

# Uncaptive Minds **i d e e**

**Special Issue: 25 Years After 1989**

**Summer 2015**

**Reflections on**

**Unfinished Revolutions**



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REFLECTIONS ON UNFINISHED REVOLUTIONS**

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Institute for Democracy  
in Eastern Europe (IDEE)

*Uncaptive Minds*

Special Issue

25 Years After 1989:

Reflections on Unfinished Revolutions

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*Uncaptive Minds* Special Issue  
**25 Years After 1989:  
Reflections on Unfinished Revolutions**

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**25 YEARS AFTER 1989:  
TIME FOR REFLECTION ON UNFINISHED BUSINESS  
A SEMINAR OF THE INSTITUTE FOR DEMOCRACY IN EASTERN EUROPE  
OCTOBER 3–5, 2014, WARSAW, POLAND**

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## Introduction

From October 3–5, 2014, the Institute for Democracy in Eastern Europe (IDEE) brought together twenty-two veterans of the freedom and independence movements of 1989–91 who have continued until today to play significant roles in their countries' political life for a seminar to assess the state of the post-communist region on the 25<sup>th</sup> anniversary of the 1989 Revolutions in Central and Eastern Europe. As part of the project, IDEE is putting out a special issue of *Uncaptive Minds*, its authoritative journal of information and analysis on the region published from 1988–97, to present the proceedings of the seminar—the presentations, papers, responses, and dialogue among the participants. (A Special Report summarizing the findings and recommendations of the seminar is also being published. Both are available in print and also on-line at [www.idee-us.org](http://www.idee-us.org), IDEE's new web site.)

The anniversary of 1989 should have been cause for celebration. In that year, people rose up in country after country of East-Central Europe to support the demands for freedom and democracy of dissident and opposition movements and in doing so brought down entrenched communist dictatorships. The Soviet Union's domination over the region, imposed after World War II, was symbolically ended with the people's tearing down of the Berlin Wall. 1989, however, was just a mid-point in the dramatic rebirth of freedom. Within the captive nations of the USSR, national and human rights movements were already pressing forward with their own demands for an end to Soviet rule. Over the next two years, nation after nation reclaimed its sovereignty and independence and the Russian people themselves rebuffed an attempted coup d'état aimed at restoring the Soviet empire. The USSR was dissolved in December 1991. The Warsaw Pact became null and void.

The revolutions of 1989–91 appeared to bring a swift end to communist rule and the resumption of progress toward national independence and liberal democracy for the entire post-Soviet bloc region. Yet, twenty-five years later, the celebration is distinctly muted. The larger promise and hopes of the 1989–91 transformations remain unfulfilled and the legacy of Soviet communism continues to cast a long shadow. There are significant consequences both for the people of the region and for the West.

Except for the Baltic States, the independent countries that emerged from the Soviet Union saw the replacement of the communist system with authoritarian dictatorship imposed by former Communist Party and KGB officials who were actively assisted from Moscow. Under Vladimir Putin, the Russian Federation has reversed further the outcomes of the 1989–91 transformations in its restoration of a police state and its more aggressive pursuit of an imperialist foreign policy. That policy, given impetus in Russia's war against Georgia, was bluntly escalated in the forcible annexation of Crimea and ongoing military operations in eastern Ukraine, actions that threaten the entire post-war and post-Cold War international order. Recent democratic transitions in Georgia, Moldova, and Ukraine—while hopeful and signifying true breaks with their communist past and Russia's authoritarian influence—are neither complete nor stable.

By comparison, most East Central European, Baltic, and Balkan countries achieved larger and longer-lasting changes. But social, economic, and political deficits are notable in all of these post-communist countries. Some governments have gone backward from principles of liberal democracy, while in others former communist elites have perpetuated their influence and even dominance over politics, the media, and the economy. In most countries, there remain serious problems and challenges from the legacy of the communist period. These range from endemic poverty, high unemployment, and social disparities to high levels of corruption, lack of transparency and independent media, weak political party structures, and low levels of citizens' participation in political and social life. Many dividing lines between Western and Eastern Europe remain.

The Institute for Democracy in Eastern Europe (IDEE) viewed the 25<sup>th</sup> anniversary of the events of 1989 not as an opportunity to trumpet again freedom's triumph over tyranny but rather to analyze what occurred in the 1989–91 period, assess the different outcomes across the post-communist region, and develop ideas for taking on the unfinished business of that era.

The 22 veteran activists IDEE gathered for its seminar came from 14 countries in Central and Eastern Europe, the Balkans, the Baltics, the Caucasus, and Central Asia and were selected from among democratic leaders IDEE has worked with over the course of 30 years, including from its Centers for Pluralism Network.<sup>1</sup> They included:

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<sup>1</sup> The Centers for Pluralism (CfP) is a regional network established by IDEE in 1992 made up of civic organizations and activists in former communist countries committed to principles of democracy, human rights, and pluralism. For ten years, the CfP held annual and regional meetings in different countries that gathered members of the network, which grew to 24 countries, to share experiences and best practices and develop strategies for expanding democracy in the region. See [www.idea.org/centers.html](http://www.idea.org/centers.html).



**Isa Gambar** and **Arif Hajili**, the former and current leaders of Musavat, Azerbaijan's main opposition party; Belarusian human rights and democracy leaders **Ales Bialiatski** and **Vincuk Viačorka**; former student activist **Tatiana Vaksberg** from Bulgaria, now an independent journalist; **Petruška Šustrová**, a Charter 77 veteran and an award-winning journalist from the Czech Republic; **Tunne Kelam**, a leader of Estonia's independence movement, now a member of the European Parliament; two leaders of Georgia's liberal Republican Party, **Levan Berdzenishvili** and **Ivlian Haindrava**; former Hungarian underground publisher and former mayor of Budapest **Gábor Demszky**; independent journalist and human rights activist **Sergey Duvanov** from Kazakhstan; **Vytautas Landsbergis**, the leader of Lithuania's Sajūdis movement and a member of the European Parliament, as well as Lithuanian student and independence activist **Andrius Tučkus**; Solidarity and church activist **Mieczysław Puzewicz**, human rights veteran **Zofia Romaszewska**, and former student activist and current television and film producer **Maciej Strzembosz** from Poland; civil society leaders **Smaranda Enache** and **Elek Szokoly** of Romania and **Miljenko Dereta** of Serbia;<sup>2</sup> **Arkady Dubnov** and **Maria Dubnova**, independent journalists from the Russian Federation; and **Mustafa Dzhemilev**, the great hero of the Soviet dissident movement and national leader of the Crimean Tatars, who today, as MP of the Parliament of Ukraine, tries to save his nation from existential threat under Russian occupation. They were joined by three participants from the US: IDEE co-directors **Irena Lasota** and **Eric Chenoweth** and **Charles Fairbanks**, a specialist in Soviet and post-Soviet affairs and a member of IDEE's Board of Directors.

Some of the participants are still fighting basic battles for freedom; some confront recalcitrant governments that are undermining hard-won democratic and economic change; and others are continuing their efforts to institutionalize and fulfill the broader democratic promise of their countries' transitions—all now in the midst of ongoing regional instability. They all share the common experience of having spent much of their formative lives under communism and successfully struggling for its overthrow. The biographical profiles of these participants (see pages 173–178) are an impressive testimony to the region's long and continuing battles for democracy, human and minority rights, pluralism, and national independence based on liberal principles. They are among the region's "heroes in our midst"—the members of its greatest generation. They are the voices that should be listened to in the current crisis.

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<sup>2</sup> The participants mourn the death of Miljenko Dereta soon after the seminar on November 3, 2014, at the age of 65. He was a true hero of Serbian democracy. See "In Memoriam" on pages 183–184.

The original title of the seminar was “25 Years After 1989: Time for Reflection on Unfinished Business,” which was held on October 3–5, 2014. The program included 6 thematic sessions:

- (1) 1989-91: Revolution, Evolution, or Devolution
- (2) Constitutions, Electoral Choices & Their Consequences
- (3) Post-Communist Development of Political Parties & Oppositions
- (4) Decommunization & Transitional Justice
- (5) Civic Institutions, Civic Participation
- (6) What Happened to the Dream of Independent Media?

There were also two sessions focused on “What is the Unfinished Business?” The full program, including Theme questions, is on pages 179–182.

