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# Problems of Legitimacy, Public Sphere, and Political Integration: Theorizing East Central European Communism

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This paper focuses on degrees of political integration by discussing interaction between the society and (democratic or authoritarian) political power. This is the relationship, which determines legitimacy or non-legitimacy in a given regime. The dichotomy of society and political power reflects upon the classic, simplified discourse of “we” and “them” in East-Central Europe in the 1970s and 1980s, which is usually applicable only in non-democratic regimes. This was the dominant discourse in Poland, for instance, during the self-limiting revolution of Solidarity, where the opposition followed the Gandhian strategy of non-violent non-cooperation against the Communist regime.

In this study, my goal is to create a generalized conceptual framework for a better description of different forms, if not stages, of political integration, from non-legitimacy to full legitimacy. This approach is empirically based on the political, historical, and socio-economic conditions and experiences of East Central Europe.

The end of World War II in 1945 marked the commencement of democratic developments in Central Europe, which were arrested by Stalinist sovietization initiated by the occupying powers in 1947. Between 1945 and 1947, the regimes were theoretically based on free elections but could only be called half-democratic at best as the Soviet control gave no real chance to the opposition, forced some political parties to form a coalition with the communists, and disenfranchised hundreds of thousands of citizens. At best, these regimes can be called semi-democracies, with features of an East Central European version of *democradura* and *dictablanda*. Finally, the Communist Party, which was given control over all the armed forces, began to clamp down on the adherents of democratic ideals. In most countries, the Communist dictatorship exercised totalitarian control in the 1950s and most part of the 1960s, while the following period could be described as somewhat softer or, at least different, post-totalitarian dictatorship, characterized simultaneously by a relative pragmatism to economic reforms and by the political monopoly of the Communist Party.

Within this general tendency, there are still several differences between forms of Communism in countries of East Central Europe in different epochs between 1945 and 1989. The first table summarizes these differences:

**Table 1.** *Types of Communist dictatorships in selected countries of East Central Europe in different epochs*

<b>Country:</b>	Czechoslovakia	GDR	Hungary	Poland	Yugoslavia
<b>Regime type:</b>					
<b>Totalitarian</b>	1947-64, 1969-76	1949-89	1948-62	1948-56	1946-53
<b>Authoritarian</b>	1965-68	--	1962-87	1956-81	1953-88
<b>(post-totalitarian)</b>	1977-89				
<b>Military</b>	1982-87	--	--	--	--
<b>(post-totalitarian)</b>					
<b>Transitory</b>	1945-47		1945-47	1988-89	1945-46
<b>(“dictablanda”)</b>			1987-89		1988-89

which were the main differences in East Central Europe between the early, totalitarian forms of communist rule on the one hand, and the „mature”, mostly post-totalitarian, dictatorships on the other? The following table summarizes them in dichotomies.

**Table 2.** *General patterns of communist domination in East Central Europe*

	1950s – mid-1960s	mid-1960s – 1980s
Countries under Soviet rule:	unified bloc	different images
Industrialization:	forced	relatively relaxed
Social control:	direct politicization	depoliticization
Communist leadership:	latent polarization	latent pluralization
Way of life:	the terror of collectivist spirit	acceptance of privacy

The beginning of the end of the old regime had to start with the process “unmasking the hypocrisy<sup>1</sup>, since the communist system was ideologically based on promises of Enlightenment which sharply contradicted to its everyday political practice. People were aware of this discrepancy and knew that the regime based itself on a fundamental lie. Despite the widespread quasi-scientific theory of “homo sovieticus” which suggested that the communist regime had created different type of men and women, in fact, the overwhelming majority of these societies were anti- or non-communist. Communist leaders argued that history was uni-linear process of progress and one day ideal socialism (communism) would be realized. All then present miseries of the “actually existing socialism” were just downplayed as “mistakes” which were made “on the road” to a perfect society. The nature of existing socialism was misrepresented in the propaganda of the leaders as the

given stage of a historical road on which people must go through to reach happiness. This argument however was received with huge skepticism.

Originally the regime was “legitimized” not by its achievements but by its final goal. For dissidents, initially, it was not easy to make a break with this teleological way of thinking and to form an opposition ideology. Both the Polish protest and the Hungarian revolution of 1956 were anti-Communist, but not necessarily anti-socialist. Many of the protesters and revolutionaries believed that the dictatorial socialism of Stalinism should and could be replaced by a humanitarian-cooperative, democratic socialism. In other words, they refused to believe in the centralized rule and the omnipotent state, but they still believed in the possibility of democratic market socialism of voluntary associations and co-operatives under one-party rule. They refused the practices of Stalin but still, to a certain extent, accepted the thoughts of Bukharin. It was similar ideologically in 1968 when Alexander Dubcek and his reformist followers refused the Muscovite way to communism in Czechoslovakia but they believed in a humanitarian, democratic, non-oppressive socialism.<sup>2</sup> They still claimed that democracy and communism are compatible with each other. Therefore communism could be reformed.

The ideological break became available only when dissidents in East Central Europe were able to step out from the Marxist framework of criticism. This intellectual turn occurred in the 1970s only when opponents to the regime stopped talking about the reformability of the system and started to refer to concepts as human rights and civil society. These two concepts proved to be the most powerful ideological tool in their resistance to late socialism.<sup>3</sup> It was only when they started to organize civil society outside the framework of the state that they became prepared to create a different social entity to be represented in future negotiations against the leaders of the regime.

First, they had to realize that they had to present a fundamental ethical alternative to the corrupt regime: a need to live “within the truth”.<sup>4</sup> Second, they had to organize themselves outside the institutionalized regime. Third, they had to be able to present themselves as representatives of the majority of people who wanted a break with the communist regime. While presenting themselves as a different body of people (the society) against the communists (the regime), they made clearly visible the dividing line between “us” and “them”. Therefore, at the end, by “unmasking the hypocrisy” they had to present a democratic political alternative to participate in the negotiations and to compete successfully in electoral politics.

