paul II. One of the Catholic universities singled out for the training of ethics teachers is the Toruń-based private University of Social and Media Culture headed by Father Rydzyk, whose foundation also runs Radio Maryja.

Hungary

A 1990 law prohibited collection of data on the religious affiliation of Hungarian citizens, but in the 2001 national census, an optional question showed that 55% of respondents identified themselves as Roman Catholic, 15% as Reformed, 3% as Lutheran, and less than 1% Jewish in a total population of ten million.⁵³

Hungary is the second least religious country in East Central Europe, after the Czech Republic, but most of its citizens retain a denominational identity. The 1990 Church law formally separated religion from politics and allowed courts to register religious groups having a charter, a formal organizational structure, and at least 100 members. From the beginning, the law was criticized by the Catholic Church, which felt disrespected for having to submit to the same requirements as small and new denominations. The requirements placed the established Catholic and Lutheran Churches on the same footing with associations of witches or UFO believers, the Church of Scientology, and some “controversial groups and even doubtful commercial undertakings.”⁵⁴ Registered and nonregistered religious groups enjoy the same freedoms, but the state allows four larger groups (the Catholics, the Lutherans, the Reformed, and the Jewish community) to offer services for members of the armed forces, although military persons of all other groups enjoy the free exercise of religion in private and in public.

The same Church law introduced optional religion classes in public schools. Denominations are allowed to decide the curricula without interference from the state and to hire the religion teachers. Public schools are required to make classrooms available for religion classes, but neither the participation nor any marks are to be registered into students’ school reports. Religion teachers are not considered among school teaching staff, and as such, they are subject to none of the qualifications imposed on other teachers. Churches could hire and fire religion instructors as they saw fit, and parents could decide whether their children have religious instruction or are exempt from it. University-level religion programs must be formally accredited with the Ministry of Education if they wish to be considered on a par with the other high education establishments. In 1993, Act LXXIX permitted parents to set up “nonneutral” (religious) schools entitled to the same level of state support as public schools.⁵⁵ While municipalities and Churches may run them, these schools must abide by the national school curricula but can identify with a specific religion, offer religious instruction, select teachers and students according to their own criteria, include religion marks in student reports, and receive state funding.

In 1991, in virtue of Act XXXII on the Settlement of Ownership in Respect of the Former Real Estate of Churches, denominations could reclaim only those communist-era nationalized buildings they planned to use for explicit religious, educational, cultural, or health care purposes. The restitution process was meant not only to redress the grave injustices suffered by religious denominations under communism but also to ensure freedom of religion by facilitating essential Church activities in post-communism. While the manifest function of the restitution system was to repair past wrongs by transferring property rights from state agencies to denominations, the process was so convoluted and slow that its unintended consequence was to penalize the national budget, from which those who lost real estate had to be compensated for the loss of the buildings and for the transfer of their activities to other locations. To unblock restitution, the Hungarian government

negotiated protocols with religious groups, including the Holy See. As a result of those negotiations, and taking advantage of new legislation, most denominations gave up their restitution claims in exchange for annual fixed reparations equivalent to up to the value of 5% of each Church's nonreturned properties.⁵⁶

Once they formed the government in 1994, the former communists, rebaptized as the Socialist Party, sought to gain the support of the Catholic Church, which by then, had openly declared itself inimical to leftist political formations. The Socialists introduced several measures seeking to satisfy historic Churches, often over the objections of the Alliance of Free Democrats, the only notable party that went on an open-conflict course with the traditional Churches and acted as an advocate of "new" religious minorities.⁵⁷ Government Decree 61 on the Army Chaplaincy of 1994 singled out four denominations as "historic" Churches, a term the Constitutional Court saw not as discriminative but as reflective of their past contribution to the history of Hungary. In reality, the term was tied to membership size more than length of presence in the country, as the smaller Orthodox and Unitarian Churches were not extended that status, which one must stress had no legal implications, although these religious groups had a long historical presence in the country. The Catholic, Reformed, Lutheran, and Jewish congregations may organize army chaplaincy and participate in official events and Church–state negotiations. For example, they were allowed to conduct public prayers at the state funeral of the first democratically elected Prime Minister József Antall (1932–1993) in December 1993, which followed Catholic tradition, and have been regularly involved in negotiations about the national budget.⁵⁸

Another measure introduced by the Socialist Party in 1996 was a new Church tax that allowed Hungarian taxpayers to designate up to 1% of their tax contributions to the religious group of their choice. With this measure, the Hungarian government relieved itself of the burden of offering direct budget subsidies to the core activities of denominations, although the Catholic Church continued to receive additional support from the state coffers for its activities, museums, schools, and charities. An analysis conducted in 1998–1999 showed that only about 10.25% of taxpayers used the Church tax to extend financial help to the religious denomination of their choice, which corresponded roughly to the percentage of church-goers in the total population. During the first years after its introduction, the Church tax benefited mostly the Catholic Church, followed by the Reformed and Lutheran Churches, as expected given the country's religious make-up. The Church of Scientology and Hare Krishna, as well as the Buddhist and Muslim communities were also identified on tax declarations.⁵⁹ Donations to all religious denominations were tax exempt.

After the 1998 elections, Viktor Orbán became the prime minister of a Fidesz-led government. The once anti-Marxist but then center-left party, which was established in 1988 in opposition to the communist regime, radicalized its discourse over time by adopting right-wing policies and endorsing Christian values. In 1998, the Catholic Church openly endorsed the party, which, by then, embraced

nationalism and conservatism. The ideological transmogrification of Fidesz was led by Orbán, who turned into an autocratic right-winger critical of liberal democracy decades after he had accepted a Soros Foundation fellowship that took him to Pembroke College of the University of Oxford in 1989. A series of corruption scandals pushed Fidesz out of government in 2002, but 8 years later, the party made a strong comeback, winning an electoral supermajority and, again, appointing Orbán as prime minister (see Chapter 1). Since then, Fidesz has become a staunchly Euro-skeptic party that embraces a populist and anti-immigration rhetoric and, as Orbán admitted, a “Christian illiberal democracy.” The party retained its parliamentary majority in 2014, 2018, and 2022, each time sliding further right, and each time appointing Orbán as the head of government.

Orbán's heavy-handed populism has prompted many analysts to classify Hungary as an “authoritarian kleptocracy” whose government limits the independence of magistrates, routinely infringes the rule of law, intimidates rival political parties, curtails freedom of the press, and even resorts to fake news to lend legitimacy to its most questionable policies.⁶⁰ The new Constitution, which entered into force in 2012, included references to nationalism, traditional values, and Christianity; amendments passed in late 2020 provided guarantees that Hungarian children will be offered “an upbringing based on values stemming from our country’s constitutional identity and Christian culture.”⁶¹ Under Orbán’s leadership, Hungary has reverted back to autocracy, being downgraded by Freedom House to the status of “partly free” in 2020.⁶² Orbán has employed a populist discourse that has criticized the European Union for accepting migrants from Syria and other non-European countries in 2015 but welcomed refugees after the Russian invasion of Ukraine in 2022, while seeking to delegitimize other Hungarian parties with allegations of corruption and funneling money obtained from European Union transfers to his allies and family, and for espousing a commitment to Christian values, although he is not a church-goer.⁶³ He has voiced controversial opinions on a wide range of matters and policies, often invoking religious symbols to boost his credibility.

For example, many have faulted Orbán for using references to Christianity while waging a silent campaign against smaller religious organizations.⁶⁴ In 2011, his government stripped 300 smaller religious groups of their legal status and, thus, blocked their access to state subsidies and the Church tax, which allows Hungarians to divert up to 1% of their income taxes to one of the 32 recognized denominations. Among the 300 targeted groups were Christian, Jewish, and Buddhist congregations, as well as groups that have openly criticized Orbán’s policies. Devoid of much-needed subsidies, these small groups lost members to established Churches. The groups have remained unrecognized even after the European Court of Human Rights found that by stripping them of official recognition, the Hungarian government had infringed on freedom of religion. The Hungarian government criticized the unrecognized groups for running schools and hospitals, an activity widely expected of Churches elsewhere in Europe, but had no problem when the Orbán-friendly Catholic Church became the owner

of the football team in Szeged, an entrepreneurial activity of lesser social relevance.⁶⁵ The government's decision to trample on freedom of religion, part of a "war of attrition" against its critics,⁶⁶ was coupled with lavish funding meant to turn friendly religions into reliable long-term clients. Since 2010, the Hungarian government has constructed or restored 3,000 places of worship, funded Church schools with three times as much funding as granted to public schools, and allocated 285 million euros in discretionary funds to recognized Churches.⁶⁷

In another example, in 2018, Orbán denounced those who "would like to see the end of Christian Europe" and believe that "if they bring in millions of people from new ethnic groups which are not rooted in Christian culture, then they will transform Europe according to their conception," and stated that "we do not want Europe to be turned into an immigrant continent, or Hungary to be turned into an immigrant country" because "an internationalist government will dismantle the fence defending Hungary [and] accept *diktats* from Brussels aimed at settling immigrants in Hungary."⁶⁸ In addition, Orbán has repeatedly come out against homosexuals, suggesting that laws recognizing their rights are incompatible with Christian values, and his government ended legal recognition of transgender people in 2020 and banned LGBTQ-related sex education in schools in 2021.⁶⁹ Also in 2020, Orbán delivered an incendiary speech at the inauguration of a monument commemorating the Treaty of Trianon of 1920, as a result of which a defeated Hungary had lost two-thirds of its territory, including more than 12,000 villages and towns where many ethnic Hungarians lived. Those localities, which today are part of neighboring Romania, Slovakia, Serbia, Austria, and Ukraine, have remained subject to Hungarian irredentist claims ever since. Orbán lamented that "Western Europe had given up on ... a Christian Europe, and instead experiments with a godless cosmos, rainbow families, migration and open societies," and called on Central Europeans to unite in an effort to preserve their Christian roots.⁷⁰

Examinations of the communist secret archives showed that the 1956–1988 regime of strongman János Kádár (1912–1989) recruited almost all Catholic bishops as secret informers for the State Protection Authority (Allamvédelmi Osztály, AVO).⁷¹ This secret activity remained unknown to the general public during communist times and at the time when Hungary transitioned to democracy in 1989, but even afterward, the Roman Catholic Church kept silent about its past in the hope that, if collaboration was out of sight, it would remain out of people's consciousness as well. Calls to dismiss former secret collaborators known to the public have remained unanswered, and no priest or bishop has ever been defrocked. During 1990–1993, the anti-communist government of Prime Minister József Antall was unwilling to discuss communist-era collaboration in public, as hints that he received from the intelligence services suggested that the AVO had infiltrated heavily all the conservative groups on whose support he relied, including the Catholic Church. While reluctant to atone for its recent past, the Church was not shy in reclaiming its properties abusively confiscated by the communists, as explained earlier.

The partial access to select secret archives granted to Hungarian citizens in 2005 led to an increased number of public revelations detailing the communist-era collaboration of various politicians and Church leaders. The response of the Catholic Church, which consisted of “blanket denial,” was prompted by the conviction that “the question of unofficial collaboration with the state security service does not stand in need, after 15 years, of clarification.”⁷² Church leaders have routinely downplayed collaboration and its role in sustaining the communist regime, and the same “lack of self-reflection” has been extended to the involvement of the Church in the Holocaust and the corruption that plagues Church work. Note, however, that this avoidance of the communist past has characterized not only the religious denominations but also all of Hungarian society, which has supported the view that “living well is the best revenge” on a communist regime that was generally more benevolent than elsewhere in the region.⁷³ While refusing to participate in debates about the recent past, Church leaders have “revived traditions which indirectly are absolutely in the spirit of right-wing propaganda” and have extolled controversial historical figures such as Ottokár Prohászka (1858–1927), a popular Roman Catholic theologian who also served as Bishop of Székesfehérvár from 1905 to his death, and Ferenc Szálasi (1897–1946), the leader of the fascist Arrow Cross Party, both of them well known for their antisemitic views.⁷⁴

The policy of silence and denial has extended beyond collaboration with past dictatorial regimes (communism and fascism) to affect current issues related to the internal life of religious denominations, especially the Catholic Church. By 2006, the papal nuncio, Julius Janusz (born in 1944), and various Hungarian archbishops had received numerous complaints about corruption, misuse of office, and inappropriate sexual relations among Catholic clergy members in Hungary.⁷⁵ Instead of launching investigations and adopting corrective measures, the hierarchs delivered the charges and the names of the persons who raised them to the accused, thus allowing the corrupt hierarchs to retaliate against the whistle blowers. Such scandals reverberated so much with the public that, in 2011, the Vatican reposted Janusz to Bosnia-Herzegovina, and forced the vain Bishop of Pécs Mihály Mayer (born in 1941) into retirement.⁷⁶

Romania

By far, the largest, the best organized, and possibly the most ambitious Orthodox Church in post-communist East Central Europe remains the Romanian one. After the regime change, the Church and its leader, Patriarch Teoctist Arăpașu (1915–2007), were vehemently criticized for their failure to stand up to dictator Nicolae Ceaușescu’s anti-religious campaign and for bowing to his personality cult with a sycophantic letter addressed to him as late as December 1989, when anti-communist protesters were already dying in the streets at the hands of the dictator’s loyal snipers. A repentant Teoctist was forced to “retire” to a remote monastery to atone for his communist-era sins, but his remorse was short lived, as only 3 months later,

he returned as patriarch in accordance with tradition and Church law. His retirement emboldened Teoctist to change strategy from pious atonement to claiming openly that the Orthodox Church was more of a victim than a collaborator of the communist regime, as hundreds of priests, monks, nuns, and faithful suffered imprisonment and harassment, places of worship were demolished or repurposed, Church property was confiscated, theological instruction and catechism were restricted, and charitable and social work was prohibited. Forgotten were the priests who passed along information obtained through the confessional to the communist secret police, the Securitate, or the eagerness with which the Orthodox Church leaders had accepted the dismantling of the Greek Catholic Church in 1948. Collaboration was explained away as necessary to the Orthodox Church's very survival, whereas Christian morality was claimed to require forgiveness of Orthodox sinners, not their condemnation and punishment.

One of the acts passed in December 1989 by the first post-communist government reinstated the Greek Catholic Church, which then promptly requested the return of its former churches and chapels used by the Orthodox since 1948. To boost these claims, the Holy See suggested that the 1.5 million strong Greek Catholic community of Transylvania had survived underground almost intact after 1948, when, in fact, the Greek Catholics were much fewer. The Orthodox used those lower estimates to point to the unfairness of depriving larger Orthodox congregations of their churches just to satisfy much smaller reconstituted Greek Catholic parishes. Whereas the Greek Catholics sought restitution-in-integrum (the return of all their assets), the Orthodox argued that the returned churches either would remain empty or were not subject to restitution, as they had been Orthodox before being abusively transferred to the Greek Catholics in 1700. The controversy continued throughout the 1990s, drawing condemnation whenever the Orthodox forced their Greek Catholic neighbors to worship in parks or destroyed buildings rather than return them. Christian solidarity and empathy made no dent in the Orthodox resolve to block the Greek Catholic restitution claims at all costs. Instead of showing understanding of the other group, the Transylvanian Orthodox bishops made approval of a visit to Romania by Pope John Paul II conditional on Greek Catholics' withdrawal of hundreds of claims to various places of worship. One more case showed the fervor on both Orthodox and Greek Catholic sides, and the Romanian state's unwillingness to apply the law. In 1998, the courts ordered the Orthodox Church to return the Transfiguration Cathedral of Cluj, the main Transylvanian city, but the Orthodox priest persuaded the court representative not to enforce the order because of a technicality. This, in turn, prompted impatient Greek Catholic believers to enter the church to drive the Orthodox out by force. Ultimately, the police had to remove young seminarians of both sides who dared to "pitch battles inside the church, at the altar and, finally, on top of the holy table."⁷⁷ The 2001 and the 2011 national censuses confirmed that communist anti-religious campaigns had drastically reduced the Greek Catholics to less than 1% of Romania's total population. Over time, the Greek Catholic congregations

managed to address the deficit in worship places by funding the construction of new churches with the help of government subsidies and private donations.

Another decree-law passed in late 1989 legalized abortion. Whereas communist countries had allowed for liberal abortion regimes to free women from their parenting roles and encourage them to work, in 1967, Ceaușescu had decided that Romania's workforce was too small for his megalomaniac plans. That year, a decree prohibited abortion and ensured that the first person called at the hospital bed of a pregnant woman with signs of illness or distress was not a physician, but the Securitate officer.⁷⁸ The post-communist liberalization of abortion posed a real dilemma to religious communities, as advocating against abortion made them unpopular with women while advocating in its favor ran against doctrine. As a result, the Orthodox Church kept silent on abortion and, instead, condemned homosexuality, though many male priests and monks secretly indulged in the pleasures of the flesh with young seminary male students. Religions with more moderate views preferred to keep silent and let the Orthodox wage that battle. Patriarch Teoctist denounced "the acceptance of the degradingly abnormal and unnatural lifestyle as normal and legal," Bishop Andrei Andreicuț of Alba Iulia (born in 1949) accused politicians of "encouraging societal aberrations," while other Christian leaders criticized homosexuality as "propaganda for human degenerates."⁷⁹ Despite the staunch opposition mounted by religious groups and conservative intellectuals, in 2000, Parliament decriminalized homosexual behavior. The next main battle was against same-sex marriages, with the Orthodox and Catholic Churches organizing a series of conferences and demonstrations in favor of amending the constitution so that "marriage" would be reserved only for the union of a man and a woman.⁸⁰ That battle was also lost, as the Romanian political elite was ultimately unwilling to jeopardize the country's chances of being accepted as a European Union (EU) member state in 2007. Each year, however, small groups of Christian students and faithful stage counterdemonstrations to the Gay Parade in Bucharest, proof that sexuality remains a divisive issue for Romanians.

While the Orthodox Church attempted to block property restitution and sexual liberalization throughout the 1990s, Patriarch Teoctist's major post-communist project was represented by the construction of a grandiose Cathedral of National Salvation in Bucharest, as a symbol not only of his long and fruitful leadership but also of the unbroken connection between the Orthodox Church and the Romanian ethnic nation (*nație*). In vain did civil society groups stress the lack of popular support for a prohibitively expensive project whose monumental dimensions defied Orthodox tradition, the patriarch remained steadfast in his belief that the old but modest patriarchal cathedral in downtown Bucharest was unfit for an ambitious Church that gathered faithful not only from Romania and the European and North American continents where Romanian emigrants were present in great numbers, but also from the post-Soviet Republic of Moldova (the former Romanian province of Bessarabia).⁸¹ The first few post-communist electoral cycles convinced

Romanian politicians of all ideological persuasions that the Orthodox vote was necessary to win top elected government positions. This is the reason why political, moral, and financial support for the cathedral often became a litmus test for the willingness of politicians to bend to the wishes of the Orthodox Church in exchange for much-needed electoral support.⁸² The saga of the cathedral consumed most of Teoctist's patriarchal tenure. He passed away in a Bucharest hospital during an ill-advised surgery in 2007, almost 20 years after his installment, without being able to witness the opening of the construction site. Once finalized in 2025, the structure, the biggest in Romania and the tallest and widest Orthodox cathedral in the world, will allow Patriarch Daniel to boast that he outdid all leaders in the history of the Orthodox Church.⁸³

Before the demise of Patriarch Teoctist, the Romanian Parliament was one of the last in the region to pass a new religion law to supersede the communist one. Law 489/2006 on Freedom of Religion and the General Status of Denominations guaranteed freedom of thought, conscience, and religion for all citizens, while noting "the important role of the Romanian Orthodox Church and that of other denominations as recognized by the national history of Romania and in the life of the Romanian society" (Article 7.2). Romania recognized no state religion, but the government has informally treated the majority Orthodox Church as such. Since 1989, the Church has received more state subsidies than its share in the total population and a larger share of government discretionary funds, while the Orthodox Patriarch has routinely opened legislative sessions with a prayer, Orthodox icons adorn many classrooms in schools and universities, and some state agencies, such as the National Statistics Institute, list Orthodox saints as their patron saints.⁸⁴ A State Secretariat, often headed by graduates of Orthodox theology university programs or Orthodox laypeople, was charged with overseeing religious affairs in the country, disbursing government subsidies, monitoring religious instruction in public and confessional schools, and bestowing official recognition on religious denominations. Conditions for the official registration of religions remain cumbersome and restrictive, unintentionally making sure that major world religions, such as Hinduism and Buddhism, are yet to be recognized in post-communist Romania. The law required recognition-seeking denominations to prove they were legally established, had operated uninterruptedly on Romanian territory for at least 12 years, and that their membership included a number of Romanian citizens residing in Romania equal to at least 0.1% of the country's population (Article 18 of Law 489/2006). These prohibitive requirements, which amounted to a minimum of 22,000 individuals based on the 2002 census, allowed only the Greek Catholics and the Jehovah's Witnesses to obtain recognition after 1989. At the time of this writing, Romania has 18 registered religions.

The privilege of overseeing the construction of the new cathedral was left to Teoctist's successor, Daniel Ciobotea (born in 1951), who was enthroned as Patriarch on 30 September 2007. Whereas Teoctist was a humble monk with a university degree in literature of uncertain value, Daniel studied theology under

the guidance of Dumitru Stăniloae (1903–1993), Romania’s premier Orthodox theologian, in 1974–1976 and then continued his studies in Strasbourg, France, Freiburg in Breisgau, and then in part of West Germany, from 1976 to 1980. That stint abroad, completed at a time when other Romanians were prohibited from exiting the country, later opened Daniel to allegations of secret collaboration with the Securitate, which were never proven.⁸⁵ Over time, such charges were overshadowed by his record as *primus inter pares* among Romanian Orthodox leaders. Some see Patriarch Daniel as an astute Church leader who understands the need to communicate with his flock; organize yearly pilgrimages attended by tens of thousands; support a wide network of orphanages, hospitals, and monasteries; maintain good relations with the government; develop partnerships with state institutions with an eye to facilitating charitable work and introducing religious instructions in public schools and universities; and promote ecumenism, in spite of the autarchic preferences of many Romanian priests and monks. By contrast, his critics point out that Daniel’s aggressive entrepreneurial spirit has turned the Church into a business-like entity removed from spiritual concerns and tightly controlled by a distrustful Patriarch. “Marele Alb,” a 2021 investigative documentary that received a lot of attention in Romania, presented an Orthodox Church that perpetually searched for money, rapaciously fundraised for the cathedral and other misguided projects, and fostered ties with unpalatable politicians and shady companies to squeeze ever-increasing subsidies from public coffers, while allowing religious hierarchs to enjoy lavish and inappropriate lifestyles.⁸⁶

The Romanian political elite welcomed Pope John Paul II in May 1999, as part of the first visit of a pope to a predominantly Orthodox country, over the strong objections of the Transylvanian Orthodox bishops worried about Greek Catholic property restitution claims. In May–June 2019, Pope Francis (born 1936, reigning as pope since 2013) arrived in Romania for a 3-day trip, during which he encouraged politicians to refrain from populism and the Orthodox Church to remember the two Churches’ common roots and not dwell on past Church conflicts, a clear nod to the Orthodox–Greek Catholic property-related tensions.⁸⁷ Pope Francis and Patriarch Daniel prayed together in the massive Cathedral of National Salvation, which overshadows Ceaușescu’s House of the People, as though to show the flock that religion had the final word over communist atheism and matches the Vatican’s Saint Peter’s Basilica in size, as if to show the Catholics that the Eastern Church is equally apt to reach God. Sited in front of the monumental iconostas, abundantly adorned with gold, the two leaders needed microphones to hear each other and to communicate to the selected audience invited for the momentous occasion. Neither visit managed to unblock negotiations for updating the Concordat that Romania had signed with the Holy See in 1927. (Together, the Roman and Greek Catholics represent 5.5% of Romania’s total population.)

Revived Pentecostal and Baptist communities have erected places of worship throughout the country, often with foreign support. The Jewish community, reduced from around 8,000 in 1989 to 3,271 people in 2011, has seen many of

its synagogues in ruin due to neglect and lack of financial resources necessary to maintain places of worship serving ever shrinking congregations.⁸⁸ The small Muslim community of Dobrogea, which consists mainly of Tatars and Turks, remains one of the most integrated Muslim minorities on the continent. Its main mosque, located in Constanța, a city at the Black Sea, remains a popular destination with tourists. Atheistic groups such as the Secular-Humanist Association of Romania (Asociația Secular-Umanistă din România, ASUR) claim that the number of irreligious or atheist Romanians exceeds the official 20,000 and warrants curtailment of state subsidies to religions.⁸⁹ Others argue that denominations should accept new practices such as cremation for practical, if not theological, reasons, but these views have little echo outside some small academic circles.⁹⁰

Bulgaria

Perhaps nowhere in East Central Europe have political forces interfered in religious life as haphazardly and consequentially as in Bulgaria, a country where a majority of citizens self-identify as Orthodox. The governmental Board of Religious Affairs, established after the regime change of 1989, was a politically appointed body formed of intellectuals unfamiliar with religious affairs, unafraid to interfere in the life of denominations, but keen on punishing former collaborators with the communist regime so as to usher in Bulgaria's democratization. For the Board, the country's chief collaborator was none other than Maxim (1914–2012), the Patriarch of the majority Orthodox Church. Born Marin Naydenov Minkov, Maxim served as Metropolitan of Lovech from 1960 until being elected Patriarch in 1971 following an election that was much contested by his rival, Metropolitan Pimen of Nevrokop. Out of ideological conviction, personal cowardice or institutional necessity, Maxim maintained close ties with the communist regime and the secret police, the feared *Komitet za Darzhavna Sigurnost* (KDS). Collaboration was normalized to such a degree that 11 of the 15 members of the Holy Synod, the Church's collective leadership, had maintained secret ties to the KDS at one time or another.⁹¹ After 1989, Maxim's failure to atone for his past and cleanse his Church of former secret informers put him on a collision path with the Union of Democratic Forces (UDF) and other anti-communists who called for the resignation of Patriarch "Marx-im."⁹² He did not, and as such in Spring of 1992, the UDF-led Board ruled that Maxim's election as Patriarch in 1971 was invalid because it disregarded Orthodox canon.⁹³

While the ruling had the intended function of forcing the Orthodox Church to reconsider its communist past and atone for it, it unintentionally led to the split within the Church. Instead of calling on Maxim to resign for giving in to communist pressure, the Board argued that his entire rule was rendered unlawful by his procedurally flawed election in 1971. The wording of the ruling stemmed from Church law and Orthodox tradition but was driven primarily by political calculations. Patriarchs can neither resign nor be removed from office for political

reasons such as collaboration with the temporal powers that happen to govern their flock. In fact, the Byzantine tradition on which the Bulgarian and other Orthodox Churches in East Central Europe are founded encouraged Church leaders to work closely with political leaders in the so-called *symphonia*, an unequal marriage that often turned the Church into a subordinate of the state. The Board, therefore, could mount a case for Maxim's removal only by pointing out that Maxim's election was not confirmed by the Holy Synod, as required by canon law, but ultimately, the decision to invalidate him was uncalled for, as Maxim had been recognized as the leader of the Bulgarian Orthodox Church both inside and outside the country for the entire 1971–1992 period. If Maxim's election was unlawful from a religious viewpoint, one should remember that it took place under an authoritarian regime that ultimately called the shots in religious matters and was guided by political priorities. After the Board's ruling, the Church divided into those who saw Maxim as a usurper of the Patriarchal see because of his long-time collaboration with an *ancien régime* hostile to religion, on the one hand, and those who saw the Board as a political body that waged what amounted to a political battle, as the ruling was theologically groundless and untimely, on the other hand. The arbitrary nature of the Board's interference in religious affairs suggested that the government of the new Bulgarian democracy was not that different from the old communist regime.⁹⁴

Whether Metropolitan Pimen misused the Board or was used by the Board to fulfill a long-time ambition of being enthroned as leader of the Bulgarian Orthodox remains a matter of controversy. Suffice it to say that Pimen skillfully navigated the post-ruling indignation of some bishops, priests, and faithful to convince them to set up an Alternative Synod, which styled itself as the true leadership of the Bulgarian Orthodox Church but, in fact, gathered only a minority of the parishes and a handful of bishops.⁹⁵ For all his virulent anti-communist talk, Pimen failed to notice that two of his main collaborators – Metropolitans Pankrati and Kalinik – had collaborated with the communist authorities at least as much, if not more, than Maxim's supporters.⁹⁶ After 4 years of public recriminations and insults, in 1996, Pimen was installed as the rival Patriarch and leader of the Alternative Synod, a move that induced Maxim to anathematize Pimen and warn other Orthodox clergy that further deviation from tradition, customs, and doctrine, all represented by Maxim and his supporters, would be met with a swift and decisive response. Pimen died in 1999, perhaps from a heavy heart given his failure to convince Bulgarians that his was the true Church. Whereas the UDF leaders continued to stoke the revolutionary fire, the more they promoted Pimen, the more the Orthodox Bulgarians closed ranks around Maxim and the less willing were Maxim's camp members to honestly revisit their own and Maxim's past. The schism was finally brought to a close by the Bulgarian political actors. In 2002, the government, this time dominated by former communists rebaptized as Socialists, passed a new Law on Religion that prohibited two religious groups from using the same name. Two years later, the authorities used that very law to

evict around 250 Alternative Synod clergy from churches that Maxim's Synod saw as rightfully theirs. By 2015, the Bulgarian Orthodox were again part of the same Church.

This prolonged Orthodox drama diverted attention from the Muslim minority, which includes ethnic Turks, Bulgarians (known as Pomaks), and Roma; is overwhelmingly Sunni; and represents one of the largest indigenous Muslim minorities in the EU, surpassing in numbers the Muslim community in neighboring Romania (mentioned earlier). The persecution of the Turkish minority during the so-called Revival Process of the 1980s represented the last incident of gross human rights abuses perpetrated by any communist regime. As part of that extensive repressive campaign, Muslim Turks were forced to assume Bulgarian names, their leaders were interned in labor camps such as Belene (situated on an island in the Danube River near Romania), and up to 150,000 Turks were deported to Turkey in 1989.⁹⁷ While the Bulgarian government has yet to reward reparations, the country's remaining Muslim communities have built new mosques, educated their youth, and published their own newspaper. Massive aid from Saudi Arabia and other Gulf countries has helped the opening of a number of Quranic schools and the construction of new places of worship, a trend seen with apprehension both by the Bulgarian government and the Orthodox majority given the lingering resentment harbored by a minority whose claims to victimhood remain disregarded.⁹⁸ Opinion polls suggest that it is mostly the elderly who are religious, with only about one-tenth of the Bulgarian Muslims involved in daily or weekly prayers, and almost half of all Muslims viewing religion as unimportant in their lives.⁹⁹ The Tombul Mosque in the town of Shumen, built in 1744, is the second largest in the Balkans but does not organize prayers. Active mosques are present in major cities including Sofia, where the Seven Saints church, formerly the Ottoman Black Mosque, is also located.

The 1991 Constitution resembled all other post-communist constitutions adopted in the other countries discussed here, with some notable exceptions: Article 11 prohibited the creation of parties based on racial, ethnic, or religious lines; Article 13 singled out Orthodoxy as the "traditional religion" of Bulgaria and further added that "religious institutions and communities, and religious beliefs shall not be used to [promote] political ends"; whereas Article 46 stipulated that marriage was "a free union between a man and a woman" and "only a civil marriage shall be legal."¹⁰⁰ Ironically, as explained previously, the very parliamentary majority that adopted the Constitution also used Orthodox dissensions to further its own political ends, in blatant disregard of Article 13. More importantly, constitutional prohibitions kept Bulgarian clergy out of politics and politicians outside religious ceremonies, distancing the country from Poland and Romania, where dominant religions forged close ties with political parties both during and between elections. And the constitutional provision recognizing marriages only as heterosexual unions ensures that similar benefits will be denied to homosexual couples unless a strong majority backs such a move.

Moved by a desire to stall the “spiritual invasion” of new and small religious groups, which Bulgarians viewed with great apprehension, the Law on the Family and the Citizens of 1994 required private associations to register as legal entities with the Council of Ministers within three months after entering Bulgaria. Despite international criticism, the government denied registration to some 60 religious communities that the press hysterically depicted, in the absence of any evidence, as dangerous groups “who kidnap children and zomb the elderly, demand from people to end their lives or abandon their families and participate in other evil activities.”¹⁰¹ It was only in 2002 when the Sofia Court took over the registration of religious groups from the Board that new groups reported improvements, the number of registered groups increasing from 36 in 2003 to 96 in 2008.¹⁰² However, the Denominations Act of 2002 recognized the special and traditional role of the Orthodox Church in the history of Bulgaria and registered that Church automatically. With an eye to the post-communist intra-Orthodox disputes and a desire to disqualify the schismatic church, the Act defined the Orthodox Church as the “One, Holy, Catholic, and Apostolic” and autocephalous Church that is governed by the Holy Synod and is chaired by a patriarch who is also the Metropolitan of Sofia. To strengthen the canonical Orthodox Church, the law prohibited any group that broke off from a registered religious group from using that group’s name or claiming its properties. This provision effectively outlawed the Alternative Synod.

The 2002 Act was controversial also because it allowed the courts to punish registered religious organizations for a variety of offenses by discontinuing their activities for up to 6 months, banning their publications, or even canceling their registration (Article 8). Despite constitutional provisions protecting basic freedoms, in practice, the lack of official recognition seriously hampered the free exercise of faith because the Act further allowed religious communities to practise their faith in public only if they were legally recognized. As I noted elsewhere, “the provision that persons with common faith can practise their religion freely within the religious community” could imply that practice outside the community depended on the community’s registration.¹⁰³ The Act provided steep fines for persons who practised publicly on behalf of unregistered religious groups and for religious groups that engaged in activities not included in their charter. Virtually all religious groups except the canonical Orthodox Church vigorously condemned the law, which was upheld by Bulgaria’s Constitutional Court and then passed by a political elite who, in the words of Janice Broun, “thought it knew its citizens’ religious needs better than themselves.”¹⁰⁴

As in neighboring Romania, religion classes were introduced in Bulgarian schools in the early 1990s before parliament adopted any relevant legislation and in the absence of adequate teaching materials. A variety of Orthodox, Catholic, and Protestant textbooks were used for religious instruction, often in an improvised manner that left pupils confused and schools open to charges of favoring one denomination over all others. The low quality of such classes prompted educated priests and theologians to organize parish Sunday schools, but even so, less than

1% of Bulgarian schoolchildren received religious education. To remedy this situation, which they saw as highly problematic, in 1997, the UDF government made religious education a priority and asked the Alternative Synod, which it favored over the canonical Synod led by Patriarch Maxim (as explained above), to design official textbooks. Ignoring calls to set up an “objective civic education course reflecting modern approaches and covering the history and content of all major faiths,”¹⁰⁵ the Alternative Synod produced a catechism course that aimed at bringing children to faith but was not appropriate for instruction in public schools. The course, optional for grades 2–4, depended on parental consent. In high schools, the “World Religions” class remains optional. All officially registered religious groups can offer religious instruction in schools.

As in Romania and Poland, Bulgarian denominations have embraced conservative positions toward abortion, homosexuality, same-sex marriage, and euthanasia. In 1998, Bulgaria became the first post-communist state to decriminalize sexual intercourse between people of the same sex, but after the collapse of communism, the state officially classified homosexuality as a psychological disorder. Given the conservative views of the society at large, the first Gay Parade was organized in Sofia only in 2008, later than in Slovenia, Croatia, Poland, Romania, and Hungary. The annual parades have been criticized by leaders of the United Evangelical churches, the United Church of God–National Alliance, the Reformed Apostolic Church, the Roman Catholic Church in Bulgaria, and the canonical Orthodox Church as attempts to make the “unnatural seem natural and acceptable,” to “discredit the authority of the family institution as a union between a man and a woman,” to endanger Bulgaria “by allowing the aggressive display and public parade of homosexual orientation and way of life,” and place homosexuality, the “fruit of darkness,” on display.¹⁰⁶ Despite anti-gay marches held by students from the Orthodox Theology Faculty of the Sofia University, the 15th Gay Parade of 2022 attracted the largest audience ever. Unsurprisingly, Churches have also treated same-sex relationships as unnatural behaviors resulting from original sin. Although vigorously debated during the past decades, legalization of same-sex marriage would require constitutional amendments to replace the definition of marriage, as explained earlier. A 2004 healthcare law banned all types of euthanasia and cloning for reproductive purposes, including the donation of cells and tissues, in a move supported by the canonical Orthodox Church and other denominations.¹⁰⁷ The law remains in effect.