Over the three days, the participants of the seminar presented formal papers and engaged in wide ranging discussion to address key questions affecting the post-communist region, among them:

- Why did freedom and independence movements succeed in some countries and in other countries fail to achieve a basic democratic model of governance?
- In countries where elections became generally free, fair, and normal, why have the transitions from communism been so incomplete and the role of non-democratic parties so strong?
- Why is civic life and citizens’ participation in the new democracies so weak?
- What happened to the dream of independent media and other basic democratic institutions?
- What was the role of Russia in preventing a broader expansion of liberal democracy in the region and what role did former communist elites play in re-instituting authoritarian models?
- What role did the West play? In what areas was it positive and in which was it negative?
- What were the missed opportunities and what are the prospects today for advancing democratic freedom?
- In the face of a revanchist Russia, what can be done to strengthen the democratic transitions in East Central Europe, Baltic, and Balkan countries and what should be done to further democratic progress in the rest of the “post-Soviet space” so that they are not permanently relegated to dictatorship and Russian domination?

IDEE hopes—and it was one of the central recommendations of the participants—that this seminar is only the beginning of an ongoing initiative to regenerate serious discussion among major democracy and civic activists in the region aimed at fostering ideas and strategies to spur new momentum to further democratic progress and ultimately fulfill the promise of the 1989–91 revolutions.

What follows are the edited papers, responses, and transcript of the discussion by the participants of the IDEE seminar. As noted, a separate publication provides a summary of the findings and recommendations in an IDEE Special Report. Both are available in digital versions at IDEE's new web site ([www.idee-us.org](http://www.idee-us.org)) as well as in print. Together, they offer highly engaging analyses of what occurred in the region in the last 25 years, insights as to the outcomes, and prescriptions for addressing the continuing challenges and complexities of the post-communist countries.

ERIC CHENOWETH AND IRENA LASOTA  
CO-DIRECTORS, IDEE

## Theme 1

# Revolution, Evolution, or Devolution

**IRENA LASOTA**

*President, Institute for Democracy in Eastern Europe (IDEE)*

Welcome to this seminar. The people here mainly know each other, some for twenty-five years and longer. Some of us were meeting in the context of IDEE's seminars on decommunization and nationalism or even more often at meetings of IDEE's Centers for Pluralism. Certainly everyone knows about each other. The biographies are in the packet [see Appendix 1: Profiles of Seminar Participants on pages 173–178].

**ERIC CHENOWETH**

*Co-Director, Institute for Democracy in Eastern Europe*

We have a formal agenda of presenters and respondents, but the aim of the seminar is to provoke discussion, so I will keep people to their time limits to give as much opportunity as possible for your comments.

Our first presenter is **Vincuk Viačorka**, a longstanding leader of the Belarus independence and democracy movements. As a student, he launched samizdat publications and independent youth and civic initiatives starting in the early 1980s. In 1988 he helped to found, with Ales Bialiatski and others, the Belarus Popular Front, which was the foundation of that country's independence and democracy movement and which he led as chairman from 1999 to 2007. He also helped initiate and has been active in many of Belarus's most significant non-governmental organizations, including as chairman of the Supolnasc Civil Society Center, which was a very active member of IDEE's Centers for Pluralism Network.

His respondent, **Tunne Kelam**, is one of the most important figures of the Estonian independence movement. An archivist by profession, he was active over decades in dissident and national groups. In August 1988, he helped found the Estonian National Independence Party. He was elected the first speaker of the Estonian Congress, the alternative parliament created in 1990, and was the deputy speaker of the first free Estonian parliament, known in Estonian as the Riigikogu, after its independence was restored in 1991, and served in that capacity until 2003. Since 2004, he has been a member of the European Parliament for the Pro Patria Union and remains a member of the party's executive board. He is author of several books and photo-journals on the Estonian independence movement.

## **Presentation**

### **Revolution, Evolution, or Devolution: The Case of Belarus**

*by* **Vincuk Viačorka**

The subject of our panel—Revolution, Evolution, and Devolution—is an inclusive one, since all three occurred in succession in the countries of the region. I would like, however, to refine the subject: revolution and devolution of what? Where? To answer these questions, we must take notice not only of changes in the political mechanics of regimes, but first of all the changes in values shared by respective societies.

The overall subject of our seminar, reflections on the 25<sup>th</sup> anniversary of 1989, requires us to make generalizations. I will make some, but I will concentrate my discourse around Belarus, since the story of an unsuccessful transition may be more fruitful for our discussion's outcome. The similarities and differences among the various national experiences represented here may then help better formulate some generalizations. I also cannot omit the Ukrainian tragedy and opportunity of today—for it is both. This too, requires a look back at the end of the 1980s and the beginning of the 1990s.

In conversations with friends here from other countries—those, who, like me, participated in the events of that time—I sense that many feel they have lived through several epochs and now perceive the revolutions of 1989–91 as pre-history to their current situation. This is not the case of Belarus: too many changes we hoped for did not happen. Many people active from those times look at the events as being quite recent despite the generation-long distance in time.

There is another reason to focus on Belarus. From the outside, the situation today seems stable and quiet—the main focus of state propaganda is to convince the outside world that this is so. That external impression, however, might not reflect internal reality. As the revolutions twenty-five years ago showed and as the Ukrainian revolution demonstrates again, public aversion to dictatorship may erupt unexpectedly. A political turn towards democracy is possible even in difficult and seemingly hopeless cases.

#### **The Preconditions of 1991**

There is a presumption that Belarus regained its independence and its opportunity for democracy in 1991 simply by inertia and that therefore the Belarusian people took it for granted and never appreciated these political values sufficiently enough to defend them. The same presumption exists

about Ukraine: the people were not ready to build the new democratic statehood at the beginning of the 1990s and so this historical debt is being paid today with blood. But these presumptions are false: there *were* internal conditions to prepare for democratic change and independence in the then-Soviet and communist countries.

In Belarus, as in Ukraine, groups committed to the ideals of independence, human rights, and democracy re-emerged in the dissident period of the '60s to '80s. But these groups exploded in number and breadth beginning in 1985 (before, not because of, *perestroika*). Small but motivated groups committed to real values can at the right moment shift a whole society. This is what happened when these many groups came together to form the Belarusian Popular Front (BPF) movement in 1988.<sup>1</sup>

Grass-roots-level structures of BPF were quickly organized at the majority of enterprises, workplaces, universities, and other institutions. With such widespread organization, it was possible to channel the social demands of protesting workers in 1990–91 into a clear political agenda: first, the removal of Article 5 from the Constitution establishing the monopoly of Communist Party rule; second, the removal of Communist Party cells at workplaces; and third, significantly, full sovereignty (not just independence) of Belarus. On April 3, 1991, the second day of protests against price increases, crowds of workers on the streets of Minsk adopted these demands (prepared for them by me on a typewriter) and also adopted the white-red-white flag of independent Belarus.

In Soviet times, Belarus was regarded as one of the most “disciplined” of the so-called republics—as a zone of political and national stability having a relatively decent standard of living based on Soviet-style kolkhoz “welfare.” Still, even the ruling nomenklatura could not ignore the economic crisis. At the “last moment” before the collapse, the authorities introduced “self-financing” of enterprises and offered some opportunities for private initiative under control of the Komsomol. Nevertheless, everything contributing to the general crisis—the inefficient communist model; the inconsistency of reforms; the burden of the Afghanistan war; the Chernobyl disaster of 1986 (which affected one-third of Belarus ter-

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<sup>1</sup> In the summer of 1988, a booklet for restricted use only was distributed to all local secretaries of the Communist Party of Belarus titled “Some Actual Problems of Ideological Work in Current Conditions.” In it, the authors, high-level ideologists and KGB officers, described the so-called “informal antisocial groups” in Belarus and stressed that, even if they were obviously “puppets” of Western powers, “it is impermissible to underestimate them based on the paucity of their ranks.” Indeed, within three months, these “informal groups” had united themselves in the Belarusian Popular Front capable of mobilizing hundreds of thousands of people to the streets. — Author’s Note.

ritory); and the continuing giant reductions to the USSR budget with its military appetite—all of these factors were too great for small “economic improvements” to prevent the economic collapse.

Yet, beyond the economic preconditions, there was a flourishing cynicism towards the communist regime mostly due to all of its depredations of human dignity in Belarus as elsewhere—including the repression of national identity. And among Soviet “republics,” Belarus had the strongest policies aimed at marginalizing its national culture, language, and national heritage.

### **The Unfinished Revolution and the Reversibility of Changes**

The stage for achieving independence was set before 1991 with the first partly free parliamentary election in Belarus. That took place in March 1990. Several dozen MPs were elected who were not approved in advance by the Communist Party. The partly free elections were the result of two years of street actions and information initiatives organized by the BPF. Throughout the country, the active segment of society debated intensely on all the alternative visions for further political development. The debate over ideas of sovereignty and independence won over people’s hearts and minds. And the general atmosphere in the Soviet Union was full of the fresh air of change (an atmosphere that prevented the disoriented local nomenklatura from taking radical steps to counter it).<sup>2</sup>

Out of 360 members in the Supreme Soviet, there were just 37 members of the BPF faction. But at key moments, having the support of the people rallying in the Square and the workers organizing strikes, the BPF faction’s influence was decisive and received majority support in parliament. After the defeat of the Moscow putsch in August 1991, enough members of the panic-stricken Communist Party majority voted for two essential BPF legislative proposals: a constitutional legitimation of the Republic of Belarus’s independence and a law outlawing the Communist Party.