The communist era represent different legacies for countries of East Central Europe. It was most damaging for those, which had had democratic traditions and flourishing market economy. Those countries had to suffer most which had inherited the most developed social structure from the pre-communist times. The damage was most clearly seen in the Czech part of the former Czechoslovakia, and also in East Germany, in other words, in the most developed parts of the region. In these countries, communism systematically destroyed the functions of civil society, social relations, and of the prospects of a rational economy. In other countries of East Central Europe its effects were a bit more mixed. Here, totalitarianism destroyed social solidarity and civil society, but also destroyed the semi-feudal structures of the pre-communist regime. There is a debate in the literature whether state socialism should be seen as a traditional or a modernizing regime. In the most

modernized countries of Central Europe communism meant a sort of re-feudalization: the communist party hierarchy cut other previous social relations and replaced the previously existed horizontal relations with a vertical and politically dominated one. Communism also prevented people in East Central Europe to experience the impact of the “quality of life revolution” of 1968, which occurred in many Western societies and transformed fundamentally the way of thinking of young people over there. It is also important to note that Communism was *not* a result of an endogenous political development in Central Europe: it was forced on these societies from outside. Communism was not a homegrown system, it was implemented by the Red Army and by the Moscow-trained party-apparatchiks who followed and copied mechanically the Stalinist model. With the partial exception of Czechoslovakia and Yugoslavia, communist movement never had mass following in these societies.

However, in many ways, communism was still a modernizing regime – especially in the Soviet republics, but also, to some degree, in East Central Europe. In the 1950s, it violently fostered urbanization and (an outdated model of) industrialization. It pushed millions of people to move from the countryside to urban centers. By opening up the labor market for women, for economic and ideological reasons, it officially pushed society towards the acknowledgement of some sort of female “emancipation”. Female suffrage was also generally acknowledged, although voting remained meaningless in the lack of political freedom. Finally, and most importantly, it put high emphasis on general elementary and high school education and by doing so it virtually eliminated illiteracy.

One of the side effects of communism was that the lack of achievement motifs in the formal economic and political spheres made many people to turn either to the private sphere or to top performances in the non-political and non-economic spheres. Sports served that goal on the popular level, but this situation also helped the survival of the traditionally high prestige of high culture (classic music, arts, literature, philosophy) in East Central Europe. For a period under communism, East Central Europe was increasingly identified with high culture in the eyes of non-communist intellectuals. As an escape from reality, a dream-like Central Europe was presented, by anti-regime intellectuals, as the land of individual giants like Mozart, Haydn, Bartók, Dvorák, Freud, Kafka, Koestler, Lukács, Mahler, Schiele, Wittgenstein and others. This idealized perception of the intellectuals helped to maintain their own self-esteem and distinctive identity in order to keep their relative autonomy under the communist regime

It is not easy to summarize pros and cons of communist legacy, because the communist system, despite its generally negative homogenization effects, did not have the same impact on the countries in Central Europe. It hurt the most developed countries and regions most. In general, needless to say, it had much more and deeper negative, devastating effects, than positive ones. Even its positive effects should be seen as *relatively* positive ones, and only in retrospect, in the light of post-communist development. The following table, compiled by the author, summarizes these effects.

**Table 3.** *The Communist Legacy in East Central Europe: Pros and Cons in Retrospect*

<b>Positive</b>	<b>Negative</b>
Supported social mobility	Oppressed freedom, trust, and civil society
Stressed equality	Created a culture of corruption and fear
Eliminated illiteracy	Double standards (formal vs. informal rules)
Urbanization	Minimized foreign travels and interaction
Available healthcare & housing	Dependency on the omnipotent party-state
Regional mobility inside the country (relatively developed, available public transportation)	Made Central Europe as satellite of the Soviet Union (lack of sovereignty) Created rather closed societies (xenophobia, racism, prejudices, cynicism, pessimism)
Eliminated semi-feudal hierarchies	Created new hierarchies based on loyalty
Women to enter the labor market	Cynical attitudes to public good
Invisible unemployment (hidden inside the workplace)	Oppressed or distorted national identity and citizenship
Free (but quantitatively restricted) access higher education	Women were 'emancipated' as workforce only Relativized ethical standards in society

The pros and cons of the communist legacy should not be taken quantitatively only. In fact, most of the positive sides had its own negative consequences for further development. At the end of the day, it is clear that the negative effects proved to be far more important, and it would have been much better for these societies to avoid the whole communist experience as such.

### **“Passive”, “informal” and civil societies under Communism in East Central Europe**

A modern society is regarded as stable if it functions at a relatively high level of complexity, which means, in the language of functionalism, the parallel processes of differentiation and reintegration. The institutions of the political system express the pluralist structure and the changes in society.

In time of peace and economic prosperity the distinction between “they” and “us” tends to diminish, even in soft dictatorships, and political power turns out to be deeply rooted in the microstructure of society and divides it from within according to small-scale pluralism. At the same time, the civil sphere of society has enclosures within the institutional political field. Still, it can hardly be questioned that even under democratic political systems the terrain of

political power and the socio-cultural “life-world” are relatively separated, although democratic institutions, emerged out of previously existing societal practices, react flexibly to pressures from below. This separation is more pronounced in dictatorships and there the two spheres are often formulated in opposition to each other. When I focus on the relationship between political power and society, the emphasis lies not necessarily on their opposition, rather, on their sociological differences. If we regard social integration as a value, it is worth looking into the possibilities of integration in higher, more sophisticated levels. In modern societies the process of social transformation brought about orientations of activity<sup>5</sup> which operate according to different logic and which are organized into independent sub-systems.<sup>6</sup> These usually work quite different ways than the socio-cultural life-world, as it was elaborated by Schutz<sup>7</sup>, and Habermas<sup>8</sup>. As a consequence of the above split, as Habermas points out, there is a higher risk that modern societies disintegrate into numerous spheres which themselves are all held together by diverse system logics; that the life-world will be stripped of meaning without which no integrated society is possible.