Albania

By the end of the communist regime, Albania was officially the world’s first atheistic country, as proclaimed by Article 37 of the 1976 Constitution,¹⁰⁸ although in the late 1980s, the communists abandoned their struggle against God, increasingly tolerated religion as a private matter, and refrained from administering the harsh punishment provided by the Penal Code of 1977 for religious practice and

possession of religious books. The demise of communism raised expectations that religion could be practised in the public sphere as well. In December 1990, the Albanian government recognized this right so that the Catholics could freely celebrate Christmas in Shkodër, and the Orthodox in Dervişan, near Gjirokastër. The first prayer in a mosque had been held a month earlier in Shkodër. Not surprisingly, the sweeping constitutional amendments enacted in 1991 renounced official atheism and identified freedom of religion as a basic right for all Albanians. Nevertheless, wary that a religious revival might unintentionally fuel religious intolerance or national disunity – by encouraging Albanians to see themselves first as Muslims or Christians and by forgetting that “the religion of the Albanians is Albanianism,” as writer Vaso Pasha (1825–1892) famously said – the post-communist state authorities committed to secularism in order to separate religion from politics. This principle was first enshrined in the 1991 constitutional amendments and then upheld in the 1998 Constitution, which mentioned God in the preamble but also proclaimed that Albania recognizes no state religion, and that the government is neutral on “questions on belief and conscience” (Article 10.2), bans the formation of religion-based political parties (Article 9), and sees religious groups as equal and independent in administering their own property (Article 10.6).¹⁰⁹ No religion classes are offered in public schools. These provisions effectively prevent Islam, the religion of the majority, to interfere in public affairs, a point of pride for the Albanian intellectuals who believe that active Islam would distance the country from its secular neighbors and delay its accession to the EU. By contrast, Christianity, especially Catholicism, would bring Albania closer to Europe, a point explicitly made in 1991 by acclaimed writer Ismail Kadare (born 1936).¹¹⁰ Albania became an EU candidate state in 2013 and has made small strides toward accession ever since.

As a result of religious liberalization, religions that were dormant or underground in communist times and new groups recently arrived in the country organized ceremonies, started to build places of worship, and reclaimed the property they had lost in anti-religious campaigns. All religious communities had “to reorganize; to train new clerics; to rebuild places of worship; to obtain or to edit religious literature” and turned to foreign help to gain funds and clerics, “sent abroad students, and opened seminaries and schools in Albania,” and more generally conducted “a quadruple mission: religious, educational, humanitarian and sometimes also economical.”¹¹¹ But decades of communist anti-religious persecution had significantly affected religiosity, especially among the Muslim majority, whose members seemed to embrace “belonging without believing,” to invert Grace Davie’s famous term.¹¹² Observers note that belonging to a certain religious community might serve social and even political goals rather than denote adherence to a particular creed. Thus, “conversions to Christianity are often a means to express an adhesion to the Western world,” the reaffirmation of a Muslim identity is often “more a demand for a reevaluation of a socio-political status,” whereas “the rejection of Islam is reinforced by the social opposition between the city dwellers

and the villagers and mountaineers who are immigrating *en masse* to the cities.”¹¹³ This did not prevent parties from wooing religious groups to solidify their position. The persecution it faced under communism turned the Muslim majority into a natural supporter of anti-communist policies, the Democratic Party (DP) believed. In its quest to sideline the communists, the DP showed some preference for the Muslims, possibly due to their sheer number. A Muslim took the helm of the State Committee on Religions, a governmental body mediating state-religion relations, while President Sali Berisha called for aid from Islamic countries, as Western ones were indifferent, to alleviate Albania’s inherited poverty. In 1992, Albania became a full member of the Organization of Islamic Conference, a move that further strengthened its links to Muslim investors and donors.¹¹⁴

While elsewhere in the region, post-communist governments ordered religious denominations to register formally by following procedures that ranged from simple to complicated, religions in Albania were encouraged to enter into agreements with the State Committee on Religions. The Committee, which replaced the State Secretary of Religion in 1999, is comprised of officials who belong to major religions, including most prominently the Muslims, the Roman Catholics, and the Eastern Orthodox. To these groups, one must add the Bektashis, an Islamic Sufi mystic movement that makes up 2.5% of Albania’s total population, and the Jews, who numbered barely 40 in 2021.¹¹⁵ In mid-2001, the Albanian government departed from policy and announced that it officially recognized four “traditional religions” (Muslims, Bektashis, Orthodox, and Catholics) and 60 associations (12 of which were Muslim and the remainder Christian), but this status entailed almost no material privileges. During the first years of post-communist transition, the State Committee on Religions provided support in the form of electricity and water for places of worship but was reluctant to commit funding explicitly for covering the salaries and pensions of clerics or for rebuilding the churches, mosques and synagogues destroyed or repurposed before 1990. It further refused to draft any concrete plans for the return of confiscated religious assets or to promise just compensation for that lost property, as the government was cash strapped and, thus, in no position to disburse funds liberally or to give up lucrative assets it could sell or repurpose.

Government inability to offer meaningful financial help means that religious groups have relied ever more heavily on the support of foreign organizations, some more benevolent than others. Examples of such foreign aid received by Albanian religious groups abound, as do their pleas for foreign actors to maintain aid levels. In the early 1990s, journalist Nathalie Clayer claimed, “90% of the budget of the Islamic Community came from foreign sources,”¹¹⁶ whereas the governments of Saudi Arabia, Kuwait, and the United Arab Emirates funded the construction of new religious buildings.¹¹⁷ Old mosques were repaired, and Sufi lodges erected, with the support of organizations from Turkey, which also funded the construction of a new mosque in Tirana, reportedly the largest in the Balkans. The Directorate of Religious Affairs of Turkey, the Diyanet, justifies such generous financial

contributions on grounds that Albania once belonged to the Ottoman Empire and, thus, Turkey has the moral obligation to help a community that was part and parcel of the *millet* mosaic over which the Sultan once ruled. The *medrese* (colleges with complementary religious programs) in Albania were reportedly managed by foreign Islamic groups, some of which encouraged less tolerant perspectives than what democratic norms entail.

Other religious denominations in Albania have faced similar financial constraints. The Orthodox and the Roman Catholics have regained some of the churches once repurposed by the communists (transformed in puppet theaters or sports halls) but had to repair them with their own meagre funds. Both Churches have faced a shortage of diocesan priests and the difficulty of covering the salaries of clergy or restoring the places of worship, especially in villages whose younger residents chose to migrate to Tirana or other urban areas. The activities of the Orthodox Community were mostly financed by foreign donors connected with the Archbishop Anastasios Yannoulatos of Tirana, Durrës, and All Albania (born 1929), a Greek appointed as leader of the Autocephalous Orthodox Church of Albania in 1992, and the Ecumenical Patriarch of Constantinople Bartholomeus, born in 1940 appointed in that position in 1991. Orthodox Churches from other countries have helped their Albanian sister: the Albanian Orthodox Church in the United States donated religious literature, and the Romanian Orthodox Church helped the Orthodox Vlachs of southern Albania. The Greek Orthodox Church received Albanian students in its theological seminaries, but, after Albania applied for EU membership in 2009, Greece called on the Albanian government to protect the Greek minority in Northern Epirus, most of which is Orthodox.

The shortage of personnel was most pronounced in the case of the Roman Catholic Church. In 1995, for example, “only 14% of the [Roman] Catholic clerics working in the country were Albanians from Albania,”¹¹⁸ with the situation improving since then with the support of the Vatican. Even the first post-communist head of the Catholic Church in Albania, Rrok Mirdita, was an émigré. An Albanian born in Montenegro in 1939, Mirdita served for 20 years as a priest in New York, the United States, before his appointment as Archbishop of Tiranë-Durrës in 1993. After his death in 2015, George Anthony Fredo, born in Malta in 1946, succeeded Mirdita. It was only in 2022 that an Albanian national took the helm of the Albanian Roman Catholic Church. Arjan Dodaj, born in the north-western town of Laç in 1977, was raised as an atheist but found his religious vocation in the 1990s after crossing the Adriatic Sea from Patok to Carovigno, Puglia, in one of the many boats which brought thousands of desperate Albanians to Italy in search of work.¹¹⁹ A popular prelate with an impressive personal story, Dodaj is also the youngest ever head of the Roman Catholic Church in the country.

In Autumn of 2014, Pope Francis visited Albania, 22 years after Pope John Paul II had ordained four Albanian bishops in the Roman Catholic cathedral of the Sacred Heart in Shkodër. In his turn, during his visit Pope Francis took the occasion to commemorate the 130 Christian clergy who perished under the atheistic

rule of strongman Enver Hoxha and to celebrate a well-attended public mass in the Mother Theresa Square, named in honor of the Albanian Catholic nun who dedicated her life to working for the poor. Despite some hopes, Pope Francis's visit was unable to facilitate the signing of the Concordat, although post-communist Albania did recognize the Vatican in 1991 and has maintained relations with it ever since.¹²⁰ The papal eulogy of the communist-era martyrs did have concrete results. On 5 November 2016, the Roman Catholic Church beatified 38 priests who lost their lives to atheist repression for baptizing children, acting as "foreign agents," or giving last rites to wounded fugitives. The martyrs include Archbishop Vinçenc Prennushi of Durres (1885–1949, born Nikoll Prendushi), Bishop Frano Gjini of Lezhe (1886–1948), Father Shtjefen Kurti (1898–1971), and Franciscan Sister Maria Tuci (1928–1950).¹²¹ Prendushi, Gjini, and Tuci were tortured and died in communist prisons, while Kurti was executed by firing squad after he illegally baptized a child. The Albanian Pontifical Seminary, reopened in 1991 by the Jesuits, continues its activity in Shkodër, located not far from the border with Montenegro.

There are no data on religiosity in post-communist Albania, but academics and journalists who frequently visit the country suggest that religious practice has increased over time. Journalist Krithika Varagur, for example, noted a "mass religious revival," the result of which was, in 2002, Tirana's "main Catholic church opened its doors not far from [Enver] Hoxha's mausoleum" and by late 2019, "large crosses are common in front of homes and along roads. Public spaces are frequently used for religious events, and a small number of women now wear the hijab."¹²² Saint's mausoleums (*türbe*) were rebuilt in villages across the country. These developments, in line with the religious revival registered in other post-communist countries, have been regarded with apprehension by those worried that it would lead to acceptance of fundamentalism and traditionalism to the detriment of more moderate and tolerant positions. The most controversial, from the point of view of the Albanian intelligentsia and government officials, is the growing Salafi community, which advocates for a conservative strain of Sunni Islam and relies heavily on Saudi Arabia for monetary aid and educational opportunities. Several of the most prominent Salafi leaders in Albania, as well as in the neighboring Kosovo and Bosnia-Herzegovina, graduated from Saudi higher education establishments, including the Al-Imam Muhammad bin Saud Islamic University in Riyadh.¹²³ The Salafis of Albania are often invited as commentators on Peace TV, which is headquartered in Kosovo as a branch of a worldwide television station serving Salafi communities. The Sufis of Albania are frequent visitors to the shrines in Karbala, Iraq, and rely on financial hand-outs from the Iraqi Shia.

Religious fervor inspired the meteoric rise, and spectacular fall, of Eleonora Bregu (born in 1953 in the Kolonjë region), a former worker in a Tirana textile factory who called herself The Lady of the Soul and who founded the religious sect of Saint Eleonora in Tirana. She drew on Bektashi mysticism to advertise her thaumaturgical powers, defend her claim to sainthood, and insist that, starting

in 1987, she kept in regular spiritual contact with the soul of Ibrahim Baba of Qesaraka, a Bektashi saint who died in 1930. Her doctrine and rituals, “inspired by energy, meditation and cosmos theories,” purporting to offer an “integral culture, synthesizing science, spirituality, philosophy and art.”¹²⁴ Ridiculed by the media but courted by some politicians and academics, Bragu was defended by her followers as the victim of “a religious war” mounted by traditional religions unwilling to tolerate a new religion directed by a woman. In 2010, the owners of the land on which the sect built its headquarters sued Bragu for compensation, but the case stalled due to the intervention of powerful political figures sympathetic to her. Bragu committed suicide right before she was supposed to appear in court in November 2011, thus putting an end to her Bektashi sect.¹²⁵

Final Thoughts

The communist utopia had little regard for God, and communist authorities considered religion, at best, a tool for manipulating the masses and, at worst, a focal point for rival values and rival elites; thus, it was a phenomenon that had to be eliminated. The decades that followed the collapse of communism showed its utter failure to suppress religion in the public sphere or to convince a majority of the population to embrace state-mandated atheism. Instead, the Catholic and Orthodox Churches have reestablished dominance in those lands where they have formed majorities (except in the Czech Republic), while the Protestant Churches, Islam, and Judaism have maintained their hold over segments of the population, positioning religion as a revived focus of collective identity in East Central Europe.¹²⁶ The lifting of communist-era restrictions on religious activities has encouraged many young people not only to rediscover traditional religions but also to set up new groups as alternatives to the failed beliefs of both communism and the newly introduced capitalism. Even in the secularized Czech Republic, new groups such as the Church of Beer and the Jedi religion have found followers. Despite ever decreasing numbers of church-goers, religious symbols, principles, and actors continue to move the masses whenever religious pilgrimages are organized, and to shape policies whenever parliaments discuss key issues.

The new relationship between religions and states, uneasily forged in the past three decades, is clearly stipulated on paper but ambiguously implemented in practice. Many East Central European laws uphold religious freedoms and formal equality among denominations, but governments rarely dare to go against religious majorities, and they do so only when pressured by the EU. No constitution in the region recognizes a state religion, but Roman Catholicism, Orthodox Christianity, and Islam have informally been elevated to such status in certain countries. Some observers deplore the region’s religious conservatism, which shuns sexual minorities, same-sex couples, and euthanasia, but are less willing to criticize parties that support progressive legislation only to leave it unimplemented. Given the populism that affects political parties, the narrow agendas of nongovernmental

organizations and interest groups, the corruption and inefficiency of some government structures, the challenges posed by abandonment and divorce to family life, and the structural weaknesses affecting schools and universities, religious groups are uniquely able to support the citizens of a region whose political and economic situation remains precarious.

This chapter identified several unintended functions derived from the interplay of religion and politics in post-communist East Central Europe. Throughout the region, during the 1990s, the rush to grant freedom of religion to all individuals and to permit new and old denominations to reorganize freely led to the unintended consequence that, at least in some circumstances, intolerant positions inimical to democracy were pushed forward by either religious groups or political actors. And nowhere has such intolerance been more visible than in matters related to the body – family planning, abortion, same-sex marriages, homosexuality, euthanasia – which religious denominations have regarded in mostly conservative and traditionalist ways that place women and homosexuals at a disadvantage. Liberalization of religious rights was meant to accommodate all denominations, small and large, new and old, but it unintentionally flagged the electoral importance of the religious vote to politicians, all too eager to draw support for their candidacy and platforms. Too often, political actors bent to the will of religious majorities for fear of losing the much-needed votes needed to win political office. However, one unintended function of the privileged relationships thus forged between the political leaders and the religious majority was to benefit these majorities well beyond their share in the population and contribution to national history. Unintended consequences, however, went even farther. In the Czech Republic, the failure to define religion had the unintended consequence of allowing groups traditionally considered nonreligious to seek official recognition. In Poland, the unintended function of the fights for hegemony was to take a toll on the Catholic Church, and lead to decreases in religiosity and church attendance, if not church membership. By restricting and punishing undesirable sexual behavior, the Catholic Church unintentionally failed to recognize the importance of protecting the lives of mothers endangered by pregnancy, preventing abandonment of newborn children, or advocating against violence within the family. In Hungary, the restitution system sought to repair past wrongs by transferring property rights from state agencies to denominations, but it unintentionally penalized the national budget, from which those who lost real estate had to be compensated for the loss of buildings and for the transfer of their activities to other locations.

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8

TRANSITIONAL JUSTICE

Lavinia Stan

The East Central European record of redressing past crimes has been characterized by a handful of intended effects and plenty of unintended consequences. It, thus, exemplifies a rich set of both malfunctions and intended, manifest, or latent functions of the judicial, nonjudicial and symbolic methods, programs, and practices we have come to label collectively “transitional justice.” In 1989, the new governments in the region pledged to break with the communist practice of infringing fundamental human rights, placing ordinary citizens under surveillance, maintaining a veil of secrecy over deportations, abusive arrests, and unlawful confiscations, confiscating manuscripts from unruly writers, silencing outspoken clergy and faithful, and using political allegiance as the main criterion for hiring and promotion. While free and fair multi-party elections, improved living standards, and the right to visit foreign countries were key popular demands at the time, none was more passionately debated than the need to right the wrongs of the recent past.

Note that in 1989, East Central Europe was, for the first time in decades, in a position to rectify the legacy of crimes perpetrated not only by the communist regime, but also by governments more distant in time. Indeed, the region was called also to right the wrongs of the pro-Nazi governments of Miklós Horthy in Hungary, Marshal Ion Antonescu in Romania, Msgr. Jozef Tiso in Slovakia, General Milan Nedić in Serbia, and Ante Pavelić in Croatia. The 1989 Romanian revolution and the 1990s Yugoslav wars added other crimes in need of redress. These recent pasts were characterized by distinct crimes perpetrated by identifiable victimizers and affecting specific victims. Post-communist governments were able to pick and choose among victims’ groups when devising reckoning programs and selectively promote initiatives that delegitimized opposition parties while protecting the careers of their own leaders.

First, for its proponents, transitional justice (also known as decommunization when designed to rectify the legacy of communist crimes) was necessary to build Western-style liberal democracy by attaining justice, providing truth, and offering guarantees of nonrepeatability. The most urgent task assigned to transitional justice was to end impunity and compel those responsible for rights abuses, lost lives, or destroyed careers to take responsibility for their deeds. Former political prisoners called on prison guards to atone for engaging in torture, beatings, and other abusive treatment. Deportees asked communist party leaders and militia-men to explain the motivations behind those campaigns and acknowledge the suffering produced as a result. The original property owners wanted to retrieve their properties, often hinting that the best confiscated dwellings had been used for free by privileged communist officials eager to indulge in bourgeois comfort. Despite calls for past offenders to admit to their wrongdoings, few of the communist-era decision-makers and torturers publicly confessed, instead justifying their past actions as necessary for the country's very survival or well-being. To curb impunity and uphold the rule of law, transitional justice supporters argued, the courts had to prosecute former perpetrators.

Second, transitional justice was meant to provide a full, detailed, and accurate account of past crimes, including their nature and total numbers as well as the identities of those responsible for wrongdoings and of those who suffered as a result. Truth called for an end to communist-era censorship, propaganda, and the cult of personality; freedom to openly and publicly talk about past experiences, however unpleasant and traumatic they might be; revamped history textbooks for pre-university schools; and museums that present communism not merely as a string of unprecedented accomplishments but also as a regime marked by basic human rights infringements. More importantly, truth required the opening of the archives amassed by state and party organs to historians and ordinary people. The repressive communist regime, which used mass monitoring, illegally opened correspondence, and tapped phones to persecute its critics, could not claim that such mass surveillance had shielded the state from foreign agents. Those once targeted by surveillance were placed at a massive disadvantage in the post-communist era if they were denied access to the secret documents related to them. In addition, the opening of secret files was also thought to ensure that secret agents and informers ceased their nefarious trading in information about relatives, neighbors, school-mates, or workmates.

Third, reckoning also centered on guarantees of nonrepetition of the massive rights violations that had characterized the Nazi and communist regimes and that have characterized also some post-communist regimes. Transitional justice had to end impunity and strengthen the rule of law so that in the new democracy, both leaders and ordinary citizens refrain from perpetrating abuse and trampling on the rights of others, especially their political rivals. Guarantees of nonrepetition were sought by reforming the repressive state agencies (the police, the intelligence services, and the armed forces), which until 1989, had crushed dissent and opposition

by all possible means, and the judiciary, which had covered up those crimes in the name of “socialist legality” by requiring defendants to prove their innocence rather than the regime to demonstrate their guilt. While important in post-authoritarian Latin America or South Africa, reconciliation was less prominent in East Central Europe where repression was wide but not deep (in Tina Rosenberg’s words¹) and all social categories shouldered guilt for the past.

Supporters of reckoning measures were drawn predominantly from the ranks of the former political prisoners; deportees and persons driven into exile; initial property owners, landowners, and factory owners dispossessed without due compensation; armed resistance group members; pre-communist political and economic elites; sidelined communist party officials; intellectual dissidents and opponents forced into silence; and priests, monks, nuns, and faithful persecuted for their beliefs.² Proponents of transitional justice included not only individuals but also groups, such as religious denominations that had been dismantled (the Greek Catholics in Romania), suppressed and driven underground (the Inochentis in Romania, but also the Nazarenes, Jehovah’s Witnesses, and Mormons throughout the region), or deprived of their property (the Jewish communities), as well as persecuted ethnic minorities (such as the Turks in Bulgaria, or the Hungarians in Romania and Slovakia, among others).

For its critics, transitional justice awakened the desire for revenge after the regime change, thus undermining democratic consolidation. Remembering and recounting past crimes could retraumatize the former victims and increase the likelihood of vengeful acts. Pointing the finger at communist party officials or secret agents as the main culprits veiled the daily complicity of ordinary citizens with communist regimes whose faults they knew well, but accepted out of dejection, opportunism, blackmail, or intimidation. In addition, by the late 1980s, the argument went on, these “socialism with a human face” regimes already refrained from engaging in the egregious rights abuses that characterized Stalinist times. Therefore, focusing on the past rectified mostly recent but relatively unimportant injustices and diverted valuable resources from improving the present and planning the future. Instead of pursuing a relentless vendetta that risked dividing society into angels and demons according to imprecise and elusive criteria, East Central Europe should grant forgiveness and support to those guilty of past crimes so that they too feel accepted in the new democracies and contribute to their stability and consolidation. Last, critics insisted, the rule of law was incompatible with lustration and vetting programs (detailed below), which denied basic political rights to those connected with the former regimes, as that was exactly what the communists and the fascists had done to their critics.³

Unsurprisingly, detractors of transitional justice included among their ranks almost all members of the communist party and state structures, leaders of various organizations that had collaborated closely with the dictatorial regimes (ranging from religious groups and intellectuals to academics, writers, and artists), and almost everyone who could have been negatively affected by scrutiny of their

record of collaboration with the authorities prior to 1989. As demands for cleansing intensified without the categories slated for vetting being clearly defined, and the process of property restitution required an effort to requisition land and dwellings from tenants to return them to initial owners, soon even the silent majority raised strong objections to property return and other transitional justice initiatives.

The most high-profile reckoning efforts were represented by the court trials launched against those responsible for past atrocities, some committed by the communists, others perpetrated during the Romanian revolution of 1989 or the Yugoslav wars of the 1990s. The first such trial, which resulted in the execution of Nicolae Ceaușescu (1918–1989) and his wife Elena (1916–1989) in Romania on Christmas Day 1989, violated multiple legal standards, and was widely viewed as a show trial that covered up, more than elucidated, the dictator's involvement in crimes. Other top communist leaders such as Erich Honecker (1912–1994) in East Germany and Todor Zhivkov (1911–1998) in Bulgaria were prosecuted in well publicized proceedings that kept East Central Europeans in front of their televisions for days in a row. Only a handful of lower level communist officials and secret agents were indicted, though among these were those responsible for the shootings perpetrated at the Berlin Wall.

No other program was as contested as lustration, which some saw as necessary to replace the communist elites with pro-democratic ones, and others deplored as nothing less than a senseless witch hunt. Two types of lustration programs were enacted in the region. In Germany and the Czech Republic, lustration screened past collaboration with the repressive communist agencies of all those elected or nominated to specific post-communist public offices and forced those with a tainted past to step down or transfer to a lower post. Past collaboration was ascertained based on secret archives, interviews with the vetted individuals, and other sources of information. In Poland, Hungary, and Romania, confession-based lustration required that those targeted sign written declarations detailing their past. Declarations were then compared with information derived from other sources, including the secret archives. Those who were caught lying in the written statements by concealing their involvement with the communist regime in certain specific capacities lost their post-communist positions. While historical purges usually concluded with the deaths of the leaders and collaborators of the *ancien régime*, and de-Nazification was carried out after World War II by virtue of executive orders, lustration was effected on the basis of laws discussed in parliaments where the very targets of lustration, the former communists, were well represented. In fact, in Poland and Hungary, confession-based lustration laws were adopted by left-leaning parliamentary majorities exactly to pre-empt the adoption of more radical accusation-based lustration programs that would have cut short the political careers of many former communists.⁴

During the 1990s, East Central European transitional justice was judged almost exclusively by the presence or absence of lustration, although the region adopted many other measures to reckon with past human rights abuses. Lustration

necessitated the opening of the files compiled by the secret political police forces, responsible for most communist-era abuses. Germany was the first to recognize the right to information of ordinary citizens who had been placed under surveillance by the secret police. Whereas for Western established democracies, secrecy is necessary to protect national interests by keeping some sensitive secret documents locked and making others available only decades after they were produced, Germany permitted former victims to access, upon request, the vast majority of the Stasi files. During the first three decades of post-communism, almost all states in East Central Europe opened their secret archives not only to historians but also to their own citizens and, in some cases, citizens of other NATO countries. Access has been offered through independent state agencies, recognized as custodians of the secret archives and sometimes also charged with implementing other reckoning programs such as lustration, rewriting history textbooks, or memorialization.

Besides court trials and lustration, reckoning took other forms worth noting. The communist regime had nationalized, confiscated, and expropriated private assets, which predominated in the region before World War II. The only exception was land in Poland, most of which had remained in private hands under communism. After 1989, some properties returned to the initial owners, but the process also benefited well-connected individuals, greedy law firms, and influential politicians; it did not include important art collections, historical buildings tied to national identity, or so-called public utilities (schools, clinics, banks) and often substituted financial compensation for the initial land or assets. Although in the Czech Republic and other countries, only owners who engaged in farming benefited from in-kind land restitution, the act of restitution was vilified for fragmenting land ownership, thus undermining agricultural development.⁵ Generally speaking, unless international pressure championed the interests of minorities, property restitution benefited ethnic majorities more than ethnic minorities out of fears that the national (read ethnic majority) character might be diluted if minority demands were satisfied.

Reckoning went even further. Former political prisoners and victims of massacres (including the 1989 Romanian revolution and the Yugoslav wars) received financial and nonmonetary compensation for their suffering, proportional to the number of years in prison they had spent. Official apologies for, and condemnations of, communist crimes were delivered by heads of state or prime ministers, commemorations were organized by both governments and civil society groups, and new national days were added to honor victims of the Nazi and communist regimes. In addition, street and locality names evoking Nazi or communist luminaries, events, or symbols were removed from the public space (occasionally replaced with names of former fascists), and museums and permanent or temporary exhibitions were opened, and a multitude of memoirs, movies, theater plays, and art installations were created to (re)present past events. Some of the most important transitional justice initiatives are presented below.

Germany

German reunification in 1990 opened the way for a resolute break with the communist past partly inspired by the de-Nazification conducted after World War II and financially supported by the wealthier Western German states. In a symbolic gesture, the vestiges of the Berlin Wall were removed, packed, and transported to Canada, the United States, South Africa, Indonesia, Sweden, Russia, Guatemala, the Philippines, or other countries.⁶ Statues of communist leaders ranging from Karl Marx and Vladimir Lenin to Joseph Stalin were removed from public view, damaged, and decapitated, some of which were replaced with other monuments; and streets and localities bearing communist names were rebaptized in recognition of the fact that the “city-text”⁷ must be rewritten because “physical objects play a significant role in the relationship with the recent past.”⁸ This cleansing of communist symbols was incomplete, as streets dedicated to Rosa Luxemburg (1871–1919) and Ernst Thälmann (1886–1944) retained their names.⁹ As elsewhere in the region, new street names in Germany that are either neutral in meaning (dedicated to flowers, tree types and even animals) or that remind one of symbols of democracy (including names of Western countries) uneasily combine with names that evoke a more controversial and tumultuous past littered with gross human rights violations.

Several courts prosecuted communist decision-makers for various human rights abuses, but few of those indicted spent time in prison as a result, either because the evidence was not strong enough to warrant prison-term sentences or because old age and poor health persuaded the judges that defendants deserved reduced sentences. In 1992, the 80-year-old communist strongman Erich Honecker and the 85-year-old Erich Mielke, head of the dreaded secret political police, the Stasi, were prosecuted for ordering the murder of 68 of the estimated 140 Germans who jumped the Berlin Wall to freedom. A defiant Honecker insisted that he was “without juridical, legal or moral guilt,”¹⁰ and the judge deemed Mielke too senile to stand trial. Together with his wife, a hardliner who overhauled the school curriculum to make room for communist doctrine and military training, Honecker took refuge in the Chilean embassy in Moscow to avoid responsibility for his crimes as head of the East German dictatorship. After lengthy negotiations, Honecker and Margot, nicknamed the Purple Witch for her brightly dyed hair, were allowed to travel to Santiago, where both of them died of cancer in 1994 and 2016, respectively.¹¹ In 2000, Mielke, once the most hated person in East Germany and dubbed the “Master of Fear” (*der Meister der Angst*) by the West German press, spent the end of his grim days in an old people’s home in East Berlin, missed by few.¹²

Verdicts in the many Berlin Wall trials, which stretched from the 1990s until 2005, led to suspended sentences for the soldiers who had committed the murders and significant prison terms for the higher officials who masterminded the killings.¹³ The trials raised significant legal challenges for the prosecution because the crimes had not been recognized as such in the East German penal code. The

claim that the defendants should have known that killings were too harsh a punishment for the minor offense of illegal border crossing allowed judges to obtain convictions, but retroactively introduced Western legal standards in cases referring to incidents that occurred in the East. With the verdicts quashed on appeal, the judge then applied East German legal standards to hold guards and their superiors accountable for breaking communist laws. This approach avoided the problem of *ex post facto* lawmaking but allowed the prosecution of only the few persons directly tied to violations of East German law.¹⁴

Through the efforts of Father Joachim Gauck, Germany became the first country to allow ordinary citizens to access the documents compiled on them by the secret police, which relied on information supplied by friends, relatives, neighbors, or workmates out of loyalty to communist ideology, doctrine, or policy; a desire to obtain certain privileges (such as job promotions, permission to travel abroad, doctoral titles, and even money); or blackmail (as in the case of those who collaborated so that the secret police keep their adultery, homosexuality or embezzlement a secret from their close relatives). According to the Stasi Files Law of 1992, the task of opening the secret files fell on the Federal Commissioner for the Files of the State Security Service of the Former East Germany (Bundesbeauftragte für die Unterlagen des Staatssicherheitsdienstes der ehemaligen Deutschen Demokratischen Republik, BStU). Citizens could read their own files if they had been placed under surveillance, not if they had acted as secret informers.¹⁵ As the law privileged the victims' right to know rather than the informers' right to privacy, the names of Stasi agents were released to the public. Access ensured that informers could no longer gain any meaningful private information, as their identities were publicly known, the links between the Stasi and the communist party were unveiled, and citizens could understand how much the Stasi impacted their daily lives through surveillance, profiling, eavesdropping, and the opening of correspondence.

The secret archives were further used to identify former high-ranking communists from among those who, after 1989, were elected or nominated to specific posts in the public sphere. Radical accusation-based lustration affected the Stasi collaborators, more than members of the party, the police, or other government branches. The decision not to target communist leaders as vigorously as Stasi agents was deplored by Gauck but emerged as an unintended consequence of the heavy reliance on the secret archives for determining "guilt." Germany entrusted lustration to its subfederal units, a choice that led to another unintended consequence: an uneven application of lustration standards that allowed individuals with similar past connections to the Stasi to retain or lose their jobs depending on their place of residence. Some *Länder* were more unyielding (Saxony), others more lenient (Brandenburg), and still others pursued a middle-course strategy (Berlin), depending on how those in charge of vetting interpreted the cues and support from *Länder*-level political leaders and administrative authorities.¹⁶

The lustration ban ended in 2006 for regular individuals and in 2011 for those in leading positions in state and society (such as members of Parliament), but few of those subjected to lustration sought to return to the posts that they had lost as a result of the vetting process. In June 2021, the BStU was formally incorporated into the German Federal Archives (Bundesarchiv) whose access rules were extended to the Stasi archive as well. Research and media requests continue to be accepted, but the names of third parties cannot be used without their consent.¹⁷ During its 30-year-long activity, the BStU considered the requests for file access for more than 7 million citizens, organized many conferences and exhibits, and published numerous books authored by its historians. More importantly, the BStU first employed around 1,800 “puzzle” women and then used computer programs to produce high-resolution images to piece together some of the 33 million pages shredded in 1989 by Stasi officers eager to cover their work, to retain the secrets of their targets, and to hide their human rights violations.¹⁸ Since 2015, Stasi secret documents have been made available electronically, but the collection excludes files of living persons for privacy reasons.

The issue of priests’ secret collaboration with the Stasi was raised by Berlin Catholic Bishops’ Conference in 1990, and the Roman Catholic and Protestant Churches in 1992. A Working Group on the Activities of State and Political Organizations/MfS vis-à-vis the Catholic Church, set up in 1992 by representatives of the six East German *Länder*, studied the secret archives.¹⁹ Its final report, released in 1998, found evidence of priests’ collaboration in 117 victim and 252 informer secret files, and various degrees of vetting applied across bishoprics in 1992–1996 (ranging from investigating all local priests in Dresden-Meissen to just a handful in Erfurt).²⁰ Though Catholic bishops acknowledged that the Church faced “human failure and guilt in dealing with the communist dictatorship,”²¹ no Catholic priest was defrocked as a result. By contrast, several Protestant pastors were dismissed from their ministry due to past collaboration.

Poland

The roundtable negotiations between communist leaders and the Solidarity opposition, which facilitated the regime change of April 1989, did much to quell the appetite for revenge in Poland. Surprisingly, the most compelling argument against reckoning was made not by the communists but by their opponents, the former victims of repression who would have benefited the most from transitional justice. Solidarity’s leaders wanted to honor the spirit of the roundtable and reassure Moscow that the region’s first post-communist country would not pursue revenge against communists. On 24 August 1989, Prime Minister Tadeusz Mazowiecki (1927–2013) embraced such a conciliatory stand to announce that a “thick line” (*gruba kreska*) would divide the past from the present: past loyalties were disregarded for all those ready to embrace democracy, including former communist leaders and secret agents who insidiously divided families, communities, and the

larger society. This policy of “amnesty but not amnesia” (*amnestia, nie amnezja*) might have quelled Soviet apprehensions, but it gave former victims no voice, reflected no public consultations, and helped Poles to delay but not avoid coming to terms with the past.

In 1991, preference for amnesty fueled the Constitutional Court decision to block court trials by applying the statute of limitations to communist crimes. In response to public demands for accountability, that year Parliament enabled the Committee for the Research into Hitler’s Crimes and the Coordinating Committee for the Study of Crimes against the Polish Nation to investigate communist crimes. By the time those bodies completed their work, a new Penal Code allowed courts to prosecute crimes of Stalinist times (until 1953) and martial law period (1981–1989). At least 30 such trials have taken place since 1989, with those started in the 1990s gaining more media exposure than later trials. Much discussed was the case of the head of the Investigations Department of the communist secret police, *Służba Bezpieczeństwa* (SB), Adam Humer (1917–2001). Known for his brutality, Humer was arrested in 1994 and convicted, together with other state security agents, for torturing and executing members of the Polish Underground Resistance under Stalinism. His conduct at the trial was “ostentatiously unrepentant,”²² perhaps explaining why Humer received 9 years in prison when others got lenient sentences. He died during a break in sentence at the venerable age of 84. The case was a “rare instance when former communist officials were punished for having mistreated ordinary people.”²³ In another case whose twists and turns confused even the most prescient observers, two high-ranking officials of the Ministry of Internal Affairs were indicted for the brutal killing of Father Jerzy Popiełuszko (1947–1984), but the case was returned for further investigation and then shelved.²⁴ These cases satisfied Stalinist-era victims, but were less anticipated than cases related to martial law.

In early 1992, the Parliamentary Commission on Constitutional Responsibility was asked to determine whether the courts should judge General Wojciech Jaruzelski (1923–2014) for having proclaimed martial law in 1981, the Military Council of National Salvation for implementing it, and the State Council members for endorsing it. The Commission was as divided as the Polish people: some praised martial law as national defense, the lesser evil meant to stave off a Soviet invasion, while others denounced it as national treason, a decision that defended the interests of international communism not those of the Polish nation. The inquiry ultimately sided with Jaruzelski not because of juridical or moral considerations, but because 71% of Poles saw martial law as justified.²⁵ In a surprising change of heart, the population of the country with the largest and most active anti-communist opposition behind the Iron Curtain, thus came to believe that the communists had been right to suspend the basic freedoms that the Solidarity so courageously demanded in the 1980s. The Commission’s manifest function was to clarify the past, but its latent function was to justify the amnesty already negotiated during the roundtable talks.