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<sup>2</sup> The Russian term *nomenklatura*, used in all communist countries, refers specifically to the list of positions at all levels of the party-state apparatus to which higher officials made appointments. Such appointments were based on membership and loyalty to the Communist Party and recommendations made within the hierarchy. More generally, the term *nomenklatura* refers to the political, economic, social, and security elite that ran the communist party-state and subsequently to the part of the former elite that came to dominate political and economic power in the post-communist period. For the term’s initial origins, see, for example, *The Nomenklatura: The Soviet Ruling Class* by Mikhail Voslensky (1984, Doubleday: New York). — Editor’s Note.

The successful landing of Alexander Lukashenka in Belarusian politics in 1994 was possible because of several factors. These included the lack of vital reforms; society's susceptibility to paternalism after 70 years of Soviet rule; and the inability of the politically active part of society to maintain necessary actions over time. But the most important factor was that the pro-democratic, pro-independence opposition was not allowed to exercise power: after 1991, it remained in opposition as post-communist structures continued to exert political dominance.

One key fork in the road was 1992. The Square couldn't exercise pressure constantly. The Communist Party majority in parliament, still formed from the 1990 elections, reasserted itself to paralyze economic and social reforms and prevent institution building for an independent state. In this situation, the BPF initiated a referendum for early elections and changes in electoral legislation that could lead to the formation of a pro-democratic parliamentary majority. A half-million signatures were collected easily—twice the number needed under the existing constitution. But it was naïve to expect that the Supreme Soviet would follow the constitution. There was no mass campaign of street actions organized to back the demanded changes. The old nomenklatura took advantage of this quiet and the Supreme Soviet simply voted against holding a referendum and revoked the ban on the Communist Party.

It was in this simple and early manner that the devolution of 1988–91 began. The inconsistency of reforms led inevitably to a deeper economic crisis. Annual inflation in 1993 reached 2,000 percent. Although prices have risen 340 times under Lukashenka's rule, the annual rate has been lower than in "the dark nineties"—the term he uses to describe this period. His rule, according to his arguments, is thus the lesser evil.

The democratic opposition could mobilize pressure only for partial reforms. It could not stop the corrupt process of privatization that benefitted the nomenklatura, nor could it successfully introduce social benefits for common people in the economic transition. Such initiatives, had they passed, would have earned some concrete recognition for the values-based democratic political groups beyond their moral political platform.

Belarus also remained in the economic and information space of Russia and Russian media were full of stereotypes about so-called "democrats in power." Although the presence of democrats in Belarus was limited to the BPF's small parliamentary faction together with some groups in local councils and a few deputy mayors, nevertheless the Russian media and the Communist faction was successful in painting the canvas such that the "democrats" were responsible for all of the bad changes taking place and for causing all of society's new problems.



The democrats had another weakness as they faced Lukashenka's candidacy and then his presidency. As they maneuvered this unsteady political situation, the democratic parties found themselves unable to build and keep coalitions among themselves or with the emerging civic sector.

There was, thus, an open field for the pro-Soviet populist Alexander Lukashenka's political landing. Undoubtedly, he enjoyed financial and other support from Russia. It is also true, however, that the presidential elections he won in 1994 were almost free and fair—the first and last such elections. One may imagine that, as with other dictators, he enjoyed using democratic mechanisms to reach office in a situation where no mediating institutions existed to prevent his subsequent seizure of unlimited power.

### **The Most Soviet Nomenklatura**

The challenge that arose for democratic movements everywhere in the region was how to resolve the problem of the post-Soviet nomenklatura. After the failure of the Moscow putsch in August 1991, the nomenklatura in nearly all the post-Soviet countries recovered from its initial shock to regain sufficient influence and strength to transfer state property to its private hands, all the while repainting its political colors in civilized hues.

Unlike in Ukraine, however, where an oligarchic model of limited democracy was established, in Belarus there was not even a “reformist” or at the least a clearly pro-independence wing of the nomenklatura. Lukashenka himself belonged to the younger generation and lowest nomenklatura level and therefore possessed even greater resentments and thirst of revenge over the “democrats in power.” Indeed, the old communist nomenklatura, with its greater pragmatism, was at first not utilized in the building of the Lukashenka regime. It was only over time that Lukashenka also included older generation functionaries to strengthen his hand.

Lukashenka's underlying ideology and message was the restoration of Soviet-era “stability” and the preservation of a political space embracing Soviet “values.” Lukashenka did not even adopt the behaviors of such post-communist political leaders as President Algirdis Brazauskas in Lithuania or President Leonid Kuchma of Ukraine, who at least pretended to strengthen independent statehood and maintain a dialogue with democrats. One benefit of this lack of pretense was that the large majority of Belarusian democrats had no illusions about Lukashenka's nature after 1994 and avoided the temptation of collaborating with this anti-democratic regime. This demarcation line held firm until 2007, after which a noticeable part of opposition parties unfortunately crossed the line to a more collaborative stance towards the dictatorship.

### **Cooperation with Neighbors: Mutual Inspiration**

The period of 1989–91 was an inspiring epoch for international solidarity among democratic movements of all the Soviet-bloc's captive nations. We remember with gratitude the support and understanding for Belarus's pro-independence movement from Lithuania's Sajūdis; in turn, the BPF was the main organizer of solidarity actions with Lithuania, Latvia, and Georgia in response to Moscow's open aggression against them. A lot of Belarusians participated in resistance actions in Vilnius when Gorbachev sent Soviet armed forces to attack Lithuania's parliament in January 1991.<sup>3</sup>

The common values and goals shared by people in the countries of our region—restoring independence, rebuilding national and European (Western) identity, getting rid of communism—were real political capital. Unfortunately, that capital was never effectively used in the period of state-building. In the early 1990s, there were several conferences and round tables convened in Minsk and Kyiv at the initiative of BPF around the so-called Baltic–Black Sea Oil Collector, or corridor, which offered the possibility of using common practical instruments of new states in a Baltic–Black Sea alliance. But the initiative failed. (A major promoter of the Collector idea was Mykhailo Boichyshyn, the secretary of Ukraine's pro-democracy independence movement, Rukh, who disappeared unexpectedly in January 1994 without a trace. His destiny remains unknown.)

After the first enthusiastic years of independence, countries in the region went along different paths. Regional cooperation among democratic forces, both those in power and those in opposition, steadily weakened. Democrats of one country had only a general idea about the situation in neighboring states. Particularism and relativism increased. An example of this is today the attitude adopted by the leaders of the Baltic States,

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<sup>3</sup> Lithuania had been the first of the Baltic States to reestablish independence in March 1990 by a formal act of the Supreme Council. After months of tension, on January 11, 1991, Mikhail Gorbachev ordered Soviet troops to seize the Lithuanian Press and TV tower and the Lithuanian parliament in order to reverse the Act on the Reestablishment of Independence. Elite Soviet forces, led by the Alpha Group, seized the Press Tower, killing 14 protesters and wounding 1,000. But tens of thousands of civilians, including from other countries, went to defend the parliament building, whose members, led by Supreme Council chairman Vytautas Landsbergis, refused to leave. After two days of standoff, the Soviet command ordered a withdrawal of its forces. The successful defense of Lithuania's parliament building inspired independence movements in other republics to press for declarations of sovereignty and independence. Lithuania's independence was recognized by the Soviet Union in September 1991 following the failed coup d'état against Gorbachev. — Editor's Note.

Georgia, and even the new Ukrainian government towards Lukashenka as a newfound partner and defender of the value of independence. In the face of Vladimir Putin's aggression in Ukraine, this may be understandable on a tactical level, but it is both morally obtuse and strategically short-sighted.

### **The Role of Russia**

Russia's chance for democracy at the beginning of 1990 was fleeting. The opportunity was real, but it could only have succeeded through a decisive break with Russia's imperial past. That never happened.