The fear from more intense post-totalitarian domination over the autonomous circles of society gave way the reemergence of the idea of civil society in some East Central European countries in the late 1970s.<sup>9</sup> This was not only an ideological slogan created by intellectuals, but also reality in the revitalization of public discourse in Poland, and, to a certain extent, of ‘second economy’ (i.e. informal economy) in Hungary. The controversy of state and society created heated debates in this period, and some observers went as far as saying that this relationship is the basic issue of the 20th century because of the ongoing differentiation of them in the West and of their permanent war in the East.<sup>10</sup>

The ability of social reform, including the renewal of the political system, generally comes from the practice of an overall (sometimes anti-systemic) social integration and not so much from the smooth functioning of isolated spheres. It became obvious for the underground oppositions in the last decade of communist dictatorships of the region, that freedom of social practices a component of a broader cultural renewal, including the political culture. In modern societies, it is this, often non-reflected, cultural context that links the various sub-systems and thus stabilizes social integration. In an ideal typical case a culture is able to regulate or synchronize the political regime and society, so that they mutually reinforce each other.

In order to avoid extreme generalizations it is necessary to formulate a more sophisticated notion of society. East Central Europe demonstrated an unusual case of social and political integration since because of its historic past, its delayed development, its mixed social structure it contained (and still contains) both Western and Eastern elements of values, norms, symbols, institutions. It had the traits of civic autonomy, as well as feudalistic relationships and Byzantinism. The characteristic traits of European social development and cultural characteristics prevailed only with strong limitations. Soviet-type societies started out with a program of surpassing both feudal and capitalist societies. The requirement of transcending the existing system called for an aggressive “programmatically ideology”<sup>11</sup>, which, for a short period, guaranteed a kind of *revolutionary legitimacy* of the new regime. A small group of activists, the vanguard party, was the carrier of the revolution

which projected its program onto a chosen minority of society (the sociologically existing heterogeneous working class) and as if creating its class consciousness, it constructed the revolutionary proletariat. With the belief in a this-worldly salvation the vanguard created a closed ideological system, which attempted to realize its promises about economic modernization through a forced campaign-like development of certain industries while disregarding losses.

This was an inorganic modernization directed from above; the promises concerning the economy and welfare gradually gave way to the vision of a militant, homogeneous mass of the disciplined society. As Hannah Arendt in her theory of totalitarianism pointed out, “it destroyed the one essential prerequisite of all freedom which is simply the capacity of motion which cannot exist without space”.<sup>12</sup> This system was characterized by the parallel dominance and disappearance of politics.

The centralization and monopolization of power resulted, in a paradoxical way, in the overshadowing of politics as instrument of conflict resolution of social communities. Top-down administrative planning and the periodic purging took its place. The life-world was degraded to the demonstrative decorum of the Parsonian “societal sub-system”. The situation clearly showed that Lockwood was right when he distinguished between *social integration*, which refers to the relationships of the actors, and *system integration*, which refers to different institutional parts of the system.<sup>13</sup> What was functional from the viewpoint of system integration, became dysfunctional as regards social integration and vice versa. Although the life-world lost its autonomy in the Western sense of the term for a long time, yet it did not cease to exist but persisted within the system often as an alien praxis. This symbiosis had a peculiar impact on the political culture and on everyday social relations. Instead of clear forms, there were mixed types in between the systemic norms of state ideological goals and the social norms of the ideally autonomous life-world. If system integration and social integration hinder one another in the long run, then the functioning of political power will become unforeseeable and will demoralize society.

But how can “society” be defined in relation to dictatorial political power? Here we come to second point: to clarify a more differentiated notion of society. Evidently, the whole of society cannot be characterized as political neither can it be called civic. As far as the relationship between political power and society is concerned, at least three different groups of society can be distinguished:

1. politically anonymous masses;
2. informal society; and
3. civil society.

1. In the first case, which exists in very different political regimes, a significant group of people is completely unable to play any role in politics, to express their opinions, wills or interests. They live under society, being isolated and weak. They can be called as *politically anonymous masses*.<sup>14</sup>

2. Secondly, there were groups, which are self-organizing outside of politics, i.e. in the economic or cultural sphere. This was the sphere of *informal society*. These were composed by small-scale enterprises, workers in the

second economy, and participants of the culture of leisure etc. This is the sphere where the process of “petty bourgeoisement”<sup>15</sup> of the growth of the middle class, of the “consumer embourgeoisement” existed in Hungary, with halts and new starts, making headway. Those activities were often strongly tied to the problems of the state-controlled “first economy”: In this case, the entrepreneurs used their connections, information, positions and privileges in the first economy in order to gain some benefits in the second one. Thus they were not autonomous market actors, rather those dependent on the official sphere. This “uncivilized civil society” could function only in the gaps and holes of the political hierarchy and it was in its interest to adjust its activity to the temporal changes in the official structure as opposed to carrying it out in its own institutions.

3. Lastly there was a narrow stratum of society, which defined itself in legal-political terms. The essence of a thus understood *civil society* was political consciousness, societal self-organization reflective to politics, i.e. the desire of individuals and groups to formatively participate in political action and in the creation of the necessary institutions. The moralizing attitude toward the existing power expressed the values of human rights and democratic legitimacy. Students and intellectuals played a great role in the emergence of civil society in the eighties, but the precondition of their influence was the broadening critical public. Usually civil society does not include the whole society outside the sphere of state. This notion was rather linked to the Hegelian-Marxian thought of a split “political state - civil society”. It is hard to define the notion of civil society, since it has different meanings reflecting to different historical situations.

In East Central Europe, this problem became clearer by the 1980s since, because of the separation of system integration and social integration, the possibility of conceptual identification of civil society with any parts of the state was completely out of question. Still, some argued that the scope of civil society was connected to economic independence rather than to political autonomy. No doubt, without the process of embourgeoisement no stable civil society can come about since the former would stop the existential vulnerability in the primary structure, i. e. the first economy. In East Central European the process of embourgeoisement remained ambiguous, informal, since the basic rights, which are indispensable for the institutional functioning of a civil society, were restricted. Since the former totalitarian regimes in the 1950s destroyed the institutions of civil society, but failed to completely transform it onto the systemic logic, the reconstruction of civil society grounded on basic rights, had been claimed by the “radical reformist” underground opposition.