In another notorious case, in 1993, the head of the feared SB, Czesław Kiszczak (1925–2015), was accused of causing the deaths of nine miners and wounding 25 others in a clash with special anti-riot police at the Wujek mine in 1981. To cover up their tracks, the SB officers destroyed evidence, helped to convict witnesses on fabricated evidence, and forced them to give false statements, but hopes to clarify the past were dashed when Kiszczak suffered a heart attack on his way to court and, afterward, was unable to offer new information. The trial was remarkable not because prosecutors skillfully navigated communist laws that condemned the opposition and defended the secret police but because Kiszczak, the second highest Polish leader responsible for introducing martial law, was defended in court by none other than Adam Michnik (b. 1946). The former political prisoner testified that those responsible for the Wujek killings had disregarded Kiszczak's orders.²⁶ This, and other pieces of evidence, led to an acquittal. In 2015, Kiszczak died, age 90, in his bed, surrounded by his loving family.²⁷

By the mid-1990s, Poles came to recognize the need for justice and truth, given the success of former communists as post-communist politicians and businessmen and the misuse of leaked secret files for vendetta by political parties of all ideological persuasions. While professing to renew political elites, the confession-based Lustration Law of 1997 targeted only former communist party members with links to the SB who hid their past. All elected state officials from the rank of deputy provincial governor upward to the ministers, the premier, the president, the barristers, judges, prosecutors, and public mass media leaders were asked to write declarations stating their collaboration with the SB in 1944–1990. The declarations' accuracy was checked by the Public Interest Spokesperson against information from other sources, especially the secret archives. Collaboration had to be conscious, secret, connected to operational activities, and proven by extant information reports; the absence of any of these requirements invalidated collaboration charges against targeted politicians and allowed them to retain their posts. As verifications were slow, some verdicts were handed down long after tainted politicians ended their public mandate.²⁸

The 1997 presidential elections revealed the shortcomings of Polish lustration. Candidates Aleksander Kwasniewski (b. 1954) and Lech Wałęsa (b. 1943) stood accused as SB agents, a collaboration they denied in their lustration statements and in court. The court reviewed secret documents and interviewed former SB officers, concluding that Kwasniewski had not been a secret collaborator while Minister of Sport in the last communist government and that the SB produced false documents meant to block Wałęsa's Nobel Peace Prize nomination in the early 1980s. Accusation-based lustration would have stalled the candidacy of Kwasniewski, a former communist leader, but the Polish confession-based model failed to recognize that party leaders masterminded the repression campaigns unleashed by the secret police and, as such, they were even more to blame than the secret agents. Wałęsa was right to allege that communist government officials

had collaborated with the SB without having to sign collaboration pledges like ordinary informers, but the court did not accept that argument.

A major actor in lustration is the Institute of National Remembrance (Instytut Pamięci Narodowej or IPN) created in 1998 as custodian of the SB archive. It is also tasked with investigating Nazi and communist crimes and their perpetrators, giving citizens access to their own secret files, and educating the public with respect to Poland's recent past. In 2005, the IPN faced a serious challenge when journalist Bronisław Wildstein posted on the internet 240,000 names of former SB agents, military intelligence, secret covert informers, prospective candidates to informer positions, and victims. Stolen from the IPN computers, the list did not specify who belonged to which category, thus generating considerable public confusion and exposing many a former dissident to unwarranted accusations of past collaboration. The following year, President Lech Kaczyński (1949–2010) and his twin, Prime Minister Jarosław Kaczyński, expanded the scope of lustration to 700,000 citizens in 53 positions of authority – including academics, journalists, and state company executives born before 1 August 1972 – but the Constitutional Court invalidated those changes. Since 2007, the IPN has verified the accuracy of declarations, although the Court decision effectively put an end to lustration.

Besides lustration, public identifications and leaks of secret documents have pushed former collaborators out of positions of power and influence. The dominant Roman Catholic Church was affected when, on 6 January 2007, Stanisław Wielgus (b. 1939) renounced the position of Archbishop of Warsaw, once his past collaboration with the SB was publicly exposed.²⁹ The following day, Janusz Bielański (1939–2018) gave up his post as rector of Wawel Cathedral in Krakow for the same reason.³⁰ Months later, Father Tadeusz Isakowicz-Zaleski released a controversial book, *Polish Priests and the Communist Secret Police* (*Ksieża wobec bezpieczeństwa na przykładzie archidiecezji krakowskiej*), which alleged that the secret files he consulted, including his own, revealed that 39 priests in the Archdiocese of Krakow had collaborated with the secret police.³¹ The Roman Catholic hierarchs first tried to muzzle Isakowicz-Zaleski but eventually formed a Church commission to investigate the collaboration of priests. The commission showed that other Roman Catholic priests had worked for the SB, while another Church commission was able to regain many of the properties lost before 1989.³²

Within the region, Poland probably showed most clearly that people are eager to portray themselves as victims of atrocities but are critical of any historical narrative pointing to their persecution of others. Since 1989, scores of Polish historians, writers, politicians, and journalists have detailed the plight of the nation under the Nazi and Soviet yokes, insisting on Polish heroism in hundreds of conferences and history books. By contrast, since 2000, the publications of historian Jan Gross have met with shock and hostility from those unwilling to relinquish long-held myths that Poles helped Jews during and immediately after World War II. Relying on a wealth of evidence, Gross showed that “local Polish residents turned *en masse* against their Jewish neighbors and brutally killed hundreds of them” in the small

town of Jedwabne in July 1941 and that “this instance of mass violence ... was one of numerous pogroms carried out by Poles against Jews.”³³ The “thick line” served to separate the present from all pasts and impose not just amnesty but also selective amnesia.

Czechoslovakia and the Czech and Slovak Republics

The Velvet Revolution, with its accompanying roundtable talks between the communist leadership and the broad coalition of dissident forces, led to a dramatic reversal of fortunes. Former political prisoner Václav Havel became president of Czechoslovakia, while the Communist Party expelled Gustáv Husák, the country’s leader since 1969, in a desperate attempt to improve its image ahead of the first free and fair elections of 1990. As in Poland, the roundtable negotiations quelled initial desires for revenge against the communists; “reconciliation, not revenge, is the urgent need,” film director Miloš Forman suggested.³⁴ However, soon it became clear that Czechoslovak reconciliation did not mean amnesty, as in Poland, or whitewashing the past of communist human rights perpetrators. Indeed, in 1991 Czechoslovakia became the regional pioneer of lustration, a controlled vetting program partly inspired by the periodical cleansing (*lustrace*) of its own ranks regularly performed by the communist State Security (Státní bezpečnost, StB), before 1989.³⁵ After the federation split in 1992, the Czechs opted for more radical reckoning than the Slovaks. The Czech Republic continued to pursue radical lustration, publicly opened its secret archives, and set up institutions to investigate and prosecute communist crimes. By contrast, in Slovakia, lustration expired in 1996 without ever being seriously enforced, secret archives were released to citizens later than in neighboring countries, and fewer communist officials were prosecuted.

The Great Lustration Act of 1991 asked an Independent Lustration Commission of the Ministry of Interior to disqualify those who had worked in the police, secret police, and communist party leadership in 1948–1989 from elected or appointed positions in the federal and republican government, the army, the judiciary, and the leadership of state-owned enterprises, official mass media, and academia. The Small Lustration Act of 1992 narrowly applied to posts in the police and prison services. This vetting program resembled Germany’s accusation-based lustration more than Poland’s confession-based model in that loss of job resulted from past collaboration, not from the refusal to admit to a tainted past in written declarations. The initial 5-year temporal ban was repeatedly extended, and then, in 2000, indefinitely. By 2005, the Ministry of Interior had issued 450,000 lustration certificates, 2% of which showed collaboration with the communist regime. In many of the 900 odd civil lawsuits contesting collaboration, the courts found for the plaintiff.³⁶

Access to the StB archives was precipitated by the unofficial publication of 200,000 names of alleged secret agents by former dissident Petr Cibulka in 1992. The list, which mistakenly included candidates for recruitment who had never

worked as StB informers, provoked trepidation within the Czech political elite. Act 140 of 1996, supported by all parties except the communists and the extreme right, allowed citizens to examine their own files, with names of third parties blackened out. Six years later, access was extended to 22 kilometers of documents, was allowed electronically, and was exempted from personal protection restrictions so that Czechs could “know their history.”³⁷ Very private information can be easily accessed by all, over the objections of former dissidents. By 2022, 78% of the Czech secret archives could be accessed.³⁸ As Slovakia rejected lustration, it felt no urgency to open its communist-era secret archives. It was only in 2002 that Act 553 created a National Memory Institute in charge of granting citizens access to communist-era secret files and documenting communist and Nazi crimes. Two years later, the Institute started publishing the names of agents found in the StB registers. As in other countries, files that touch on public interest remain classified in Slovakia.

The Czech Republic was the first in the region to officially declare (in 1993) the communist regime as criminal, illegal, and contemptible and the communist party as a criminal and contemptible organization. Besides this symbolic gesture, the Act exempted communist crimes from the statute of limitation if the perpetrator was not convicted or had charges dismissed for political reasons. Since 1995, the Office of the Documentation and the Investigation of the Crimes of Communism (ÚDV) in the Ministry of Interior investigates crimes committed in 1948–1989 and distributes educational materials in schools. The courts decide the guilt or innocence of the accused. In 1999, Parliament extended the statute of limitations for serious communist-era crimes, thus allowing the ÚDV to continue investigations. While the ÚDV was praised for its work, it had to drop thousands of investigations because of insufficient data and the poor health of those indicted. Note that Husák, who masterminded Czechoslovakia’s Normalization after the Prague Spring, was never indicted for crimes committed under his leadership. He died in 1991, at the age of 78.

Not to be outdone, Slovakia also condemned the communist regime and party. Starting in 1999, the Department for the Documentation of Crimes Committed by the Communist Regime of the Justice Ministry has advised communist-era victims seeking rehabilitation or compensation for job or property loss. But Slovakia has shown little interest in prosecuting communist officials, as demonstrated by the cases of Alojz Lorenc, the SB chief in 1985–1989, and Vasil Biľak (1917–2014), the last communist party leader. In 1992, Czechoslovak courts sentenced Lorenc to 4 years in prison for having illegally detained dissenters in 1989. After 1 year in prison, in 1993, he was allowed to return to his native Slovakia, where the authorities charged him on the same counts, but the proceedings were halted in 2000. The trial against Biľak was discontinued for lack of witnesses.³⁹

As Gottwald and Husák had waged one of the most repressive anti-religious campaigns in communist East Central Europe, Churches demanded satisfaction from the state but were less forthcoming about their own past mistakes. The

extensive involvement of Orthodox priests with the communist regime had no impact on their ministry, as lustration did not extend to religious denominations, and the Orthodox Church conducted no internal vetting. In 2007, Roman Catholic Cardinal Vlk announced that a Church commission would unveil the clergy's past ties with the StB, but he quickly backtracked after understanding that collaboration had been more extensive than he had anticipated. The clergy, persecuted by communist authorities, were rehabilitated by the government; reinstated by the Roman Catholic Church (if previously defrocked); memorialized with statues; exhibits, or commemorations; and, in some cases, beatified as martyrs, such as late Bishop Joseph Hlouch (1902–1972). Finally, the Enumerative Law of 1991 returned some 200 monasteries to the Church, and a 2012 program provided financial compensation for half of the remaining properties lost by each religious group. The Roman Catholic Church received 80% of all money earmarked for compensation, prompting calls for the taxation of the funds it received.⁴⁰ Acts 229 and 87 of 1991 returned dwellings, farmland, and artworks to private owners and communities, whenever possible, and offered compensation in all other cases. Initially, the beneficiaries were only Czech and Slovak citizens with residence in the republics, but in the 2000s, nonresidents were added to favored categories in the Czech Republic.⁴¹

In the 1990s, the dominant Roman Catholic Church in Slovakia was rocked by revelations that some hierarchs had served as StB agents, but only in 2009 did the Archbishop of Trnava, Robert Bezak, ask the National Memory Institute to investigate past collaboration within the Church. When Bezak was removed from office in 2012, his successor abandoned those investigations.⁴² The Institute showed little desire to pursue investigations on its own, thus defying the religious majority. In 2000, a government commission discussed the fate of heirless properties and other issues not covered by the 1991 laws, while 2 years later, the government compensated the Slovak Jewish community to the tune of 18.5 million USD, representing 10% of the total estimated value of property lost by that community and its members. Similarly, only a handful of art works were returned to initial owners, mainly due to lack of documentation attesting ownership. Proof that Slovak authorities recognized that some works had been looted was represented by their willingness to organize the 2013 “The Shadow of the Past” exhibition, which showcased 14 works in the possession of the Slovak National Gallery that were suspected of being plundered Jewish property but whose owners remained unknown.⁴³

Thus, the Czech Republic adopted a radical lustration program whose manifest function was to mark a resolute break with the communist past but tolerated continuity between the communist and post-communist regimes by rejecting restitution and compensation claims coming from the dominant Roman Catholic Church, finding them objectionable and impractical in a vastly secularized country. This way, Czech state actors subordinated transitional justice goals to the politics of the present instead of allowing them to address the legacy of the past. Slovakia, in turn, followed a more complicated transitional justice trajectory that

resisted lustration, delayed access to secret archives, and provided minimal compensation for properties lost by religious groups other than the dominant Roman Catholic Church. In Slovakia too, transitional justice was employed to redress the past only to the extent it met present goals.

Hungary

The relative liberalization introduced by communist party leader János Kádár during the period of “goulash communism” in 1968 and the negotiated power transfer of 1989 resulted in there being little retribution from Hungarians, who believed either that their communist regime had been benevolent or that “living well is the best revenge”⁴⁴ against former leaders. The country was among the first to introduce transitional justice, but the program remained modest in scope, failed to root out former communists from among post-communist luminaries, and focused on symbolic measures more than trials and lustration. The death of Kádár, months before roundtable talks led to the regime change, meant that courts could hear only cases against minor communist leaders. Starting in 1991 the statues of communist leaders that had adorned streets, crossroads, parks, and official buildings were moved to the Memento Park, in a suburb of Budapest, where visitors can throw snowballs at the statues, weather permitting, and listen to the voices of Joseph Stalin, Mao Zedong, Che Guevara, and some Hungarian communist party figures in a phone box. A more ambitious memorialization project opened in 2002 in Budapest: the House of Terror (details to follow).

The 1990s were marked by grand declarations in favor of the victims of communist crimes but limited actual redress. A 1991 bill on the prosecutability of communist crimes, later overturned by the Constitutional Court on procedural not substantive grounds, covered only acts that were recognized as crimes at the time they were committed, focused on cases not previously heard by the courts because of some political reason, and provided for lighter sentences than normal, where applicable. The overzealous Constitutional Court referred to the need to strengthen the rule of law when overturning parts of another bill that lifted the statutes of limitations for communist crimes, thus ignoring the fact that the rule of law also implied the right to access courts for victims who had been denied justice by the communist authorities. That law, adopted in 1993, allowed the Ministry of Justice to investigate 50 incidents of mass shootings from the anti-communist 1956 Revolution. The Budapest City Court deemed some of those episodes crimes against humanity and handed down short prison terms to two defendants, just before the Constitutional and Supreme Courts struck down the 1993 law, thus preventing further court trials.⁴⁵ With trials off the table, former victims advocated for other redress mechanisms.

Months later, Act XXIII of 1994 allowed Hungarian citizens to read their own secret files, from which sensitive information, such as the names of informers and third parties, was redacted. Ironically, even the act of having served as an

informer was classified as sensitive unless the person was a “public figure.” This rendered the opening of the archive pointless, as its intended function was to clarify the past not only of ordinary citizens but also of those who represent them in public office or make decisions that affect citizens’ lives. This limited file access was further hampered by the unwillingness of post-communist intelligence services to relinquish the files in their possession and their insistence of defending national interests by doing so.⁴⁶ Secret documents were released but usually as part of political smear campaigns meant to sway electoral outcomes. Based on the secret files, Hungary conducted confession-based lustration, which, in practice, screened only the past of some 600 public figures by 2000. This narrow lustration program reflected “the former communists’ influence over the legislative process,” the opposition’s tacit recognition of “the continuity between the communist and post-communist Hungarian states,” and the post-communist struggles for power.⁴⁷ Indeed, the cutthroat political manipulation of file access and lustration, together with high-profile public scandals involving the likes of Péter Medgyessy, prime minister in 2002–2004, delegitimized decommunization and convinced Hungarians, including philosopher Gáspár Miklós Tamás, that the secret files had to be sent to the bottom of the Danube River for them not to poison Hungarian society any longer.⁴⁸

There was no need for such a drastic gesture, as many secret documents remained under lock for not referring to “public figures.” In 2007, however, a court ordered the Historical Archives of the Hungarian State Security to grant wider access to files on religious leaders, including those of the dominant Roman Catholic and Lutheran Churches. As part of those public revelations, Cardinal László Paskai (1927–2015) was unmasked as a former secret informer.⁴⁹ A decade later, Lutheran Pastor László Lehel resigned as head of the Hungarian Interchurch Aid when a journalist discovered secret documents suggesting that, in 1983, Lehel, out of “patriotism,” informed about “reactionary figures and tendencies” within his Church.⁵⁰ Overall, there were fewer spies recruited from among clergy in Hungary than elsewhere in the region, perhaps because few of them felt inclined to criticize the most comfortable barrack in the communist bloc. This context makes the anti-communist stance of József Mindszenty (1892–975), Hungary’s primate during early communism, even more remarkable. His beatification remains on track at the time of this writing, while his remains were brought to Budapest after the Supreme Court declared him innocent in 1990.⁵¹

Two separate laws enacted in 1991–1992 offered initial owners partial compensation for the real estate, enterprises, gold objects or works of art that had been nationalized or damaged by the communist regime before 1989. As part of the program, owners received vouchers that they could use to gain ownership of state-owned assets slated for privatization.⁵² Additional efforts were made by the Hungarian state to compensate Jews and Jewish groups. Since 2000, 25 February has marked the memorial day for Victims of Communism. On that day in 1947, the Soviet authorities arrested the leader of the Independent Smallholders’ Party,

Béla Kovács, on charges of “anti-republic conspiracy.” Sentenced without trial, he spent a decade in Hungarian, Austrian, and Soviet prisons before his release in 1956, during the Hungarian Revolution.⁵³ A memorial day for the victims of the Holocaust is recognized on 16 April, while 23 October is the national day for the commemoration of the 1953 anti-communist Revolution.

Together with the Sighet Memorial Museum in northern Romania (discussed below), the House of Terror is perhaps East Central Europe’s most visited site related to the memory of communist victims, though it commemorates fascist crimes as well. Situated within a 3 kilometer walk from the Hungarian Holocaust Museum, the House of Terror is located in the headquarters of the former fascist and then communist state security. The museum includes exhibits about the KGB-like Hungarian communist secret police, the State Protection Authority (Államvédelmi Hatóság, AVH), as well as the fascist Arrow Cross Party, under whose rule in 1944–1945 up to 15,000 Jews and Romani were murdered and 80,000 others were deported from Hungary to concentration camps in Austria.⁵⁴ The museum’s powerful but controversial narrative about the past has raised many eyebrows, being criticized for portraying Hungarians as victims while avoiding admitting to their persecution of other groups.

The country’s turn to populist authoritarianism under Viktor Orbán and the Fidesz party led to the adoption in 2011 of a new constitution that instituted “political justice without rule of law,”⁵⁵ according to law professor Gábor Halmai. The preamble recognized Hungary’s communist but not its fascist past, thus failing to acknowledge the crimes committed not only by Soviet occupying forces against the Hungarian nation during and after World War II, but also those perpetrated by the local right-wing Horthy regime against other peoples. An April 2013 constitutional supplement condemned the communist regime as criminal, reopened court cases against communist officials, reduced their special pensions and benefits, and created a new national commission to commemorate the past, while also barring further compensation for victims of communist injustice. Commenting on these provisions, Halmai noted that reckoning efforts had the unintended consequence of failing to reconcile Hungarian society, proof that the sluggish decommunization implied by the “living well is the best revenge” solution was unable to put Hungary’s ghosts to rest.

Romania

By the time the maverick dictator Nicolae Ceaușescu and his much-despised wife Elena – Nicu (Ceașcă) and Leana, as Romanians used to ridicule them – received their death penalty commando-style at the hands of the revolutionary guards on Christmas Day 1989, Romanians expected an end to militia violence against peaceful street protests and to the food and gas restrictions imposed by the cash-strapped dictatorship. Ironically, more protesters died after Ceaușescu was apprehended at the hands of secret police troops enacting a stay-behind operation meant

to reverse the regime change.⁵⁶ The courts sentenced tens of army officers, but the identities of the shooters remain a mystery. Most of the court trials organized since 1989 assessed involvement in the revolution, a handful of them related to communist repression, and none to Nazi abuses.⁵⁷ Moreover, the dictator's show-trial hampered the democratization process, as it infringed due process, the right to a fair trial, and the right to appeal, and showed that rule of law was not a priority for the new rulers. No shred of evidence was presented to the court to substantiate the charges, which, in the case of Elena – accused of engaging in academic dishonesty and aiding the dictator in the implementation of his megalomaniac projects – did not warrant the death penalty. The second echelon of the communist party was able to wrestle power from the dictator precisely because the trial pinned all blame on the Ceaușescu, ignoring the responsibility of their sycophants.

After Ceaușescu's execution, the new rulers rushed to recognize and reward the victims of the 1989 revolution, among whom they proudly included themselves, but gave little satisfaction to the victims of the communist and Nazi regimes. Moreover, in the 1990s, transitional justice was mostly symbolic: statues and paintings of Ceaușescu and other communists were removed from public places, communist street names were replaced by inconspicuous names, and an assortment of localities were designated as "martyr sites" that had facilitated the success of the Revolution. In addition, Orthodox celebrations became public holidays and 23 August, which had been pompously celebrated as the national day of liberation from fascism, was replaced by 1 December as a new national day commemorating the 1918 union of the Romanian principalities. Politically persecuted individuals were amnestied in 1990, but former political prisoners were rehabilitated only in 2009. Lump sums or monthly installments, as well as free cemetery plots, monthly television or radio subscriptions, and free transportation were granted to former victims able to prove their past suffering.⁵⁸ The return of land to initial owners was the only extensive reckoning program enacted by the new leaders.

In 1996, anti-communists won the general elections, and academic Emil Constantinescu (b. 1939) secured the presidency on promises of redressing the past, but the new government then prioritized the foreign policy goals of joining NATO and the European Union and lost sight of reckoning. Only at the end of its 4-year mandate, to boost its popularity ahead of the 2000 elections, did the ruling anti-communist coalition pursue transitional justice. A 1999 law created the National Council for the Study of Securitate Archives as an independent agency meant to offer Romanians access to the secret documents and to identify former secret informers from among post-communist public officials. Neither task was fulfilled, as most files remained with intelligence services, which invoked national security concerns to keep them under lock. Ironically, the Council lost more of its legal attributions, as it gained custody of more Securitate archives from the intelligence services. Confession-based lustration verified several categories of officials paid from the state budget, from the president of the republic down to

the level of a village priest, but led to no job losses for those identified as former Securitate informers.

The anti-communists were equally unwilling to return dwellings, a measure blocked in the early 1990s when the government allowed tenants occupying nationalized houses to buy them at modicum prices. The move sidelined owners to prevent social problems generated by tenants' relocation. Denied the right to access the courts, cheated of their property, and neglected by successive center-left and center-right governments, hundreds of Romanian owners turned to the European Court of Human Rights. In 1999, the Court ruled in their favor and ordered the Romanian government to return the assets (mostly dwellings) or pay just compensation. However, for close to a decade the government failed to streamline the compensation mechanism, placing owners again at a disadvantage. In response to these systemic deficiencies, in 2010, the Court issued a pilot judgment asking the Romanian government to implement reforms that would secure "effective and rapid protection of the right to restitution."⁵⁹ An emergency ordinance issued in 1999 returned buildings that once belonged to Jewish and other minority communities, but the Romanian governments declined to mediate the return of churches transferred by the communists from the Greek Catholic Church to the majority Orthodox Church, instead asking the two denominations to settle the matter themselves. The Orthodox Church has generally resisted restitution, thus obliging the Greek Catholics to build new places of worship.⁶⁰

The 2000s saw other transitional justice initiatives. The use and display of fascist symbols were prohibited in 2001. The police, intelligence services, and armed forces were reformed at the request of NATO partners. Two presidential commissions led by Elie Wiesel and Vladimir Tismaneanu examined Romania's involvement in the Holocaust and communism, respectively, releasing final reports in 2004 and 2006. A formal apology for Romania's involvement in the Holocaust was delivered in 2004 by President Ion Iliescu, while President Traian Băsescu condemned the communist regime as criminal during a joint session of Parliament in 2006. Around the same time, intelligence services were ordered to transfer two million secret files to the National Council in a move that ended their monopoly over public identifications of former spies from among post-communist luminaries. Even so, Romania has the region's most restricted access to secret files. The Open Archive project estimated that only 58% of the Securitate secret archive was available to the public in 2022.⁶¹

A textbook on the history of the communist regime became available in 2008, but relatively few high school teachers adopted it as a required reading. Since 2009, the Institute for the Investigation of Communist Crimes in Romania has gathered evidence to indict former prison guards responsible for rights violations during communist times; a handful of court trials were conducted as a result, but even in the few cases when convictions were obtained, the defendants' poor health and old age meant short prison terms.⁶² The list of official national days has been completely revamped, replacing 23 August (extolled by the communists as the day

when Romania joined the Allies in 1944) with 1 December (when Transylvania, Bessarabia, and Bukovina joined the Romanian kingdom in 1918) as the most important day in the calendar. Over time, new labor-free national days and other celebrations have been officially recognized, making Romania the East Central European country with the most such celebrations. Five of the ten official non-working national celebrations are Orthodox. To these, add 9 March as a national day of remembrance of the anti-communist political prisoners of 1944–1989, and 21 December as the day of remembrance of the victims of communism in Romania.⁶³

In 2021, the government endorsed a Museum of Communist Horrors in Bucharest without allocating the space necessary for its exhibits or a reasonable operating budget. The Museum has struggled to remain active, recruit supporters from among historians, and acquire a following, but even the dedication of its curator is unlikely to make the Museum a serious competitor for the Sighet Memorial of the Victims of Communism and of the Resistance. The latter has been housed since 1993 in a notorious communist-era political prison located in northern Romania, where many anti-communists lost their lives in miserable conditions during Stalinist times. Founded by renowned poet Ana Blandiana and her late husband Romulus Rusan, the Sighet Museum and the attendant International Center for Studies into Communism organize a plethora of annual conferences, workshops, and prizes for high school and university students and are the beneficiaries of generous funding from European partners apart from Romanian sources.⁶⁴ The exhibits and the monumental sculpture located in the courtyard of the museum praise, among other victims, the “prison saints” who lost their lives in Sighet, Aiud, and other communist prisons because of their religious beliefs.⁶⁵

Bulgaria

As in Romania, Bulgaria’s decommunization was narrow in scope, rather shallow in results, and politicized in nature, reflecting the population’s ambivalent position toward the communist regime and the country’s sinuous democratization. Ambivalence was fueled less by nostalgia for the communist paradise, as Bulgaria was as economically backward and politically repressive as its neighbors, and more by pan-Slavic sentiment that portrayed the Soviet Union as an elderly benevolent brother with Bulgaria’s best interests at heart. Tellingly, the first transitional justice measure took the form of a compensation program that granted benefits, instead of a lustration initiative that took away rights. In 1991, the Law for the Vindication of the Repressed for Political Reasons after 9 September 1944 provided compensation for communist-era victims and their relatives, but its implementation left much to be desired. Because many requests were turned down for no good reason, rewards were small, and some victims were left out, the procedure failed to satisfy retribution demands.

To mimic a clean break with the dictatorial past, in 1992, the Law on Banks and Credit Activity and the Law on Temporary Introduction of Some Additional Requirements for Members of Executive Bodies of Scientific Organizations and the Higher Certification Commission introduced lustration in the banking system and academia. Leaders of the communist party, communist youth league, trade unions, and other organizations, as well as officers and informers of the state security (Committee for State Security, KDS) were kept out of leadership positions in those sectors for a period of 5 years. In a deliberate move, this lustration program was so limited in scope that it led to no real elite change and might even have deprived Bulgaria of a few experts. The focus on banking and academia was odd, as former communists in government institutions could do more damage to democratization. Moreover, lustration was predicated on the identification of former secret informers in the absence of access to secret archives, the only ones that could prove such past involvement with certainty.

As this lustration program was toothless and misguided, it was supplemented by additional vetting measures, piecemeal in nature and superficial in their application. In 1998, Article 26 of the Law on Public Radio and Television banned communist-era secret agents from being appointed to the powerful Media Regulatory Council, the body that oversees press, television, and radio licenses and content, while in 2001, the Law on the Election of Members of Parliament, Mayors and Municipal Councilors recommended against their inclusion among electoral candidates. The 2001 law included vetting as a recommendation, not a requirement, whose infringement led to enforceable sanctions. Not surprisingly, political parties considered the requirement only for the presidential and parliamentary elections organized later that year but generally ignored it for subsequent elections.⁶⁶ Overall, these narrow lustration programs failed to sideline perpetrators, satisfy victims, or strengthen the rule of law. This is the reason why identifications were later entrusted to a series of committees (detailed later).

Trials against former communist perpetrators were launched for the Chernobyl, Lovetch, and Skravena work camps, the Rebirth Process, the killing of dissident Georgi Markov in London in 1978, and supplying armaments to communist and guerillas forces abroad. In the Chernobyl case, communist leader Grigor Stoichkov received 10 years in prison for failing to warn Bulgarians of the nuclear disaster, but he was released in 1996 after serving just a couple of years. In what amounted to a calculated move to shelter former communist perpetrators from justice, the other trials were postponed until the statute of limitations ran out.⁶⁷ In 1992, communist strongman Todor Zhivkov and his aid Milko Balev – popularly known as Ol' Uncle Tosho and the Gray Cardinal, respectively – were convicted for enriching themselves during communist times by using and abusing their nomenklatura privileges. Due to health reasons, Zhivkov served his sentence under house arrest. In 1995, the Court of Appeal quashed the sentence on grounds that Zhivkov enjoyed immunity as head of state,⁶⁸ a rather surprising decision, as communist legislation never formally granted immunity to nomenklatura members, and

post-communist laws did not extend it to acts of corruption. After 1990, Bulgarian courts set out to overturn the verdicts of the communist People's Courts in recognition of the fact that defendants had been convicted for their political beliefs.⁶⁹ Assets were returned by the Law on the Restitution of Nationalized Real Estate of 1992, in some cases, only after the European Court of Human Rights ruled in favor of the plaintiffs and ordered the Bulgarian government to comply.

Immediately after winning the 1997 elections, the anti-communist Union of Democratic Forces (UDF) set out to fulfill its electoral promises of enacting transitional justice. Later that year, new laws prohibited former communist leaders from taking high positions in the civil service and granted public access to the files of high-ranking officials, who had 1 year to disclose their former ties with the KDS. Hopes for implementing transitional justice were dashed in January 1998 by the Constitutional Court, which revoked all lustration clauses of the new laws. In preparation for NATO entry, in 2002, former KDS agents were banned from positions involving work with NATO classified information. This lustration process, as narrow in scope as its 1992 predecessor, thwarted further attempts to weed out former communists from among post-communist elites. The 1997 Law on Access to the State Security Archives enabled former communist-era victims to access the secret files, a process restricted in 2002; thus, in Bulgaria, access to secret files came later, and was limited earlier, than in neighboring countries. Files touching on "national security," an ill-defined concept that allowed misinterpretation by intelligence services, remain under lock. Despite such a late start, by 2022, almost 79% of the Bulgarian secret archives were open to the public.⁷⁰

While Romania created history commissions, Bulgaria preferred inquiry committees as tools for clarifying the past in the absence of a significant number of court trials against communist leaders and KDS secret agents. The first inquiry committee, set up in 1990, was headed by journalist Georgi Tambuev and identified legislators who collaborated with the KDS. At the end of its activity, the committee revealed that 7% of all deputies, primarily members of the anti-communist opposition, had divulged information to the secret police. This conclusion was disappointing, but logical: communist party leaders had openly supported the dictatorship and, thus, had no files as secret informers. A second committee created in 1997, chaired by Interior Minister Bogomil Bonev, had unrestricted access to the secret archives, but the involvement of the minister, a political figure, raised doubts about its independence from the executive. A third committee, set up in 2001–2002 and chaired by UDF deputy Metodi Andreev, concluded that 51 out of the 1,120 deputies elected after 1989 had been KDS agents.⁷¹ The low number reflected a shortcoming of the identification process. The commission could unveil politicians for whom a complete secret file was found in the KDS archives, not those whose files had been destroyed or those for whom the name card was the only proof of collaboration. The most recent commission, created in 2007 under the leadership of Evtim Kostadinov, became the custodian of the extant KDS files (around 5 million documents) and verifies the past of people in a wide range of post-communist public offices.⁷²

To understand how such public identifications of KDS secret informers worked in practice, let's review the results of investigations conducted by the Kostandinov committee just ahead of the local elections of October 2007, the first organized after Bulgaria joined the European Union. The committee had to examine the communist past of 13,257 candidates, but chose to eliminate 1,116 candidates born after July 1973, who were too young to have collaborated in any meaningful way with the KDS. After sifting the archives, the committee found evidence that 427 candidates (that is, one in 31) had served as secret informers. These individuals represented a range of parties on both sides of the political spectrum. The largest number, 72, belonged to the Socialist Party, heir to the communist hegemon. The second largest group, 55, represented the Turkish minority, which until 1989, had been the most persecuted group and, therefore, a prime target for the KDS. Next came 39 candidates of the conservative and populist Citizens for European Development of Bulgaria (GERB), and 20 of the centrist National Movement for Stability and Progress (NDSV) of former King Simeon Saxe-Coburg-Gotha. Smaller right-wing formations had 13 former spies in total. The two main offenders, the Socialists and the Turkish party, had no intention to ask former secret informers to withdraw from the electoral competition. NDSV asked tainted candidates to withdraw, while GERB vowed to cleanse its ranks.⁷³ Perhaps its determination to break with the past convinced voters to support GERB, which dominated Bulgarian governments in 2009–2021.

Symbolic reckoning methods complete the Bulgarian transitional justice effort. A 2000 law declared the communist regime to have been criminal.⁷⁴ Several monuments have been erected in honor of communist-era victims in Belene, Lovech, and Sofia, but no museum dedicated to them has opened to date.⁷⁵ At the same time, nostalgia for communism is higher in Bulgaria than elsewhere in East Central Europe and at levels comparable to Russia and Ukraine. For example, a majority of Bulgarians believed that things were worse for most people in 2019 than in communist times, and more than a third of them disapproved of the changes brought about by the change to multi-party democracy and a market economy.⁷⁶

Yugoslavia

During the 1990s, Yugoslavia, the country that had painstakingly developed the most liberal system in East Central Europe during the preceding decades, descended into the most significant conflict on European soil since World War II up to that time. The new Yugoslav wars cancelled out much of the lead those republics had enjoyed relative to their communist neighbors, delayed efforts to redress the legacy of Nazi and communist crimes, and created a new set of fresh crimes in need of reckoning. The violent disintegration of the federation and the resulting creation or re-creation of independent states meant that some crimes could be blamed on other states, none of which were fully able or willing to assume responsibility for them. Republics fought other republics; ethnic, religious

and linguistic communities turned against each other; and, often, families torn by hatred were willing to resort to violence to prevail over the others. The ethnic nature of the Yugoslav wars meant that redress was colored by much willingness to satisfy the demands of ethnic majorities and by a stubborn resistance, even outright opposition, to recognize as legitimate and just the claims of ethnic minorities, many members of which had been driven into exile or simply annihilated through massacres and ethnic cleansing. At the prompting of national and international actors, transitional justice was intentionally pursued along ethnic lines so as to give recognition and voice to all victims, but this strategy unintendedly undermined reconciliation across ethnic boundaries by perpetuating old animosities and misconceptions about other groups.

Ironically, the first major attempt to rectify the past targeted the crimes of the recent Yugoslav wars, not the earlier Nazi and communist crimes, which, together, had been as gruesome and more numerous than the recent ones. The 1990s wars destroyed the republican judiciaries, while giving various nations and groups arguments to see themselves as victims of others more than as perpetrators of atrocities towards others. Lack of republican judicial capacity and political will prompted the international community to take action to end impunity for the crimes perpetrated during the 1990s. In this context, the United Nations established in 1993 the International Criminal Tribunal for the former Yugoslavia (ICTY), an ad hoc court headquartered in The Netherlands with jurisdiction over the Yugoslav wars. As an international court, the ICTY had international judges, staff and funding and applied international law, features which delegitimized it in the eyes of the Serbs, Croats, Bosniaks, Kosovars, and other ethnic groups it was supposed to serve. Indeed, instead of embracing the court proceedings as an opportunity to find the truth about the chain of command that fueled human rights violations, assign responsibility to criminals, assuage the victims, and educate the new generations, the Yugoslavs saw it as a remote institution far removed from the theater of war, ignorant of their history, and oblivious of their concerns.⁷⁷ The international community also criticized the ICTY for its inability to fulfill its mandate within the initial temporal and funding constraints.⁷⁸ By the time it ended its work in 2017, the ICTY had indicted 161 persons, convicting and sentencing 90 of them and acquitting 19 others. Those indicted included 94 Serbs, 29 Croats, nine Albanians, nine Bosniaks, two Macedonians, and two Montenegrins.⁷⁹

Nationalist considerations and a reluctance to accept the judgments of the international court meant that Slobodan Milošević, President of Serbia 1991–1997 and President of the Federal Republic of Yugoslavia from 1997 to 2000, was deferred to the ICTY with considerable delay, only in 2001. As defiant as any other perpetrator, the “Butcher of the Balkans” conducted his own defense in the 5-year-long trial, which ended without a verdict when he died of a heart attack in his cell in The Hague in March 2006. In 2008, Radovan Karadžić, the “Butcher of Bosnia,” was charged with 11 counts and brought before the ICTY. It took the court 8 years to find Karadžić guilty of the Srebrenica genocide, war crimes, and crimes against

humanity, for which he received initially a sentence of 40 years in prison and life imprisonment in 2019.⁸⁰ General Ratko Mladic, indicted in 1996, successfully relied on his extensive network of Serbian and Bosnian Serb security forces as well as his family to evade arrest. However, eventually he voluntarily turned himself in. In November 2017, he received a life sentence for the siege of Sarajevo, the Srebrenica massacre, and other crimes.⁸¹ These cases attracted considerable media attention within and outside Yugoslavia, but lesser known criminals also had their day in court.