The nations with long historical experience of subjugation under the Russian and Soviet empires looked at developments in Moscow with some, although not exaggerated hopes. But the coming to power of Vladimir Putin and his reassertion of KGB control returned Russia fully to its traditional anti-democratic and imperialist role. For Lukashenka, this turn of events destroyed his imagined chances to assume the Moscow throne in a revived Soviet commonwealth, a role he seriously hoped for during Yeltsin's last years having some support among Russian communists and Slavophiles. The predictable turn of the Kremlin back towards imperial aggression—first against Georgia and now against Ukraine—has been a shock for Lukashenka. He grounded his regime on his loyalty to Russia. Unexpectedly, he no longer owns a monopoly on Soviet nostalgia. No doubt he and Kazakhstan's Nursultan Nazarbayev, his colleague in the Eurasian Union, discuss the newfound threat felt to their rule from Moscow. Both, however, fear the revival of democratic society (itself the surest and most reliable guarantor of independence) more than Putin's canines.

Vladimir Putin continues to back Lukashenka's regime and its repressive actions, both in words and deeds, as part of an overall strategy to maintain the Russian Federation's control over as many former "republics" of the Soviet Union as possible. In this regard, Moscow exacts a higher and higher price for its continued support of Lukashenka's rule by increasing economic control over Belarusan enterprises—it is a further shortening of the leash that Putin holds the Belarusan ruler on.

### **The Role of the West**

I will never forget my first contacts with Westerners at the end of the 1980s. The first persons I met were Scandinavian political analysts and journalists and they told us: "Только не мешайте Горбачёву! Don't hinder Gorbachev." Don't be radical. Don't demand decommunization or—what a terrible word to them!—independence for Belarus. Fortunately, there were no Western instruments of influence on us in those times and we did not pay attention to such advice. We continued with our "radical" aims and were supported in this by the majority of people.

More disillusioning for us, however, was the “Chicken Kiev speech” that US President George H. W. Bush gave on August 1, 1991. Just months before a December referendum in which Ukrainians overwhelmingly voted to withdraw from the Soviet Union, Bush cautioned his Kyiv hosts against “suicidal nationalism.” He urged “stable, and above all peaceful, change” and the key to this, he believed, was “a politically strong Gorbachev and an effectively working central structure.” Bush’s speech revealed the étatist approach of US and Western policy and a fundamental lack of trust in the people of the region. Many Western decision-makers were ignorant or disoriented on the issue of independence and ignored the strength and importance of pro-independence and anti-Kremlin democratic movements in all the “Soviet republics” as the driving forces for the transformative changes taking place in the region. These Western leaders were afraid of the independence movements and still paid all the credit to Gorbachev and Moscow for “democratic developments.”

Thus, it was not surprising that after the dissolution of the USSR and the removal of all nuclear weapons to the Russian Federation from the former “republics,” the newly emerged or restored states of the region (with the exception of the Baltic States) almost disappeared from the range of vision of large Western powers. One can see the result now of this disparaging attitude and neglect by Western leaders of the countries that restored their independence. The so-called Budapest Memorandum on Security Assurances signed in 1994, which guaranteed territorial sovereignty in exchange for the transfer of all nuclear weapons from Belarus, Kazakhstan and Ukraine, is worthless as Russia carries out its aggression against Ukraine. These (and other) countries are *still* regarded as “New Independent States”—unlike Russia.

It is true that during the last decade Western institutions turned some slight attention to non-Russian post-Soviet countries as the Kremlin’s revanchism, beginning with the Georgian war, seemed to grow. There were various ideas on securing a European future for some of these countries, but in vain. The Eastern Partnership serves as an example of how a good idea may be devalued after passing through Brussels’s corridors. The initial concept was grounded in the belief that there was a necessity for the European Union to strengthen ties with and among six post-Soviet countries of Eastern Europe and the South Caucasus (Armenia, Azerbaijan, Belarus, Georgia, Moldova, and Ukraine). Realizing this idea, however, met many obstacles. There was an overestimation of the possibilities of cooperation with authoritarian states like Belarus and Azerbaijan; civil society’s role was marginalized by government-to-government relations; and the European Union adopted an approach of treating equally countries with highly differing levels of democracy.

And what of the West's support for civil society? Its importance, both symbolic and practical, is vital and cannot be overstated. Unfortunately, since the late 1990s, with the beginning of systematized assistance from foreign donors, a dangerous virus began to spread within the structures of the emerging civil sector. This virus combined foreign insistence on two contradictory and counterproductive strategies. One was commercializing civic activism having the goal of making the NGO sector "self-sufficient" (called BONGOization, or making NGOs "business-oriented"). The other was requiring simultaneously unconditional obedience by NGOs to the donors and their vision for "transition." This virus remains active in the veins of some Belarusian politicians (especially those who make a living in the civil sector).

What has this meant in practice? Today, a significant part of Western donors tie their financial assistance to the continued participation of the political and civic opposition in Lukashenka's "elections," which are simple spectacles that everyone knows are senseless. The result of such participation in these electoral stage performances has been to further compromise the opposition and, what is worse, weaken the resolve among the most pro-democratic parts of the society to resist.

### **Europeans Convince Lukashenka?**

Many European policy makers have tried to convince Belarusian democrats that they can re-orient Lukashenka—using imaginary pro-Western "pigeons" within his clique—and that Lukashenka is the best hope for defending Belarus's fragile independence against the neo-imperialism of the Russian Federation. Such wishful thinking flies in the face of nearly twenty years of Lukashenka's entrenched dictatorship. This appeasement policy is often dictated not by any sincere feelings for Belarusian independence, but rather by the financial interests of neighboring EU businessmen who deal with the regime's oligarchs.

As the recent experience of Ukraine shows, however, the geopolitical strategy of aligning Eastern European countries towards the European Union cannot be played with unreliable partners like Yanukovich—or Lukashenka. The latter has made clear that he will continue to sell Belarusian sovereignty, step by step, to Russia in exchange for an extension of his period of rule. Lukashenka cannot be considered a defender of independent statehood. Yanukovich's shameful destiny should be sufficient proof that Western policy makers are wrong to believe that politicians who do not share democratic values will somehow move their countries away from Russia's authoritarian reach and move towards democratic countries, Europe, and the Transatlantic Alliance.

There is another factor at work in the change of European policy, however. In Central and Eastern European countries, economic reform without effective lustration (restricting former communists from positions of political and economic power), allowed the nomenklatura to become economic elites with strong leverage to influence the politics of formally democratic countries. We in Belarus can see the effects by looking at the principal lobbyists for softening policies of the EU towards Minsk. They are often businessmen with old roots in the communist system. Indeed, the elites in Central and Eastern European countries now succumbing to Gazprom's pressure appear to be of similar origin. The large presence of the high nomenklatura in political decision-making bodies and economic structures can easily lead to a compromise of national security and independence.

### **Pillars of the Regime**

The Lukashenka regime's resources for maintaining power are similar to that of Azerbaijan. Ilham Aliyev's government uses social bribes by virtue of its oil and gas sales; for the Lukashenka regime, it is the price for transit of Russian oil and gas to Europe as well as the image Belarus retains as being Russia's last ally in the region.

The regime in Belarus is effectively founded on fear: fear of arrest; fear of losing one's job; fear for the future of one's children (who can be dismissed from the university because of political disloyalty); fear of imprisonment if you are a small entrepreneur who does not share income with the authorities' economic "inspectors"; fear of using one's native Belarusian language (a sign of disloyalty in the face of the official campaign of Soviet-Russian nostalgia).

Another of the regime's effective instruments is the destroying of people's dignity. Obligatory rituals of loyalty (such as communist-style electoral stage performances) are deeply hated by the people but have been dutifully performed until recently. Young people, however, are by nature more sensitive to humiliation and to falsehood and are rejecting these rituals more and more. The authorities try to neutralize the growing self-awareness of the younger generation through use of raw power: brutalizing the most prominent leaders, controlling the internet, limiting cultural activities, and generally suppressing political speech.

### **The Underdone Homework**

Belarusian society, just as the societies in Ukraine, Georgia, Azerbaijan, or Moldova, is ready for democracy.

In Belarus, foundations for electoral democracy exist in its older traditions and in its modern history. In its history, Belarusian politics, society and culture have many intellectual and democratic influences. There was

also a brief but tempestuous period of democratic statehood in 1918 that was snuffed out by Bolshevik Russia. The years of 1988–94 saw a democratic society and politics emerge out of decades of Soviet oppression. In 1994, Lukashenka used the mechanisms of democracy for coming to power before destroying all of them. Yet, even as Lukashenka imposed his dictatorship, the civil society built since 1985 continued to survive and foster the political values of democracy and independence. It is wrong to conclude that Belarusians have no democratic experience. Yet, the West now wrongly adopts the idea of introducing democracy to Belarus by the smallest doses over several generations, parceled out under Lukashenka and his successors.