### **From confrontation to legitimacy: a typology of political integration**

Depending on the way the politically autonomous masses, the informal society and the civil society relate to the given political system, and on political leadership relates to the grounds of its own power, we may describe five different stages from disintegration to integration. These are the following ones:

1. open confrontation,
2. latent confrontation,
3. forced stabilization
4. mass loyalty (negative consensus)
5. legitimacy (positive consensus)

The first three cases can be characterized by *dissensus* among the main social agents, while the latter two by different types of consensus among them. The first two cases are the periods of “internal war”<sup>16</sup>, while the remaining three are the epochs of social peace.

In the first two cases we may talk about an open social crisis, in which rules tend to lose their validity, and yet there are no other norms, which would replace them. In such a crisis human activity is directed towards abolishing rather than creating something new, and goals usually overbalance means. The social situation changes rapidly, and in a fluid situation shaken norms of behavior plays much greater role as any other periods. The process of decision-making is governed by emotions and the actors claim immediate results.<sup>17</sup>

Social polarization gets more pronounced: the difference between civil society, informal society and the politically anonymous stratum disappears. The only important divide is between “them” and “us”. In such situation it is easier to make a shift from political anonymity to the leadership of a movement than to become one of “us” from one of “them”. In the following, I discuss the basic types one by one.

### ***Open confrontation***

In this situation political leadership is divided; either uncertain or dispersed. It is the process of loss of power when leadership loses control over the real processes not only as a consequence of confrontation with society but also because of its internal disruption. The various social forces are united only in rejecting the existing political order. The struggle for power, for occupying influential positions begins. The situation cannot be sustained, not even by force: this is a revolutionary situation, i.e. multiple sovereignty,<sup>18</sup> which threatens with either violent revolution or a move toward the potential use of force. If there are competing centers of power, the conflict takes on the character of civil war.

### ***Latent confrontation***

The group in power gains self-legitimacy, or it regains its lost self-legitimacy, i.e. confidence in its own power. This self-confidence, however, fails to have an impact on the society, on the contrary, the power struggle, the protest against power and other forms of social self-defense continue. This is a non-institutional resistance in which the majority of society stands in opposition to the state but is not in a position to carry out its will. Yet, it is not defeated: this situation may develop into an open conflict or confrontation, a social explosion. The characteristic of the latent conflict is the passive resistance of numerous social groups and the spread of movements of collective disobedience, i.e. strikes, protests, demonstrations, local incidents etc. These violations of norms are not similar to the civil disobedience movements, in

legitimized regimes when, by violating the norms the existence of norms is acknowledged, and the transgressions aim at making the norms more flexible or at calling attention to their observance. Practitioners of collective disobedience question these norms. They call for ignoring those regulations and practices. There are several examples of passive resistance, of latent conflict, but one of the most obvious examples was the case of Poland after the declaration of martial law in 1981.

### ***Forced stabilization***

In this situation the ruling elite not only strengthens its position but also unquestionably establish their power. The question of “who defeats whom” is settled, yet dissent persists. We may say that the conflict is over, but the real peace has not come yet. The stability of power is maintained only by force. In the absence of consensus this is the situation of “cold peace”. Although there are certain forms of passive resistance, society begins to make peace with reality. It begins to give up its previous unity and there appear stratum-specific strategies of survival, and indifferent, isolationist forms of behavior.

It is a period of political (but not yet social) consolidation in the narrow sense: the stabilization of an unsteady system by force. The political power, however, lacks the economic and/or political resources necessary for increasing the living standards or for political liberalization, i.e. the resources necessary for *social* consolidation. If the leadership fails to consolidate the social situation or is unable to strengthen confidence by acceptable promises, opposition may spring up again. The period of “cold peace”, i.e. forced stability, is therefore usually a temporary transitional situation, except that the experience of some countries show that it can persist for years or even decades. The stability of a system, despite the existing social instability, is based on the right of the powerful. Excluding the uprisings and revolutions of 1953 (East-Germany) and 1956 (Poland and Hungary), this was in general the East Central European political practice in the 1950s and it determined the everyday life of society. The regime tried other techniques of power stabilization as well, beside force, i.e. the total mobilization and / or general “enlightenment” of society, but in the last analysis, these latter proved ineffective and force remained the last instance to refer to.

### ***Mass loyalty***

In this phase, most citizens accept the existing power system because it offers advantages to them within the given possibilities. There is a social peace, i.e. loyalty, acceptance and obedience is guaranteed. By granting advantages, the agents of political power manage to consolidate the situation in a broader sense, not only by force. The politically anonymous are indifferent, or, even if distrustful, isolated. The informal society, which plays a crucial role in the stabilization and consolidation of the system, accepts the given order in exchange for the obtained advantages. The practice of “material compensation” is not yet legitimacy, but it can make a dictatorship socially more acceptable. The Soviet-type system of the 1980s in its authoritarian or post-totalitarian (but not fully totalitarian) form is therefore able to integrate the informal society, but cannot reach the rudimentary civil society.

As long as the system offers advantages this does not cause destabilization since the scope of civil society is rather narrow. The system was based on consensus, although this “negative consensus” held no alternative and did not bring about legitimacy. Negative consensus, in an abstract sense, meant only agreement, assent, which comes from the fact that the parties, “high” and “low”, mutually yet tacitly give up some of their attempts, rights, opportunities; they refrain from some action and in exchange they have more freedom of movement in their own closed world. Negative consent is based on the power monopoly of an exclusive political group on one hand, and on the political neutralization of citizens, on the passivity and indifference of the general public, on the other.

Although in such a situation, society becomes more colorful, more varied, its duality is still sustained in one respect: since politics remains the privilege of the members of official hierarchy, there is a clear split between the “political society” of the Party, and the “apolitical society” of the citizens. In this duality there is no room for an autonomous civil society, that is why those who became the main theorists of it, tried to develop the attitude of “anti-politics” from the existing passive, apolitical behavior of society.<sup>19</sup> “Negative consent” is based on the consolidated techniques of resigned acceptance of mass loyalty, of politically sterile free social domains, of measures aimed at the improvement of public spirit, of material compensations, of neutralizations. In the absence of institutions for interest-representation, “negative consensus” is often associated with a charismatic personality and is characterized by a sort of informal, representative-exclusive public.