Serbia addressed the Nazi and communist pasts while also trying to illuminate aspects of the Yugoslav wars of the 1990s not discussed at the ICTY. The Nazi and communist pasts were redressed with the same methods, mostly symbolic in nature, such as removal and construction of new monuments or renaming of streets and localities. In 2001, for example, communist-era public holidays were replaced with holidays commemorating religious or pre-communist events. But that was also the year when tensions between Prime Minister Zoran Đinđić and President Vojislav Koštunica reached a new high. While Đinđić agreed to hand over indicted war criminals, including Milošević, to the ICTY, Koštunica saw such collaboration with the ad hoc court as an admission of the Serbs' collective guilt for the atrocities committed in the 1990s. The Truth and Reconciliation Commission created by the president had the manifest function to investigate the social, inter-ethnic and political causes of the wars of the 1990s, but, in fact, Koštunica provided such a broad mandate precisely because he expected the commission to lay part of the blame on other ethnic groups. During the 2 years of activity, the commission had few tools at its disposal and little institutional support to fulfill its mandate. It lacked subpoena powers to summon witnesses, access to secret archives relevant for its work, funding to hire research staff, and even an office. After keeping silent for a year, the commission explained which truth it wanted to uncover: the key events of 1980–2000; the human rights abuses; the social, psychological, and religious causes of wars; the role of public opinion and the media; and the impact of international factors. Instead of helping the commission to gain public support, the conference it organized at the time allowed Koštunica's nationalist supporters to shift the blame for the war from the Serbs to other ethnic groups and international actors. Once the commission's willingness to diminish Serbian responsibility for the atrocities of the 1990s became known, nongovernmental organizations turned their backs to it.⁸² The commission never released a final report, thus joining the short list of failed commissions created to date in Bolivia, Ecuador, Fiji, and Zimbabwe.

The limited access to secret files granted to ordinary citizens in 2001 was declared unconstitutional 2 years later, although other East Central European countries considered access compatible with democratic norms. The security services' tight grip over the secret archives, which are believed to include documents from Nazi and communist times, as well as from the 1990s, suggest that the old repressive apparatus has remained largely unreformed.⁸³ Both Nazi collaborators,

such as the Chetnik leader Draža Mihailović (1893–1946), and victims of communist crimes were rehabilitated soon after 2000 in a move that blurred the lines between victims and victimizers, thus obscuring the truth about the past instead of clarifying it. In 2008, the assassination of Prime Minister Đinđić was followed by the electoral victory of the nationalist bloc, which rehabilitated the Serbian collaborationist regime of World War II, acknowledged communist wrongdoings, but denied Serbian responsibility for the war crimes of the 1990s. The following year, a special commission started to memorialize sites of communist crimes, publish names of the victims, and demand their rehabilitation, but the total number of communist victims it released in 2016 was seen as grossly inflated.⁸⁴ The formal apology for not doing enough to prevent the Srebrenica massacre, which was delivered by the Serbian Parliament in March 2010, marked the end of years of denial but gained no favor with any community. Serbs complained that the apology unfairly singled them out when Bosniaks and Croats also committed war crimes during the 1990s, while victims and their relatives saw it as toothless, as it did not mention the word “genocide.”⁸⁵

In Croatia, transitional justice was equally uneven before it was put to rest, apparently for good and without much ceremony, once the country joined the European Union in 2013. The meager reckoning initiatives embraced in the country effectively ignored the need to redress the crimes committed during World War II by the fascist Ustasha troops and during the Bosnian war of the 1990s by the Croats. The only recent past that was subject to some redress was the communist regime, but coming to terms with it did not require much effort, Croats believed, as their “self-managing socialism” (*samoupravni socijalizam*) was benevolent in comparison with the region’s other communist dictatorships, especially Ceausescu’s Romania and Hoxha’s Albania. As in Serbia, the resurgence of nationalism during the 2000s has hampered transitional justice, which many denounced as disproportionately punishing Croatian patriots who deserve celebration, not condemnation. Instead of a transparent lustration program that would specify the categories slated for vetting, Croatia opted in 1991–1996 for a politically and ethnically motivated purge narrowly targeting the judiciary. Reparations benefited army members not civilian war victims, and property restitution favored ethnic Croats not ethnic Serbs.⁸⁶ In 2022, Croatia reportedly took measures to block the justice process in cases related to the war crimes of the 1990s.⁸⁷

Bosnia-Herzegovina also pursued transitional justice along ethnic lines, both because local sentiment dictated it and because foreign actors allowed it. Indeed, Bosniaks erected memorials for Bosniak victims, but not for victims from other ethnic groups; in turn, Serbs and Croats living in the republic are tending to their own monuments, which honor, as expected, Serbs and Croats. Three separate inquiry commissions created by the republic’s three ethnic communities unveiled what each of them considered to amount to the truth about the wars of the 1990s, but these ethnic-centered narratives further undermined national unity, as these truths are largely incompatible with and exclusionary of each other.⁸⁸ It is no

wonder that not a single history textbook was ever compiled to bring together these narratives; even if some brave historian would dare to write it, history teachers, pupils, and their parents would probably read it only selectively, dismissing the remainder as inaccurate. Unable to bridge their differences with respect to the country's past, the three groups continue to dispute common projects for the future, preferring instead to live parallel lives in ghettoized communities.

The ICTY heard more than a dozen cases of criminals who had perpetrated war crimes and crimes against humanity in Bosnia-Herzegovina, but it was not the only court to decide the faith of perpetrators involved in the 1990s wars. Local courts heard a multitude of war crimes cases, but those trials had few guarantees of due process and were often ethnically biased, demonstrating weak commitment to the rule of law and a greater propensity for revenge. The permanent War Crimes Chamber (WCC) of the Court of Bosnia-Herzegovina, inaugurated in 2005, prosecuted acts of genocide, war crimes, and crimes against humanity committed in the 1990s. This court, located in the republic and using national law, allowed Bosnians to feel more "ownership" over proceedings than the purely international ICTY and because Bosnians could attend the WCC proceedings but only with difficulty for trials at the ICTY. Successive United Nations High Representatives used the so-called Bonn Powers to remove or ban 185 Bosnian officials involved in war crimes in the 1990s (politicians and senior officials alike), but lustration of former communist officials and secret agents was nonexistent in the republic. Truth recovery has been pursued both by official bodies (such as the Commission for Investigating the Truth Regarding Sufferings of the Serbs, Croats, Bosniaks, Jews, and Others in Sarajevo in 1992–1995, or the Truth and Reconciliation Commission of the Municipal Assembly of Bijeljina) and civil society organizations (the Research and Documentation Center in Sarajevo and the Coalition for a Regional Commission for Truth-seeking and Truth-telling About War Crimes, REKOM).⁸⁹

Republika Srpska created several commissions as transitional justice tools. The government-sponsored Commission for Investigation of the Events in and around Srebrenica between 10 and 19 July 1995, set up in 2003, had to locate missing persons and investigate responsibility for the massacre. Four months into its activity, the commission's interim report repeated denials and enraged the UN High Representative so much that he used his Bonn Powers to remove government officials obstructing the commission. Under a new chair, the commission released in June 2004 a final report that, for the first time, acknowledged the culpability of Bosnian Serbs for the Srebrenica massacre. This was followed in October by an official apology for "the pain of relatives of perished people of Srebrenica."⁹⁰ That these gestures found little echo within the political elite is proven by the virulence with which, 6 years later, the President of Republika Srpska, Milorad Dodik, condemned the international community for describing the Srebrenica massacre as a genocide.⁹¹ Two new commissions that were created in 2019 have been investigating the suffering of Sarajevo's Serbs in 1991–1995 and the truth about all ethnic

communities in and around Srebrenica in 1992–1995. While they include foreign experts and claim to work independently from the authorities, these bodies seem poised to exonerate Serbs of responsibility for wartime crimes.⁹²

Today one can walk in Priština not on streets dedicated to Lenin or Tito, but on the Bulevardi Xhorxh Bush (Bulevard George Bush), named after the former US president who insisted that Kosovo should become an independent state, or Bulevardi Bill Klinton (Boulevard Bill Clinton), which is a tribute to the man Kosovar Albanians believe made their country known to the world and supported the NATO bombing campaign that brought the conflict in Kosovo to an end in 1999. Veneration of Clinton as a symbol of democracy is reflected in the shiny enormous statue of the great man, unveiled in a lavish ceremony by Clinton himself.⁹³ In Kosovo too, transitional justice reinforced the ethnic divide noticeable elsewhere in former Yugoslavia. The fact that, in separate courts, each ethnic group relied on the law it perceived to be more favorable to itself undermined reconciliation between Kosovar Albanians and Kosovar Serbs. Truth-seeking efforts allowed each ethnic group to explain the 1990s conflict and its consequences in self-serving ways that emphasized what divided not what united them. Even the flag became a bone of contention, as Kosovar Albanians reject it for the Albanian flag and Kosovar Serbs reject it for the Serbian flag.⁹⁴

Slovenia, the country least affected by the 1990s Yugoslav wars, could have reckoned with its communist past earlier than other republics, but instead embraced a “forgive and forget” attitude in the belief that democratization did not require any serious reassessment of the past. Two attempts at enacting lustration failed in the early and late 1990s, largely because the foundation of any successful vetting – the secret archive compiled by the communist State Security Directorate, Uprava Državne Bezbednosti (UDBa) – had mysteriously disappeared by 1991. Privacy concerns, legislated as early as 1990, have silenced calls to open the 3,000 extant files to the public. According to the law, an individual must provide written consent to access personal data, and only the individual on whom the file was compiled can access the file. Therefore, former informers can block ordinary citizens, journalists, political parties, and government offices from reading their files, retaining the secrecy of their past collaboration with the UDBa. The unofficial disclosure in 2003 on the internet of the file details of one million Slovenians, which was meant to unblock access to secret files and lustration, further diminished support for decommunization.⁹⁵

The most extensive redress program, completed by the mid-1990s, was enacted through the Denationalization Act of 1991, which returned in kind most of the properties nationalized by the communists in 1945–1963. In secularized Slovenia, as in secularized Czech Republic, the Roman Catholic Church represented the biggest loser of property restitution, being unable to reclaim many of its most valuable former properties. Truth-telling was pursued with the help of two official commissions. The Parliamentary Commission for the Investigation of Post-War Mass-Murders, Dubious Trials and Other Irregularities, chaired by Jože Pučnik in

1992–1996, worked in secrecy and failed to clarify the nature and the number of crimes committed by the communist authorities. In contrast, the Commission to Resolve Questions of Concealed Graves, created in 2005, documented 230 mass graves of some 2,500 victims massacred at the end of World War II.⁹⁶

Albania

If historian Robert Austin is right, Albania shed its communist regime just because all other countries in East Central Europe did so in 1989, and, as such, one day found itself alone on the wrong side of history.⁹⁷ The regime change led to the immediate removal of thousands of street names related to communist leaders or events, in a symbolic move designed to show resolve to do away with the dictatorship that had transformed Albania into the most autarchic, gruesome, and sad country in Europe, where even making the sign of the cross could put one in jail. In the capital, Tirana, in the years immediately following the regime change, one-third of streets lost their communist names, to the great confusion of foreign visitors who suddenly found that their maps were no longer able to guide them. Streets became nameless because all Albanians knew what they disliked, communism, but few of them knew what they liked, and which new symbols to adopt. In time, the streets received new names, but enthusiasm for other reckoning methods remained thin and sporadic.

Albania attempted to catch the family of communist strongman Enver Hoxha (1908–1985), whose *nom de guerre* was Taras, “on preaching austerity while practicing gluttony,”⁹⁸ as most of what his regime did politically was within the bounds of communist law. This might be a rather surprising statement given the horrendous human rights violations that characterized his rule, but one should remember the skill with which Hoxha and the satraps of the Soviet bloc covered their tracks and gave a veneer of legality to their inhumane policies. The report released in 1991 by Genc Ruli, the anti-communist Democratic Party Finance Minister, held the Hoxha family accountable for economic, not political, crimes by presenting transgressions that were simply surreal if not understood in the context of the extraordinary suffering inflicted on the Albanian people by Hoxha’s autarchic and paranoid version of communist dictatorship. His relatives were faulted for drinking coffee, getting medical attention, and travelling abroad – luxuries denied to and much coveted by other citizens. The report became the key piece of evidence in the first trials against the former rulers and set the tone for the ensuing transitional justice program.

As in Romania, second-echelon communists replaced the Hoxha family and their close sycophants. Given their solid communist credentials, the new rulers were disinclined to dig too deeply into anybody’s past for fear that transitional justice would cut short their own political careers and deprive them of privileges. The quasi-totalitarian character of the Hoxha regime meant that the civil society was too weak to make strong demands for resolute or radical reckoning. In the early

1990s, the Albanian communist secret police, the Sigurimi, was dismantled, and some 70% of its agents were dismissed. The new intelligence agency that replaced the Sigurimi was prohibited from engaging in repressive tactics, but the secret archives remained closed to the public for most of the following three decades, giving the new agents a tremendous information advantage over ordinary citizens, enriched businessmen, and politicians of all ideological stripes. In 2017, citizens gained access to the secret files, and in the process, they were able to find out that “brother spied on brother.”⁹⁹

Lustration has been bitterly criticized for denying the right to be elected to public office to former communists. But Albania’s preference for purges decided exclusively by the executive branch of government might give us pause to consider the clear advantage, and desirability, of lustration laws debated and adopted by parliaments in which the former communists were also present. After each post-communist election, the Albanian governments rushed to purge the civil administration of political rivals, replacing them with their own clients in uncontrolled purges with unclear selection criteria. Two lustration laws enacted in 1995, which were both narrow in scope, were used by the Democrat Party government, representing anti-communist forces, against the Socialist Party opposition, heir to the former Communist Party. Two years later, the Socialists purged all Democrats from among state bureaucrats, universities, and state-controlled media, while the Supreme Court took the hint and acquitted all former communists indicted for crimes against humanity. The pendulum turned again a decade later. The Constitutional Court invalidated a 2008 lustration law championed by the Democrats after the Venice Commission, criticizing it as a veiled attempt to destroy the independent judiciary.¹⁰⁰

Final Thoughts

Transitional justice was meant to help the region to put the ghosts of the past to rest, but the results were more mixed than anticipated in 1989, when the communist regimes collapsed. Across East Central Europe, the emphasis on measures focused on obtaining truth about the past, ending impunity for its crimes, and strengthening the rule of law had the unintended consequence of deprioritizing reconciliation in a region where ethnic allegiance and distrust in others remain high, while social capital remains low. Distrust was also fueled in Yugoslavia by the decision to pursue reckoning mainly along ethnic lines; while they gave former victims a voice, court trials, memory projects, and truth commissions organized there reinforced deep-seated divides that take time to calm down. Distrust in others, combined with the national communism pursued by the old regimes and the escalating claims to victimhood voiced across the world in the past three decades, have entrenched the region’s ethnic groups in the belief that transitional justice is about receiving recognition for one’s suffering at the hands of others more than admitting to one’s wrongs toward others.

Note that the lingering effects of multiple abusive pasts – of Nazi, communist, and post-communist crimes – had to be addressed by governments that also needed to pave roads, fund schools and hospitals, and reintegrate those countries into the larger European family. Not surprisingly, governments selectively engaged with some pasts more than with others, for reasons often related to present calculations more than to the past. But in a clear pattern across the region, countries that pursued more resolute, extensive, and early reckoning programs were able to democratize more successfully and rapidly than countries that chose to ignore, postpone or limit transitional justice objectives. In particular, the opening of secret archives and the identification of former secret informers (which unveiled previously unknown identities and activities of the hidden agents) more than lustration of communist party leaders (already known to the public), helped to cleanse public administration, state bureaucracy, and the judiciary of nefarious and corrupt cliques, ensuring a more rapid democratization.

International and foreign actors, as well as local civil society actors, often facilitated transitional justice in East Central Europe. The ICTY convicted the top perpetrators of the Yugoslav wars of the 1990s, bringing international attention to their crimes, the Council of Europe offered key financial help to the Sighet Memorial, while Jewish owners, most of whom live outside the region, were included among beneficiaries of property restitution at the insistence of foreign actors. Equally important was the input of the European Court of Human Rights (ECHR) in forcing East Central European states to create efficient mechanisms to compensate owners of lost property. When national governments were unwilling to pursue reckoning, victims' associations, research groups, intellectuals, artists, and even "vigilanties" have called for court trials, lustration, and access to secret files, or have written history books, maintained oral history projects, and organized citizens' opinion tribunals, such as the one on communism held in Cluj in 2009. Not always efficient or welcome, these foreign and nonstate initiatives have substituted for or complemented official programs.

In sum, the manifest function of transitional justice was to right the abuses of the past to build a better democratic future characterized by respect for human rights and the rule of law. Reckoning programs enacted in the region had the intended function of unveiling the truth about the past, delivering justice to former victims, forcing victimizers to assume responsibility for their crimes, and preventing states from reabusing their own citizens. Frustration with the continued impunity of former communist leaders, their uncanny ability to transform their communist connections into post-communist capital, or the cutthroat machinations of political parties eager to employ transitional justice to gain electoral support and undermine their rivals dampened popular support for transitional justice, convincing many that reckoning malfunctioned by commission or omission. Citizens in East Central Europe are quick to point the finger to politicians for the limited decommunization pursued by their countries, but they are less willing to admit that their own ideological conformity, chauvinism, and nationalism made those abusive pasts possible.

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9

PATTERNS OF INEQUALITY OF GENDER AND SEXUAL ORIENTATION SINCE 1989

The Latent Dysfunctionality of Patriarchy, the Unexpected Consequences of Policy Decisions

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The communists promised people *equality* in the first place and, while they did better in this area than their Western rivals, they did not do so well when their achievements were measured against their own standards and professed goals. Moreover, insofar as the communists legislated such things as promoting women in education, establishing the principle of equal pay for equal work, and, in most countries, legalizing abortion (though not in Ceaușescu's Romania), the unintended consequence of the way in which these policies were implemented was to disempower women, turning them into recipients of the benefits of state socialism rather than allowing them to build and strengthen their own agency. While the advocates of revolution, seeking an end to communist rule, hoped for improvements in many areas of life, including the freedom to travel, a better standard of living, and such mundane matters as better consumer supplies and a better variety of foods at the supermarket, it was *freedom* that enchanted those who celebrated the end of rule by communist parties. For some, the principle of religious freedom loomed largest in their minds. For others, economic freedom – the freedom of the marketplace and an end to central planning and production targets set by the authorities – was what mattered most; indeed, economic transformation had begun even before the Revolutions of 1989 (not completed until later). For many, freedom in the cultural sector was hugely important – the freedom to write what one wanted, to compose music without risking punishment from cultural tsars, to paint “crazy” things, to perform in ways that challenged audiences. And, inevitably, the new freedom meant an abandonment of the idea of planned and centrally promoted gender equality. Initially, this meant the abandonment of gender quotas in politics – although under communism/state socialism, there were quotas for various groups of people, including also for young people, industrial workers, and

peasants. Gender quotas would be restored later in much of the region. Freedom in the sector of gender relations also meant a strengthening of patriarchy as various countries in the region immediately after the collapse of the communist systems in 1989–1991 and, especially Hungary after 2010 and Poland after 2015, undertook to promote a conscious retraditionalization of society. Along with this, in most of the region, feminism came to be equated with socialism or communism and, by that virtue, seen, ironically, as something to be avoided, overcome, or banished.

Inevitably, in the rush of changes, there were unintended consequences and unexpected developments. Unintended consequences in the sphere of gender policy broadly conceived may be divided into two categories: unintended consequences involving external actors, such as the European Union (EU), and those involving domestic actors. This latter category may be further divided into two subcategories – the first as regards women and men, and the second for members of the lesbian, gay, bisexual, and transgender community, typically known by the acronym LGBT or, alternatively, LGBTQ. And there have also been *malfunctions* of policy, where a malfunction may be defined as “a failure to operate or function in the normal or correct manner.”²²

Measures of Inequality

Equality is not merely the earnest desire of most if not all women and of sexual minorities in general; it is also a central element in a civic culture and, by that virtue, also a central prerequisite for a stable, liberal political order. *Equality* and *equity* are related concepts, both deriving from the Latin *aequus*, meaning “fair” or “even.” Equality can be understood in different ways and with stress in different places. For example, politicians may stress equality under the law, but what does it mean to assert that a multi-billionaire and a homeless person are equal under the law? That may be some kind of equality, but it is a rather shabby form of equality. The other extreme is to demand sameness of result, for example that there should be only minor differences in pay between what a skilled surgeon earns and what an ordinary bus driver earns. This may sound very strange today, but this was the situation in communist-rule Hungary in the late 1960s. *Equity* entails justice and fairness and, when women and sexual minorities demand equality, they certainly want equity in this sense. In practice, *equality* is understood to mean that people – women and men, heterosexuals, gays, lesbians, transgender, and bisexuals – are all treated with the same respect, and rewarded according to their respective merits. “Equal pay for equal work” has been the battle cry in labor relations among those who have felt unequally treated. But note that this does *not* mean equal pay for unequal work, just as it does not allow for unequal pay for equal work. Equality and equity are both, ultimately, about justice.

Since 1989, most of the states in the region have either transformed pre-existing agencies for advancing the equality of women or set up new agencies for gender equality. As of July 2023, the following states had set up formal agencies to

promote the equality of women: Poland, the Czech Republic, Slovakia, Romania, Bulgaria, Albania, and all the Yugoslav successor states. The agency in Poland, for example, is called the Department for Women, Family and Counteracting Discrimination and is attached to the Ministry of Labor and Social Policy; in Serbia, the equivalent agency is the Office for Gender Equality and is an internal unit of the Human Resources Sector of the Ministry of Defense.³ Hungary under Viktor Orbán, by contrast, is committed to resurrecting and consolidating a traditional Christian patriarchal culture. Accordingly, Hungary joined Poland in 2021 in removing the term “gender equality” from a draft declaration being prepared for the EU.⁴ Hungary is alone in the region in not having a specific agency devoted to advancing the equality of women.

Where women are concerned, there are six key measures of the level of equality or inequality which activists – feminists – underline: representation in meaningful political bodies, whether elected or appointed; equity in wages and salaries; equal or unequal authority within the family as measured, in part, by the division of labor in housework; the persistence of gender stereotypes in schoolbooks, advertising, political campaigns, and society at large; the persistence of tendencies to dehumanize; and what can be subsumed under the term *family planning*, defined by the World Health Organization as the ability for “people to attain their desired number of children and determine the spacing of pregnancies.”⁵ Family planning inevitably assumes access to affordable methods of contraception and access to legal and affordable, if not free, abortion, although there are disputes even among liberals as to whether abortion should be available on demand or limited in some way, whether to instances of rape, incest, damage to the fetus, and/or risk to the health of the pregnant woman, or perhaps – as was favored in communist-era Romania – to women who have already given birth to a desired number of healthy children (in the case of Romania, to women with at least four children under their care). Issues related to sexual minorities are discussed below in the section on LGBT rights.

The Representation of Women in Politics

In the communist era (sometimes called the era of state socialism), women were better represented in politics in East Central Europe than they were in the United States or Great Britain. But few women attained positions in the highest political body, the Politburo, and tellingly, one of the exceptions was Lyudmila Zhivkova (1942–1981), daughter of Todor Zhivkov, head of the Bulgarian Communist Party, although Zhivkova was enormously talented and possibly the brightest member of the Politburo. Over time, it was understood that, if women accounted for up to 30% of the members of the national parliament, then they enjoyed “equal” representation in the legislative body. While this compared favorably with the representation of women in Western states at that time, one might ask whether men would have felt equally represented if they had accounted for up to 30% of the members of

parliament. In 1976, women accounted for 14% of the members of the national parliaments of Albania and Romania, 17.2% of members of the Yugoslav parliament, and 19.5% of MPs in Bulgaria. In the other four communist-ruled states of East Central Europe, women accounted for between 20.6% and 33.5% of MPs, with the East German *Volkskammer* registering the highest representation of women.⁶

The collapse of the communist organizational monopoly had immediate repercussions for women across the board. In the national parliaments, the representation of women fell after the first elections to 13.0% in the Czech Republic, 12.0% in the Slovak Republic, 11.3% in Slovenia, 9.6% in Poland, 8.5% in Bulgaria, 7.3% in Hungary, 4.5% in Romania, and just 4.3% in Croatia.⁷ At first, gender quotas for representation in parliament were considered unacceptable but, by 2020, such quotas had been introduced in four states in the region: Albania, Croatia, Poland, and Slovenia – all predominantly Catholic or Muslim countries – with quotas set at 35%–40% minimum for each gender *on party lists*. However, there has usually been no enforcement or regulation of the order in which they are placed on the lists, allowing party chiefs to place female candidates lower on electoral lists. In Romania, 56 academics and representatives of nongovernmental organizations (NGOs) addressed an open letter to the country’s parliament in October 2023, demanding that at least one-third of candidates presented on any party list be women. To avoid seeing the women lumped at the bottom of the lists, the signatories further called for “zipper-type” lists, with the candidates alternating by gender from the top of the list.⁸ Where Serbia and Hungary are concerned, as of 2021, as shown in Table 9.1, women accounted for 39.20% of members of the Serbian parliament, though only 12.60% of Hungarian MPs.

TABLE 9.1 Representation of Women in the Lower House of Parliament

<i>Country</i>	<i>(2021)</i> %
Serbia	39.20
North Macedonia	39.20
Kosovo	32.50
Croatia	31.10
Albania	29.50
Poland	28.30
Slovenia	26.70
Bosnia-Herzegovina	26.20
Montenegro	24.70
Slovakia	22.70
Romania	18.50
Hungary	12.60

Source: Anja Vojvodić, “Persistent Efforts and Opportune Moments: Women’s Groups and Gender Quota Adoption in Central and Eastern Europe,” in *East European Politics* 37, no. 4 (2021): 665.

Moreover, women are often appointed to head the ministries of health, education, culture, social welfare, and labor, although it has happened that women have been entrusted with the Ministry of Defense.⁹

One by one, states in the region ratified the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and passed laws concerning gender equality. In Croatia, after the elections held in 2000, there were complaints that the women sitting in parliament simply followed the lead of their respective parties, rather than advocating for gender equality and women's interests. With accession to the EU, women activists obtained EU funding, strengthening their ability to participate in the political arena. However, as Jill Irvine and Leda Sutlović report, EU accession also brought about an unanticipated consequence, in that the associated NGOization of women's groups, thanks to the newly available funding, resulted in the fracturing of the women's network.¹⁰ Moreover, even when there were gains in the legislative branch, it did not follow that gains in the executive branch would ensue. For example, in Serbia, after the elections of 2012, women comprised 33.6% of the deputies to the parliament but, of 22 members of the prime minister's cabinet, only two were women.¹¹

Still, in the second decade of the 21st century, there has been a breakthrough, with the election of two women in succession as vice presidents of Bulgaria (in 2012 and in 2017) and, more significantly, with the election of Zuzana Čaputová as President of Slovakia in 2019, of Vjosa Osmani as President of Kosovo in 2021, and of Katalin Novák as President of Hungary in 2022 (see Table 9.2).

Even more striking is the growing list of women who have served as prime minister, beginning in 1992 with Hanna Suchocka of the conservative Democratic Union starting a 2-year term as Poland's Prime Minister. In all, there have been ten women serving as prime minister in East Central Europe: three in Poland and one each in Bosnia-Herzegovina, Bulgaria, Croatia, Macedonia, Serbia, Slovakia, and Slovenia (see Table 9.3). As of March 2023, the only countries in the region in which no woman has served as president, vice president, or prime minister are Albania and the Czech Republic.

The Gender Gap in Wages

Back in the days when communist parties held sway across the region (although acting as satraps of Moscow in the six states that comprised the Soviet bloc), there was a clearly articulated, verbal commitment to assuring that the principle of equal pay for equal work would be honored. There were, however, two problems. First, women were often unable to obtain better paying jobs and were shunted into jobs that paid less, in particular in the textile industry and in services. Second, even when they obtained jobs alongside men, they could not rely on being promoted at the same rate as men so that, again, the principle was undermined. Thus, in the last years of the communist era, women earned, on average, 66%–75% of what men earned.¹² Then, when the communists were swept out of power in the course

TABLE 9.2 Female Presidents and Vice Presidents in East Central Europe since 1989

<i>Years</i>	<i>Country</i>	<i>Name</i>	<i>Political Party</i>
<i>Presidents</i>			
2011–2016	Kosovo	Atifete Jahjaga	Independent
2015–2020	Croatia	Kolinda Grabar-Kitarović	Croatian Democratic Union
2019–2024	Slovakia	Zuzana Čaputová	Progressive Slovakia
2021–?	Kosovo	Vjosa Osmani-Sadriu	Democratic League of Kosova
2022–2024	Hungary	Katalin Novák	Fidesz
2022–?	Slovenia	Nataša Pirc Musar	Independent
<i>Acting Presidents</i>			
2002–2004	Serbia	Nataša Mičić	Civic Alliance of Serbia
2021	Serbia	Slavica Đukić-Dejanović	Socialist Party of Serbia
<i>Vice Presidents</i>			
2012–2017	Bulgaria	Margarita Stefanova Popova	GERB
2017–?	Bulgaria	Iliana Iotova	Socialist Party

TABLE 9.3 Female Prime Ministers in East Central Europe since 1989

<i>Years</i>	<i>Country</i>	<i>Name</i>	<i>Political Party</i>
1992–1994	Poland	Hanna Suchocka	Democratic Union
1994–1995	Bulgaria	Reneta Indzhova	Democratic Union
2004	Macedonia	Radmila Šekerinska	Socialist Democrats
2009–2011	Croatia	Jadranka Kosor	Croatian Democratic Union
2010–2012	Slovakia	Iveta Radičová	SDKU–DS #
2013–2014	Slovenia	Alenka Bratušek	Positive Slovenia
2014–2015	Poland	Ewa Kopacz	Civic Platform
2015–2017	Poland	Beata Szydło	Law and Justice
2017–2024	Serbia	Ana Brnabić	Serbian Progressive Party
2018–2019	Romania	Viorica Dăncilă	Social Democratic Party
2022–2023	Bosnia ##	Željka Cvijanović	Independent Social Democrats

= Slovak Democratic and Christian Union–Democratic Party

= Bosnia-Herzegovina

of 1989–1991, East Central Europe was opened to Western markets, and many of the textile and clothing industries, in which many women worked, closed down because they could not compete with imports. This threw thousands of women out of work, reducing them to dependents. As for equal pay, Antoni Kukliński, a professor of economics at the University of Warsaw, declared in 1990: “the dilemma of ‘equality versus efficiency’ must be solved in favour of efficiency. . . . In order to develop the mechanisms of individual motivation we need an ‘optimum’ amount of inequality.”¹³ Thus, one of the unintended consequences of the privatization of the economies in East Central Europe was what has been called the feminization

of poverty, by which is meant that, in the initial years after 1989, women were more likely than men to be unemployed and single women or widows were more likely than their male counterparts to fall below the poverty line.¹⁴

The gender gap in wages is, thus, greater since 1989 than it was before and, as of 2021, women were earning less than men, on average, in every country of the region, as shown in Table 9.4. Nonetheless, the range of inequality is quite considerable, with Romanian women earning, on average, just 2.4% less than Romanian men, while, in that same year, women in Hungary earned on average 17.2% less than their male counterparts.

Nonetheless, research conducted in Romania found that the higher the level of education women attained, the less the wage gap was between their earnings and those of men. Thus, in 2002, Romanian women with less than secondary schooling earned 74.1% of what men earned; those who had completed secondary education and had taken at least one university course, earned 79.3% of what men earned; and those who had completed higher education were earning 85% of what men were earning.¹⁵

The Division of Labor in Housework

Whether women lost paid employment or retained their jobs, in some cases working overtime in order to cope with rising expenses, women have continued to shoulder the bulk of housework. As Table 9.5 shows, women spent

TABLE 9.4 Pay Differentials between Women and Men (2021).
How Much Less Do Women Earn than Men, in %

Romania	2.4
Slovenia	3.1
Poland	4.5
Serbia	11.0 #
Croatia	11.2
Bulgaria	12.7
Slovakia	15.8
Montenegro	16.1 #
Czechia	16.4
Hungary	17.2
North Macedonia	17.9 #

Source: Statistics Explained, “Gender Pay Gap Statistics,” November 2021, <https://ec.europa.eu/eurostat/statistics-explained/SEPDF/cache/6776.pdf>; and “Gender Pay Gap in the Western Balkan Countries: Evidence from Serbia, Montenegro and Macedonia,” *fren Policy Brief*, January 2020, <https://fren.org.rs/wp-content/uploads/2020/01/Policy-Brief-EN.pdf>.

= adjusted pay gap for 2020

TABLE 9.5 Average Number of Hours per Week Spent on Housework (2008–2017 #)

	Women	Men
Albania	32.6	14.5
Bosnia-Herzegovina (Republika Srpska (RS))	53	Less than 10
Bulgaria	22.9	9.5
Croatia	29.5	11.6
Czech Republic	27.4	10.4
Hungary	30.5	11.3
Kosovo	20.5	N/A
Poland	32.2	13.5
Romania	21.4	7.3
Serbia	31.5	???
Slovakia	23.9	15.7
Slovenia	21.2	13.3

Sources: Helene Dearing, “Parental Leave Policies and the Gender Division of Housework. Studying the Association between Different Leave Indicator and the Unexplained Gender Gap in Housework,” *Institute for Social Policy, Working Paper* No. 1/2016 (Wirtschafts Universität Wien), 26 https://www.wu.ac.at/fileadmin/wu/d/i/sozialpolitik/WP_01_2016.pdf; Tanja van der Lippe, Judith Treas, and Lukas Norbutas, “Unemployment and the Division of Housework in Europe,” in *Work, Employment and Society* 32, no. 4 (2018): 659; Marsela Dauti and Zhllima, *Public Perceptions & Attitudes toward Gender Equality in Albania*, trans. & ed. by Majlinda Nishku (Tirana: commissioned by UNDP, 2016), <https://edition.cnn.com/2023/02/13/europe/portugal-catholic-church-abuse-intl/index.html>; Zvonimir Stopić, “Bosnia-Herzegovina Economy Briefing,” *China-CEE Institute* 44, no. 2 (October 2021): 3–4, https://china-cee.eu/wp-content/uploads/2022/08/2021e10_BosniaHerzegovina.pdf; Edona Shala, “The Invaluable Contribution of the ‘Second Shift.’” *Kosovo 2.0*, September 24, 2020, <https://kosovotwopointzero.com/en/the-invaluable-contribution-of-the-second-shift/>; “The Time Use Survey in Serbia, 2010/2011,” *Economic Commission for Europe* (Geneva, March 12–14, 2012), 5 https://unece.org/fileadmin/DAM/stats/documents/ece/ces/ge.30/2012/15_Serbia_E.pdf; and email from Lavinia Stan with screenshot of official data for 2008, received on 14 February 2023.