It is true that the era of relative democracy in Belarus was brief and there was a weak foundation for civic behavior to take deep roots. After the “adoption” of Lukashenka’s “directed democracy,” wise parents advised their children to play according to the rules, to join the BRSM (Lukashenka’s Komsomol), and to abide by other rituals of loyalty. It was easy for them to draw upon the memory of their own behavior in communist times. Yet, there is also a social layer of those 35 years old and above who came of age during the period of freedom—a cohort of citizens who would have much more chance for self-realization in a democratic Belarus.

We in Belarus must find a key to open the slammed door. The Lukashenka regime seeks to avoid this by preventing any kind of social self-organization and especially any self-organization on the basis of values of freedom and independence. Our opponents realize the role of democratic values in mobilizing people for change.

Beyond any economic crisis, which inevitably worsens, there is a line of tolerance beyond which the humiliation of individual dignity will not go and ultimately leads to a desperate fight for freedom. Such values as human dignity can mobilize people for change even more strongly than economic problems. This was proven in December 2010, when tens of thousands came to the streets not for any protest of economic conditions, but to register their opposition to electoral fraud. The people’s rising up in Ukraine, it should be remembered, was called the “Revolution of Dignity.”

Today, I see in the eyes of many young people in Belarus—those of the generation of our children—the same light as we had twenty-five years ago. It is the light of trust in freedom, democracy, independence, and truth. One of the most important tasks now is not to miss the chance to convey that mission to them and to have a value-based majority among younger generations.

## Response

### Tunne Kelam

I respond not to oppose anything Vincuk has said but to comment on his presentation. What Vincuk said is very important. It is not necessary for the political class to take the lead to make major changes in society. It is often the people who lead and the political class that follows.

I also agree with him when he said that all these developments are essentially about values.

The past twenty-five years have demonstrated that nothing is impossible. Everything is possible. Twenty-eight years ago, there was an army of professional Sovietologists assessing that the Soviet Union will continue to exist in the foreseeable future, despite its deepest crisis and changes on the ground. Nonetheless, the Soviet Union collapsed.

On the other hand, our experience also demonstrates that nothing is guaranteed. It is an old situation: people who brought about a change had the best intentions and noble goals, but as usual it ended in partial failure. The answer to why it was a partial failure is that revolutions, genuine changes, must start within the minds of people first, and only then can a political revolution succeed. In fact, in Eastern Europe, many people are still confused and don't know the meaning of where we are actually going. The same could be said about our Western counterparts.

One thing is important to remember: it took two dictators to begin World War II. This fact is still not understood in Western Europe. The same applies for the post-war period. After 1945, there were two opposing international entities fighting each other. However, one has to ask, why did it take so long to bring the Soviet totalitarian system to self-defeat? Why did it not happen earlier? Maybe there were periods where these formally different systems developed a certain complementarity, in fact benefitting from each other, from the other side's weaknesses and fears. It often boiled down to *realpolitik* pragmatism. The existence of an arch-enemy became in several ways a justification and support for one's domestic policies. Such a political symbiosis provided a sort of false stability, but most importantly it kept the political leaders from committing themselves to strategic and morally directed decisions. A change came with Ronald Reagan, who realized that one has to exert strength before seeking compromises and agreements with your adversary.

There are still two basic models for conducting international relations and building society. One is based on the rule of law, in which members of a society benefit equally from basic rules and human rights. The other is dominated by corruption, usurping state institutions in the interests of the



few, cynically manipulating the rules, and blatant use of force. Generally, this second model benefits, as much as possible, from the pragmatic accommodation of the societies governed by rule of law, skillfully using the deviations it chooses to make from its own principles and values.

It is important to distinguish between rights and values. They are not necessarily the same. We mostly stand up for human rights, which is commendable. However, rights are no substitute for values, the latter being deeper and more important. These problems are not just relevant to dictatorships. They are even more important for democracies, which, as a rule, are facing the choice between a value-based long-term strategy and more pragmatic short-term approaches. The first choice means responsibility and statesmanship. The political scope of the second usually extends until the next elections, with politicians strongly inclined to self-serving compromises at the expense of fundamental values.

Recently, the new candidate for the post of the EU's High Representative for foreign and security policy, Federica Mogherini, called for a "balanced approach" towards Russia and its Eastern neighbors. Can we really achieve a "balanced approach" between aggression and continuing normal relations? Sadly, until now, the reaction of the European Union shows that aggression can be profitable. You can seize foreign territories, expand your state by using military force, violate international commitments, and despite all this enter peace talks as equal partners. Nobody can oppose peace talks, but these cannot become a goal in itself, substituting for the damage caused by aggression. The harsh fact remains that for the peacemakers the price of the bargain usually includes accepting the gains of the aggressor. True, the annexation of Crimea will not formally be recognized as legal, but in practice a big European state has been dismembered.

Appeasement or accommodation to aggression has helped dictatorships in the past. The risk of appeasement has not vanished today. Democratic politicians have experienced and still continue to have major difficulties with how to deal with thugs and this is especially so when the thug has usurped the title of a head of state. Once again, this is about a clash of values and different approaches: thugs relying on force and intimidation; the Western leaders on the respect of law and on efforts to achieve peace through compromises. When trying to combine two mutually exclusive approaches, it is easy to cling to the hope that thugs can be changed by negotiating with them, that they can become more civilized and finally be integrated into the rule of law framework.

The collapse of the Soviet Union and the change of regimes that started twenty-five years ago show that people, too, can make a difference. People who are prepared to make a change can make changes. But the change

initially must begin in the minds of the oppressed citizens. I was always impressed by Solzhenitsyn's famous essay "Live Not By Lies." One meets the same challenge today. We prefer to lie to ourselves assuming that dictators can be enlightened, that they can become more moderate, and that they can finally realize by themselves the advantages of rule of law. The usual argument is based on *realpolitik*: the real situation mandates us to deal with these leaders, and since they exist, one must somehow come to terms with them. But that is just today's formal reality. There also exists tomorrow's latent reality that is created and supported by individuals and groups who think differently. Why is it so hard to understand? The foundation of any democracy is the possibility to choose between genuine alternatives: to change the existing reality or not.

What prepared the change in the Soviet space twenty-five years ago? In countries like Poland, it was the upsurge of values-based, spiritual forces, which concentrated around the person of Pope John Paul II and his message: "Do not be afraid!" Social groups had been split for decades. Previously, workers went on strike and intellectuals remained passive; the next time, intellectuals were repressed and workers abstained. Under the inspiration of John Paul II, they all became united in the common quest for truth, dignity, and justice. This common quest soon became a new reality, bringing about a qualitative change.

If we speak about creating a new reality, one can remind ourselves also of the period in Western Europe in the years between 1945 and 1950. It was a period of post-war crisis. A new world war loomed large. The Soviet Union was preparing to conquer the rest of Europe, which had plunged into deep economic and social crisis. Suddenly some people like Robert Schuman came up with a stunning idea: instead of fighting one another, cooperation; instead of exclusiveness, sharing. His idea was to share the same economic benefits on an equal footing, beginning by sharing strategic resources like coal and steel. It was a wonderful idea that became possible because it was built on a foundation of rule of law that prevented the rise of dictatorship. And it worked. The current European Union is often criticized, however no one can deny the fact that the formal cooperation of twenty-eight nations has created a new quality in European relations, one that excludes the use of force to resolve differences and organize relations—a first in the continent's history.

As a student I had a chance to study under a well-known professor of art history. I was impressed that he had traveled throughout Europe in the 1930s to see with his own eyes the great cathedrals and masterpieces of art. It was of course something impossible for me to imagine as we both were by that time separated from Western Europe by the Iron Curtain. My professor was interested in politics and listened to Western radio broad-

casts. The European Common Market had just been established. Soviet propaganda labeled it as a conspiracy of imperialist monopolies that was ultimately doomed to fail. However, my professor's experience of European culture allowed him to believe that the opposite would happen, that in the end the European countries would overcome their national differences and find a mutually beneficial solution, based on their common cultural heritage and spiritual values. This was the biggest qualitative change in European history. A new reality was built. Why is it still so difficult to imagine that other realities will become true?