This kind of consent is possible as long as the system is relatively effective, thus, we have to distinguish between the concepts of effectiveness and legitimacy. Effectiveness is a guarantee of acceptance for the informal society and of peace for the whole society. In order to maintain this situation, a non-democratic system has to perform since a recession may challenge it. A system based on negative consent can be characterized by pressure for achievement, prestige-sensitivity, which makes it comparatively fragile<sup>20</sup>. Since citizens perceive stagnation as recession, the “hunger” of the system for legitimacy is satisfied only with ever more recent achievements, which fills the gap between expectations and reality only temporarily; the need for legitimacy is insatiable. Such systems are unable to surpass the situation of negative consensus, not because of they fail to fulfill their own promises, but because even the fulfilled promises are regarded as the achievements of the system and not of society. The relative success of informal society, the progress of need for liberalization often occurs in opposition to the logic of the existing power. Informal society, with its personal connections, corruption and “gray economy” can become, in periods of mass loyalty, the basis as well as the ambiguous and rudimentary alternative of civil society.

Negative consent, to be sure, cannot hold out the promise of transforming a rigid system into a more fluid one. Also, even legitimate systems may fall back into negative consent if they live up their earlier legitimacy; their institutions change or dissolve, their symbols, i.e. revolutionary or national symbols, lose their meaning. In the post-Stalinist era of East Central Europe, negative consensus was the abandonment of the imperative of system integration in exchange for regime stability from both the sides of government and of society.

### *Legitimacy*

It comes from the above logic, that I interpret legitimacy relatively narrowly. One of the goals of this typology is to challenge the too broad and thus ungrounded use of the term.

#### *What does legitimacy not mean?*

First, the simple *existence* of the regime, obviously, does not mean that it is legitimate. The real meaning of the term would disappear if we called every existing system legitimate. The self-legitimacy of the group in power is usually sufficient only to avoid open confrontation.

Secondly, the *stability* of the system, its consolidation by force or by mass loyalty is not equal to its legitimacy. Technological development made it possible that, even with arms, a regime can be sustained for a long time without ever being able to make it legitimate.

Thirdly, attention was called to the fact that the *effectiveness* of a regime is not the same as its legitimacy.<sup>21</sup> As it is rightly stressed by a theorist of legitimacy, “effectiveness is an elementary condition without which no political regime is able to maintain stability, not even in the short run. Once a system is effective, the effective values of society have to match the structure of power, otherwise the existing system will not be regarded as legitimate”.<sup>22</sup>

The conceptual distinction between effectiveness and legitimacy is an important issue; also, stability is yet another category. Effectiveness is only one element of legitimacy, and such its legitimating effect is felt only in alliance with other factors, and only in the long run. However effectiveness is not a precondition of political stability. Stability, as argued before, can be maintained by force. There are regimes that are politically stable on the basis of the “right of the more powerful” - and since Rousseau we know that this is not a right<sup>23</sup> - yet they are scarcely effective. In most cases, however, a system based on sheer force is only temporary, on its way either towards resistance or mass loyalty.

The “precondition” character of effectiveness in regards legitimacy can however be challenged. One can maintain that a political regime is legitimate if its citizens accept that the regime can demand sacrifices from them. An illegitimate regime, being under pressure of achievement, is accepted only as long as it is successful. A legitimate system, on the other hand, is judged not only by its economic success, it also has a “right” to be defeated by external oppressors. Its citizens do not regard it as less lawful when defeated than it is highly successful. According to him, the real measure of legitimacy is not consolidation but the lack of it, when it becomes clear that citizens are willing to obey even if the given regime has no tools to force citizens to obey. True enough, in principle this is the ultimate test of the legitimating ability of a system: only in violence-free situations can we see clearly whom or what citizens will follow. Historically however, these are rare moments: an external danger of war, a coup or unexpected events present possibilities for spontaneous identification with the system. To be sure, legitimacy has to work in times of peace and in the long run, which is unimaginable without the effective functioning of the system. Legitimate systems also strive for success but are justified not only by success therefore they are not under pressure to be successful. However, in the evaluation of a system effectiveness also plays a

part in the long run, and if it is not sufficiently effective, society is reluctant to take on further sacrifices.

Effectiveness and legitimacy are two separate concepts from the perspective of political theory: effectiveness itself cannot legitimate. In the long run, however, effective functioning also plays a role in legitimizing the political regime.

Fourth, legitimacy is not the same as *acceptance*, since general resignation, resentment, “negative consensus”, as argued above, is also part of the category of acceptance. Even in Western Europe, from the 1960s onwards, the question of legitimacy has increasingly been transformed into the question of acceptance and the major emphasis is placed on legitimacy through material-consumption motivations. Legitimacy, however is not simply the acceptance of the system, rather that is worthy of acceptance. Legitimacy in this critical-normative sense does not allow the broadening of “worthiness of acceptance” to mere “acceptance”. There are certain background or axiomatic values, moral standards, without which a modern political system may be acceptable but not legitimate. It follows that the basis of democratically legitimate regimes is no longer the informal society but the civil society, i.e. the citizens who are aware of their rights. As the legitimacy of system increases, civil society also gains ground as opposed to the informal society and the politically anonymous masses, which are the embodiment of the mere acceptance.

Fifth, as an analogy of the above, legitimacy is not the same as *consensus*. The resignation in the face of some fait accompli, or the collective impotence vis-a-vis force may take the form of consent yet it will not make the system legitimate. Thus I disagree with the view, which holds that “in the last analysis the consent of society, i.e. its acceptance, or at least the illusion of it, legitimates, if at all, all forms of power”.<sup>24</sup> The apathetic consent of “there is nothing to be done”, the cynical and sometimes corrupt loyalty, which follows capitulation, is sufficient for the consolidation of a political regime but seems insufficient for its legitimacy.