2008 figures for Romania; 2009 figures for Bulgaria and Slovakia; 2017 for Kosovo; possibly 2014 for Albania but not reported; 2010 figures for all other countries.

at least twice as much time on housework as their husbands in every country in East Central Europe for which there are data, except for Slovakia and Slovenia, though even in these cases women did tangibly more housework than their partners. This division of labor is rooted in preconceptions about the “natural” roles of women and men. Thus, for example, a 2017 Special Eurobarometer survey found that almost three-quarters of Slovaks felt that “the most important role of a woman is to take care of her home and family,” while about the same proportion agreed that supporting the family financially was “the most important role of a man.”¹⁶ Television commercials reinforce the traditional division of housework. For example, according to a study published in 2011, women were the presenters in 62.5% of Romanian commercials for house cleaning agents, vs 37.5% of men.¹⁷

Gender Stereotypes in Schoolbooks

Schoolbooks provide insidious reinforcement of gender role stereotypes, influencing not only thinking about housework but also actual opportunities for women in the labor market and, thus, their career trajectories. In particular, representations of male and female characters in schoolbooks can make a permanent imprint on children's, and later adults', minds. In Montenegro, as elsewhere, schoolbooks for the elementary classes have portrayed women and men in traditional roles – thus, women as teachers and shop assistants, men as hunters, construction workers, and bakers. It is also symptomatic that those textbooks used the word *čovjek* (human being) to mean a *man*, even though Serbo-Croatian has the word *muškarac* to refer to a male.¹⁸

There are also differences in the qualities and strengths attributed to girls and boys. For instance, a study of Romanian textbooks for primary schools, conducted in the 1990s, found that, while boys were shown sledding or engaging in other sports and leisure activities, girls were shown shopping, dusting, raising hens, and singing. In terms of characteristics, girls were portrayed as “afraid, beautiful, blond, gentle and good, while the boys [were presented as] brave, active, and [when they were not sledding] hardworking.”¹⁹ A later study, by M. Balica et al., published in 2004, found that boys were more often identified by name than were girls.²⁰

In Poland, curiously, a study of 32 Polish-language textbooks, 19 school readings, and six math textbooks and workbooks for grades 7 and 8 found that “in all groups of textbooks the female characters are significantly more frequently depicted as infants...while male characters were frequently depicted as adults.”²¹ In all three categories of textbooks, men were more likely than women to be presented as scientists, lawyers, physicians, professional athletes, and company owners or managers. Female characters were more likely to be portrayed as social and empathetic, while male characters were more often shown with traits such as idealism, honor, and wisdom.²² In the Czech Republic, where past school textbooks portrayed girls as habitually poor in math,²³ gender equality activists responded to the persistence of gender stereotypes in schoolbooks by publishing a book on gender-sensitive education and distributed it to school teachers and children in 2007. Yet, as Pavla Horáková reported, when children were asked to draw a picture of their families, they typically showed mother cooking and father relaxing in an armchair reading a newspaper.²⁴

Portrayals of girls and boys, women and men in schoolbooks have the power to perpetuate gender stereotypes and affect the way females and males related to each other. Indeed, as three Montenegrin researchers have pointed out, “some of the knowledge acquired...in family and at school never becomes subject to critical analysis [or to a] change of attitudes and beliefs.”²⁵

Dehumanization and Commodification of Human Beings

Gender equality would include, among other things, respect for the “physical and mental integrity” of one's spouse – in fact, of all fellow human beings – a right

proclaimed in the European Union Charter.²⁶ To engage in violence against one's life partner is to signal one's utter disrespect for her and, thus, to dehumanize her. And yet wife-beating is not unknown in East Central Europe. According to Urszula Nowakowska, "almost half of the women in Poland personally know a woman who has been beaten by her husband."²⁷ In Romania, wife-beating was described, in 1992, as "culturally accepted" and, thus, commonplace, while a report filed for the Organization for Security and Cooperation in Europe (OSCE) found that nearly 50% of women in Bosnia-Herzegovina have "survived some form of abuse including intimate partner violence."²⁸ It hardly needs to be pointed out that dehumanization encourages sexual assault.²⁹

The most extreme manifestation of dehumanization is human slavery or human trafficking, which turns trafficked adults and children into commodities to be exploited. As of 2023, an estimated 45.8 million people had been trafficked into slavery; among these were approximately 10 million children, 15.4 million females taken for forced marriages, and 4.8 million people held for coerced sexual exploitation.³⁰ Typically, women and girls who are ensnared in trafficking rings are taken to countries where they do not speak the local language, thus rendering them all the more dependent on their traffickers. Among the European countries from which people have been trafficked are Moldova, Romania, Albania, and Ukraine.³¹ According to data from 2021, 56% of victims trafficked to or within the European Union are trafficked for sexual exploitation, 29% for forced labor, and 15.8% for forced begging, benefit fraud, and other criminal activities. Between 70% and 80% of trafficked persons are female.³² Although governments in East Central Europe report the number of *registered* victims of trafficking, a report from the European Commission notes that "[t]he actual number of victims is likely significantly higher than reported data suggest."³³

The numbers of those arrested and convicted on trafficking charges seem small; for example, in 2020, Romanian courts convicted 162 persons for human trafficking – of these 127 for trafficking for sexual exploitation.³⁴ Perhaps curiously, given the US State Department's assessment that "[t]he Government of Serbia does not fully meet the minimum standards for the elimination of trafficking," Belgrade actually "decreased victim protection efforts" in 2021.³⁵ Nonetheless, in some countries in the region, such as the Czech Republic and Poland, "government-funded NGOs"³⁶ have provided assistance to victims and "potential victims" of trafficking.³⁷

Abortion and Its Foes

From the standpoint of pro-choice activists, access to abortion is every woman's basic right and an essential component in women's equality with men. From the standpoint of those favoring a complete or partial ban on abortion, every fetus has a right to live and, according to the dominant viewpoint within the Catholic hierarchy, the right of every fetus takes priority over any claim to rights on the part

of a pregnant woman – meaning, in practice, that an abortion to save a woman’s life cannot, as far as Catholic teaching is concerned, be justified. The ongoing contestation over abortion has no chance of being resolved with one side coming over to agree with the other. The chief evidence for this is the fact that, 2,000 years ago, the citizens of pre-Christian, ancient Rome were arguing about this very issue. In fact, historical records document that abortions were carried out throughout the ancient world – in Egypt, Babylonia, Assyria, Persia, Greece, and Rome – in medieval Europe, and even in Counter-Reformation Italy, not to mention in other places and at other times. Although there were efforts to suppress the practice in ancient Persia and Assyria, the mere fact of these efforts indicates that there was no consensus regarding the moral unacceptability of abortion in either of these empires.³⁸ Both Assyrian and Babylonian texts discuss plants and molds having abortifacient effects (in addition to various contraceptive remedies), while the Ebers Papyrus (c. 1550 BCE) shows that the ancient Egyptians were familiar with abortifacients.³⁹

Among ancient Greeks and Romans, there was no consensus against abortion. Moreover, even infanticide was acceptable under certain circumstances (such as overpopulation) in Athens, where Plato wrote, “If too many children are being born, there are measures to check propagation.”⁴⁰ For his part, Aristotle distinguished between termination of a fetus early in pregnancy and a late term abortion, treating the former as completely legitimate. Moreover, Soranus of Ephesus, a Greek physician living in the first to second centuries CE, urged abortion in cases when a woman’s life was endangered by continuation of a pregnancy.⁴¹ According to historian John Riddle, from earliest times, women felt that they were “within their rights” to ingest plant remedies to induce abortion.⁴² In fact, at no point in history has there been a consensus that abortion is wrong.

Even in contemporary Poland, more than 80% of Poles surveyed in 2020 reported that they felt that abortion should be available for women whose lives were put at risk by continuation of pregnancy, while, in 2022, 60% of Poles felt that abortion should be fully legal.⁴³ When anti-abortion activists appeal to the “right of the unborn child,” they do so in the belief that this right should be obvious to everyone and that it should be possible to reach a consensus on this point, even as pro-choice activists, likewise, believe that the merits of their viewpoint should be self-evident and, thus, that people can, or at least should, agree that the right of the woman takes priority over any claims made on behalf of a fetus in her womb. But – and this is point of the foregoing survey of ancient and medieval attitudes about abortion – if people have not been able to agree about the morality or propriety of abortion in more than 4,000 years, then it is exceedingly difficult to imagine that any consensus can be attained now. So arguments about abortion continue in East Central Europe, as elsewhere. And, as ever, the Christian Churches have strong views about this subject. In most states of East Central Europe, abortion was legalized in the 1950s (although it has been severely restricted in Poland beginning in 1993). (See Table 9.6 for the years in which abortion was legalized in each country in the region.)

TABLE 9.6 Years When Abortion Was Legalized, by Country

1950	Czechoslovakia, German Democratic Republic
1952	Yugoslavia – 1952 (with restrictions); liberalized in 1969
1953	Hungary (tightened in 2022)
1956	Bulgaria, Poland (with some restrictions, tightened in 1993 and retightened in 2020)
1957	Romania (then severely restricted in 1967 and relegalized in 1990)
1991	Albania
1994	Serbia (available upon request)

Sources: “Abortion Rights in Europe Vary Widely – and Are Getting Squeezed,” *Politico*, May 3, 2022, <https://www.politico.eu/article/abortion-right-europe-vary-widely-getting-squeezed/>; “Albania’s Abortion Provisions,” *Center for Reproductive Rights*, <https://reproductiverights.org/maps/provision/albanias-abortion-provisions/>; Sabrina P. Ramet, *East Central Europe and Communism: Politics, Culture, and Society, 1943-1991* (London & New York: Routledge, 2023), Chapter 3; and Mirjana Rasevic, “The Question of Abortion in Serbia,” in *Espace, Populations, Societies* (Institute of Social Sciences, Belgrade), no. 3 (2004): 685.

Opposition to abortion is widespread across East Central Europe just as support for access to abortion is likewise widespread. But, among the 14 states that comprise the region, it is Poland and Romania where the fights over abortion have been the most intense. Partly because Pope John Paul II (1920–2005; reigned as pope 1978–2005), was Polish, Poland became the first battleground for abortion rights in the post-communist era. The first act in the burgeoning drama over abortion came in May 1989 on the eve of the parliamentary elections that would begin the transfer of power in the country, when Archbishop Józef Glemp (1929–2013; served as Archbishop of Warsaw 1981–2006) summoned Lech Wałęsa (b. 1943), the leader of the Independent Trade Union Solidarity, to the archepiscopal palace. Glemp used the meeting to impress upon Wałęsa the high priority that the Church assigned to ending access to abortion.⁴⁴ In fact, the Sejm (the lower house of the Polish parliament) had already begun to consider a draft bill on abortion proposed by the episcopate. In December, the newly established Senate (the upper house) called for debate on abortion to continue. As the debate got underway, the Ministry of Health announced (in May 1990) that the national healthcare program would no longer cover the cost of contraceptives; at the same time, the ministry published new, more restrictive guidelines for access to abortion.⁴⁵ Catholic lay activists also launched a pressure campaign to persuade pharmacies to stop carrying contraceptives.

Meanwhile, the Senate pushed ahead with its own bill concerning abortion. Restrictive in intention, the bill came before the Sejm in September 1990. Pro-choice activists now demanded that a national referendum be held on the issue, collecting more than a million signatures in less than three weeks.⁴⁶ Some 80% of Poles told pollsters that they wanted abortion to remain legal.⁴⁷ The episcopate understood, thus, what the outcome of a referendum on abortion would be and succeeded in preventing any such referendum from being scheduled. Nonetheless,

while the Church demanded a total ban on abortion under any and all circumstances, the Sejm drafted a restrictive bill by December 1992 that still allowed abortions under certain circumstances. The Church was not satisfied.

Returning from Christmas vacation, the Sejm approved a tough anti-abortion law on 7 January 1993; the Senate accepted the Sejm's bill on 30 January by a vote of 35 to 34, with 20 abstentions. Wałęsa, by now President of Poland, signed the bill into law on 15 February 1993. Under this law, abortion was permitted in only four situations:

- When a panel of doctors certifies that the pregnancy endangers the mother's life or seriously threatens her health;
- When a prosecutor certifies the pregnancy is the result of rape or incest;
- When the fetus is determined by pre-natal tests to be seriously, irreparably damaged;
- And during the course of emergency action if needed to save the mother's life.⁴⁸

From the standpoint of the Sejm and the Senate, the bill was a compromise; from the standpoint of Polish liberals, the law was a defeat, severely narrowing access to abortion; from the standpoint of the Church, this proclaimed "compromise" was likewise a defeat, because it did not ban all abortions. Among those opposing restriction, the failure to justify abortion in cases of financial hardship was especially painful, above all because, according to Senator Zofia Kuratowska, "financial considerations were the main reason for about 90 percent of all abortions in Poland" up to then.⁴⁹ Poll data at the time showed that a majority of Poles felt that financial difficulties should be treated as legitimate grounds for abortion.⁵⁰

After the presidential election of November 1995, which elected Aleksander Kwaśniewski (b. 1954) of the center-left Democratic Left Alliance (SLD, the former communists) to the presidency, the parliament returned to the question. The result was an effort to allow abortion for reasons of financial hardship during the first 12 weeks of pregnancy, to revive the practice of subsidizing contraceptives, and, in a not entirely unrelated move, to introduce sex education in the public schools.⁵¹ The Church bridled at these proposals.⁵² In spite of conservative resistance, the Sejm approved the amendments on 30 August 1996 by a vote of 208 to 61, with 15 abstentions; 120 deputies were absent from the vote.⁵³ But pressure from the Polish Episcopate resulted in the Senate overruling the lower house of parliament on 4 October by a vote of 52 to 40.⁵⁴ The Sejm had a chance to override the Senate's vote and, defying a protest meeting attended by several thousand anti-abortion activists, did just that, by a vote of 228 to 195, with 16 abstentions.⁵⁵ President Kwaśniewski signed the bill into law on 20 November 1996.

The new law came before the Constitutional Tribunal which, the following year, ruled that allowing for the termination of pregnancy for financial reasons was contrary to the constitution. In 1999, the Sejm, dominated by the center-left,

passed amendments to the health law to permit pre-natal testing when the family suspected that the fetus might be damaged. The Senate, where conservative parties held sway, rejected the Sejm's amendments in June 1999. In this highly polarized atmosphere, *Rzeczpospolita* conducted a poll in January 2003 among 1,025 Polish adults to determine what people thought about putting abortion to a referendum. The poll found that 63.6% of respondents considered it desirable to allow the public to express their views about abortion in a referendum.⁵⁶ About this time, a group of

religious leaders, [representatives of] women's rights groups, and 150 politically prominent figures from 46 countries signed a letter sent to President Kwaśniewski calling on him to liberalize the law on abortion. Encouraged by these developments, women deputies of the SLD drew up a proposal to liberalize the law. But in June of that year, President Kwaśniewski met with the papal nuncio to Poland, Archbishop Józef Kowalczyk, and assured him that he was opposed to the proposal drawn up by the women deputies.⁵⁷

Kwaśniewski served as President of Poland from 1995 until 2005, when he was succeeded by Lech Kaczyński (1949–2010), co-founder with his brother of the Law and Justice party (PiS) in 2003.

Parliamentary elections held in 2005 showed a dramatic shift in party strength, with the erstwhile dominant SLD losing 161 seats in the Sejm and PiS, led by Jarosław Kaczyński (b. 1949), Lech's twin brother, winning 155 seats and the Civic Platform (PO), a centrist party formed in 2001 and led by Donald Tusk (b. 1957), winning 133 seats and, thus, placing second. However, it was the parliamentary elections of 2015 that marked a caesura in post-communist politics. The PO's Ewa Kopacz, who had replaced her party colleague Donald Tusk as prime minister in 2014, was ejected from the prime ministership, and Beata Szydło (PiS) took office as head of government. PiS now controlled 242 of the 460 seats in the Sejm.⁵⁸ PiS went on to win the 2019 parliamentary elections, although its share of seats in the Sejm slipped slightly to 235 seats, while the PO gained a seat, to finish with 134 seats.

PiS was fixated on sexuality, specifically on abortion and same-sex relations, and thought that both of these should be suppressed and was prepared to use the force of the law to accomplish this. Thus, although an opinion poll in 2016 found that 87% of Poles felt that abortion should be allowed when continuation of the pregnancy endangered a woman's life, the PiS-led government decided that same year to impose a total ban on abortion. Anti-abortion activists collected half a million signatures in support of a more restrictive law on abortion; pro-choice activists countered with a rival petition, signed by a quarter of a million citizens, in support of a more liberal bill.⁵⁹ The parliament's review committee scuttled the liberal bill and forwarded only the restrictive bill to the Sejm for consideration. In response, thousands of women in 143 cities, towns, and villages across Poland

donned black garb and took to the streets in protest. This unintended consequence of PiS's self-righteousness had its effect and, on 5 October 2016, of 428 lawmakers present, 352 voted to reject the measure.⁶⁰ PiS waited less than a year and a half and then came back in March 2018 with a proposal to end abortions of damaged and incurably sick fetuses, together with fetuses afflicted with Down syndrome. In a fresh eruption of protests, between 20,000 and 53,000 citizens, mainly women, attired in black, gathered in protest in front of the national parliament. Indeed, of the 1,110 legal abortions performed in 2019, alongside up to 150,000 abortions performed either abroad or illegally in Poland, 97% of them had been performed because of fetal abnormalities.⁶¹ The 2018 bill was defeated. (See Table 9.7 for the numbers of abortions performed in each country in 2021.)

PiS now embraced a new tactic, asking the Constitutional Tribunal to rule on the compatibility of abortion for reasons of fetal abnormalities with the constitution. PiS had used its years in power to force the retirement of more liberal judges (imposing an earlier retirement age than had been in force hitherto) and to pack the tribunal with conservatives. On 22 October 2020, the tribunal, now dominated by PiS appointees, ruled that abortion for the aforementioned reason was unconstitutional. With this, abortion could be obtained legally only in cases of rape, incest, and threat posed by the pregnancy to the life or health of the woman. Some 60% of Poles had accepted (or been reconciled to) the previously valid law but objected to the tribunal's ruling. Only 15% supported the tribunal's decision. One in every four Poles polled either had no opinion about the most controversial measure of that time or chose not to give an opinion.⁶² Public outrage reached a fever pitch with up to 800,000 people, mostly women, protesting in the following days in more than 400 cities, towns, and villages, again wearing black to mourn the loss of their rights. When the protests did not subside, police were mobilized

TABLE 9.7 Estimated Numbers of Abortions Carried out in 2021

Albania	900
Bosnia-Herzegovina	2,200
Bulgaria	18,000
Croatia	2,600
Czech Republic	16,300
Hungary	22,700
Kosovo	300
Montenegro	700
North Macedonia	3,500
Poland	1,100
Romania	32,000
Serbia	10,400
Slovakia	6,700
Slovenia	2,800

Sources: *Wm. Robert Johnston*, "Historical Abortion Statistics," accessed February 13, 2023, <https://www.johnstonsarchive.net/policy/abortion/>.

to fire tear gas at protesters to suppress this renewed unintended consequence of PiS's determination to scale back access to abortion. Meanwhile, the tribunal's ruling had yet another unchosen consequence when the European Parliament and the Council of Europe issued a statement, pointing out that the ruling by Poland's Constitutional Tribunal was inconsistent with certain human rights obligations previously accepted by the Polish government.⁶³ Only with PiS's exit from government could sexual issues be reexamined. The incoming Prime Minister, Donald Tusk, promised to liberalize the law on abortion and, in January 2024, opened discussion of liberalizing access to the "morning-after" abortion pill.⁶⁴

In Romania, the Orthodox Church has been the leading foe of abortion. In this sense, the fall of communist dictator Nicolae Ceaușescu in December 1989, which brought in tow an immediate relegalization of abortion, represented a huge setback for the Church. In the first years following December 1989, between 600,000 and 1.2 million abortions were performed each year in Romania.⁶⁵ In 2003, there were 1,009 legal abortions for every 1,000 live births but, ironically, the relegalization of abortion did not have the intended consequence of ending illegal abortions. On the contrary – cheaper than legal abortions, they were preferred by teenagers and the indigent.⁶⁶

Abortion had been relegalized by decree, but the new status of abortion was not immediately anchored in law. While discussions continued concerning what shape such a law should assume, Fr. Ilie Moldavan, an Orthodox professor of theology at the University of Sibiu, drew up a pamphlet in 1997, declaring that the main purpose of both marriage and sexual intimacy was procreation. In his view, thus, a marriage in which contraception is used to circumvent this declared purpose was "nothing but a legal form of prostitution."⁶⁷ Moldovan further declared that abortion remained sinful, even if carried out to save a woman's life and even condemned the rhythm method explicitly approved by the Catholic Church. Given widespread conservative views and in spite of liberalization of the law on abortion, women in post-communist Romania have often found it difficult, if not impossible, to obtain access to abortion.⁶⁸

Nonetheless, although the mainstream of the Romanian hierarchy is comprised of conservatives, Lavinia Stan and Lucian Turcescu have identified liberal elements among Orthodox clergy, such as Fr. Justin Marchis, a reform-oriented cleric who spoke out in favor of the rhythm method and specifically attacked Moldovan's pamphlet, asserting that the conservative cleric's argument lacked any doctrinal foundation.⁶⁹ In addition, Metropolitan Nicolae Corneanu of Banat, among other clerics, declared his opposition to any criminalization of abortion or homosexuality. Corneanu even offered that it was up to the pregnant woman to decide whether to continue with a pregnancy or have it terminated.⁷⁰ Liberal voices notwithstanding, more representative of the Romanian Orthodox Church's viewpoint is a statement issued by Deputy-Patriarchal Bishop Teofan Sinaitul in which he assailed liberal policies for stirring "confusion between 'normal and abnormal, good and evil.'"⁷¹

Abortion has also been controversial in the Czech Republic and Slovakia,⁷² Hungary,⁷³ Croatia, and elsewhere. In socialist Yugoslavia, the 1974 constitution had declared that “It is a human right freely to decide on family planning,”⁷⁴ a provision that laid the legal basis for a right to abortion. The new Croatian constitution of 1990 pointedly omitted this sentence, even though other articles were carried over from the socialist constitution. Nevertheless, in February 2017, Croatia’s Constitutional Court offered that abortion was consistent with the republic’s constitution. But in Croatia, just as in Poland (in those cases when abortion is legal), physicians enjoy a legally sanctioned right of conscientious objection, allowing them to refuse to perform abortions on moral or religious grounds. “In 2018,” according to a human rights report dealing with Croatia, “59% of medical staff refused to perform abortions...[while in] 2019 it was reported that, of the 27 public hospitals that were in theory able to perform abortions, at least five were not providing any.”⁷⁵ Taking stock of this situation, Helena Trenkić judged in 2022 that, while abortion is legal in Croatia, it is often “completely inaccessible in practice.”⁷⁶

In Slovakia, conservative deputies in the national parliament tried in 2019, 2020, and again in 2021 to pass a highly restrictive law on abortion. The law would have limited how much information physicians could provide concerning the safety of abortions and would have required that women applying for abortions wait 96 hours before being granted a green light, instead of 48 as already prescribed. In 2021, the measure was defeated for the third time when only 67 out of 134 deputies voted in support; 38 deputies voted against the bill, while the remaining deputies abstained.⁷⁷ In Hungary, the Orbán regime adopted an ostensibly softer but insidious approach, issuing a decree in September 2022, requiring that a woman seeking an abortion must first listen to the heartbeat of the fetus in her womb before being cleared for the procedure.⁷⁸

Finally, it is hard to contend that women enjoy equality with men if they do not enjoy free and autonomous control over their own bodies, including where reproductive issues are concerned. A woman who is required to bear a child to term against her will is not a free person.

LGBT RIGHTS

Lesbian-gay-bisexual-transgender (LGBT) rights, sometimes called LGBTQI, with “Q” for Queer and “I” for Intersex (what used to be called hermaphrodite), have increasingly come into focus in East Central Europe. And just as in the case of women, the central demand is for equality. Opinion polls tell part of the story. In Croatia, for example, in 1999, 63.2% of those polled said that homosexuality was never justified; this response actually increased to 67.3% by 2008.⁷⁹ In Poland, a survey conducted by the Center for the Study of Public Opinion (CBOS) in May 2008, among a representative sample of 1,116 persons, found that 53% of respondents were “definitely” opposed to same-sex marriage, with 75% firmly opposed

to the adoption of children by same-sex couples. Only about 10% of respondents thought that gays and lesbians were normal.⁸⁰ In Romania, 80% of respondents in a 1993 opinion poll said that they believed that sexual acts between members of the same gender were “never justified,” while another Romanian opinion poll, conducted in 2001, found that 86% of respondents did not want to live next door to a homosexual.⁸¹ This fear of homosexuals, as if they carried an infectious disease, also emerged in an opinion poll in Slovenia in 1994, “when 56.2 percent of Slovenes said they would not want a homosexual as their neighbor, [although] 95.4 percent stated that they had no recent personal experience with homosexuals.”⁸² But the percentage of Slovenes feeling uncomfortable with the notion of having a gay or lesbian neighbor declined to 35.1% by 2005 and to just 20% by 2022.⁸³ Some respondents also asserted a discriminatory limit to the freedom of gays and lesbians with, for example, 29% of Slovenes telling pollsters in 2001 that they felt that homosexuals should not be allowed to show affection for each other in public – a restriction they did not extend to heterosexuals.⁸⁴ Again, in March 2009, in what was known as Macedonia at the time, 91.6% of respondents in a questionnaire survey expressed disapproval of homosexuality, with 33.7% adding that same-sex relations should still be treated as criminal.⁸⁵ And finally, in Serbia, 50% of respondents in a 2008 poll stated that homosexuality represented a danger for Serbia and, by 2010, this figure had risen to 56%.⁸⁶ That same year, 49% of Serbian women expressed homophobic views vs 60% of Serbian men. In that same poll, 76% of farmers held such views, while just 12% of persons holding university degrees did so.⁸⁷ The association of education with tolerance is well known and has been confirmed elsewhere in East Central Europe.⁸⁸ (For additional data on tolerance of homosexuality in East Central Europe, see Table 9.8).

As Lavinia Stan and Lucian Turcescu have shown in the case of Romania, most Orthodox Church leaders have continued to condemn homosexuality. In this connection, they cite Patriarch Teoctist Arăpașu’s response to a legislative initiative in November 1996 to amend the notorious Article 200 of the Criminal Code, which had criminalized homosexuality (passed in 1968); on this occasion,

TABLE 9.8 Percentage of Persons Who Think that Homosexuality Should Be Accepted (in Selected Countries, 2019)

	%
Czechia	59
Hungary	49
Poland	47
Slovakia	44
Bulgaria	32

Source: Pew Research Center, *European Public Opinion Three Decades After the Fall of Communism* (15 October 2019), 88, <https://www.pewresearch.org/global/2019/10/15/european-public-opinion-three-decades-after-the-fall-of-communism/>.

the prelate deplored what he called “the acceptance of the degradingly abnormal and unnatural lifestyle as normal and legal.”⁸⁹ Christian Democratic deputy Emil Popescu offered support for Teoctist by claiming (in 1998) that “[heterosexual] incest is preferable to homosexuality since at least the former preserves the chance of procreation.”⁹⁰ The parliament was unimpressed by either Teoctist’s pleas or Popescu’s backhanded defense of incest and, in June 2001, scrapped Article 200 altogether, thus granting gays and lesbians some measure of legal protection against discrimination. At that point, the Romanian Orthodox patriarch tried to persuade the parliament to reverse its decision.

Nor was the Bulgarian Orthodox Church any friendlier toward gays and lesbians. Church leaders in Bulgaria repeatedly give voice to their profound fear of homosexuality. In 2012, for example, the Holy Synod had issued a statement declaring that homosexuality is “an unnatural passion that unconditionally damages personality, family and society.”⁹¹ The Holy Synod added that allowing a Gay Pride Parade to take place would violate the right of Orthodox believers to live in a society where everyone shares the same beliefs. Two years later, in yet another expression of the Church hierarchs’ deep disquiet to find themselves living in a society together with people with different ideas about sexuality, the Church asserted that the mere presence of gays and lesbians in Bulgaria could “destroy the foundations of the traditional family and threaten the good health of our society.”⁹² More recently, Metropolitan Joanikii of Sliven sent a letter to Mayor Dimitar Nikolov of Burgas in advance of a Gay Pride Parade scheduled for 15 May 2021. “We oppose the public and immoral demonstration of the sin of Sodom,” Joanikii thundered, “which has devastating consequences for the physical and spiritual health of the people.”⁹³ From the hierarchs’ repeated statements, it certainly seems clear that they view the family as weak and vulnerable to collapse merely because some people are gay. According to the Bulgarian post-communist constitution, the family consists of a man and a woman.

In 2010, Pope Benedict XVI (1927–2022; reigned 2005–2013) stirred controversy by claiming that male homosexuals were responsible for the majority of cases of child abuse, including in Poland. Cardinal Tarcisio Bertone, Benedict’s Secretary of State, reinforced the pope’s opinion, alleging “a link between homosexuality and child sex abuse.”⁹⁴ There are, however, at least two problems with this accusation. First, scholarly research has shown that the overwhelming majority of victims of child sex abuse by men are girls, not boys; thus, girls are “the primary victims” of sexual abuse (although boys are more likely to be beaten by angry adults).⁹⁵ Second, scholarly research has confirmed that “the ratio of heterosexual to homosexual pedophiles [is] approximately 11:1.”⁹⁶ The fact is that homosexuals are the most convenient scapegoat for the Church, just as Jews and Masons are for others. There is an old joke which runs something like this:

Speaker 1: “All of the problems we have are due to the Jews.”

Speaker 2: “Sure, and also to the cyclists.”

Speaker 1: “Why the cyclists?”

Speaker 2: “Why the Jews?”

Psychologist Gregory Herek has offered a functionalist explanation for homophobia, distinguishing among its empirical function, its symbolic function, and its defensive function. According to Herek (as summarized by Roman Kuhar), the *empirical function* involves categorizing past encounters with gays and lesbians; the *symbolic function* is to broadcast to others (especially in one’s own circle, such as fellow members of a homophobic religious body) that one is not a homosexual; and the *defensive function*, a latent function, is to suppress such anxiety as the individual in question might feel lest he himself be a homosexual.⁹⁷ As for what institutions and laws can do to affect homophobic attitudes, researchers Judit Takács and Ivett Szalma have demonstrated that institutions and laws can serve the function of promoting public acceptance of homosexuals, even if only gradually.⁹⁸

In Poland, homophobia has flared with the rise of PiS. Already in June 2005, Lech Kaczyński, at that time Mayor of Warsaw, refused to allow the Campaign Against Homophobia to hold an Equality Parade in Poland’s capital, but granted permission to the right-wing League of Polish Families to organize a homophobically motivated “Normality Parade” for the purpose of opposing respect and equality for gays and lesbians.⁹⁹ Lech’s brother Jarosław, considered the power-behind-the-throne after PiS swept to victory in the 2015 parliamentary elections, has done his best to perpetuate the myth that only heterosexuality should be considered “normal” and that homosexuality should be branded as “abnormal.” In this, Kaczyński and PiS enjoyed reinforcement from conservative religiosity. Indeed, as Ewa Golebiowska has shown, frequency of attendance at Sunday Mass and of listening to Fr. Tadeusz Rydzyk’s reactionary Radio Maryja broadcasts have proven to be directly correlated with intolerance of homosexuality.¹⁰⁰

Legislating Gay/Lesbian and Transgender Rights

To achieve and secure equality and curb or end discrimination on the basis of gender or sexual orientation, legislation is crucial. Not surprisingly, even with EU pressure, progress has been uneven across the region. Table 9.9 summarizes the status of rights guaranteed to gays and lesbians as of 2023.

In 2004, Janez Janša, president of the right-wing Slovenian Democratic Party, became Prime Minister of Slovenia. The following year, his government passed a bill establishing same-sex partnerships but without the right of adoption. The bill was presented as a compromise but left gays and lesbians as second-class citizens. The bill did, however, guarantee the rights of hospital visits and inheritance – arguably the most important rights for same-sex couples. In 2009, the Slovenian parliament took up the question of revising the Family Code; at this point, the Movement for Families and Children, operated by the Catholic Church, made its

TABLE 9.9 Gay/Lesbian Rights in East Central Europe (March 2023)

Same-Sex Marriage Legal	Slovenia
Civil Unions Legal	Croatia, Czech Republic
Recognized Cohabitation	Poland
Same-Sex Sexual Activity Legal (since 1994)	Serbia
but Marriage Is Defined in the Constitution as a Union of a Man and a Woman	
No Recognition	Albania, Bosnia-Herzegovina, Kosovo, North Macedonia, Romania, Hungary

appearance. Efforts to liberalize the law over the decade following the establishment of registered partnerships were repeatedly blocked by conservatives. Finally, two gay couples presented a challenge for the Constitutional Court to consider; one of the couples wanted to adopt a child, while the other wanted to get married. In the Summer of 2022, the Court ruled that same-sex couples could get married and apply to adopt children. The Constitutional Court specifically criticized the Church's anti-gender movement for seeking to suppress the most basic rights of a minority group. Dr. Matej Accetto, President of the Constitutional Court, explained the Court's ruling by noting: "Our happiness cannot be founded on others' misfortune, our security on others' danger, our justice on others' injustice."¹⁰¹ In a more elaborate opinion, another judge on the Constitutional Court, Dr. Katja Šugman Stubbs, asserted that

the battle for traditional families lies more in the domain of the personal beliefs and prejudices of the people who take their beliefs and prejudices as facts, uncritically believe that only what they believe is right, and patronizingly think that they also know what is right for others. The mere fact that they live in a way that is more common does not give them the right to impose their beliefs on others. Nor can the law take into account that they may feel threatened, outraged, or aggrieved just because there may be different marriages and different families from their own.¹⁰²

Slovenia is the only state in East Central Europe to have established same-sex marriage. Beyond that, the only other countries in the region to have established registered partnerships for same-sex couples at this writing are Croatia, the Czech Republic, and at one time Hungary, although one of the first moves undertaken by the Fidesz government in Hungary after Viktor Orbán returned to the prime ministership in 2010 was to adopt a new constitution, in which marriage was defined as a union of a man and a woman.

The other legislation important for sexual minorities is protection against discrimination. According to a report for the European Commission by Isabelle Chopin and Catharina Germaine, the following East Central European countries have adopted laws forbidding discrimination on the basis of sexual orientation:

Albania, Bulgaria, Croatia, the Czech Republic, Hungary, Montenegro, North Macedonia, Poland, Romania, Serbia, Slovakia, and Slovenia. Of these, the following also forbid discrimination on the basis of gender identity or gender expression: Albania, Croatia, Hungary, Montenegro, North Macedonia, Serbia, and Slovenia – which is to say all of the foregoing except for Bulgaria, the Czech Republic, Poland, Romania, and Slovakia.¹⁰³ The only countries omitted from these lists entirely are Bosnia-Herzegovina and Kosovo. Some of the aforementioned laws may have important limits. For example, according to a report filed at the *Rule of Law Platform*, “The Bulgarian Penal Code...does not recognize hate crimes based on homophobia and transphobia.”¹⁰⁴

Gay Pride parades have been held in recent years in Slovenia, Croatia, Serbia, the Czech Republic, Slovakia, Hungary, and Bosnia-Herzegovina. But such events are often shadowed by anti-gay parades and/or marred by violence. At Sarajevo’s first Gay Pride parade in 2019, gays and lesbians chanted “Death to fascism, freedom to the people”¹⁰⁵ – (“Smrt fašizmu! Sloboda narodu!” – the old partisan slogan from the Second World War).

Transgender issues are still poorly understood although in large cities transgendered persons generally experience few if any problems.¹⁰⁶ Transsexuality and transvestism – both of which are included under the transgender rubric – are distinct. A transsexual identifies with the sex opposite to that assigned at birth; that is not the case for transvestites. On the other hand, transvestites feel comfortable donning clothes appropriate to the gender with which they do not, in fact, identify. Sex change operations and gender reassignment are, thus, relevant only for transsexuals. This is where the governments of Hungary and Bulgaria have stepped in – in the case of Hungary, to recognize legal change of gender achieved prior to 29 May 2020 but not to approve any new applications to this effect filed since that date;¹⁰⁷ in the case of Bulgaria, with a Supreme Court ruling in February 2023, prohibiting people from changing their legal gender.¹⁰⁸ Nonetheless, in most of the states of the region, gender reassignment is available (see Table 9.9).