### **Creating New Realities**

I return to events in Estonia under Soviet occupation. Fledgling patriotic-democratic groups started with the idea to present an alternative to the existing communist-dominated reality. Election results seemed to prove that 99.9 percent of the Soviet people supported the communist dictatorship. These figures looked like reality. Out of this "reality" two underground groups decided to send a signal that the supposed uniformity of support for the Soviet system was false, that there were people who thought and felt differently. In 1972, I and a group of dissidents smuggled a petition to the United Nations. It contained two demands: the evacuation of Soviet troops from Estonia (whose occupation was a fundamental violation of international law) and UN assistance to organize free elections. At the time, such demands sounded absolutely crazy. The point, however, was not to get a formal answer from the UN Secretary General, but rather to signal Western public opinion that there are people who have not accommodated to the reality of violence and lies, who insist on Estonia's right to correct the historical injustice done to her, restoring her independent statehood. Despite ferocious KGB backlash, and partially even thanks to it, we succeeded in our aim: to show that the Soviet Union was violating the same basic human rights that Mr. Brezhnev pledged to respect a few years later in the Helsinki Accords.<sup>4</sup>

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<sup>4</sup> Discussions for a security cooperation treaty had begun with the Helsinki Consultations in 1972 and continued after the opening of the formal Conference on Security and Cooperation in Europe (CSCE) in July of 1973. Throughout there were intense negotiations as to inclusion of human rights provisions and finally the Soviet Union agreed to accept a Basket III of the accords, which pledges signatories to respect specific human rights protected under international law and UN covenants. The Helsinki Final Act, or Helsinki Accords, was signed on August 1, 1975 by every European country (except Albania) as well as the United States and Canada. After it was signed, the agreement became the inspiration for the establishment by dissidents in the Soviet bloc countries of Helsinki Committees or Helsinki Watch Groups that monitored violations by communist governments of their obligations under the Accords. — Editor's Note.

Estonia, starting in 1987, became an interesting hotbed of citizens' democratic initiatives. At that time, a clear majority of people living in the Soviet-occupied Baltic States assumed that reforms could only come from the "enlightened" wing of the Communist Party. It was the only organized political force in living memory. Despite its ongoing ruthlessness, many believed that the reformist and moderate new Communist Party leader Mikhail Gorbachev would bring about changes, including more national and cultural autonomy. The condition, of course, was that the Baltic nations would accept the results of their illegal annexation to the Soviet Union. However, numerous Estonians had doubts about such supposed changes and started to look for alternatives.

Estonian patriots began with an open-air political demonstration on August 23, 1987, the anniversary of the signing of the notorious Molotov-Ribbentrop Pact. It was the first formally registered open-air demonstration since 1940 and surprisingly it brought together about 3,000 participants. They did not yet ask for freedom. Instead, they presented a quest for the truth. They demanded the truth be openly revealed about the secret protocols of the 1939 Molotov-Ribbentrop Pact and their impact on the Baltic nations.<sup>5</sup> The Western press was informed in advance and a group of US senators sent a letter to Gorbachev presenting the forthcoming demonstration as a test of his more open policy. The Soviet security forces abstained from carrying out a planned clamp-down.

In August 1988, a group of patriots founded an opposition political party called the Estonian National Independence Party (ENIP). It offered a clear alternative political and economic vision based on international law. ENIP happened to be the first democratic non-Communist political party on the territory of the Soviet Union. It meant breaking the historic taboo of the sacred monopoly of the Communist Party. As no serious repressions followed, the result was a mushrooming of new political parties not only

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<sup>5</sup> The secret protocols formally divided Eastern Europe into "spheres of influence" between Nazi Germany and the Soviet Union and allowed for Hitler to start World War II with the invasion of Poland and for the Soviet Union to occupy and annex territories of eastern Poland and the Baltic States, among others. Until December 1989, the government of the USSR did not acknowledge the existence of the treaty's secret protocols and the official Kremlin line remained that the occupation of the Baltic States was a preventive step and also that in July 1940 the "parliaments" of the Baltic States, which had been formed on the basis of a single list of pro-Soviet candidates and "elected" in conditions of KGB terror, "requested" to be annexed by the USSR. In November 2014, Vladimir Putin officially defended the Pact on the same grounds as communists had done for decades as "the rightful policy of Stalin to avoid fighting"—again ignoring the aggressive military actions of the Soviet Union to invade its neighbors. — Editor's Note.

in Estonia but also elsewhere in the Soviet Union. National independence parties were formed also in Georgia, Latvia, and even Tatarstan.

1989 became the year of a crucial breakthrough. In February, three patriotic movements in Estonia (including ENIP) started a citizens' committee movement. They called on all people who were citizens of the independent Republic of Estonia at the moment of its occupation in 1940 and their descendants, who were automatically citizens by Estonian law, to register themselves as such. Within one year, what started as an idealistic action lacking resources and access to mass media and also facing hostility by government authorities and pro-Soviet reformists became the biggest citizens' initiative in the country's history. Despite the ever-present threat that declaring oneself to be a citizen of independent Estonia by one's own signature while being *de facto* a Soviet national could mean signing up for a deportation train, 790,000 persons signed such a declaration, an enormous figure given that 40 percent of Estonia's 1.5 million population at that time was made up of Soviet-era immigrants and army personnel. In fact, this citizens' initiative became an authoritative and powerful referendum in favor of the restoration of genuine national independence. Even the communists started to jump on the bandwagon and in the spring of 1990 the Estonian wing of the local communist party quietly imploded.

In February 1990, registered Estonian citizens elected an alternative parliament, the Congress of Estonia. It represented the widest possible democratic spectrum of Estonian political forces with 33 different parties and movements. The Congress declared its authority over fundamental issues of statehood and citizenship.

So what happened in Estonia? Starting from 1988, the Soviet authorities were no longer able to control the pace of events. Instead, they were limited to reacting to citizens' initiatives, lagging more and more behind the stream of changes that accumulated a new political quality. Within two years the paradigm of the Estonian people changed dramatically. From accepting the Communist Party as the only legitimate source of political change, they came to believe that only an independent Estonia could bring about real reforms. What had begun in 1972 as an attempt to oppose the monopoly of the Soviet dictatorship by a small group of citizens, culminated by 1990 in a pivotal transformation in the minds of people. The alternatives that they created prepared themselves—politically, legally, and morally—for the arrival of true independence. Thanks to the Congress of Estonia, all was prepared in a democratic way to escape from the Soviet Union and re-join the West once the opportunity came. This happened in August 1991. Prepared by the citizens' initiatives of 1987–91, Estonia was ready to carry out radical reforms without wasting time, reforms that took the nation to the West and to membership in the EU and NATO.

## **Discussion**

**CHARLES FAIRBANKS**

*Member of the Board of Directors, IDEE*

In both of the presentations, there was a useful emphasis on the importance of the events in Ukraine. But I would like to state a more definite thesis about their importance. After 1989, we see the countries of the former Soviet bloc going in very different directions—from Poland at one extreme, considered the freest and most successful, to Turkmenistan, the deepest tyranny. But in terms of time, if we conduct an exercise in periodization, which is the favorite term of Soviet historians, there were two general periods and now a third. The first period was one of tremendous evolution and uncertainty of the direction countries would go in and how free they would become. This lasted until the mid- to late-1990s, when there was still a question about countries like Slovakia and those in the Balkans as to what path they would take. Then there was a period of consolidation, where there were some patterns emerging of free and unfree countries, but there was a potential still for evolution for the unfree countries, mostly due to the fact that they had become independent and the West maintained a belief in the international order by which countries' independence was protected—an order it was obliged to defend.

Now, there is a third period, with the full return of Russian imperialism. Here, there is a danger that the issue of freedom for the whole former Soviet space, except the Baltic States, will be frozen by a combination of Western indifference to Russian power and the exercise of that power, whether it is exerted directly as in places like Abkhazia, South Ossetia, Nagorno-Karabakh, Transdniester and now Crimea, or indirectly by creating frozen conflicts that prevent countries from evolving in a democratic direction. That is a danger of this completely new phase that is now beginning.

## Theme 2

# Constitutions, Electoral Choices & Their Consequences

IRENA LASOTA

**Ivlian Haindrava**, a former MP in Georgia and a member of the committee that drafted the Georgian Constitution, will present the second session topic, “Constitutions, Electoral Choices and Their Consequences.” He is also a long-time and leading member of the Republican Party, which has been the most consistent party promoting liberal democracy in Georgia, and is currently an adviser to the president of Georgia on national security issues. His respondent is **Arif Hajili**, who is the recently elected chairman of the Musavat Party, the leading opposition party in Azerbaijan.

### Presentation

#### **Adventures of a Constitution: The Case of Georgia**

*by Ivlian Haindrava*

This analysis is supposed to cover a 25-year period, from the late 1980s to the present time. However, the first “five-year plan” for the South Caucasus (1989-1994) provides little for researchers to study in the realm of constitutionalism, or in choosing models of government (presidential, parliamentary, or “mixed”), or in determining election systems, much less other “abstract issues.” What was going on in Georgia and Azerbaijan at that time (Armenia is a slightly different story in this context) can be better analyzed by sociologists, psychologists, and even psychiatrists rather than political analysts. This was a time of ethno-political conflicts, rampant paramilitary activity, riots, coup d’états, economic collapse and hyperinflation, constitutional and legislative disarray, and social and mental chaos caused by a total disruption of the population’s usual way of life.