Sixth, and lastly, legitimacy, as a process, and legitimacy, as a condition, are not the same as the notion of legitimacy in the original sense, which was *historical* category implying the lawfulness, the purely *legal* justification of a political regime. This interpretation gave way to what we today express with the concept of legality-illegality. The brutal abuse of written laws in the totalitarian regimes shows that legitimacy is not simply legality but legitimate powers generally attempt to strengthen their legitimacy by law. After World War II, the revived natural right brought attention to the problem of the existence or absence of principles of natural law, which lay behind positive law and thereby gave new impetus to the attempts to define legitimacy beyond legal terms. Relativist legal philosophy focused on the possibility of “unjust law”, of the existence of illegitimate legality and gave the green light to works, which determine the basic principle of unalienable human rights as the limit of social control.

After all what is legitimacy? It is a well-grounded claim of a political regime to be accepted as lawful and right. Legitimacy, in this political sense, means that a system is *worthy of acceptance*. Legitimization is a process whereby the political regime represented by the ruling leadership gains acceptance and moral support from society. To paraphrase Gaetano Mosca, in most societies which followed the Western pattern of civilization, the ruling

classes justify their power not only by the de facto possession of power but try to find some moral and legal ground which corresponds to generally accepted beliefs and doctrines so that their power appear as a logically necessary consequence.<sup>25</sup> In most general terms this refers to the recognition of power.

This recognition does not necessarily conform to the immanent success-criteria of politics since it measures the system against the possible as well as against the desirable. To be sure, politics, as the “wisdom of opportunities” cannot and should not get detached from its own logic. However, a political regime, which ignores that society has its own non-political values and passes its approach to society accordingly, undermines its own legitimacy.

In his classical analysis, Weber defines legitimacy within the framework of readiness to obey, and ties this behavior to the existence of consolidated power. Weber defines legitimacy not in terms of “political power vs. society” but in terms of the relationship between ruler and his staff. According to his analysis, besides customary morality, interests, emotional motivations and value-rational constraints, one other factor is necessary: *faith* in the legitimacy of power. He claims that legitimacy is only a possibility since people or groups of people may pretend to obey purely out of opportunism, or they may be obedient since it is in their own material interest much as they think obedience unavoidable because of individual weakness or inertia. Weber adds, however, that these differences are not decisive in the categorization of domination since what is important is the *type* of legitimacy it requires.<sup>26</sup>

I follow Weber’s argument up until he discards the conceptual identification of obedience with legitimacy. Beyond this, I think, one can evaluate and categorize forms of domination on the basis of the type and motivation of obedience. To be sure, the need for legitimacy is not one-sided; it is articulated not only from the aspect of domination but also from that of various social groups. Beetham distinguishes between the Weberian empirical concept of legitimacy on the one hand, and the normative approaches, which search for independent criteria of legitimacy, on the other.<sup>27</sup> Although I do not follow Beetham's argument here, my approach is similar to his in that respect I try to find a middle ground between the Weberian and normative way of explanation.

In those societies of East Central Europe, which have stronger civic legacy from the pre-communist past, the non-democratic regime’s own claim for legitimacy fell short of that of the relevant social strata and often leads to conflicts. But the opposite may also be true. If, in a less developed society, a non-democratic regime has a modernist (or modernizing) claim for legitimacy, the political regime may become equally unstable and alienated. Neither of the above cases has been legitimate in our sense.

The following table shows ideal typical attitudes of the various social groups and of political leadership to the actually existing political regime, i.e. the various types of political integration. I distinguish among positive, negative, and neutral attitudes in the scheme.

**Table 4.** Attitudes to existing political power in different political conditions.  
(Positive, negative and neutral)

	<b>open confrontation</b>	<b>latent</b>	<b>forced stabilization</b>	<b>mass loyalty</b>	<b>legitimacy</b>
political leadership	positive	positive	positive	positive	positive
civil society	negative	negative	negative	negative	positive
informal society	negative	negative	negative	neutral	positive
politically anonymous masses	negative	negative	negative	neutral	neutral- positive

*Political leadership* needs to believe that it is able to overcome a crisis using the power it achieved or sustained. It would probably lose its self-legitimacy in an open confrontation, but it may just happen that its shaken self-legitimacy would be restored in a crisis situation. In other cases the political leadership's legitimacy is guaranteed, i.e. it has a positive relationship to the system it controls.

*Civil society* may not always exist but nevertheless we cannot fail to take into account. In open or latent confrontations civil society may become activated, and in legitimate systems its scope is wider and legitimate. It is forced into the background or even disappears during periods of forced stabilization or mass loyalty but its value may nonetheless be present. In modern political systems there is no lasting legitimate rule without the presence and support of civil society; in some other cases, however, civil society, if it exists at all, has a negative relation to the existing regime.

The role of *informal society* is significant in certain phases of consolidation (forced stabilization, mass loyalty). During open confrontation the informal society dissolved in a more united society, in legitimate regimes its importance decreases relative to civil society. However, during consolidation it may be both the basis of power and the guarantee of social self-defense as well as of social renewal. Whenever resistance is no longer possible yet civic values are not yet publicly represented, the significance of informal society increases. Its negative / indifferent or positive / indifferent attitudes helps bring about mass loyalty and reconciliation

The *politically anonymous groups* become emancipated only in the midst of the extreme situations of an open confrontation and, by negating the political system, "rise" to the level of the rest of society. During consolidation of power and the relative legitimacy of the regime, their significance declines in relation to representatives of other social strata who play a more formative role in creating mass loyalty. Since they are not in a position to enforce their political interests, they fail to take part in any bargaining and their attitude, below a certain critical number, remains irrelevant. In stable, democratically legitimate regimes the number of politically anonymous might comparatively decline.

## **The types of legitimate power and the variations in political integration**

In defining legitimacy I primarily focus on modern political systems and lasting tendencies of legitimacy. From this perspective I approached newly modernizing regimes whose new claims to legitimacy were formed in their relation to society.

In modern political regimes, there are basically two types of legitimacy principles in the long run: a *nationalist* and a *democratic* one. These two are usually closely connected, and nationalist legitimacy is subordinated to democratic legitimacy, just as ethnic community to political community. Legitimacy is nationalist when political power is justified by the fact that the regime it represents reflects the collective identity of the given community. This may be the case in both traditional and modern political regimes but it can be dominant only in the former one. Democratic legitimacy, in turn, presupposes trust in the proper functioning of the democratic institution (much like the Weberian rational-legal legitimacy), the possibility of choice among options, i.e. freedom of choice, and that a contractual relationship can be established among various social groups, individuals and state power.