Conclusion

One of the striking factors in the foregoing account is the extent to which Christian Churches focus so much of their attention on sexual matters – more, indeed, than on peace, global warming, overpopulation, the destruction of habitats, and the steady extinction of species. Indeed, on this last point, *The Guardian* reported in 2018 that, according to a panel of 59 scientists, just in the years since 1970, people have driven 60% of mammals, birds, fish, and reptiles to extinction.¹⁰⁹ Fidelity to the Church’s¹¹⁰ dogmas on sex – which include condemnations not only of abortion and homosexuality but also of contraception, artificial insemination, and, in the Catholic Church, also of voluntary sterilization¹¹¹ and women priests – has come to be seen as a critical mark of Christian identity. Thus, as Bernard Whitley, Jr. has reported, “religious involvement [is] positively correlated with various forms

TABLE 9.10 Where Change of Gender Status Is Legally Recognized (March 2023)

<i>Legal with Mental Diagnosis</i>	<i>Ambiguous or No Protection</i>	<i>Illegal</i>
Poland	Albania	Hungary
Czech Republic	North Macedonia	Bulgaria
Slovakia	—	—
Slovenia	—	—
Croatia	—	—
Bosnia-Herzegovina	—	—
Serbia	—	—
Romania	—	—
Montenegro	—	—
Kosovo	—	—

*Sources: Trans Rights Map: Europe & Central Asia 2021 (tgeu.org), <https://transrightsmat.tgeu.org/home/legal-gender-recognition/cluster-map/>; Equaldex at <https://www.equaldex.com/region/albania/>; “North Macedonia Dismays Activists by Withdrawing Gender-Change Bill,” *Balkan Insight*, March 23, 2023, <https://balkaninsight.com/2022/03/23/north-macedonia-dismays-activists-by-withdrawing-gender-change-bill/>; Svetoslav Todorov, “Bulgarian Supreme Court Rules against Transgender People’s Rights,” *Balkan Insight*, February 21, 2023, <https://balkaninsight.com/2023/02/21/bulgarian-supreme-court-rules-against-transgender-peoples-rights/>; and “Hungary Seeks to Clamp Down on Transgender Rights, Sparking EU Protests,” *EurActiv*, April 3, 2020, <https://www.euractiv.com/section/justice-home-affairs/news/hungary-seeks-to-clamp-down-on-transgender-rights-sparking-eu-protests/>.*

of prejudice” and, specifically, “people who are more religious are likely to have more negative attitudes toward lesbians and gay men” than nonreligious people.¹¹²

When did this start? As medievalist R. I. Moore tells it, it was in the course of the years 950–1250 that the Western Christian Church undertook to centralize its authority under the Bishop of Rome and systematize its teachings, provoking the schism between the Western (Catholic) Church and the Eastern (Orthodox) Churches, while also leading to protests from believers resisting changes to Church doctrine. Because Church leaders always insisted that they were not changing anything but merely clarifying eternally valid doctrines and dogmas, those who were resisting doctrinal changes were rather represented as weavers of tapestries of doctrinal change – which is to say, as heretics. As lepers were shunned and even feared for potential contamination and Jews had, for some time, been construed by the Christian Church as outcasts, heretics were now lumped together with these two groups, as well as homosexual men, whose preferences were not readily understood by heterosexual men. These four groups were now cast as enemies of the Church.¹¹³ At first sight, the addition of male homosexuals to this trio of threats to the Church and society may seem curious. Homosexuals were not challenging the Church’s doctrinal “clarifications,” they were not afflicted with frightening skin blemishes, and they did not necessarily owe their loyalty to a rival faith. However, while people could easily prove they were not lepers or Jews, and could seek security by simply accepting every doctrine pronounced by the Church, how could one

prove that one was not secretly homosexual? By selecting certain passages (but not others) in the Bible and elevating them to implicit doctrine, it was possible to portray gay men as engaging in sexual activity displeasing to an anthropomorphic God.¹¹⁴ And, of course, anyone could be accused of homosexuality.

One might, of course, try to appeal to common sense, to plead that no harm is done either to other people or to society at large when two men live together and love and care for each other. But common sense does not provide a foundation for religious authority. On the contrary, a philosophy of common sense, such as that of Immanuel Kant (1724–1804), is profoundly threatening to Christian religion and presumably also to other doctrinal religions. Morality founded on common sense has no need of a Church, at least not for guidance. But by demanding that members of the Church believe in the trinity, in miracles, in heaven and hell, in the existence of Satan, in Christ's ascension into heaven (and, for Catholics, also in the assumption of Mary into heaven¹¹⁵), and in papal infallibility, the Christian Church can define the boundaries of membership and demand not only acceptance of doctrines but also obedience and conformity to Church norms, all the while reaping a regular income from members.¹¹⁶

But this enforcement of strict acceptance of Church doctrines and obedience to Church-proclaimed norms had at least three unintended consequences. First, quite apart from the split in the Catholic Church resulting from the proclamation of papal infallibility at the First Vatican Council (1869–1870), the Catholic Church's homophobia inspired the splitting off of homophile parishes, such as one outside Warsaw, which I visited in 2004. Second, the frontal assault on common-sense morality has driven some people, especially intellectuals, out of the Church; and third, the Church's homophobia, treating gay men and lesbians as enemies has inevitably induced some of them to look to secular sources of morality, such as natural law or consequentialism, and to understand that doctrinal religion "contains within itself the possibility of intolerance."¹¹⁷

In fact, history is littered with unintended consequences, some of which steer policies and public debates in new directions. Some, such as the impact of the adoption of a capitalist economy after 1989 on women's employment may be judged to have been negative. In addition, the newly established capitalist economies and reduction of media censorship have had the unintended consequence of spawning sex shops and pornographic magazines.¹¹⁸ Others, such as the stimulus given by Poland's restrictive abortion policies to women to organize and protest on behalf of their basic rights may be counted as salutary and perhaps holding the promise of improvements for Polish women in the future. And then, there are anticipated consequences, such as those found in the transformation of Croatian children's books since the early 20th century. Earlier, writings such as Jagoda Truhelka's children's novel, *The Golden Days* (*Zlatni dani*, 1919), showed girls absorbed with household chores while boys played and ran free. Anica, the 9-year-old girl at the center of the plot of *Golden Days*, was depicted complaining to her mother about what she viewed as injustice, that the boys did not share in the chores, and asked

“Why is that so?” – to which her mother replied, “Because they are boys and you are a girl.”¹¹⁹ By the 1950s, if not before, girls were being portrayed in more complex ways,¹²⁰ and in the second half of the 20th century, nonstereotypical characters emerged, including characters not fitting a patriarchal mold. In these novels, the main girl characters often play an active and positive role.¹²¹

In East Central Europe today, there are various factors that are pushing these societies toward a more egalitarian and tolerant future, even if the prospects for this look rather bleak in Hungary, and even, to some extent, Serbia, at this writing. Among these factors are the growing presence of women in national parliaments and even as presidents and prime ministers; the gradual though still incomplete setting aside of gender stereotypes in children’s novels, in at least some countries in the region; the growth and activity of women’s organizations in the region;¹²² the persistence and growing acceptance of Gay Pride Parades wherever they have been held; the passage of laws banning discrimination on the basis of ethnicity, religion, gender, and sexual orientation; increasing numbers of highly educated women; and opinion poll data showing increasing acceptance of the equality of women with men and, at least in Slovenia, of gays, lesbians, and the transgendered with heterosexuals. And what is equality, you ask. Equality embraces, of course, respect (with all that that entails); salary, promotion, and rewards commensurate with merit, performance, and accomplishments; and, as Kant would say, always treating others as ends and not as means.

Notes

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- 101 As quoted in Kuhar, “How the Anti-Gender Movement Contributed,” 9.
- 102 As quoted in *Ibid.*
- 103 Isabelle Chopin and Catharina Germaine, *A Comparative Analysis of Non-discrimination Law in Europe 2022* (Brussels: European Commission, December 2022), 11–15.
- 104 “New Judgment in Favour of Same-sex Marriage,” *Rule of Law Platform*, July 18, 2022, <https://www.rolplatform.org/new-judgment-in-favour-of-same-sex-marriage/>.
- 105 “Bosnia Capital Hosts First LGBT Parade Amid Heavy Police Presence,” *Radio Free Europe/Radio Liberty*, September 8, 2019, <https://www.rferl.org/a/sarajevo-lgbt-pride-parade/30152579.html>.
- 106 The best explanation of transsexuality and transvestism of which I am aware may be found in James D. Weinrich, *Sexual Landscapes: Why We Are What We Are, Why We Love Who We Love* (New York: Scribner, 1987).
- 107 Kyle Knight and Lydia Gall, “Hungary Court Closes Door on Transgender Legal Recognition,” in *Human Rights Watch*, February 9, 2023, <https://www.hrw.org/news/2023/02/09/hungary-court-closes-door-transgender-legal-recognition>.
- 108 Krassen Nikolov, “Bulgaria Bans Gender Reassignment,” *EURACTIV*, February 21, 2023, <https://www.euractiv.com/section/politics/news/bulgaria-bans-gender-reassignment-surgery/>.
- 109 *The Guardian*, October 30, 2018, <https://www.theguardian.com/environment/2018/oct/30/humanity-wiped-out-animals-since-1970-major-report-finds>.
- 110 Within the space of this conclusion, by “Church” I include both the Catholic Church and the Orthodox Churches.
- 111 Joanna Mishtal, *The Politics of Morality: The Church, the State, and Reproductive Rights in Postsocialist Poland* (Athens: Ohio University Press, 2015), 48.
- 112 Bernard E. Whitley, Jr., “Religiosity and Attitudes Toward Lesbians and Gays: A Meta-Analysis,” in *The International Journal for the Psychology of Religion* 19 (2009): 21, 23.
- 113 R. I. Moore, *The Formation of a Persecuting Society: Power and Deviance in Western Europe, 950-1250* (Oxford and New York: Basil Blackwell, 1987). See also R. W. Southern, *The Penguin History of the Church: Western Society and the Church in the Middle Ages* (London: Penguin Books, 1970).
- 114 See my essay, “God, Sex, and Christian Religion,” in *Christian Modernity and Marxist Secularism in East Central Europe: Between Conflict and Cooperation*, ed. Jure Ramšak, Gašper Mithans, and Mateja Režek (Zagreb: Srednja Europa, 2022), 273, 276. See also John Boswell, *Same-Sex Unions in Premodern Europe* (New York: Vintage Books, 2013).
- 115 While in Jerusalem in 2001, I visited what turned out to be the Church of the Sepulchre of the Virgin Mary, which I found guarded by an Orthodox priest. Since I did not see

- a sign identifying who was buried there, I asked the priest who was interred there. He replied that this was the tomb of the Virgin Mary, the mother of Jesus.
- 116 Ramet, "God, Sex, and Christian Religion," 276–279.
- 117 Sabrina P. Ramet [Pedro Ramet], "The Interplay of Religious Policy and Nationalities Policy in the Soviet Union and Eastern Europe," in *Religion and Nationalism in Soviet and East European Politics*, Revised & expanded ed., Ramet (Durham, N.C.: Duke University Press, 1989), 7.
- 118 Heitlinger, "The Impact of the Transition," 103.
- 119 As quoted in Kristina Riman and Svetlana Stojanović, "Changes in Gender Stereotypes of Girl Characters in 20th- and 21st-Century Croatian Children's Novels," in *International Journal of Culture and History* 4, no. 4 (December 2018): 104.
- 120 See the summary of Mate Lovrak's novel, *Istrica* (1959), in Riman and Stojanović, "Changes in Gender Stereotypes," 105.
- 121 Riman and Stojanović, "Changes in Gender Stereotypes," 107.
- 122 For women's organizations in Slovenia, see Ana Kralj and Tanja Rener, "Slovenia: From 'State Feminism' to Back Vocals," in *Gender (In)equality and Gender Politics*, ed. Hassenstab and Ramet, passim; regarding the Republika Srpska, see Olivera Simić, "Gender (In)equality in Bosnia and Herzegovina: One Step Forwards, Two Steps Back," in *Gender (In)equality and Gender Politics*, ed. Hassenstab and Ramet, 92; regarding Serbia's Women in Black, see Žarana Papić, "Women in Serbia: Post-Communism, War, and National Mutations," in *Gender Politics in the Western Balkans: Women and Society in Yugoslavia and the Yugoslav Successor States*, ed. Sabrina P. Ramet (University Park, Pa.: Penn State Press, 1999).

10

THE LATENT FUNCTIONS OF LITERATURE

*Sabrina P. Ramet*¹

If one were to ask a literate or semi-literate person, “What is the function of literature?” this would be understood as a question about the overt (manifest) function of literature and, accordingly, one might expect to hear answers pointing to relaxation, the desire for vicarious adventure, curiosity about certain subjects, interest in the “who dunnit” in crime mysteries, and so forth. However, literature also performs certain latent functions, such as conveying social and political messages, critiquing past political behavior, presenting a past or present system in a favorable or unfavorable light, even offering a past warrior or holy person as a kind of model (although that last function might also be overt). At any rate, my interest in this chapter is not with any overt functions of literature and certainly not, in the first place, with the specific plots of novels or even with the writing styles of the writers discussed herein. What follows then, (with the exception of the section on “Three Novelists” immediately below and the material presented in boxes), will not present the storyline of one or another novel or play but will, rather, look at how the novels, play, and reminiscences have presented the communist era, capitalist America, and post-communism as well as such reflections as these writers have offered about the process of writing itself. I am not interested in what these works of fiction can tell us about the societies in East Central Europe but, rather, about what creative intellectuals have had to say about the three themes mentioned above.

After a period of steady political and economic decay, the communist systems of East Central Europe imploded within the space of 3 years, with the first domino falling when Tadeusz Mazowiecki was appointed Prime Minister of Poland in August 1989 and the last domino falling when Bulgaria held its first multi-party elections since the 1930s in October 1991. In the era of communist rule, fiction

writing was always political: especially in the era of high Stalinism (1948–1956), writers who wanted to be rewarded, whether with promotions or prizes or other valued items, wrote what the regime in each case wanted, praising communism and lionizing its leading figures; those writers who were not content to be political canaries either published their work abroad, typically lambasting the communist system, or published careful works in their home countries, in this case, often with subtle mockery of communism.

With the end of communist rule, the functions of literature have changed profoundly. To begin with, none of the regimes in the region, not even Viktor Orbán's in Hungary, is even remotely as intent on shaping and instrumentalizing literature as the communists had been. This had the immediate consequence that there were no financial rewards to be gained by flattering the new power-holders. In turn, this meant that writers would be finding their audiences among the reading public and not addressing their writing to the political chiefs in their countries.

Where fiction is concerned, one may distinguish among novels, poetry, theatrical plays, and screenplays. This chapter is concerned almost exclusively with novels. After a short section reviewing some of the work of three novelists who began their writing careers in the communist era – Paul Goma (1935–2020), Milan Kundera (1929–2023), and Milorad Pavić (1929–2009) – I shall discuss novels published since 1989 that offer recollections and interpretations of the communist years, as well as the insightful reminiscences by Croatian journalist/novelist Slavenka Drakulić, and novels treating other themes (including the United States of America), before offering some general thoughts about the relative importance of the East Central European novel today.²

East Central Europe has given birth to a huge number of highly talented, imaginative, and prize-winning writers, among them six winners of the Nobel Prize for Literature (the three identified in Box 10.1, together with Ivo Andrić in 1961, Czesław Miłosz in 1980, and Wisława Szymborska in 1996) and at least two novelists who were nominated for the Nobel Prize. Novelists from the region have won other prestigious prizes as well, including the European Literature Prize, the International IMPAC Dublin Literary Award, the Strega European Prize, the International Booker Prize, the Herder Prize, the Jerusalem Prize, the Austrian State Prize for European Literature, the NIN Award, the Heinrich Mann Prize, the Neustadt International Prize for Literature, the Special Book Award of China, the International Balkanika Award, the Isidora Sekulić Award, the Kulturhuset Stadsteatern International Literary Award, the Jan Michalski Prize, the Prix Laure Bataillon, the Prix Mondial Cino Del Duca, the Ovid Prize, the Flaiano Prize, the International Nonino Prize, the Park Kyong-ni Prize, the American Award in Literature, the Goethe Medal, the Kossuth Prize, and the European Union Prize for Literature, among other awards and forms of recognition.

BOX 10.1: PROMINENT EAST CENTRAL EUROPEAN WRITERS (A SELECTION)

ALBANIA

Ismail Kadare (1936–2024), nominated for the Nobel Prize in Literature 15 times
Fatos Kongoli (b. 1944)

BOSNIA

Lana Bastašić (b. 1986)
Aleksandar Hemon (b. 1964)
Dževad Karahasan (1953–2023)
Igor Štiks (b. 1977)

BULGARIA

Zdravka Evtimova (b. 1959)
Georgi Gospodinov (b. 1968), nominated for the Nobel Prize in Literature, 2022
Alek Popov (b. 1966)

CROATIA

Ivan Aralica (b. 1930)
Slavenka Drakulić (b. 1949)
Miljenko Jergović (b. 1966)
Dubravka Ugrešić (1949–2023)

CZECH REPUBLIC

Ota Filip (1930–2018)
Ivan Klíma (b. 1931)
Milan Kundera (1929–2023)

HUNGARY

Ágotá Bozai (b. 1965)
Janós Háý (b. 1960)
Imre Kertész (1929–2016), Nobel Prize in Literature, 2002
László Krasznahorkai (b. 1954)
György Konrád (1933–2019)

KOSOVO

Rifat Kukaj (1938–2005)
Lutfi Lepaja (b. 1945)
Kadrush Radogoshi (b. 1948)

MONTENEGRO

Olja Knežević (b. 1968)

Mirko Kovač (1938–2013)

NORTH MACEDONIA

Rumena Bužarovska (b. 1981)

Lidija Dimkovska (b. 1971)

Kica Kolbe (b. 1951)

Aleksandar Prokopiev (b. 1953)

Goce Smilevski (b. 1975)

POLAND

Janusz Głowacki (1938–2017)

Andrzej Sapkowski (b. 1948)

Olga Tokarczuk (b. 1962), Nobel Prize for Literature, 2018

ROMANIA

Gabriela Adameşteanu (b. 1942)

Mircea Cartarescu (b. 1956)

Andrei Codrescu (b. 1946)

Paul Goma (1935–2020)

Herta Müller (b. 1953), Nobel Prize for Literature, 2009

Ioana Pârvulescu (b. 1960)

SERBIA

David Albahari (1948–2023)

Svetislav Basara (b. 1953)

Vladislav Bajac (b. 1954)

Milorad Pavić (1929–2009)

Vidosav Stevanović (b. 1942)

SLOVAKIA

Peter Pišťanek (b. 1960–2015)

Pavel Vilikovský (1941–2020)

SLOVENIA

Andrej Blatnik (b. 1963)

Drago Jančar (b. 1948)

Goran Vojnović (b. 1980)

The great Albanian novelist, Ismail Kadare (1936–2024), was repeatedly nominated for the Nobel Prize in Literature but never received the award, but he was granted membership in the French Academy in 1996 and received the Neustadt International Prize for Literature in 2020. Among his many novels are *The General of the Dead Army* (1963), *The Castle* (1970), *The Three-Arched Bridge* (1978), *The Palace of Dreams* (1981), and *The Pyramid* (1995). *The Pyramid* is summarized in Box 10.2.

BOX 10.2: THE PYRAMID, BY ISMAIL KADARE

On the face of it, Ismail Kadare's *The Pyramid* is the story of Cheops (sometimes called Khufu), who lived in the 26th century BCE and commissioned the Great Pyramid of Giza, famous as one of the seven wonders of the ancient world. But it is more than that. It begins with an explanation as to why Cheops, at first reluctant to expend huge funding and manpower to build a colossal structure, eventually agreed. His people were prosperous and, on the face of it, did not need a pyramid. But, as Kadare tells it, the point of the pyramid, as Cheops advisers impressed upon the pharaoh, was precisely to impoverish the people. For the pharaoh's advisers, the whole point of the pyramid was to display the power of the pharaoh and to bleed the country's inhabitants dry in order to render them impotent before the power of the state. And the more workers died while working on the pyramid, the better. Along the way, there were rumors of conspiracy as well as arrests by the pharaoh's secret police, interrogations, torture, forced confessions, trials, and executions. Inevitably, after certain workers completed constructing secret passages into the pyramid, they were put to death so that the secrets concerning these passages would die with them. In a twist reminiscent of Stalin's Russia, some architects were punished for allegedly causing delays in the construction. Cheops eventually went mad, died, and was succeeded by his son Didoufri (also known as Djedefre), who, upon ascending to the throne, immediately ordered his ministers to begin work on his own pyramid.

Through the first 24 of the novel's 26 chapters, Kadare sticks to telling about ancient Egypt, while allowing the reader to draw parallels with the communist states. Then, in Chapter 25, he recalls the exploits of the 14th-century Turko-Mongol conqueror named Timur the Lame (or, more usually, Tamerlane) who had a pyramid constructed from 70,000 severed heads gathered from the battlefields where his troops had triumphed. Finally, in the final chapter of the novel, Kadare draws a parallel between the pyramids, whether of stone or of skulls, and the roughly 750,000 bunkers constructed in socialist Albania at the command of communist leader Enver Hoxha.

Ismail Kadare, *The Pyramid*, trans. by Barbara Bray from Jusuf Vrioni's French translation (London: Vintage Books, 2013 [1992]), 119.

Three Novelists of the Communist & Post-communist Eras

Paul Goma and Milan Kundera both spent time in communist prisons and both joined the communist party, only to be expelled (in Kundera's case twice). Milorad Pavić, by contrast, was an academic and, in terms of his activity, steered clear of politics. Goma's best known published work came out before the collapse of communism, although he published six novels between 1990 and 1995. Kundera published five novels between 1990 and 2013 (four of which were written in French), but his most famous novels are *The Joke* (1967) and *The Unbearable Lightness of Being* (1984) – both, thus, published before the end of communist rule in Czechoslovakia. Pavić published seven novels between 1991 and 2009, but his best known book, by far, is his highly imaginative *Dictionary of the Khazars*, which appeared in 1984 and was subsequently translated into a number of languages.

Paul Goma (1935–2020)

Born on 2 October 1935, in Orhei County, in what was then Romanian Bessarabia (now the Republic of Moldova), Paul Goma was 9 years old when his family fled to Sibiu. But in August 1944, they were involuntarily sent back to Bessarabia, which by then had been incorporated into the Soviet Union as Moldavia. Eventually, thanks to forged documents, they made their way back to Romania. In March 1952, at the age of 17, Goma was detained for 8 days by the *Securitate* (the Romanian secret police) because of opinions he had shared in the classroom about the anti-communist partisans who had fought in the Second World War.³ He joined the communist youth organization in 1954 and was admitted to the University of Bucharest. The following year, he once more came to the attention of Romanian authorities when he quarreled with his teachers. Then, in November 1956, in an act of solidarity with anti-communist insurgents in Hungary, he turned in his membership card in the communist youth organization. He also read portions of a novel he was writing to a group of fellow university students. At this point, he was arrested and imprisoned for 2 years, serving his sentence in the Jilava and Gherla prisons. Upon his release, he was placed under house arrest in Lătești.⁴ He worked as a manual laborer until September 1965, when he was readmitted to the University of Bucharest. In Autumn 1968, he married Ana Maria Năvodaru and joined the Romanian Communist Party at the end of that month. His first and only book to be published in Romania before the collapse of the communist regime came out that same year.⁵ Previously, in 1966, he had offered his second book, *Ostinato*, based on his experiences in the Romanian prison system, to a Romanian state-owned publisher. The publishing house was required to conform to censorship rules, and he was instructed to make various cuts, revisions, and additions; but even after accommodating some of these demands, his novel was ultimately rejected for publication in Romania. In particular, the censors objected to the fact that one of the (negative) characters in the novel held the rank of captain in the

Securitate. An officer would never abuse his power, Goma was told, and he was advised to represent the abusive official as a sergeant. But Goma had his limits and refused to recast the captain as a sergeant.⁶ Goma then entrusted his manuscript to a friend, who took it (illegally) to a West German publishing house, which published the book in 1971.⁷ He published another novel, *The Door*, likewise in West Germany. Then, in 1976, he published a book based specifically on his experiences in Gherla prison, this time in Paris.⁸

As 1977 opened, Goma sent a letter to Pavel Kohut, a human rights advocate associated with the Charter 77 initiative in Czechoslovakia.⁹ In this letter, he detailed the various violations of human rights in Romania. A few days later, he wrote to General Secretary Ceaușescu, again recounting the problems with respect for human rights in Romania, and suggested that the Romanian leader express support for Charter 77.¹⁰ In February of that year, Goma signed a collective letter protesting once more human rights violations. He was arrested on 1 April 1977 and charged with having revealed “secret information.”¹¹ He was released on 6 May 1977 and sent packing to Paris the following November. Although enjoying French protection during his exile in France, there was at least one attempt by the *Securitate* to murder him. After arriving in Paris, Goma began to collaborate with Radio Free Europe but later renounced all cooperation with the Radio after he concluded that the Munich newsroom of RFE had edited portions of his novel *Gherla*, which were being read on the air.¹² On 18 March 2020, Goma was admitted to the Pitié-Salpêtrière Hospital in Paris after contracting COVID-19. He died two days later at the age of 84.

Milan Kundera (1929–2023)

Milan Kundera was born in Brno, Czechoslovakia. His father was an accomplished concert pianist and musicologist. Initially, Milan Kundera thought to follow his father’s footsteps and took up the study of music. But he soon turned to writing and, in 1952, began teaching literature at the Academy of Music and Dramatic Arts in Prague. He joined the communist party in 1948 but was expelled in 1950. He rejoined it in 1956 but was expelled once again in 1970. His short novel, *The Joke*, relates how an innocent joke written on the back of a postcard landed the writer in trouble. Kundera’s second novel, *Life is Elsewhere* (1969), tells the story of a naïve young man and his experiences as a party member; the novel was banned. Kundera himself enthusiastically embraced the liberalizing reforms associated with the Prague Spring of 1968. But after the Soviet invasion of his country on 20 August 1968 and the restoration of “order” in the country, Kundera, like many others, was pressured to recant and admit his “political errors.” He refused to do so, much like the protagonist in his *Unbearable Lightness of Being* (1984), which set its story in the years 1968–1969, and, in consequence, was dismissed from his teaching post, and it was at that point that he was expelled once again from the party. After this, his works could no longer be

published in socialist Czechoslovakia. In 1975, he and his wife, Věra Hrabánková, were granted permission to emigrate. They settled eventually in Paris, where they lived out their days.¹³

I remember seeing the film adaptation (1988) of *The Unbearable Lightness of Being* many years ago. I was deeply moved by the scene when Tomáš left behind a prestigious and well-paying job at a hospital in Switzerland in order to be reunited with his sweetheart, Tereza. As he crossed the border, the border guard confiscated his passport: welcome back, comrade! The novel paints a ghastly picture of communist-ruled Czechoslovakia. For example, the novelist Jan Procházka, held in high esteem by his readers, was libeled in the regime press and his private conversations in his bugged apartment in Spring of 1968 were broadcast over Czech Radio 2 years later.¹⁴

When the Soviets invaded Czechoslovakia, locals removed street signs, the signs identifying public squares, and even the marquees on one or another hotel, hoping that this would confuse the invaders. The Soviet bloc invaders were briefly confused but then simply assigned streets, public squares, and hotels new names: Stalingrad Street, Leningrad Street, Moscow Square, Hotel Baikal, etc.¹⁵ But it was not enough for the Soviets to force Alexander Dubček to undo his various liberal reforms until he was ultimately removed as party First Secretary in April 1969, to restore censorship, to rein in the country's writers, and to rename streets. They also expected that everyone who had spoken in favor of the reforms associated with the Prague Spring or participated in them in any way should sign a formal letter of recantation. Unlike Tomáš's various colleagues described in the novel, Tomáš refused to sign anything. In particular, he refused to sign a retraction of a short piece he had published in a Prague newspaper. Accordingly, he was forced to resign as surgeon at the hospital in Prague where he had been rehired and took a job as a window-washer.

Then a certain newspaper editor collected signatures on a respectfully phrased petition to the President of the Republic, asking that all political prisoners be amnestied. As before, Tomáš's signature was sought but he declined, having made it a rule not to sign anything that he had not written himself. A few days later, local newspapers published a denunciation of the petition, alleging, falsely that it aimed at overthrowing socialism.¹⁶ The names of the signatories were listed, but there was not a single extract from the petition itself. Kundera comments:

the editor in Prague who organized the petition for the amnesty of political prisoners...knew perfectly well that his petition would not help the prisoners. His true goal was not to free the prisoners; it was to show that people without fear still exist[ed].¹⁷

In *Unbearable Lightness*, Kundera offers a judgment about communism, consigning it to the realm of *kitsch*, and especially *totalitarian kitsch*. And, in a society under the heel of *kitsch*, "everything that infringes on *kitsch* must be banished."¹⁸

At the same time, as he wrote in *The Art of the Novel*, communism “exploit[ed]... the age-old dream of a world where everybody would live in harmony, united by a single common will and faith.”¹⁹

Milorad Pavić (1929–2009)

Born in Belgrade, Pavić was a literary historian, post-modern novelist, poet, and translator best known for his 1984 novel, *Dictionary of the Khazars*. After graduating from the University of Belgrade in 1954 with a degree in literature, he earned his Ph.D. at the University of Zagreb in 1966. He held professorial chairs at the University of Novi Sad, 1974–1982, and the University of Belgrade thereafter. He translated Pushkin’s *Eugene Onegin* from Russian and works by Lord Byron from English, as well as works by French and American authors. He also wrote poetry in a neo-Byzantine style. Among his other novels are *Landscape Painted with Tea*, structured as a crossword puzzle (1988), and *Last Love in Constantinople*, a “tarot novel” (1994), accompanied by a deck of tarot cards establishing a method whereby readers could put the book’s 21 chapters in any order they fancy.²⁰ At the universities, he taught classes on the Baroque era as well as literature from the 18th and 19th centuries. Among his scholarly books are *A History of Serbian Baroque Literature* (1970), *A History of Serbian Literature in Classicism and Early Romanticism* (1979), and *The Birth of Modern Serbian Literature* (1983).²¹

Although Pavić’s *Last Love in Constantinople* places him in the pantheon of post-socialist writers, it is his *Dictionary of the Khazars*, appearing in English translation in 1989,²² that made him a household name in Serbia and beyond. To begin with, it should be noted that the Khazars actually existed; they were a Turkic-speaking people that, in the last decades of the sixth century CE, constructed a commercial empire covering much of what is today the southern portion of European Russia. By the tenth century, however, the Khazar empire was in decline and, after the twelfth century, there were no further documents mentioning this people. As the *Britannica* notes, “Despite the relatively high level of Khazar civilization and the wealth of data about the Khazars that is preserved in Byzantine and Arab sources, not a single line of the Khazar language has survived.”²³

As Andrew Wachtel has pointed out, Pavić represents his *Dictionary* as a reconstruction of a volume originally published in 1691 but later destroyed.²⁴ Because this volume seems to be the product of Pavić’s creative imagination, the question as to how one might go about reconstructing the contents of a lost manuscript does not arise. But mysteries do not end there. A reader opening the *Dictionary* immediately finds that it comprises three parallel but incomplete alternative versions of Khazar history: one Christian, one Muslim, and one Jewish. Some entries appear in two or all three versions, others in only one. But, just as most people – Anwar as-Sadat was an exception, according to his own claim – do not choose to pick up a dictionary and read it from front to back committing to memory those words in which they are

interested, so too the readers of *Dictionary of the Khazars* may read the text as they like, whether reading each version on its own, one by one, or reading across the versions, to compare their respective narratives. Be that as it may, Wachtel assures us that the order in which one chooses to read the sundry texts that make up the *Dictionary* makes no difference to the story and its meaning.²⁵ A central question posed in the novel is: to which of the three great religions did the Khazars convert? Not surprisingly, the Muslim account claims the Khazars for Islam, the Jewish account for Judaism, and the Christian account for Christianity.²⁶ The novel stirred enormous excitement in socialist Yugoslavia and was awarded the NIN Prize for Literature, at the time the most prestigious prize for literature in that country. In Wachtel's view, the novel was "quite obviously problematic" because it offered "a radically relativized vision of historical truth," implying, perhaps, that the nations that comprised Yugoslavia had little if any hope of ever understanding each other.²⁷ And, just as the hierarchs of the three religions each claimed the Khazars for their own religion, I am reminded of an allegation made by some Croats in the late 1960s that certain Serbian schoolbooks were describing Croatian poets as *Serbian*. History matters. So too does what people think about the past.

Remembering Communism

The communist era, as recollected by the region's novelists, was overwhelmingly negative. Already in the first months following the liberation of Yugoslavia from the Axis, as Slobodan Selenić tells it, people were restricted in their choice of fashions and expected to observe communist-dictated "codes of behaviour and expression."²⁸ Conformity was, of course, demanded of novelists and playwrights, although Serbian writer David Albahari rejected the myth of the Partisan struggle, which is to say the central pivot in legitimating communist rule in his country.²⁹ For those writers who refused to follow orders from the communist literary bosses, liquidation (in Albania, for example) or incarceration in a labor camp served to silence them. Bulgarian writer Georgi Gospodinov put it this way in his novel, *Time Shelter*: the police had "always shown unerring taste in poets and writers – they always manage to kill the most talented and leave the most mediocre."³⁰ Staying in Bulgaria, actor and film director Nikolai Valchinov used his novel, *The Season of Canaries* (1993), to expose the suffering of ordinary people under the Zhivkov regime. Fellow Bulgarian novelist Evgeni Kuzmanov likewise delved into the harshness of life in communist-ruled Bulgaria; relying on methods of "fantastic absurdity" in his book, *Foto "Lazur"* (1990), Kuzmanov revealed "the means by which the totalitarian system robs the individual of his freedom and values. The universal character of his work is underscored by the fact that all his heroes are named Petrov (the Bulgarian Everyman)."³¹ The secret police, Gospodinov recalls, were happy to invent crimes of which their targets could be accused, whether plausibly or implausibly, although, even with free rein, the police sometimes suffered "writer's block."³² See Box 10.3, below.

BOX 10.3: TIME SHELTER, BY GEORGI GOSPODINOV

There's a secret in this novel – a secret at which the author hints early in the story and hints at again a second time, before finally admitting the secret behind the tale he spins.

The novel starts with the narrator telling, with some excitement, about a new friend of his, a man called Gaustine, who has come up with the idea of helping people suffering from dementia by allowing them to move into rooms he has created at his clinic – rooms in which various decades, stretching as far back as the 1930s, are recreated down to the last detail. Thus, for example, in the rooms devoted to the 1960s, one can hear early Beatles music, look at magazines published in that decade, and enjoy sitting on furniture from that time. Gaustine's clinic is such a huge success, as the story goes, that he imagines bringing entire cities and later entire countries not back to the past of course, but to reenactments of their respective favorite decades – that to be determined by referenda held in each country. This format allows Gospodinov to recall aspects of the communist era in his native Bulgaria.

The first clue concerning the secret in this novel comes on page 18, when the narrator writes, “Gaustine, whom I first invented, and then met...” The author gives the game away to any attentive reader in Part V, Chapter 3, when he notes that his own handwriting and that of “Gaustine” were “indistinguishable” (p. 256). Finally, in the Epilogue, Gospodinov writes, “I don't remember anymore whether I thought up Gaustine or he thought me up” (p. 300).

The reader is left wondering whether the character portrayed as the narrator is supposed to be a madman with a split personality, with “Gaustine” as his imagined friend or whether, perhaps, because the narrator acknowledges that Gaustine is a “fictitious fellow” whom he could have disposed of simply by writing that Gaustine had passed away (p. 260), just maybe the narrative character is a playful sort, playing games both with the reader and in his own mind.

Georgi Gospodinov, *Time Shelter*, trans. from Bulgarian by Angela Rodel (London: Weidenfelt & Nicolson, 2022), 302.

Milan Kundera's novel, *The Unbearable Lightness of Being*, set, as already mentioned, in Czechoslovakia in the years 1968–1969, when the Prague Spring ended with a Soviet bloc invasion of the country, is probably the single East Central European novel that is the best known in the West. Kundera offers a number of observations as to how the communist system operated, and outlined what he considered to be the main functions of the secret police: surveillance, intimidation, and *kompromat*, which is to say the staging of compromising situations so that the compromised person could be blackmailed.³³

Alongside surveillance, control, harassment, and repression, there were inevitably efforts by the communist leaders to place themselves on pedestals. One sign of this was the fact that photos of all the members of the Bulgarian communist Politburo were affixed to the wall of a local dental clinic. For that matter, there was a time when all the city buses in Sofia displayed photos of Soviet General Secretary Stalin.³⁴ Again, Slovak writer Peter Pišt'ánek's 1995 novel, *Tales of Vlado*, tells of a megalomaniac Prince Vlado, described in the novel as "adored by his subjects...[who] worship every word that tumbles from his lips, [even if] they understand none of it."³⁵ Pišt'ánek's mockery of the cult of the leader was unmistakably aimed at communist leaders Novotný and Husák.

Under such circumstances, of course, many people fantasized about escaping from their respective countries, in some cases even working out plans for flight. In her novel, *The Land of Green Plums*, Romanian-German Nobel Prize winner Herta Müller discusses this syndrome:

Everyone lived by thinking about flight. They thought of swimming across the Danube until the water becomes another country. Of running after the corn until the soil becomes another country...Soon they will spend every penny they have on detailed maps...