It would be wrong, however, to ignore one significant aspect of this time. The Communists were removed from power peacefully, through elections, amid mass anti-Soviet demonstrations. In all three South Caucasus countries, the Communists were succeeded by leaders of dissident movements: Zviad Gamsakhurdia in Georgia, Abulfaz Elchibey

in Azerbaijan, and Levon Ter-Petrosyan in Armenia. Even so, the elections were preceded by bloodshed and violence—there were brutal crackdowns carried out by the Red Army on peaceful anti-Communist demonstrators in Tbilisi on April 9, 1989 and also in Baku in January 1990, as well as earlier ethnically colored violent conflicts in Sumgayit in Azerbaijan (1988) and Sukhumi and Tskhinvali in Georgia (1989). There was even more bloodshed in the early 1990s as the conflicts in Nagorno-Karabakh, Abkhazia, and South Ossetia escalated. But this is separate topic. Here, I focus mostly on the adventures of the Georgian constitution.

In October 1990, the first multi-party elections in the USSR (which it still was at the time) toppled the Communist government in Georgia and brought to power the electoral bloc called Round Table–Free Georgia, led by Zviad Gamsakhurdia. In the following days, Gamsakhurdia was elected chairman of the Supreme Soviet, or Supreme Council, in accordance with the provisions of the constitution of the Georgian Socialist Soviet Republic (GSSR). A referendum on independence was held on March 31 the next year. Based on the overwhelming result in favor, Georgia declared independence ten days later on April 9, 1991. The country, however, continued to use the GSSR constitution, since there was no alternative. At virtually every session of the Supreme Council, the constitution was revised and amended, and then almost every amendment was revised and recast again. With nearly all paragraphs of the constitution repeatedly altered, the first post-independent Georgian constitution was rather awkward reading.

In May 1991, on the basis of this amended constitution, Gamsakhurdia won presidential elections by 87 percent of the vote, and thus became the first president of independent Georgia. But in the winter of 1991–92, around the time that the Belavezha Accords were signed dealing the death blow to the Soviet Union, Gamsakhurdia was overthrown and ousted from the country. A Military Council (MC) took over. The two strongmen who joined their forces against the first president—one was in charge of the National Guard, a quasi-regular army, while the other commanded paramilitary units—had mentalities and behavior that were incompatible with constitutional norms. So they decided to reinstate the constitution of the short-lived Georgian Democratic Republic, a state that existed only three years (1918–21) before being conquered and annexed by Bolshevik Russia. The argument for using it was that it provided for a parliamentary system of government without the office of president. In practice, the document had never been fully implemented: it was adopted on February 21, 1921 just a few days before Tbilisi fell to the Red Army troops on February 25. This constitution, although it was highly democratic, could not meet the challenges and realities of the post-Soviet or post-coup Georgia. But for the two leaders of the Military Council, it suited their play book perfectly.



In March 1992, the Military Council was replaced by the so-called State Council, a quasi-parliament, whose members were *selected* (not elected) by its chairman, Eduard Shevardnadze, the last foreign minister of the Soviet Union who by that time had returned to Georgia from Moscow. The basis for the members' selection could be understood by no one but Shevardnadze. The State Council, however, soon passed a law on parliamentary elections establishing a "soft" preferential system that ensured broad representation.<sup>1</sup> Parliamentary elections were conducted in the autumn of 1992. Although they were held in the midst of hostilities in Abkhazia and South Ossetia, the elections created a legitimate legislative authority for the country. In an election held simultaneously with the parliamentary polls, Shevardnadze was elected "Chairman of Parliament–Head of State" (the official title of his post). It was maybe the first and the only time in history that a parliamentary speaker was chosen by a direct national vote and not by the members of parliament.

One of the first actions of the "short" Georgian parliament of 1992-95 was the Law on State Power, a basic law that laid the foundation for governance.<sup>2</sup> The law awarded the chairman of parliament far-reaching powers as head of state, putting him in charge of the executive as well as the legislative branches. Still, the presence of the above-mentioned paramilitary units remained a serious problem for Shevardnadze until he was finally able to get rid of them by sending the former Military Council strongmen, one after another, to jail.

A State Constitution Commission (SCC) was established in 1993 to draft a new constitution and the draft was presented for parliamentary debate in 1995.<sup>3</sup> Without going into lengthy detail about how the SCC drafted and discussed the document, it should be noted that the "tug of war" between advocates of a presidential model on the one hand and a parliamentary system on the other ended with the victory of the former. The new constitution was passed by parliament on August 25, 1995. To give

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<sup>1</sup> Since 1990, Georgian parliaments have been elected according to the so-called "mixed" majoritarian-proportional system, which combines voting by party list and direct elections by district. But the number of parliamentary seats and the formula to allocate parliamentary seats between majoritarian and party-list members, as well as their basic election principles (how many seats are allocated according to single-mandate or multi-mandate constituencies), have frequently changed. Since 2008, the parliament has had 150 members, with the present allocation between majoritarian and party-list members being 73-77. — Author's Note.

<sup>2</sup> It was dubbed "short" by analogy with the English Parliament of 1640, since it had an unusually short tenure by modern parliamentary standards of just 3 years (although its English analogy lived only three weeks). — Author's Note.

<sup>3</sup> This author was a member of the SCC. — Author's Note.

the story a spicy twist, as Shevardnadze was getting into a car to go to the ceremony to inaugurate the new constitution, a car bomb was detonated nearby in an apparent attempt to assassinate the head of state. But the unsuccessful attempt was hardly motivated by frustration with constitutional provisions or the constitutional model in general.

It is noteworthy that Georgia's neighbors also adopted new constitutions at about the same time—Armenia on July 5, 1995 and Azerbaijan on November 12, 1995, both by means of national referendum—and the timing was hardly a mere coincidence. During the entire period of the “first five-year development plan,” Western leaders preferred to stand aside and watch from the sidelines, with bewilderment and even fear, as these turbulent processes unfolded in the South Caucasus. They gave Russia a free hand to sort out its relationship with its former vassals. But, it seems, the West finally realized that nothing good was coming of all the regional wrangling and contention and that “sitting on the fence” indefinitely was a wrong tactic, especially since these countries were in dire need of Western assistance. Indeed, one can only imagine what would have happened to Georgia in these terrible times but for Western humanitarian aid. So the West decided that it could and should set some conditions. The first was that the lawlessness had to stop and governing processes should be brought into a legal, meaningful constitutional framework.

All three countries opted for the presidential model of government and in all three countries charismatic leaders retained their presidential posts: Eduard Shevardnadze in Georgia, Heydar Aliyev in Azerbaijan, who had replaced Elchibey during a military coup d'état, and Levon Ter-Petrosyan in Armenia. But Armenia was still a different case. Unlike Shevardnadze and Aliyev, who were both experienced communist party functionaries and had served as members of the Soviet Politburo, Ter-Petrosyan was a dissident. After new constitutions came into effect in these countries, Ter-Petrosyan suffered a different fate than his counterparts.

Shevardnadze and Aliyev tightened their grips on power, albeit not without difficulty, and imposed a hard authoritarian rule in their countries. In Georgia, based on the new constitution, Shevardnadze was elected president with 73 percent of the vote in direct but non-competitive elections held in November 1995. Following his takeover of power from Elchibey in Azerbaijan, Aliyev had quickly staged new presidential elections in 1993 (according to official sources, he won 98 percent of the vote). Meanwhile, Ter-Petrosyan, Armenia's president during its successful military campaign in Nagorno-Karabakh, was re-elected in 1996 in an election considered by many to be a real contest (although some observers alleged that the process was far from fair). In February 1998, however, Ter-Petrosyan was forced to step down under pressure by certain forces who objected

to his proposed compromise on the Nagorno-Karabakh conflict. He was succeeded by Robert Kocharyan, a former middle-level Komsomol functionary, in interim presidential elections. Armenia's problems did not end, however. On October 27, 1999, the country was shocked when a group of gunmen broke into the National Assembly during a plenary session and shot dead, point-blank, Prime Minister Vazgen Sarkisyan, parliamentary speaker Karen Demirchyan (Kocharyan's principal opponent in the presidential elections), two vice speakers, one minister, and three MPs. A number of people were wounded.

The year 2003 was the next milestone for the South Caucasus. Robert Kocharyan, who had consolidated his power after the "parliament shooting," was re-elected as president of Armenia in the second round. In Azerbaijan, Aliyev the First handed over power as planned to his son Ilham, Aliyev the Second, although the transition was marked by significant vote fraud.<sup>4</sup> In Georgia, surprisingly, a new president, Mikhail Saakashvili, took office as a result of parliamentary elections and the protest movement that followed them.