In modern legitimate systems the dichotomous notion of social structure is less pronounced, the number of politically anonymous decreases as opposed the situation in illegitimate regimes, and within society the civic mentality becomes dominant. To be sure, not everyone gets to be a politically conscious citizen, but there are institutions and procedures, which represent the will of the various social groups. Despite all of this, the notion of civil society and informal society do not become meaningless because a) there are always tensions in the society which democratic institutions cannot deal with in a satisfactory manner, i.e. the control of civil society is still necessary (e.g. ecological, armament and local political issues, as well as the shortcomings of political structure) and b) even in the most democratic systems informal society fails to disappear since neither democratic institutions nor different groups of civil society are able to cover the whole of the socio-cultural agenda. In legitimate societies the majority of society accepts the lawfulness of the given political power, its political and moral bases. True, or “positive”, consent comes about, to which civil society becomes a partner, rather in basic, constitutional questions than policy questions, because the latter make the views pluralized.

Besides the principles, which guarantee long-term legitimacy, in modern societies there exist certain complementary or temporary principles. They may be charismatic, revolutionary or other types of ideologies of legitimacy. Thus the charismatic character of presidency reinforces and complements democratic legitimacy in the United States. From the viewpoint of legitimacy the traditional institution of Royal power is also of a complementary in the United Kingdom, the Netherlands or Spain.

The situation is obviously different in a traditionally feudalistic or tribal society since the vindicative principles have to conform to claims for legitimacy of the given society. If different vindicative principles are being introduced which are alien to political culture, their acceptance takes more time, if it succeeds at all, and may bring about temporary loss of legitimacy and political destabilization. (This situation is most authentically described in

the journalistic and literary reports of the Polish writer, Ryszard Kapuscinski, on the rule of Ethiopia and Iran.) In such societies traditional legitimacy does not imply the existence of civil society since the acceptance of power, for cultural reasons, is not dependent upon values represented by it.

During the twilight of state socialism in East Central Europe, most of the countries have already surpassed simple traditional legitimacy but, since the nature of these systems were still dictatorial, have not reached the characteristically modern democratic and/or national legitimacy. Some dictators played with the nationalist card in order to strengthen their positions in the eye of the public, against the official Soviet model of obligatory internationalism. By the late 1980s not only a vacuum of legitimacy emerged in these countries, since the regime never was legitimate, but a “consensus-vacuum” too. Societies and political regimes in the region have been shifting between confrontation and consolidation. Years of mass loyalty and forced stabilization were always disrupted by periods of open and latent confrontation from 1953 till the collapse of communism (and even beyond that).

Analyzing legitimacy in the Soviet model, some theorists distinguished between “revolutionary-ideological” and “economic-reformist” types of legitimacy. The former is based on a large scale collective mobility, social re-stratification, while the latter on a social and economic policy which guarantees continual economic progress as well as decreasing inequality of social life chances.<sup>28</sup> I think, however, that revolutionary legitimacy can work only temporarily and it is unable to justify a regime in the long run, while economic achievements in themselves do not legitimate either modernizing or modern political regimes. In South Korea, the economic miracle did not legitimize, rather it challenged, the existence of the dictatorial system. In the former Soviet bloc, no one could see “economic miracles” (unless in negative sense of the term), and neither the regime in the former Yugoslavia, named after Josip Broz Tito, nor the communist regime in Hungary, named after János Kádár, could be evaluated as legitimate. Their limited “repressive tolerance” could only consolidate forced stabilization (but not legitimize) in these systems on the basis of mass loyalty and the monopoly of power.

In another approach, students of legitimacy can find several types of legitimacy: metaphysical, chiliastic, historic, charismatic, democratic, “de facto” and “result” legitimacy.<sup>29</sup> Sociologist Elemér Hankiss, while studying transformation of Hungarian society maintained that after 1945 Hungary first enjoyed democratic legitimacy, and following 1948 it gave way to the chiliastic legitimacy of the Communist Party. According to him, the regime lost its legitimacy in the summer or early autumn of 1956, when social anomie gave rise to the anti-communist revolution, and regained some sort of legitimacy by the mid 1960s in the form of cynical “result legitimacy”. From my earlier discussion it follows that I do not regard either “de facto”, or “result” “legitimacy” as legitimacy since the former misidentifies stability with legitimacy, while the latter efficiency with legitimacy.

Historically, to sum it up in a nutshell, the Hungarian political system was characterized by democratic legitimacy from 1945 until 1947, for a short period of time until some of the democratic leaders of non-communist parties were arrested and the Prime Minister was forced to emigrate by the Communist Party. In the following two years legitimacy was based on mass loyalty. During this period, revolutionary and future-oriented principles still

had a strong impact. However, with the growing oppression, these principles became increasingly meaningless and by 1949 they were replaced by domination of sheer force of the communist party. From the summer of 1956 there was first latent, then from the October revolution through December, open confrontation, and until the Spring of 1957 again there followed a period of latent confrontation. Consolidation of dictatorial power was carried out in two periods: from 1957 through 1963 stabilization relied on force, but after 1963 on mass loyalty. This change could be characterized by raising the living standards, granting amnesty, allowing trips to the West, easing the discriminatory measures applied in granting admittance to higher education, increasing cultural openness, and cleaning the ranks of the Interior Ministry; briefly by the policy of “who is not against us, is with us”. This mass loyalty proved to be a lasting one, and, by the end of the 1970s it seemed that this conflict-minimizing paternalist regime could rely on not only mass loyalty but also on some sort of traditional or nationalist legitimacy. This period of apolitical, historic “standstill” gave the impression of non-moving timelessness. By the 80s however, and it holds true for the whole region, the most essential criterion of mass loyalty, the economic stability was over, and the problem of lack of legitimacy came again on the agenda. In this situation the ruling elite of the communist party was trying to get out of the crisis driven by their wish to maintain social peace. But at the end of the decade, it faced only two basic options: either to return to the rule by pure force or to enter negotiations with the emerging opposition groups.