The only ones who didn't want to flee were the dictator and his guards.³⁶

Afraid of a hemorrhaging of the population, the Romanian *Securitate* subjected those it suspected of wanting to flee to repeated interrogations, searching their apartments, confiscating letters and photos, and following these "suspects" around town.³⁷ The *Securitate* were keen to keep tabs on people who were of interest to them and, according to recent research by Valentina Glajar, managed to recruit Müller, who agreed to collaborate with the *Securitate*, in order to obtain permission to emigrate to Germany.³⁸ Besides, as Müller noted in one of her novels, "They can always accuse us of something...As it is, we're always being accused of something."³⁹

One of the most revealing summations of what it was like to live in a communist-ruled country is a short volume of reminiscences written by Croatian journalist and novelist Slavenka Drakulić. Even more than four decades after the end of the Second World War, inhabitants of Yugoslavia still faced perennial shortages of coffee, sugar, cooking oil, and flour, as she recounts in her book, *How We Survived Communism and Even Laughed*.⁴⁰ Disposable diapers, like pet food, were unknown in the communist world. In Prague, in the 1980s, it was difficult to find oranges or lemons (while, in Belgrade, these "luxury" foods could be found only in a small store near the Ministry of Internal Affairs). Among the problems in Bulgaria at that time, Drakulić enumerated insufficient supplies of apartments, childcare facilities, (decent) clothing, especially for children, and even soft toilet paper.⁴¹ "A washing machine became an item of prestige," she recalls.⁴² When Bulgarians could find detergent, they would purchase two or three boxes at a time. In Yugoslavia, people would drive to Trieste, near the border with Slovenia, to

purchase coffee; so many Yugoslavs came to Trieste for coffee, that local shopkeepers put up signs in Croatian. “[P]eople in Eastern Europe,” Drakulić recounts, “live[d] in a state of constant shortages, never sure what they [would] find in the shops [the] next day.”⁴³ Under the circumstances, it is no surprise that Serbian absurdist Svetislav Basara put his *Manic-Paranoic History of Serbian Literature* to use to mock Yugoslavia’s “self-managing socialism,” as well as its bastard progeny, Yugo-nostalgia.⁴⁴

The internationally renowned novelist György Konrád, whose writings were banned in his native Hungary from 1977 until 1988, put together a collection of 26 speeches, diary entries, and short essays in what might be considered an obituary for communism. Appearing in 1995, *The Melancholy of Rebirth: Essays from Post-Communist Central Europe, 1989-1994* also figured as a warning against ultranationalism, antisemitism, and just plain political stupidity. Accordingly, he warned (presciently, as it turned out), “The possibility of slipping back into an authoritarian regime – anti-socialist but with all the accoutrements of state socialism – is not out of the question.”⁴⁵ Konrád describes himself as an *idealist* and declares boldly, “Reality has proved the realist[s] wrong.”⁴⁶ Idealism hinges on three central assertions. The **first** is that ideas matter (as Konrád puts it, “because words influence people, there is such a thing as intellectual power.”⁴⁷ Some self-declared realists, whom we might call “hard-core realists,” have claimed that ideas matter much less than GDP or police or tanks and missiles, if at all; do they imagine that the ideas of Locke, Kant, Marx, Darwin, and Freud have not changed the world? The **second** central assertion that idealists present is that there is, again in Konrád’s words, “a universal system of values”⁴⁸ – an understanding that may be traced back to Cicero and, later, Aquinas. Idealists, Konrád points out, emphasize the importance of morality and hence, “idealists do only what they respect; otherwise, they refuse. ‘I refuse’ is a morality in itself; we need not participate in anything we judge to be wrong.”⁴⁹ And the **third** assertion registered by idealists is that human life and human rights are the supreme values and that it is unconscionable for any regime, following the advice of certain “realists,” to subordinate these values to efforts to build up the wealth of the country (or of its rich) or annex land from neighboring states. Konrád is very clear in emphasizing this point: “Respect for human rights,” he writes,

has its own logic. It leads to democracy...The only way a nation can assure itself of equilibrium and continuity, the productive passage from one generation to the next, is by making the cultural, economic, and political freedoms of the individual the basic law of the land.⁵⁰

America

Novelists’ antipathy to communism did not translate into affection for the United States and capitalism. On the contrary, East Central European writers have painted

a picture of the USA in garish colors. For Nobel Prize winner Olga Tokarczuk of Poland,

The worst [tourists] are the Americans – most of them overweight...They weigh twice as much as other people. The donkey is an intelligent animal, it can evaluate weight right away, and it will often start to get upset just seeing them come off their tour bus, all overheated, big sweat stains on their shirts, and those trousers they wear that only reach their knees. I get the sense [that] the donkeys can tell them apart by their smell.⁵¹

Like Tokarczuk, her fellow Pole Dorota Masłowska focuses her contempt on middle-class Americans, describing the USA in one of her novels as a land of unadulterated materialism and empty-headed self-indulgence.⁵² Needless to say, Masłowska's portrayal of life in New York City, driven by the motto "shop shop shop," has little if anything to do with the life of gas station attendants, high school teachers, or other working-class Americans, let alone the poor and the homeless (who are also less likely than middle-class Americans to be overweight). But she sets the tone early in her *Honey, I Killed the Cats* – in which there are no cats and no killing – by packing in references to nine commercial brands such as Hugo Boss sweaters, Hunter boots, and Starbucks, in the first 18 pages alone. She also points to commercial promotion of breast enlargement and (alleged) penis enlargement to suggest that Americans (again, *middle-class* Americans to be specific) are superficial – the "yada yada" generation (quoting from the simple-minded television program, *Seinfeld*).⁵³

Croatian novelist Dubravka Ugrešić's novel, *Fording the Stream of Consciousness*,⁵⁴ painted a highly critical picture of American academic specialists in literature and, like other post-modern writers, broke with the traditional formula of a continuous narrative, mixing diary entries and letters into the text. Four years after the publication of the English-language edition of *Fording* came publication of the English-language edition of her book, *Have a Nice Day*, with the title inspired by the vapid utterance that falls out of many mouths in the USA and painting as negative a picture of American society as that offered by Masłowska.⁵⁵ In this book, which cannot be described as a *novel* by any usual definition, she depicts Americans as "cold, smooth, slippery, and completely plastic," asserting further that America was characterized by "a deeply infantile culture."⁵⁶ She quotes from published reports of crimes committed by young men against young women at Wesleyan College, mentions homeless people sleeping on the streets of New York amid broken glass, and mocks Americans for allegedly taking "showers every day (several times!)"⁵⁷ In her view of the United States, Americans are expected to be happy,⁵⁸ are "obsessively preoccupied with sexual harassment and the sexual abuse of children,"⁵⁹ and are damned by her by their alleged association with "the logical notions [of]...cannibalism."⁶⁰ Her book provoked an extremely hostile reaction on the part of American readers. Ugrešić accepted that some

parts of her book were “too harsh” and edited certain sections for a new, revised edition.⁶¹

By contrast with the foregoing novelists, Polish playwright Janusz Głowacki sketches the life of penniless immigrants from Europe and Puerto Rico, who end up homeless in New York’s Central Park. In his play *Antigone in New York*, Głowacki has an apparently mindless policeman paint this rapturous picture of the life of the homeless:

Some of [the homeless] came from other countries. A few were looking for political freedom here, while others were just trying to improve their standard of living. So they left their homelands and settled down in New York...in the Port Authority building, in the streets, in the parks. Wherever. Don’t get me wrong. *They love their newly adopted country and they are grateful for everything she does for them.*⁶²

BOX 10.4: ANTIGONE IN NEW YORK, BY JANUSZ GŁOWACKI

Set in New York apparently in the 1990s, this two-act drama features four central characters, three of whom (Sasha, Anita, and Flea) are homeless immigrants living in the city park and one of whom (Paulie) is dead. The plot revolves around Anita’s desire to have Sasha and Flea go down to the pier in The Bronx where coffins are stored before being shipped and bring back the corpse of her former lover, Paulie, so that he may be buried in the park. She offers them \$1,950, which is all the money she has, to retrieve Paulie’s body, bring it to the park, and bury it.

The two men agree, and Anita hands them a photo of Paulie. Upon reaching the pier, they find ten coffins, none of them labeled. They pick one apparently at random and, when it proves too difficult to open, they open another one in which the lifeless body of a black man lies motionless. They open a third coffin, the inhabitant of which looks nothing like Paulie. Finally, prying open a fourth coffin, they decide that this corpse had to be Paulie. They wedge him out of his box and abscond with him, leaving the coffin sitting empty.

They bring their specimen back to the park, prop him up on one of the park’s benches, and only then realize that the cadaver they had retrieved does not look at all like the image on the photo of Paulie. However, when Anita joins them at the bench, she does not see anything amiss and, staring directly into the dead man’s face, is convinced that this was her former lover.

The three of them improvise a ceremony to honor Paulie and then bury the corpse. Anita, a native of Puerto Rico, is raped by a man from India and, according to the report provided by the local policeman, hangs herself off the main

gate to the park. The message, if there is any, is that coming to the United States without a job and without any friends in a position to provide help can lead to misery and even tragedy.

The three homeless characters in *Antigone* do not come across as grateful for their impecunious way of life, with one of the men planning to return to Russia and the young woman from Puerto Rico finally hanging herself. Before the woman hangs herself, the policeman, however, offers these reflections:

They've got to learn...to be enterprising. But when you help them all the time, for instance, when you give them food, or money, or clothes, or vaccine[s] all you teach them [is] dependence. So, obviously when you're helping them, you're actually hurting them.⁶³

Janusz Głowacki, Antigone in New York, trans. from Polish by Janusz Głowacki and Joan Torres (New York: Samuel French, 1997), 86.

Alek Popov's novel, *The Black Box*, offers a third perspective on life in the USA. Rather than focusing on the consumerist middle class or the desperate homeless, he takes up the theme of Bulgarians living in the USA, dividing Bulgarians into three groups: the SBAs (Successful Bulgarians living Abroad), the NSABs (the "Non-Successful Asses stuck in Bulgaria"), and the TBAs ("Thieving Bulgarian Asses") who thrive in the old country through a combination of corruption and crime.⁶⁴ The novel is related by two alternating narrators, the brothers Ned and Angel Banov, both trying to make it in the land of big dreams. Again, the picture of the USA is highly critical. Angel, for example, recounts an ignorant American denying that there is any country called Bulgaria and comments on what he sees as the superficiality of American life.⁶⁵ While brother Ned asserts that, for most Americans, all value and all status are associated with material objects such as huge mansions, yachts, and helicopters, Ned also mentions recreational surgery (my term) such as nose straightening and hair implants.⁶⁶ Angel also came to see America as a country overwhelmed with rampant murders.⁶⁷ Both brothers moved to the USA with the hope of being fully accepted. But, in shuttling back and forth between Sofia and New York, Angel came to feel like a foreigner in both countries, while brother Ned, on returning to his native country, admitted, "I'm a foreigner here [in Bulgaria], it occurs to me suddenly."⁶⁸

Finally, Milan Kundera, reflecting on America but also on Western modernity more generally, said that he feared that the *Zeitgeist* was "reduc[ing] time to the present moment only."⁶⁹ Because the loss of historical memory is nothing less than tragic, the task, according to Kundera, is to *recover* the past, undertaking "a spiritual and political unearthing of what is and has been overlooked, repressed, [and] forgotten in society's rush toward uniformity and 'happiness,'"⁷⁰

Writers on Writing

There are, as is well known, entirely mundane reasons why people write novels, including to earn an income, to garner favor with political authorities (an important motivation in communist societies), and simply to have fun. But there are other reasons why novelists take up the pen, some of which may be understood as latent functions of literature. Perhaps the noblest of these motivations was expressed by Dubravka Ugrešić when she asserted that “the first and most important task of a writer as a public intellectual is to speak truth to power.”⁷¹ Kundera said something similar in declaring that “To be a writer means to discover a truth.”⁷² In another context, Kundera suggested that “the novel, like psychoanalysis, ‘does not invent, it *discovers*’ the surreal texture of everyday life.”⁷³

The Czech writer Ivan Klíma was even more explicit in pointing to the moral obligations of writers. Klíma, in his short story “Tuesday Morning: A Sentimental Story,” argued that

to be a writer means also to stick up for people whose fate is not a matter of indifference to me. At least to speak up for those who perhaps are less able to do so than I am, to give expression to their desires for freedom and a more dignified existence.⁷⁴

But among the sundry other genres of novels, absurdism deserves some attention. As the author of two absurdist novels and six collections of absurdist verse myself,⁷⁵ I see absurdism not merely as a form of entertainment but also as a way to capture the absurdity of much of social life, by highlighting existing absurdities, exaggerating them, deliberately misinterpreting certain scientific theories (such as the expanding universe), or even inventing entirely new absurdities, and, along the way, to offer a not-so-veiled criticism of certain institutions (such as the US Electoral College) and various traditions that have evolved over the years. If one does not see absurdity in much of life, then one must have one’s eyes closed.

Georgi Gospodinov’s *Time Shelter* (already mentioned above) is a classic example of absurdism. Among other things, Gospodinov, who cites the change-denying pre-Socratic philosopher Parmenides with apparent favor, tells the reader at one point, “The past is not just that which happened to you. Sometimes it is that which you just imagined.”⁷⁶ Conjuring, as well, “the unhappened past.”⁷⁷ Gospodinov suggests that

A truly brave book, a brave and inconsolable book, would be one in which all stories, the happened and the unhappened, float around us in the primordial chaos, shouting and whispering, begging and sniggering, meeting and passing one another by in the darkness.⁷⁸

Where Gospodinov's novel has a more or less clearly defined plot, fellow absurdist Svetislav Basara's *In Search of the Grail* reminds me of Hegel's "bacchanalian revel, in which not a member is sober."⁷⁹ Cast as Part Two of his earlier novel, *The Cyclist Conspiracy*, Basara's *Grail* begins with a supposed instruction to the Serbian Secret Police that Milovan Djilas, Metropolitan Amfilohije Radović, Dobrica Ćosić, and Svetislav Basara himself, among others, were all members of "the subversive organization 'Evangelical Bicyclists of the Rose Cross,'" warning that these alleged subversives had been "attempting to infiltrate all spheres of society and, thus, execute a quiet *coup d'état* and reestablish the theocratic Eastern Roman Empire."⁸⁰ I leave it up to the readers of Basara's book to decide for themselves whether there is a plot in his novel. If there is, it is certainly not linear. But, along the way, Basara offers allusions (among others) to Sigmund Freud, Humphrey Bogart, Hegel, Plato, Hitler, Clausewitz, Timothy Leary, Trotsky, Stalin, the ghost of the 18th-century Italian adventurer Alessandro Cagliostro, Umberto Eco (described as writing one of the chapters in this novel⁸¹), Hieronymus Bosch, and the Marquis de Sade, the last of whom is cast as one of several presumptive narrators. In addition to the Cyclists' Conspiracy, Basara also evokes a Conspiracy of Librarians, whom he blames for inserting "the putrid flesh of vowels onto the solid skeleton of consonants" of how he would like the reader to imagine the words of primitive languages worked.⁸²

Along the way, Basara quotes extensively from an imagined transcript of a nonexistent interrogation at the War Crimes Tribunal in Nuremberg of a purported Obersturmführer Klosowsky, who claims that one Joseph Kowalsky, otherwise known as "a bum, alcoholic, and mystifier," was actually the Grand Master of the Evangelical Bicyclists, the membership roll of which Basara writes included Josif Stalin.⁸³ Returning to the transcript, Klosowsky is recorded here as describing a *Traumeinsatz* (Dream Force), tasked with carrying out campaigns in the realm of people's dreams. The purpose: to plant nightmares in people's dreamworlds and induce panic.⁸⁴ Klosowsky's "testimony" includes also the "revelation" that the Nazis "were planning the invasion of England by spirits" – a masterful plan since, as Klosowsky points out, "the dead cannot be killed again."⁸⁵

Basara tells of a "phantasmagorical exhibition of Nenad Žilić" where he learned of a building in which "[t]he hallway...was incomparably longer than the real length of the building" itself. When one combines that with a statement attributed to the lunatic Kowalsky that the "actual" length of the earth's radius is no more than 1.5 meters, one might allow oneself to try to imagine a hallway "incomparably longer" than the radius of the earth!⁸⁶

Aburdism has other devotees in East Central Europe – among them, László Krasnahorkai, whose 1989 novel, *The Melancholy of Resistance*, tells of a "circus" offering nothing but an exhibit of a whale. But the last word in this section on writing belongs to Basara, who offers the comforting assurance that "Literature is just a little bit better than life."⁸⁷

Post-communism, War, and Final Thoughts

The facts that Goma, Kundera, and Slovenian novelist Drago Jančar all spent time in prison and that György Konrád was prevented from publishing anything in Hungary for more than a decade tell one that the communist regimes took fiction very seriously – as if they wanted to maintain a monopoly on fiction.

What surprised many people in the region, as Slavenka Drakulić pointed out, was that post-communist (or, if one prefers, post-socialist) reality proved to be rather different from the way people had imagined it would be.⁸⁸ To the extent that East Central European novelists have discussed the new reality, their characterizations have tended to be variously *critical*, as in Popov's account of the laying off of 90% of the employees at an imagined Bulgarian company,⁸⁹ or *ironic*, as in Gospodinov's report about the emergence of a kind of nostalgia for the "bad old days," with photos of Bulgarian communist leader Zhivkov and Soviet leader Brezhnev, as well as communist-*kitsch* souvenirs of various kinds becoming popular,⁹⁰ or *promoting a rags-to-riches fantasy* as in Pišt'anek's story of a boilerman at a fancy hotel "somewhere in Central Europe" who uses his control of the heat throughout the building to extort money and sexual favors from guests and staff alike, until he grows so rich that he acquires ownership of the hotel.⁹¹

Where the war in Croatia and Bosnia-Herzegovina is concerned, there is, of course, a rich trove of scholarly analyses available, alongside some very respectable journalistic accounts. What local novelists and poets add are details about how the war was experienced by ordinary people. For example, Bosnian Serb writer Nenad Veličković, in his 1995 novel, *The Lodgers*, recounts how a (fictional) Bosnian family, after the destruction of their apartment, moved into a Sarajevo museum, making it their new home.⁹² Or again, there is Dubravka Ugrešić's report, in her *Culture of Lies*, about the residents of Sarajevo burning their books during winter in order to keep warm.⁹³

And then there was the outrage that the sieges of Sarajevo and Dubrovnik provoked. To stress what should be obvious: every war, every siege, every massacre, regardless of where it takes place, violates human rights, causes the innocent to suffer, and is a tragedy. Again, every war, every siege, every massacre should provoke moral outrage. But in the post-Yugoslav zone, people were concerned about their own suffering and had little time to worry about the suffering of innocent people in the Middle East, Africa, the United States, or elsewhere.

As I reflect on the East Central European fiction I have read, I am enormously impressed not only by the quality of most of it, but also by the seriousness and ambition in many of the works reviewed herein. I am also impressed by the stunning originality of some of these authors (such as Gospodinov, Basara, and Pavić), by the political engagement of some of them (such as Müller and Ugrešić), by the elegance of style on the part of almost all of the writers considered here (see also the work of Ágota Bozai⁹⁴), and by the mental clarity displayed by some of them when describing life in the USA (here, I think of Głowacki and Popov). Much of

the literature of post-socialist East Central Europe is at a world-class level and has much to tell anyone who is willing to open the covers and to start to read.

Notes

- 1 I am grateful to Lavinia Stan and Andrew Wachtel for comments on an earlier draft of this chapter.
- 2 For book-length studies of writers of East Central Europe, please see (in alphabetical order): Gordana P. Crnković, *Literature and Film from East Europe's Forgotten "Second World"* (London: Bloomsbury Academic, 2021); Gordana P. Crnković, *Post-Yugoslav Literature and Film: Fires, Foundations, Flourishes* (London & New York: Continuum, 2014); Daniel Henseler, *Polnische Literatur in Bewegung: Die Exilwelle der 1980er Jahre* (Bielefeld: transcript Verlag, 2024); Diana Hitzke, *Nomadisches Schreiben nach dem Zerfall Jugoslawiens: David Albahari, Bora Ćosić und Dubravka Ugrešić* (Frankfurt: Peter Lang, 2014); Radim Kopáč, *Czech Literature at the Turn of the Millennium* (Prague: Ministry of Culture of the Czech Republic, 2003); Ernő Kulcsár-Szabó, *Geschichte der ungarischen Literatur* (Berlin: De Gruyter, 2013); David A. Norris, *Haunting Serbia: Representations of History and War in Literary Imagination* (London & New York: Routledge, 2016); Harold B. Segel, *The Columbia Guide to the Literatures of Eastern Europe since 1945* (New York: Columbia University Press, 2003); Harold B. Segel, *The Columbia Literary History of Eastern Europe since 1945* (New York: Columbia University Press, 2008); Carl Tighe, *Tradition, Literature and Politics in East-Central Europe* (London & New York: Routledge, 2020); Andrew Baruch Wachtel, *Remaining Relevant after Communism: The Role of the Writer in Eastern Europe* (Chicago: University of Chicago Press, 2006); Andrew Baruch Wachtel, *Making a Nation, Breaking a Nation: Literature and Cultural Politics in Yugoslavia* (Stanford, Calif.: Stanford University Press, 1998); and K. A. Wisniewski and Piotr Florczyk, *Polish Literatures as World Literature* (London: Bloomsbury Academic, 2024).
- 3 Time Note, "Paul Goma," March 2020, <https://timenote.info/lv/person/view?idz11635652&l=en>.
- 4 *Ibid.*; and Radio Romania International, "Writer Paul Goma," April 11 2020, <https://www.rri.ro/pages/printeaza/2615217>.
- 5 Paul Goma, *Camera de alaturi* (Bucharest: Editura pentru literatura, 1968).
- 6 Michael Shafir, "Who is Paul Goma?," in *Index on Censorship* 7, Issue 1 (January 1978): 32.
- 7 Paul Goma, *Ostinato* (Frankfurt-am-Main: Suhrkamp, 1971).
- 8 Paul Goma, *Gherla* (Paris: Gallimard, 1976); published in Romania by the Humanitas Publishing House in Bucharest in 1990.
- 9 Regarding Charter 77, see Sabrina P. Ramet, *Social Currents in Eastern Europe: The Sources and Consequences of the Great Transformation*, 2nd ed. (Durham, N.C.: Duke University Press, 1995), 123–127.
- 10 Ana-Maria Cătănuș, "A Dissident Path: Paul Goma between Personal Memory and Archival Collections," in *Matériaux pour l'histoire de Notre Temps*, no. 3–4 (2022): 77.
- 11 *Ibid.*
- 12 *Ibid.*, 77–78.
- 13 "Milan Kundera," *Britannica Online*, last updated January 19, 2024, <https://www.britannica.com/biography/Milan-Kundera>.
- 14 Milan Kundera, *The Unbearable Lightness of Being*, trans. from Czech by Michael Henry Heim (New York & London: HarperPerennial, 1984), 133.
- 15 *Ibid.*, 165.

- 16 *Ibid.*, 220.
- 17 *Ibid.*, 267–268.
- 18 *Ibid.*, 251–252 (emphasis added).
- 19 Kundera, *The Art of the Novel* (New York: Grove Press, 1986), 233; as quoted in Eugene Narrett, “Surviving History: Milan Kundera’s Quarrel with Modernism,” in *Modern Language Studies* 22, no. 4 (Autumn 1992): 10.
- 20 *Britannica Online*, “Milorad Pavić,” accessed February 2, 2024, <https://www.britannica.com/biography/Milorad-Pavic>; and Zoran Milutinović, *The Guardian*, “Milorad Pavić Obituary,” December 17, 2009, <https://www.theguardian.com/books/2009/dec/17/milorad-pavic-obituary>.
- 21 Segel, *The Columbia Guide*, 414; and Milutinović, “Milorad Pavić Obituary,” 2.
- 22 Milorad Pavić, *Dictionary of the Khazars: A Lexicon Novel*, Female Version, trans. from Serbo-Croatian by Christian Pribičević-Zorić (New York: Vintage Books, 1989).
- 23 *Britannica Online*, “Khazar,” accessed February 2, 2024, <https://www.britannica.com/topic/Khazar>.
- 24 Andrew Baruch Wachtel, *Making a Nation, Breaking a Nation: Literature and Cultural Politics on Yugoslavia* (Stanford, Calif.: Stanford University Press, 1998), 210.
- 25 *Ibid.*, 211.
- 26 Pavić, *Dictionary of the Khazars*, 73, 251, 253.
- 27 Wachtel, *Making a Nation*, 213.
- 28 Slobodan Selenić, *Premeditated Murder*, trans. from Serbo-Croatian by Jelena Petrović (London: Harvill Press, 1996), 17.
- 29 Segel, *The Columbia Literary History*, 273.
- 30 Georgi Gospodinov, *Time Shelter*, trans. from Bulgarian by Angela Rodel (London: Weidenfeld & Nicolson, 2022), 159.
- 31 Segel, *The Columbia Literary History*, 341, 342.
- 32 Gospodinov, *Time Shelter*, 59.
- 33 Kundera, *Unbearable Lightness*, 163.
- 34 Gospodinov, *Time Shelter*, 72, 145.
- 35 Segel, *The Columbia Literary History*, 334.
- 36 Herta Müller, *The Land of Green Plums*, trans. from German by Michael Hofmann (Croydon: Granta, 1998; reprinted 1999), 47–48.
- 37 *Ibid.*, 55–56, 93–94, 127.
- 38 Valentina N. Glajar, *The Secret Police Dossier of Herta Müller: A “File Story” of Cold War Surveillance* (London: Camden House, 2023).
- 39 Herta Müller, *The Appointment*, trans. from German by Michael Hulse and Philip Boehn (New York: Metropolitan Books/Henry Holt & Co., 2001), 9.
- 40 Slavenka Drakulić, *How We Survived Communism and Even Laughed* (New York, London, etc.: HarperPerennial, 1991), 15.
- 41 *Ibid.*, 46, 16–18.
- 42 *Ibid.*, 49.
- 43 *Ibid.*, 182.
- 44 Segel, *The Columbia Literary History*, 278–279.
- 45 George [György] Konrád, *The Melancholy of Rebirth: Essays from Post-Communist Central Europe, 1989-1994*, trans. from Hungarian by Michael Henry Heim (San Diego, New York, London: A Helen and Kurt Wolff Book/Harcourt Brace & Co., 1995), 128.
- 46 *Ibid.*, 28.
- 47 *Ibid.*, 83.
- 48 *Ibid.*, 64.
- 49 *Ibid.*, 86.
- 50 *Ibid.*, 17.

- 51 Olga Tokarczuk, *Flights*, trans. from Polish by Jennifer Croft (New York: Riverhead Books, [2007] 2017), 119.
- 52 Dorota Masłowska, *Honey, I Killed the Cats*, trans. from Polish by Benjamin Paloff (Dallas, Tex.: Deep Vellum Publishing, 2012).
- 53 *Ibid.*, 32 and 154.
- 54 Dubravka Ugrešić, *Fording the Stream of Consciousness*, trans. from Croatian by Michael Henry Heim (Evanston: Northwestern University Press, 1991).
- 55 Dubravka Ugrešić, *Have a Nice Day: From the Balkan War to the American Dream*, trans. from Croatian by Celia Hawkesworth (New York: Viking, 1995).
- 56 *Ibid.*, 39, 123.
- 57 *Ibid.*, 112–117, 200, 121 (the quoted extract appears on p. 121).
- 58 *Ibid.*, 74, 76.
- 59 *Ibid.*, 134.
- 60 *Ibid.*, 126.
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- 62 Janusz Głowacki, *Antigone in New York*, trans. from Polish by Janusz Głowacki and Joan Torres (New York: Samuel French, 1997), 8, Act 1, scene i (emphasis added).
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- 64 Alek Popov, *The Black Box*, trans. from Bulgarian by Daniella and Charles Edward Gill de Mayol de Lupe (London & Chicago: Peter Owen, [2007] 2014), 16, 17.
- 65 *Ibid.*, 101, 22.
- 66 *Ibid.*, 109.
- 67 *Ibid.*, 155.
- 68 *Ibid.*, 78.
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11

DRIVERS OF CHANGE – A FUNCTIONALIST PERSPECTIVE

Sabrina P. Ramet and Lavinia Stan

From 1969 until 1980, there was an illusion of stability in East Central Europe. This was the era in which Honecker, Gierek, Husak, Kádár, Ceaușescu, Zhivkov, Tito, and Hoxha seemed secure in their respective political saddles. In Czechoslovakia, the Prague Spring had been crushed by Soviet tanks in August 1968 and, with it, hopes for change evaporated across the region – for the time being. From the standpoint of consumer commodities, Tito’s Yugoslavia looked like the most successful country in the region but, even here, commodities on sale, such as televisions and clothing, were markedly inferior to what could be found in Paris, London, and Rome, among other cities in Western Europe or in New York and Los Angeles, for that matter. There was a certain drabness in the communist world, marked, for example, by the absence in East Berlin of any restaurants offering anything aside from the cuisines of fellow communist countries and, even here, Cuban cuisine was not available. Women were told that they were liberated, but the maternity leave, facilities for institutionalized childcare, abortion on demand (though not in Romania), and guarantees of equal pay for equal work were not intended to enhance the status, let alone equality, of women, but to maximize their participation in the work force; and, where equal pay for equal work was concerned, that principle was undermined by women’s lack of access, in many cases, to equal work, with the presence of overqualified women in jobs requiring lesser skills being common. Communism was a drab experience, not just in terms of gray, colorless cities, but also in intellectual life, where creativity was, at best, tolerated, often punished, and rewards handed out for those who would produce the drab, pro-regime pabulum demanded by the authorities. The system was sustainable in the short run, but not in the long term because its dysfunctions eroded the supports on which the system depended. Among these dysfunctions, one may mention the huge economic debts

incurred by the German Democratic Republic, Poland, Hungary, and Yugoslavia, and Romanian dictator Ceaușescu's determination to pay off the Romanian debt by exporting most of what could be exported, reducing electricity to just 3 hours a day, and adopting a policy once called "squeezing the peasant." Other dysfunctions included the ritualistic meetings of various state bodies as well as of the self-managing workers' councils in Yugoslavia, which devoured endless hours without having much impact; the misguided effort to either channel or suppress religion, giving rise to discontent not far below the surface; the general suppression of creative talent (what counted was obedience); and the subordination of the bloc states (all of the above except for Yugoslavia and Albania) to the Soviet Union, even in matters that, on the face of it, would not seem terribly dramatic.

For these reasons and others, the communist-ruled system ("socialist system" as the communists called it) was flawed, although its ideologues continued to spin fantasies about such things as the withering away of the state and the achievement of "full communism" (although these fantasies were no longer as prominent in the 1970s as they had been, for example, in the 1950s). Two things happened in 1980 that transformed the region virtually overnight: the first was the death of Josip Broz Tito in May 1980, resulting in a weakness at the center of the Yugoslav state in which it became possible, over time, for Serbian leader Slobodan Milošević to make a bid for power across Yugoslavia (under the slogan "one person, one vote") and, failing that, to take the country into internecine war; and the second was the emergence in Poland, in July 1980, of the Independent Trade Union "Solidarity," legally registered in September but suppressed in December 1981 with the introduction of martial law. During the 17 months of Solidarity's pre-martial law activity, Poland was repluralized, with the appearance of independent initiatives in the economy, in the (underground) press, and in culture, among other sectors. Moreover, it proved to be impossible to put the genie back in the bottle, and the result was the flourishing of an independent society in Poland, inspiring independent activists in other countries, especially in the northern tier. With these changes in Yugoslavia and Poland, it became obvious that the drab stability of the 1970s could not be assumed to be permanent; on the contrary, powerful pressures for change emerged.

What has driven and drives social and political change in East Central Europe is the same as what drives change anywhere on the planet. Here, we list six factors that determined the sweeping changes that have affected the region since the collapse of the communist regime in 1989. Each one of these factors has played overt and covert functions in moving these countries away from communism and closer to the European Union (EU), while also unintentionally provoking dysfunctions and side effects that were not initially anticipated. The order in which we discuss these factors should not be taken as evidence of any ranking in importance, as not all of them are at play in all cases, and their impact might increase or diminish over time depending on local and even international circumstances.

The first factor is economic in nature. Even when an economy is robust and functioning well, its sheer success opens opportunities for further development,

whether in technology or in industrial expansion or in other sectors. But when an economy is dysfunctional or has covert functions (such as the spawning of illegal inter-enterprise bargaining, bypassing communist planners) or erosive side effects (such as the overproduction of certain sizes of shoes and underproduction of other sizes, because the planners were unable to calculate the needs of the market accurately), there is pressure for change. As Chapter 3 amply demonstrates, the transformations effected since 1989 have turned citizens in the East into consumers who have enjoyed the benefits of capitalism, but many of them have been left behind in a poverty and precarity that make them resent the diversity of consumer goods or the prosperity of others. None of the proponents of mass privatization anticipated that monopolistic capitalism more than entrepreneurship was to result from the transfer of state-owned assets worth billions to private hands. More recently, the global financial crisis of 2008–2010 and the COVID-19 pandemic of 2019–2020 produced significant, but largely unanticipated, changes across the region.

Politics is susceptible to parallel dysfunctions, covert functions, and side effects, as the post-communist experience of many in East Central Europe has amply demonstrated. Here, one may think of the breakup of Czechoslovakia at the end of 1992, a direct result of the dysfunctional relationship between the political leaders of the Czech and Slovak republics. At least that divorce was amicable, leading to no spilled blood. In contrast, the Yugoslav wars of the 1990s turned all against all in territories that once were seen as more tolerant, more progressive, and more participatory than elsewhere in the region. Again, in Serbia, the decision to amend the constitution in 1996, among other things, to assert that Kosovo is an integral and inalienable part of Serbia has rendered it impossible, even at this writing in early 2024, for Serbian politicians to accept the independence of Kosovo, independent since 2008, which, in turn, feeds instability in Serbia and a degree of insecurity in Kosovo. For a variety of reasons, democracy has proven to be the kiss of death for federations located in the Eastern half of Europe, an unintended, latent function that no commentator was able to anticipate. At the same time, the EU has played a positive political role in promoting the rule of law, accountability, transparency, anti-corruption, and fair electoral competition, although accession also had the unintended function of bringing democratic deficit, voter apathy and disempowerment back at the doorstep of East Central Europe, as Chapter 10 suggests.

Third on the list is leadership. There has been a temptation, from time to time, for disenchanting citizens of any country to declare that political parties are all the same, that voting is a waste of time, and that the rich will inevitably impose their will on society. But both within one-party systems (just think of the rivalry between Kardelj and Ranković in socialist Yugoslavia) and more particularly in pluralist systems, rival elites typically champion rival programs, and the outcome of their rivalry can make a huge difference. During the first decade of post-communist change, much ink was spilled on debating the measures needed to nip in the bud nationalist, xenophobic, and chauvinistic attitudes and behavior

both among the voters and among those voted in. During the 2010s, however, the focus of attention shifted to populism, both left and right, and the claims of populist politicians that none of their predecessors accomplished anything of value, and that only they can bring the sun back to their lands. Populists do not shy away from striking at the very heart of democratic institutions, devaluing and delegitimizing them, relativizing the difference between liberal and illiberal democracy, and occasionally even extolling the virtues of authoritarian leaders such as Vladimir Putin, the Russian autocrat who foolishly took his country into war against Ukraine in 2022. Here, the example of Viktor Orbán's regime in Hungary is pertinent. He and his cronies have succeeded in the more than 14 years they have been in power in taking control of the media and the economy, imposing a nationalist creed, restoring the spiritual hegemony of the dominant Churches, and championing illiberalism as a program for the present and future. Leadership, nonetheless, includes not only leaders of states or governments, but also leaders of civil society groups. In this respect, we should note that important legislative, organizational, and behavioral changes have been effected by the multitude of voluntary associations, nongovernmental organizations, political parties, social movements, religious groups, interest groups, book and literary clubs, and even anti-soap opera groups that have sprung up to life all over the region since 1989. Together with the media, both traditional and social media, this active and often proactive civil society has effected change that made a real difference in the lives of ordinary citizens.

Irredentism is clearly a factor for destabilization and potentially change, as some poignant cases from East Central Europe suggest. Romanian irredentist claims over the Republic of Moldova, while marked by a "bridge of flowers" in 1990, within less than 5 years sparked a war that pitted Russian-speakers fearful of being downgraded to the status of a tiny minority against a Moldovan government bent on preventing the secession of Transnistria and Gagauzia. In time, the Romanian government renounced any territorial claims to Moldova while quietly extending Romanian citizenship to any ethnic Moldovan demonstrating some knowledge of the Romanian language. Irredentism has remained not far below the surface in Orbán's Hungary and also in the Republika Srpska, where President Milorad Dodik has repeatedly spoken in favor of splitting Bosnia-Herzegovina in two and taking his domain into union with Serbia. Closely related to irredentism is war. Indeed, Vladimir Putin's irredentist obsession with restoring at least part of the territorial "glory" of the Soviet Union, starting with Georgia and Ukraine produced a war in February 2022 that, in the course of the fighting, sent refugees pouring into Poland, Romania, and Slovakia, and drew in support not only from the United States, Canada, Great Britain, the EU, Germany, France, and Norway, but also from Poland and Slovakia. Refugees, in turn, impose pressures on their receiving countries but may also present opportunities for development and diversification, especially if the receiving country can respond with imagination. The 2022 invasion was preceded 8 years earlier by the Russian occupation of Crimea,

formally a Ukrainian territory, with no substantial opposition from the EU, paralyzed by fear that a third world war might erupt. War can also be expected to stimulate anger, directed at the enemy nation, and this anger is often converted into hatred, either of the enemy regime or of an entire nation. At the same time, while it destroys, war can function as a powerful coagulator of sympathy for the Ukrainian victims and refugees, a support for the soldiers who have the courage to defend their country by facing a formidable occupation force, and fuel for ethnic and national pride in a previously divided country uncertain whether to look East or West. War also helped Volodymyr Zelenskyy to transform from an actor known for playing a “Servant of the People” to one entrusted with all the responsibilities of President of the Ukrainian Republic.