1. Resistance against claims for legitimacy could have brought a) new efforts to sustain mass loyalty or b) giving up on mass loyalty a return to pure stabilization by force (as the Honecker regime did in East Germany). Hungary has followed the former practice financing consumption and living standards from foreign debts. It shied away from the social consequences of the radicalization of reforms as well as from real political democratization. This strategy, with an unchanged economic structure, was only relatively successful for a while and led to a first slow but then accelerating economic decline; a sustained mass loyalty became impossible in either case. Leaderships in other countries (Czechoslovakia, East Germany, and temporarily Poland) chose to stabilize the post-totalitarian regime by force. This created a greater but temporarily oppressed dissatisfaction in these societies, a broadening gap between the society and the regime.

2. Steps towards securing legitimacy of their rule in principle could have relied on, together with certain other principles, either traditional, democratic or nationalist legitimacy. But it soon became clear that a) in more developed East Central European societies, traditional legitimacy could not be sustained because of the necessity of modernization and the demonstrative effect of West European countries.

The second alternative was b) democratic legitimacy which presupposed the overall transformation of the political regime: a systemic change and transition to democracy. The year of 1989 showed a surprisingly quick collapse of communism in the region, in which, especially in Poland and Hungary, the former communist power elite played their role too. With the German reunification the communist GDR ceased to exist, and some other East Central European countries such as Poland, Hungary, Czechoslovakia (later Czech Republic and Slovakia) also chose the democratic path.

In this part of Europe, it is historically striking that the formation of nation states did not put an end to the epoch of political nationalism. Therefore c) nationalist legitimacy of the power proved to be an option for some former Communist leaders (especially Slobodan Milosevic in the former Yugoslavia). With the end of ideologically homogeneous dictatorships, nationalism and claims for ethnically “clean” national legitimacy strongly revived victimizing the peoples of the former Yugoslavia and great parts of Southeast Europe.

In the 1980s two trends were emerged in East Central Europe: the attempts for forced stabilization of the regime and for nationalist “ethno-democratic” legitimacy. Quite surprisingly, with the changes of 1989, most countries of East Central Europe presented a third alternative: a move towards democratic legitimacy. With the triumph of “velvet” and “negotiated” revolutions by the 1990s the forced restoration of the old regime proved to be impossible. What we have been rather witnessing was a fight between democratic and nationalist forces, a competition of democratic and nationalist principles of legitimacy. In most cases these principles exclude each other, since the idea of nationalist legitimacy remained mostly undemocratic in East Central Europe. Slovakian leader Vladimir Meciar and the Serbian Milosevic had to be removed from the center of power (in 1998 and in 2000) to give way to democratic development.

In general, one can say, that peoples living in this part of Europe almost always had to choose between democracy and nationalism in their recent history, which equally demonstrated the problems of distorted national identity and the fragility of the new democracy. My line of argument is summed up in the following categorization.

**Table 5.** *Types of regime-society relations and their appearances in countries of East Central Europe*

	<b>Dissensus Confrontation (open or latent)</b>	<b>Forced stabilization</b>	<b>Mass loyalty</b>	<b>Consensus Legitimacy</b>
Czechoslovakia	1968-70, 1988-89	1970-76	1968	1968, 1990-
East Germany	1953, 1989	1949-89		1990
Hungary	1948-53, 1956, 1989	1957-63	1963-88	1956, 1990-
Poland	1956, 1970, 1979-83	1948-56, 1983-88	1957-68	1989-
Yugoslavia	1971, 1987-91	1945-74	1974-87	

In this article, intertwined historical processes were singled out and dealt with separately. It is true that “every [...] theory of justification remains peculiarly abstract in relation to the historical forms of legitimate domination”.<sup>30</sup> Obviously, the self-legitimizing ability of the political leadership, the proportion of civil society and informal society, the willingness to compromise or to dissent are all rooted in the historical traditions, political culture and external conditions of a given country or region. By focusing on some of these issues in the context of East Central Europe, by treating them as ideal types and models, I attempted to contribute to the precise formulation of the relationship between politically relevant groups of society and the representatives of political power.

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- <sup>1</sup> A description used by Jon Elster (1996)
- <sup>2</sup> Galia Golan (1973)
- <sup>3</sup> Andrew Arato (1993)
- <sup>4</sup> Václav Havel (1985)
- <sup>5</sup> Max Weber (1987)
- <sup>6</sup> Talcott Parsons (1951)
- <sup>7</sup> Alfred Schutz (1972)
- <sup>8</sup> Jürgen Habermas (1984)
- <sup>9</sup> Cf. Andrew Arato (1981)
- <sup>10</sup> Attila Ágh (1987)
- <sup>11</sup> Miklós Szabó (1978)
- <sup>12</sup> Hannah Arendt (1985), p. 164.
- <sup>13</sup> David Lockwood (1964), pp. 244-57.
- <sup>14</sup> Csaba Gombár (1980), pp. 274-6.
- <sup>15</sup> Júlia Szalai (1987)
- <sup>16</sup> Harry Eckstein (1964)
- <sup>17</sup> Andrzej Sicinski (1983)
- <sup>18</sup> Charles Tilly (1978)
- <sup>19</sup> György Konrád (1984); for a recent analysis on the relationship between anti-politics and anti-communism, see the article by Alan Renwick (2006)
- <sup>20</sup> Cf. Miklós Szabó (1983)
- <sup>21</sup> Jürgen Habermas (1976)
- <sup>22</sup> Béla Pokol (1987)
- <sup>23</sup> Jean-Jacques Rousseau (1978), pp. 470-1.
- <sup>24</sup> Elemér Hankiss (1986), p. 66.
- <sup>25</sup> Gaetano Mosca (1939), p. 70.
- <sup>26</sup> Max Weber (1987), 222-3.
- <sup>27</sup> David Beetham (1991), pp. 37-8.
- <sup>28</sup> Włodzimierz Wesolowski and Mach (1986)
- <sup>29</sup> Elemér Hankiss (1986), pp. 66-7.
- <sup>30</sup> Jürgen Habermas (1979), p. 205.

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