Fifth, there is the phenomenon known as moral panic. That term was coined by Stanley Cohen in his 1972 book *Folk Devils and Moral Panics*, in which he defined his term of art as follows:

Societies appear to be subject, every now and then, to periods of moral panic. A condition, episode, person or group of persons emerges to become defined as a threat to societal values and interests... Sometimes the object of the panic is quite novel and at other times it is something which has been in existence long enough, but suddenly appears in the limelight.¹

Whether stirred up by the local regime or emerging from below, moral panic can have a huge impact on the course of development in a country. When moral panic becomes widespread, pressure for a solution may become irresistible. Something like this emerged in post-unification Germany, when hundreds of thousands of refugees/migrants walked across Europe to reach Germany. Most of them came from the Middle East or Africa, but some came from as far away as Afghanistan, bringing the proportion of permanent residents of Germany who had immigrated since 1950 to 17.3% by 2021.² Initially many Germans gave the new arrivals a warm welcome. But after a while, moral panic set in, as many Germans feared that the immigrants would dilute German culture, for example by driving out Schnitzel restaurants and replacing them with kebab grills. By February 2013, an anti-immigrant party calling itself the Alternative for Germany had been established and, by 18 March 2024, this anti-immigrant party was the second-strongest party in Germany, with only the Christian Democrat Union (CDU) in a stronger position in the polls.³ Perhaps the majority Churches in East Central Europe have been the most active actors using moral panic to promote change. Whether stoking fear in the face of a perceived risk that the national identity will be diluted by acceptance of migrant workers, that the nation faces extinction if religiosity withers away and secular ideas take over, or that the members of the majority ethnic group will cease to be masters of their own land if decision-making is relinquished to the EU bureaucrats, moral panic can change governments, move public sentiment, and transform policy.

Finally, catastrophe may drive change. The emerging climate crisis is one example of a looming catastrophe that has already impacted East Central Europe in the form of an increasing number of summer fires and also more common flooding than in earlier decades. Among other catastrophes, one may think also of famine, pandemics, infestation by rats or insects, and economic collapse. At the present, East Central Europe has escaped these latter potential catastrophes and has not reached the breaking point where fires and flooding are concerned. However, even these two factors are undoubtedly becoming part of the agenda for local politicians. Catastrophe is sometimes of human manufacture, as was the case with the fire that unexpectedly broke out in 2015 in the Colectiv club in Bucharest, where flames and panic resulted in casualties. The catastrophe escalated in the coming months, when many of the wounded continued to die of infection and necrosis in hospitals that turned out to have used diluted cleaning products for years.

The foregoing factors can contribute to the rise and fall of political parties and their leaders, as well as to levels of corruption, changes of policy, and even an increase on reliance on police to keep order – each one of which can, in turn, have unintended consequences. Politicians generally seek either to exploit the possibilities opened up by office-holding or to steer policy in a direction they favor. However the political leaders of East Central Europe choose to respond to present and future challenges, it is certain that there will always be both intended and unintended consequences of their choices, both functions served and side-effects produced.

Notes

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- 3 *Politico*, “Poll of Polls,” accessed March 22, 2024, <https://www.politico.eu/europe-poll-of-polls/germany/>.



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INDEX

- 22 (Romanian weekly) 226
24 sata (Serbian newspaper) 213
- A1 Television (Macedonia) 221
Abdić, Fikret 149
abortion 2, 20–21, 239, 245, 247, 249–250, 258, 265, 271, 314, 316, 323–330, 335, 337
Accetto, Matej 334
Action of Dissatisfied Citizens (ANO) 58
Agerpress (Romania) 226
Ahmeti, Ali 167–168
Ahmići 148
Akashi, Yasushi 152
Albahari, David 348, 354
Albanian National Army 168
Albanian Uprising in Macedonia 121
Aleksić, Miroslav 19
Alexander the Great 220
Alliance of Reformist Forces of Yugoslavia 131
Alternative for Germany 372
America (as seen by novelists) 357–360
Amfilohije, Metropolitan (Radović) 362
ancient Egypt and abortion 324
ancient Greeks and abortion 324
“ancient hatreds” 122–123
ancient Romans and abortion 324
Anderson, Benedict 237
Andreicuț, Bishop Andrei 258
Andrić, Ivo 346
Antall, József 215, 253, 255
- Antigone in New York* 359–360
Antonescu, Crin 226
Antonescu, Ion 278
Antrovis 2
Arrow Cross Party 256, 294
artificial insemination 335
Ashdown, Paddy 146
Assyria and abortion 324
atonal music 7
ATV Spirit (Hungarian television broadcaster) 218
Avramović, Dragoslav 111
- Babić, Milan 139, 159
Babiš, Andrej 11, 59–60, 75, 214–215
Babylonia and abortion 324
Bahá'í 2
Balcerowicz, Leszek 87, 98
Balkans Investigative Reporting Network (BIRN) 214
Baptists 260
Basara, Svetislav 348, 357, 362–363
Băsescu, Traian 75, 102, 296
Bataković, Dušan 159, 162
Bečković, Matija 160
Bektashi (in Albania) 267
Benedict XVI, Pope 250, 332
Berisha, Sali 267
Berov, Lyuben 62
Bertone, Cardinal Tarcisio 332
Bezák, Robert 291
Big Media Act (Poland 2016) 223

- Bihać 148, 151
 Biľak, Vasil 290
Black Box, The 360
 Blaškić, General Tihomir 148, 158
Blesk (Czech tabloid) 214
Blic (Serbian newspaper) 213
 Bliznashki, Georgi 67
 Boban, Mate 133, 147, 169
 Bodolai, László 218
 Bonev, Bogomil 299
 Borisov, Boyko 66–69, 75, 214
 Boross, Péter 215
 Borovo Selo 138
 Boutros-Ghali, Boutros 152
 Bozai, Ágata 347, 363
 Bregu, Eleonora 269
 Bribery 10, 25
 Brnabić, Ana 74, 319
 Broadcasting Act (Poland 1992) 210, 222
 Bulgarian Socialist Party (BSP) 62
 Buzek, Jerzy 48, 196
- capitalism 38–39, 46, 55, 95, 186, 270, 357, 370
 Čaputová, Zuzana 23, 41, 318–319
 Carrington-Cutileiro Plan *see* Cutileiro Plan
 Časenský, Robert 214
Castle, The 349
 Catholic Church 240, 244, 247, 252–254, 323; *see also* Greek Catholic Church; Roman Catholic Church
 Ceaușescu, Nicolae 4, 101, 186, 256, 258, 260, 281, 294–295, 303, 314, 329, 351, 368–369
 Central European University 217, 219
 Cerar, Miro 11
Českomoravský profit (Czech weekly) 214
 Charter 77, 351
 Children of God 2
 Child sex abuse 332–333
 Christian Democratic Party (KDS) 6, 54
 Christian Democratic Union–Czechoslovak People's Party (KDU–ČSL) 55
 Church of Beer 243
 Church of Jesus Christ of Latter-day Saints (Mormons) 2
 Church of Scientology 252–253
 Cimoszewicz, Włodzimierz 51
 Ciobotea, Patriarch Daniel 259
 Ciorbea, Victor 43
 Citizens for European Development of Bulgaria (GERB) 66, 300
- Ciuca, Nicolae 226
 civic culture 124, 315
 Civic Democratic Party (ODS) 54, 240
 Civic Platform (PO) 21, 51, 192, 225, 319, 327
 Clinton, Bill 15, 149–150, 152, 305
 Cohen, Stanley 372
 Committee for State Security (KDS) 62, 298
 Committee for the Defense of Democracy 223
 Communist Party of Bohemia and Moravia (KSČM) 54
 Concordat 248
 conscientious objection 330
 consequentialism 337
 conspiracy of librarians 362
 Constantinescu, Emil 295
 Constitutional Court: Croatia 330; Czech Republic 246; Hungary 2, 14, 216; Poland 2, 20, 21; Slovenia 334
 Constitutional Tribunal (Poland) 222–223
 Contact Group 147
 contraception 316, 325, 335
 Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) 318
 Corneanu, Metropolitan Nicolae 329
 corruption 26, 27, 82, 97, 102–103, 114, 218, 220, 222, 225, 360
 Ćosić, Dobrica 125, 126
 Council for Mutual Economic Assistance (COMECON) 106
 Council of Europe 19, 54, 64, 202, 308, 329
 Counter-Reformer 5
 covert functions xvi 134, 228, 369–370
 Croatian and Slovenian Territorial Defense (TO) 131
 Croatian Defense Council (HVO) 144, 158
 Croatian Democratic Union (HDZ) 91, 131, 212, 319
 Croatian National Guard (ZNG) 138
 cronymism 14–15, 220
 Cult of Antrovis 2
Culture of Lies 363
 Čuruvija, Slavko 24
 Cutileiro Plan (February 1992) 147
 Cvetković, Mirko 73
Cyclist Conspiracy 362
 Czajkowski, Fr. Michał 251
 Czechoslovak Hussite Church 242
 Czech Social Democratic Party (ČSSD) 54

- Dačić, Ivica 16–19, 73–75
 Dahl, Robert 23
Danas (Croatian weekly magazine) 128
 Davis, Kingsley xviii
 Dawn of Direct Democracy 58, 60
 Dayton Peace Accords (December 1995)
 121, 156, 162
Delo (Slovenian newspaper) 212, 213
 Democratic Convention of Romania
 (CDR) 102
 Democratic League of Kosova (LDK)
 162, 319
 Democratic Left Alliance (SDL) 47, 99,
 192, 248, 326
 Democratic Opposition of Serbia (DOS) 72
 Democratic Union of Magyars in Romania
 (UDMR) 45
 Dezső, András 218
Dictionary of the Khazars 350, 353, 354
 Dimitrov, Philip 61–62, 197
 Đinđić, Zoran 71–73, 302–303
 Djilas, Milovan 362
Dnevi telegraf (Serbian newspaper) 24
Dnevnik (Macedonian newspaper) 213
Dnevnik (Serbian newspaper from
 Vojvodina) 213
 Doctors without Borders 140
 Dodik, Milorad 11–13, 16–17, 20, 75, 219,
 304, 371
 Donev, Galab 69
Door, The 351
 Dragnea, Liviu 75
 Drakulić, Slavenka 346–347, 356–357, 363
 Drašković, Vuk 136–137
 Drug trafficking 25, 26
 Dubček, Alexander 352
 Duda, Andrzej 21, 53, 224–225
 Dudaković, General Atif 150
 Đukanović, Milo 75
 Đukić Dejanović, Slavica 41, 319
 Dull, Szabolcs 218
 Dušan the Mighty, King 159, 160
 dysfunctions 3, 7–9, 11, 26–28, 136, 169,
 211, 227, 368–370
 Dziwisz, Cardinal Stanisław 251
 Dzurinda, Mikuláš 98

Echo TV (Hungary) 216
 equality vs. equity 315
 equal pay for equal work 314–316, 318
 European Anti-Fraud Office (OLAF) 59
 European Atomic Energy Community
 (Euratom or EAEC) 183
 European Bank for Reconstruction and
 Development 110
 European Coal and Steel Community
 (ECSC) 183
 European Commission 14, 16, 54, 59,
 168, 187, 191, 193–195, 197, 218–219,
 323, 334
 European Commission Against Racism
 and Intolerance 168
 European Community 89, 139, 141, 183
 European Court of Human Rights 22, 254,
 296, 299, 308
 European Court of Justice 219
 European Parliament 19, 23, 56, 195–197,
 200, 202, 217, 241, 329
 European Regional Development Fund 59

 For a European Serbia (ZES) 73
 European Union (EU) 139, 219, 222, 258,
 315, 318, 323, 346, 369, 372
 euthanasia 246, 265
 Evangelical Church of Czech Brethren 242
 family planning 316
 Federation of Jewish Communities in the
 Czech Republic 242
 feminism 201, 315
 fetus 245, 249, 316, 323–324, 326–328, 330
 Fiala, Petr 59–60
 Fico, Robert 11, 22, 75
 Fidesz 100, 204, 215–217, 219, 222,
 253–254, 294, 319, 334
 Fischer, Jan 57, 197
Forcing the Stream of Consciousness 349
 France 40, 142, 163, 165, 183–184, 188,
 199, 201, 203, 260, 351, 371
 Francis, Pope 260, 268
 Freedom and Direct Democracy (SPD) 60
 Freedom Union–Democratic Union (US–
 DEU) 55
 functionalism xvi, xviii 3–4, 8

 Gauck, Joachim 284
 Gay Pride Parades 258, 265, 332, 335, 338
 gays and lesbians 12–14, 27
Gazeta Polska 224
Gazeta Wyborcza 20, 211, 222, 224
 gender equality 3, 314, 318, 330, 338
 gender gap in wages 4, 318, 320
 gender inequality 4, 314–338
 gender quotas 314–317
 gender stereotypes 316, 321–323
General of the Dead Army, The 349
 geneticism xvii

- Georgia 371
 Georgievski, Ljubčo 165
 Geremek, Bronisław 47
 Geshev, Ivan 68
Gherla 351
 Gjini, Frano 269
Glas Slavonije (Croatian newspaper) 91, 212
 Glavaš, Branimir 17
 Glemp, Cardinal Józef 249–250, 325
Globus (Croatian weekly) 24
Globus (Macedonian weekly) 220
 Głowacki, Janusz 348, 359–360, 363
 Golebiowska, Ewa 333
 Golob, Robert 11
 Goma, Paul 346, 348, 350–351, 363
 Goražde 148, 150, 156
 Gospodinov, Georgi 347, 354–355, 361–363
 Gotovina, General Ante 158
 Grabar-Kitarović, Kolinda 41, 319
 Granić, Mate 149
 Greece xiv 141, 160, 166, 183, 186, 190, 203–204, 268, 324
 Greek Catholic Church 4, 257, 260, 296
 Gross, Peter 225–227
 Gross, Stanislav 56
 Gruevski, Nikola 75–76, 219–222, 227
 Gyurcsány, Ferenc 215–216
- Hadžić, Goran 159
 Halilović, General Sefer 147, 158
 Haradinaj, Ramush 158
 Hare Krishna 2, 237, 253
Have a Nice Day 358
 Havel, Václav 55–56, 243, 289
 Hejmo, Fr. Konrad 250
 Herceg-Bosna 148
 Hersant, Robert 213
Heti Válasz (Hungarian newspaper) 216
Hír TV (Hungary) 216, 217
 Hlas (Voice) Party 22
 Hlouch, Joseph 291
 Hoare, Marko 148
 Holbrooke, Richard 163–164
 Holy See *see* Vatican
 homophobia 23, 333, 335, 337
 homosexuality 14, 192, 245, 249–250, 255, 258, 265, 271, 284, 327, 329–333, 335, 337; *see also* gays and lesbians
 Honecker, Erich xvii 281, 283, 368
Honey, I Killed the Cats 358
- Horáková, Pavla 322
 Horn, Gyula 215
 Horthy, Admiral Miklós 15, 278, 294
 housework 319–320
How We Survived Communism and Even Laughed 356
 Hoxha, Enver 269, 303, 306, 349, 368
 human trafficking 323
 Humer, Adam 286
 Hungarian Socialist Party (MSZP) 15, 100
 Hungarian Socialist Workers' Party 13
 Husák, Gustáv 289–290, 356, 368
- idealism 166, 357
 incest 326, 328, 332
 indebtedness 82, 136, 368–369
Index (Hungarian online news portal) 217, 218
 inflation 22, 24, 81, 85, 88, 100, 102, 104–105, 109–114, 128, 136, 145
Inforádio 216
 Inglehart, Ronald 237
 Insdzhova, Reneta 62
In Search of the Holy Grail 362
 Institute of National Remembrance (IPN) 250, 288
 Internal Macedonian Revolutionary Organization—Democratic Party for Macedonian National Unity 165, 219
 International Criminal Tribunal for the former Yugoslavia (ICTY) xiv 12, 71, 121, 127, 155, 157, 159, 301
 irredentism 255, 371
 Isakowicz-Zaleski, Fr. Tadeusz 251, 288
 Izetbegović, Alija 133–134, 144, 146–147, 149, 152, 156, 169
- Jahjaga, Atifete 41, 319
 Jančar, Drago 348, 363
 Janša, Janez 11, 43, 122, 138, 196–197, 333
 Janusz, Julius 256
 Jaruzelski, General Wojciech 46–47, 286
 Jasenovac xiv 126, 154
 Jashari, Kaqusha 161–162
 Jedi religion 243
 Jehovah's Witnesses 2, 4, 259, 280
 Jewish community: Hungary 251–252; Romania 260; *see also* Federation of Jewish Communities
 Joanikii, Metropolitan (of Sliven) 332
 John Paul II, Pope 51, 247, 249–251, 257, 260, 268, 325
Joke, The 350, 351

- journalists 3, 20, 24, 25, 213, 216, 218, 220–223, 225
- Jović, Borisav 131–132, 136–137, 139
- Justice and Truth Alliance (DA) 102
- Kaczyński, Jarosław 11, 19–20, 22, 51–53, 75–76, 192, 204, 222–225, 288, 327
- Kaczyński, Lech 11, 20, 53, 288, 327, 333
- Kádár, János 255
- Kadare, Ismail 266, 347, 349
- Kanal 5 TV 220
- Kant, Immanuel 166, 337–338, 357
- Karadžić, Radovan 133–135, 142–143, 147, 152, 155, 158, 169–170, 301
- Kardelj, Edvard 161, 370
- Kellner, Petr 215
- KGB 51, 55, 294
- Khazar empire 353
- Kiszczak, Czesław 287
- Kitsch 352, 363
- Klaus, Václav 54–56, 95–96, 192, 240–241
- Klima, Ivan 347, 361
- Kljuić, Stjepan 134
- Klubrádio 218
- Kohut, Pavel 351
- Komorowski, Bronisław
- Konrád, György 53, 357
- Kopacz, Ewa 327
- Kordić, Dario 148
- Kosova Liberation Army (KLA) 26, 158
- Kosovo International Security Force (KFOR) 164
- Kossuth Prize 346
- Kostadinov, Evtim 299
- Kostov, Ivan 63
- Kostova, Jadranka 221
- Koštunica, Vojislav 72–73, 125, 127, 302
- Kowalczyk, Archbishop Józef 327
- Krajišnik, Momčilo 134, 158
- Krasnahorkai, László 362
- Kruk, Elżbieta 222
- Kučan, Milan 130–131, 138–139
- Kukiz, Pawel 10
- Kundera, Milan 346–347, 350–352, 354, 360–361, 363
- Kuratowska, Zofia 326
- Kuroń, Jacek 47
- Kurti, Albin 19
- Kurti, Shtjefen 269
- Kuzmanov, Evgeni 354
- Kuznetsov, Andrei 82
- Kwaśniewski, Aleksander 48–49, 51, 99, 287, 326–327
- Lánchíd Rádío* 216
- Land of the Green Plums* 356
- Landscape Painted with Tea* 353
- Last Love in Constantinople* 353
- latent functions 27, 211, 333, 345, 361, 370; *see also* covert functions
- Law and Justice (PiS) 11, 20, 51, 192, 204, 211, 222, 250, 319, 327
- Law on Broadcasting (Macedonia) 210, 220, 221
- Law on Broadcasting (Slovenia) 209
- Lázár, János 218
- Lazar, Prince (of Serbia) 125, 128–129, 159, 160, 329, 333
- League of Communists of Croatia (LCC) 130
- League of Communists of Serbia (LCS) 127
- League of Communists of Yugoslavia (LCY) 124, 130
- League of Polish Families (LPR) 192, 250, 333
- Lehel, László 293
- Levy, Marion xviii 90
- LGBT 20, 219, 315–316, 330–335
- Life is Elsewhere* 351
- literature 345–364
- Lodgers, The* 363
- Lorenc, Alojz 290
- L'ud (Slovak newspaper) 212
- Lukanov, Andrey 61, 63
- Lutheran Church (Hungary) 251, 253
- Macedonian Orthodox Church 220
- Macedonian Radio and Television 220
- Mafia state 25
- Magyar Demokrata* (Hungarian newspaper) 216
- Magyar Hirlap* (Hungarian newspaper) 213, 216
- Magyar Idők* (Hungarian newspaper) 217
- Magyar Nemzet* (Hungarian newspaper) 213, 216, 217
- Magyar Rádío 215
- Mai Nap* (Hungarian newspaper) 213
- Major, John 146
- Makuszyński, Kornel 51
- malfunctions xvi 28
- Malinski, Msgr. Mieszysław 251
- Manic-Paranoic History of Serbian Literature* 357
- manifest functions 90, 236, 252; *see also* overt functions

- Marchis, Fr. Justin 329
 Markale market 152, 156
 Markov, Georgi 298
 Marković, Ante 131, 139
 Martić, Milan 154
 Martinović, Djordje 126
 Masłowska, Dorota 358
 Maxim, Patriarch (of Bulgaria) 261–262, 265
 Mazowiecki, Tadeusz 42, 85, 87, 285, 345
 McChesney, Robert W. 227
 Mečiar, Vladimír 11, 97–98, 204
 Medgyessy, Péter 215, 293
 media 3, 5, 13, 17, 18, 20, 21, 23–27, 209–228, 371
 Media Council (Hungary) 216, 218
Melancholy of Rebirth, The 357
Melancholy of Resistance, The 362
 Memorandum of the Serbian Academy of Sciences and Arts 125–127
 Merton, Robert K. xviii 90
 Messengers of the Holy Grail 2, 243
 Mészáros, Lőrinc 15, 214, 219
 Michnik, Adam 47, 51, 211, 287
 Mičić, Nataša 19, 341
 Mielke, Erich 283
 Mihailović, Draža 303
 Mikloš, Ivan 98
 Military Professional Resources, Inc. 153
 Miller, Leszek 50–51
 Milošević, Slobodan 10–11, 16, 45, 70–74, 111, 121–122, 125, 127–132, 136–139, 145, 147–149, 151, 156, 159, 161–164, 169–170, 212, 214, 301–302, 369
 Miłosz, Czesław 346
 Milutinović, Milan 163
 Mindszenty, Cardinal József 5, 293
 Mirdita, Rrok 268
 Mitsotakis, Konstantin 147
 Mitterrand, François 141
Mladá fronta dnes (Czech newspaper) 214
 Mladić, Ratko 12, 144, 148, 150, 154–155, 158, 169, 302
 Moldova 25, 258, 323, 329, 350, 371
 Moldovan, Fr. Ilie 329
 Moral panic 372
 Movement for a Democratic Slovakia (HZDS) 97
 Movement for Rights and Freedoms 44, 61
 Mrkšić, General-Colonel Mile 154
 Müller, Herta 348, 356, 363
 Murdoch, Rupert 213
 Musar, Nataša Pirc 41, 319
Nacional (Croatian weekly magazine) 24
 Nastase, Adrian 43
 National Liberation Army (NLA) 167, 168
 National Media Council (Poland) 223
 National Movement for Stability and Progress (NDSV) 64, 300
 NATO 155–156, 163, 164, 169
 Nečas, Petr 58
 Nedić, Milan 12, 278
 Németh, Fr. Sándor 218
 nepotism 8, 10, 15, 91, 220
Nepszabadsag (Hungarian newspaper) 14, 213, 218
 Nikolić, Tomislav 73
 Nikolov, Dimitar 332
 NKVD xviii
 Nobel Prize for Literature 346–348
 North Atlantic Treaty Organization (NATO) 1, 98, 141
 Novák, Katalin 41, 318–319
Novi list (Croatian newspaper) 212
 Novotný, Antonín 356
Nový Čas (Slovak newspaper) 212
Nowa Europa (Polish newspaper) 213
 Office for Gender Equality (Serbia) 316
 Ohrid Framework Agreement (August 2001) 121, 168
 Olechowski, Andrzej Marian 48
 Oleksy, Józef 48–49, 51
 Operation Bljesak 153–154
 Operation Maslenica 146
 Operation Oluja (Storm) 153–155, 158
Oprichnina xviii
 Orbán, Viktor 8, 11, 13–16, 20–21, 75, 90, 100, 204, 215–219, 222, 253–255, 294, 316, 330, 334, 346, 371
 Oresharski, Plamen 67
 Organized crime 24–27, 68–69, 81, 211, 214
Origo (Hungarian online news portal) 217, 218
 Orthodox Church 7, 238–239, 270, 291; Albania 267–268; Bulgaria 5–6, 61, 237, 261–262, 265, 332; Czech Republic 242, 245; Hungary 253; Macedonia 165, 220, 237; Romania 5–6, 237, 256–280, 295–297, 329, 331–332; Serbia 6, 129, 145, 162, 237
 Osmani-Sadriu, Vjosa 41, 318–319

- Ostinato* 350–351
 overt functions 27, 345, 369
 Owen, Lord David 147
 Owen-Stoltenberg Peace Plan (August 1993) 147, 149
- Pakrac 137, 140, 154
Palace of Dreams, The 349
 Pančevski, Milan 130
 Panić, Milan 144
 Pantazi, Cristian 226
 papal infallibility 337
 Papić, Žarana 145
 Papoušek, Petr 242
 Parmenides 361
 Paroubek, Jiří 56
 Party of Democratic Action (SDA) 134
 Parvanov, Georgi 64, 66
 patriarchy 2, 315
 Pavel, Petr 59
 Pavelić, Ante 154, 278
 Pavić, Milorad 346, 348, 350, 353–354, 363
 Pavle, Patriarch (of the Serbian Orthodox Church) 145
 Pawlak, Waldemar 43, 48
 “peacekeepers” 122, 142, 152, 156, 170
 Pelivan, Jure 134
 Pentecostals (in Romania) 260
 Perišić, General Momčilo 158
 Peterle, Lojze 131
 Peter the Great, Emperor xviii
 Petkov, Kiril 69
 Petković, General Milivoj 147
 Philip of Macedon 220
 Pimen, Patriarch (of Bulgaria) 262
 Pirate Party 60
 Pišt'aneč, Peter 348, 356, 363
 plagiarism 197, 226
 Plevneliev, Rosen 66
 Pluska, Paweł 225
 Poland and Hungary Assistance for the Restructuring of the Economy (PHARE) 87
 Polish Beer Lovers' Party 47
 “Polish death camps” 20, 223
 Polish People's Party 48, 192
 Polish Press Agency (PAP) 223, 225
Politika (Serbian newspaper) 154, 212
Politika ekspres (Serbian newspaper) 212
 Popescu, Emil 332
 Popieluszko, Fr. Jerzy 286
 Popov, Alek 347, 360, 363
 Popov, Dimitar 61
 populism 10, 11, 17, 18, 27, 97, 101
 poverty 3, 4, 8, 11, 13, 17, 24, 83–84, 87, 102, 103, 105, 108, 122, 124, 128, 151, 157, 170, 320, 370
Pravda (Bratislava) 212
Pravoslavljje (Serbian Orthodox weekly newspaper) 161
 Prennushi, Archbishop Vinçenc 269
 Prochazka, Jan 352
 Prohászka, Ottokár 256
 prostitution 25, 26
 Protestant Church 251–252, 270
 Przino Agreement 221
 Pukanić, Ivo 24
 Putin, Vladimir 16, 22, 66, 204
Pyramid, The 349
- Radev, Rumen 68–69
 Radio Jozef 248
 Radio Maryja 247–248, 251, 333
 Rambouillet conference 163–164
 Ramkovski, Velja 221
 Ranković, Aleksandar 161, 370
 rape 21, 146, 249, 316, 326, 328, 359
 Rašković, Jovan 131, 136–137
 Raykov, Marin 66
 Ražnatović, Željko 71, 144, 169
 Redman, Charles 149
 Reformed Church (Hungary) 251–253
 refugees 21, 22
 religious instruction: Bulgarian public schools 264–265; Czech public schools 242; Hungarian public schools 252
 Reporters without Borders 17–18, 215, 226
 Republic of Serbian Krajina (RSK) 142, 152, 154, 159, 170
 Republika Srpska xiv 8, 70, 75, 108, 121, 133, 143–144, 151, 158, 219, 304, 321, 371
 Retraditionalization 222, 315, 316
 Rewiński, Janusz 47
 Rock and Roll Party 44
 Rokita, Jan 47
 Roman Catholic Church 237, 240, 242, 243, 245, 251, 256, 265, 270
 Rose, General Michael 150
 RTL Klub 217
 Rugova, Ibrahim 162
 rule of law 8, 98, 370
 Rupel, Dimitrij 136

- Russia xiv 16, 25, 52, 58–60, 69, 87, 142–143, 145, 160, 165, 185, 193, 205, 238, 283, 300, 349, 353, 360
- Rydzzyk, Fr. Tadeusz 247, 251, 333
- Rzeczpospolita* (Polish newspaper) 213, 327
- Salafi, (Albania) 269
- Saling, Gergő 217–218
- Same-sex marriage 265, 330; *see also* gays and lesbians; homosexuality
- sanctions 24, 25, 107, 108, 111, 144, 145, 151, 157, 170
- Šarec, Marjan 11
- satan 337
- schoolbooks 322
- Schwarzenberg, Karel 58
- Scientology *see* Church of Scientology
- Securitate* 30, 258, 350, 351, 356
- Šefčovič, Maroš 196
- Selenić, Slobodan 354
- self-management 125, 369
- Serbian Democratic Party (SDS) 131, 134, 158
- Serbian Orthodox Church 145
- Serbian Progressive Party (SNS) 16, 73, 319
- Serbian Radical Party (SRS) 73, 158
- Sercan, Emilia 226
- Šešelj, Vojislav 144, 158, 169
- sex education 21, 255
- sexual minorities 20, 22, 23, 270; *see also* gays and lesbians
- SFOR 170
- shortages 81, 84, 145, 147, 356
- Shpic* (Macedonian/North Macedonian newspaper) 221
- side effects xvi 7, 9, 27, 90, 145, 165, 369–370
- Silajdžić, Haris 149
- Simicska, Lajos 217
- Sinaitul, Bishop Teofan 329
- Sitel TV (Macedonian/North Macedonian broadcaster) 221
- slavery 323
- Slobodna Dalmacija* (Croatian newspaper) 91, 212
- Slovak Democratic and Christian Union (SDKU) 98, 319
- Slovak Democratic Coalition (SDK) 98
- Slovak National Party 22
- Slovenian Democratic Party 333
- Small Media Act (Poland) 222–223
- SME* (Slovak newspaper) 212
- Smena* (Slovak newspaper) 212
- Smer-SD Party (Slovakia) 22
- Smith, Lt.-Gen. Rupert 155
- smuggling 25, 63, 145, 151, 170
- Sobotka, Bohuslav 59
- Social Democratic Party of Hungarian Gypsies 45
- socialism xvii 7, 95, 166, 280, 303, 314–316, 352, 357
- Socialist Federative Republic of Yugoslavia (SFRY) 2, 107, 121, 124
- Socialist Party of Serbia (SPS) 73, 319
- Sofianski, Stefan 63
- Sohlberg, Peter xviii
- Šolević, Miroslav 129
- Solidarity Electoral Action 48
- Solidarity Trade Union 1, 87, 98, 192, 240, 251, 285–286, 325, 369
- Soros, George 14, 27, 217, 254
- South East European University 167
- Špegelj, General Martin 132, 138, 169
- Špidla, Vladimír 55–56
- Srebrenica xiv 12, 148, 154–155, 170, 301–305
- Stalin, Josif Vissarionovich 356, 362
- Stambolić, Ivan 128
- Štandard* (Slovak newspaper) 23
- Stăniloae, Dumitru 260
- Stanishev, Sergey 65–67
- State Protection Authority (AVO) 255, 294
- Stepinac, Cardinal Alojzije 17
- Stoltenberg, Thorvald 147, 149
- Stoyanov, Petar 63–64
- Stubbs, Katja Šugman 334
- Stupni do 148
- Suchocka, Hanna 47, 248, 318–319
- Šušar, Stipe 129, 132
- Sweden 16, 40, 203, 283
- Szálasi, Ferenc 256
- Szemerey, Tamás 218
- Szydło, Beata 53, 319, 327
- Szymborska, Wisława 346
- Tadić, Boris 12, 73
- Tales of Vlado* 356
- Tambuev, Georgi 299
- Teoctist, Patriarch (Arăpașu) 256–259, 331–332
- Tepić, Marinka 19
- Thaçi, Hashim 26, 122
- Thatcher, Margaret 146
- There Is Such a People (ITN) 69

- Time Shelter* 354, 355, 361–362
 Tiso, Msgr. Jozef 278
 Tito, Josip Broz xiii 125, 128, 160–161, 305, 368–369
 Tokarczuk, Olga 358
 Tomášek, Cardinal František 5
 Topolánek, Mirek 57, 197
 tourism 108, 141, 157
 trafficking of women 25, 28
 Trajkovski, Boris 165–166
 transgender community 23, 315, 335
 Transylvania 45, 160, 204, 257, 260, 297
 Trenkić, Helena 330
 Treпча mine 162
 Trianon, Treaty of (1920) 222, 255
 Trifonov, Slavi 69
 Truhelka, Jagoda 337
 Tuci, Maria 269
 Tudjman, General Franjo 10, 91, 122, 127, 131, 137–138, 142, 146, 149, 151–154, 156, 169–170, 212–213
 Tuđman, General Franjo *see* Tudjman, General Franjo
 Turkey 160, 190, 243, 263, 267–268
 Tusk, Donald 21–22, 51–53, 197, 225, 327, 329
 TVN (Polish broadcaster) 223, 224
 TVP (Polish broadcaster) 225
 Twelve-tone music 7

 UFO believers 252
 Ugrešić, Dubravka 347–348, 358–359, 361, 363
 Ukraine xiv 16, 22, 25, 60, 69, 145, 199, 205, 219, 238, 254–255, 300, 323, 371–372
Unbearable Lightness of Being, The 350–352, 355
 UNCRO 152, 155
 Unemployment 319–320
 unintended consequences 7, 27–28, 82, 89–92, 96, 105, 114, 122, 144, 145, 148, 151, 162, 165, 169–170, 314, 315, 318, 319, 328, 329, 337, 370, 373
 Union of Democratic Forces 61, 261, 299
 Union of Rabbit Raisers 44
 United Patriots 68
 University of Tetovo 167
 UNPROFOR 142–143, 150, 152, 155–156, 170
 U.N. Security Council 64, 141, 144–146, 148, 152, 165, 170

 Vachinov 354
 Valentić, Nikica 109
 Vance, Cyrus 142, 147, 149
 Vance-Owen Peace Plan (April 1993) 142, 147–149
 van den Broek, Hans 139
 van den Stoel, Max 167
 Várhegyi, Attila 217
 Vasile, Radu 43
 Vasiljević, General Aleksandar 151
 Vatican, The 128, 244, 247–250, 256
Večernje novosti (Serbian newspaper) 154, 212
Večernji list (Croatian newspaper) 91, 212, 213
 Veličković, Nenad 363
 Videnov, Zhan 62–63
Vijesti (Montenegrin newspaper) 213
Vjesnik (Croatian newspaper) 91, 212
 Vllasi, Azem 161–162
 Vojvodina 46, 84, 126, 129, 132, 137–139, 141, 159
 Volya Movement 68
Vreme (Macedonian newspaper) 221
 Vučić, Aleksandar 11, 16–19, 21, 25, 74–76, 111, 214
 Vukovar 138, 140–141, 169
 Vulliamy, Ed 146

 Wałęsa, Lech 20, 46–48, 51, 287, 325–326
 War for Kosovo 121, 163–164
 War of Yugoslav Dissolution (1991–1995) 3, 12, 16, 17, 105, 107–114, 121, 123, 137–157
 Warsaw Pact 7, 58
 Washington Agreement (March 1994) 122, 149, 151
 We Continue the Change (PP) 69
 Wielgus, Archbishop Stanisław 250, 288
 Wife-beating 323
 Wojtyła, Karol Józef *see* John Paul II, Pope
 Women in Black 145
 Women priests 335
 World Health Organization 316
 Wyszynski, Cardinal Stefan 5

 Xhaferi, Arben 167–168

 Yannoulatos, Anastasios 268
 Yugoslav People's Army (JNA) 130–131, 135, 137–139, 144, 169
 Yugoslav State Security Administration (UDBA) 71

- Z-4 Plan (January 1995) 152–153
Zaev, Zoran 221–222
Zagreb xiv 25, 140, 145, 150, 152–154, 353
Zelenskyy, Volodymyr 372
Zeman, Miloš 54, 58–59, 75
Zemun clan 214
Žepa 148, 155–156, 170
Zhelev, Zhelyu 60, 62
Zhivkov, Todor 60–61, 66, 281, 298, 316,
354, 363, 368
Zhivkova, Lyudmila 316
Ziobro, Zbigniew 20
Živković, Zoran 72
Zycie Warszawy (Polish newspaper) 213