This article does not intend to give a detailed account of the Georgian Rose Revolution of 2003, nor explain the political technology behind the father-to-son handover of power in Azerbaijan—these themes have been already researched and analyzed many times by various authors. By 2003, however, it became obvious that the three South Caucasus countries were moving in different directions. Armenia fell into political and economic stagnation, halted any democratization, and became increasingly dependent on Russia.<sup>5</sup> Azerbaijan, flooded with cash from growing oil revenues, hardened further its authoritarian policies domestically while in foreign policy it sought balance between Russia and the West, without getting too close to either. Georgia, meanwhile, entered a new phase, shrewdly described by some as "authoritarian modernization," with a foreign policy aimed at Georgia's integration into Euro-Atlantic structures.

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<sup>4</sup> Ilham Aliyev officially assumed power through presidential elections held on October 3, 2003 after which police used force against demonstrations in favor of opposition candidate Isa Gambar to protest the staged outcome. An international election monitoring team of the Institute for Democracy in Eastern Europe chronicled massive vote fraud and manipulation (see the IDEE Observer Mission's "Votum Separatum from the OSCE/ODHIR Preliminary Report About the Presidential Elections of October 15, 2003 in the Republic of Azerbaijan," which may be found at [www.idee.org/azerbaijanelections.html](http://www.idee.org/azerbaijanelections.html)). — Editor's Note.

<sup>5</sup> In the 2008 presidential elections, Kocharyan could not stand again after two consecutive terms and was succeeded by another functionary, Serzh Sarkisyan. His main contender, ex-president Ter-Petrosyan, charged that the vote was rigged and called for protests. Nine people died in clashes with police. — Author's Note.

Mikhail Saakashvili's first step after being elected president in snap presidential elections in January 2004—with 96 percent of the vote—was to rewrite the constitution, especially its power-related clauses. The changes transformed Georgia from a “classic” presidential republic (at least on paper) into a super-presidential system, whereby the president assumed absolute power. The parliament's role was limited to rubber-stamping decisions of the government (headed by the president). The judiciary, whose legacy of endemic corruption from the Shevardnadze and Soviet periods was significantly reduced, nevertheless became more dependent on (and responsive to) the government. Both foreign and domestic analysts agreed that the system of checks and balances, although ensured on paper by the 1995 constitution, was effectively dismantled.

The usual justification for concentrating absolute power in the president's hands was the need for rapid and radical reforms—something everyone agreed the country needed. But it is hard to understand why Saakashvili, enjoying initially huge approval ratings at home and abroad, decided to blatantly ignore democratic principles, cripple the constitution, and use heavy-handed policies against his own people—all to satisfy short-term political needs.<sup>6</sup> Those who think that this assessment is exaggerated or incorrect should look at annual reports of Freedom House, which show that Georgia's democracy index improved 0.01 points in 2003-2012. In other words, in the area of democratization, the country was stuck for almost a decade. In fact, there were *declines* in the summary scores in governance, the judiciary, and independence of media but these were masked in the overall scores by progress cited in the fight against corruption resulting from radical administrative reforms (including of the police) and adoption of a robust fiscal policy during Saakashvili's first-term. Tax revenues started flowing into the national treasury instead of, as previously, the pockets of bureaucrats. There were similar successes in the fight against organized and small crime. Large-scale infrastructure projects made a noticeable positive impact on the country. But successes and failures of the Rose Revolution are analyzed in other studies.

With the events of 2007-08, Georgia evolved from a period of “authoritarian modernization” into a period simply of “authoritarianism.” The government used brutal force against peaceful protesters and raided an independent TV company in November 2007;<sup>7</sup> openly rigged early presidential elections in January 2008 to ensure a second-term victory for Saakashvili in the first round; and engineered the political dominance of

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<sup>6</sup> In all, 30 revisions were made to the constitution during Saakashvili's nine-year rule, compared to 3 amendments in the period of 1995–2003. — Author's Note.

<sup>7</sup> The European Parliament responded to these events with a rather strongly worded statement, dated November 29, 2007. — Author's Note.

Saakashvili's National Movement for a subsequent four years through parliamentary elections in May 2008 that offered little hope for fair competition. On top of these events, the August 2008 Russian-Georgian war ended with disastrous consequences for Georgia.

The government switched to self-preservation mode and was determined to do whatever it took to remain in control. Its reformist zeal and creativity faded away. A large-scale campaign of repression was undertaken against political opponents, while high-level corruption became widespread, proving once again the old adage that "power corrupts, and absolute power corrupts absolutely."

Georgia, however, gradually approached the next round of elections. Parliamentary elections were scheduled for the autumn of 2012 and presidential elections for the next year, which would mark the end of Saakashvili's second and last presidential term. Wary of the potential damage to his image in the West (his image at home had long been tarnished), the Georgian president did not dare to follow in the footsteps of his Azerbaijani counterpart by removing the two-term limit on presidential terms in the constitution (Ilham Aliyev did this in a staged referendum in March 2009). Instead, Saakashvili began preparing a backup plan—a second "landing strip" in the post of prime minister—by again adapting the constitution to his needs. So, in October 2010, the parliament passed constitutional amendments that curbed presidential powers and expanded the powers of prime minister, but only to come into effect immediately after the October 2013 presidential elections, with the expectation that Saakashvili and the National Movement would remain in power.

Of course, government authorities announced that this constitutional change was a fundamental step paving the way for the transition from a presidential to a parliamentary system. In reality, however, it led to a huge (for a small country like Georgia) controversy. Saakashvili's team did not bother to clearly define the proposed system changes in the constitution. Simply, Saakashvili would continue to call the shots as usual with little, if any, regard for the constitution, so they did not care how the new power-sharing arrangement between the parliament, president and government would read on paper. They also increased (again through constitutional amendments) the requirement for approval of any future constitutional changes from two-thirds to three-fourths of parliament as a precautionary measure against potential future shifts in the balance of political forces in parliament as a result of the October 2012 parliamentary elections.

Everybody knows the rest of the story. Saakashvili's party lost the October 2012 elections to the Georgia Dream coalition by a large margin (about 20 percentage points) and had to give up control of the parliament and

government. Saakashvili remained president for yet another year in a transitional period known as “cohabitation,” during which the president still had vast powers but found himself in opposition to the parliamentary majority and the governing cabinet chaired by the prime minister, voted upon by parliament. It was a Georgian-style cohabitation, which means that it was full of conflicts and tensions. However, the country managed to make it through this period peacefully and, as expected, the candidate of the ruling Georgia Dream coalition, Giorgi Margvelashvili, was elected the new president of Georgia in October 2013.

With the end of months of antagonism and nerve-wracking conflicts during the period of cohabitation, it seemed the country would have the opportunity to sigh with relief and state institutions would be able, at last, to work in an efficient and coordinated manner. But in reality there was nothing of the kind. The new version of the constitution, which came into force immediately after the presidential elections, substantially reduced presidential powers but not sufficiently enough to correspond to that of “classic” parliamentary models (such as Germany or Israel). This led the Venice Commission to assess the new Georgian system as a “mixed model.”<sup>8</sup> Being elected by a direct popular vote, the president has the highest level of legitimacy, adding more political and moral weight to his position on a par with the parliament.

Moreover, after the presidential elections, Bidzina Ivanishvili, the main architect of the change of government in Georgia as leader of the Georgia Dream, voluntarily resigned from the position of prime minister, handing over his post to a young political newbie, Irakli Gharibashvili, whose popularity was based entirely on the support given him by Ivanishvili. On a personal level, the new prime minister was no more respected than the new president, another nominee of Ivanishvili. Soon afterwards, relations deteriorated between President Margvelashvili and Ivanishvili, who continued to influence the country’s politics despite formally quitting the political arena. The government, as a result, began trying to infringe on the president’s remaining legal powers.

Notwithstanding subjective factors such as personal relations and political competition, the attempts to curb presidential authority have been largely the result of the shortcomings of the new constitution inherited from Saakashvili’s regime. There was no clear division of competences and responsibilities between the president and prime-minister in a number of spheres, leaving room for arbitrary interpretations. The constitution provides a rather vague description of the available channels of

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<sup>8</sup> See the opinion of the Venice Commission on Georgia’s draft constitutional changes issued on July 31, 2010 ([http://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL\(2010\)062-e](http://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL(2010)062-e)) — Author’s Note.

communication among the president, parliament, and prime-minister, and Georgia lacks respected traditions or unwritten rules to guide such matters. Worse still, there is actually no chance of correcting these constitutional flaws, since the parliamentary majority does not have enough votes for approval by three-fourths, the new requirement, while the minority, Saakashvili's party, is determined to sabotage any attempt to "fix" the constitution in the hope that infighting and discords within the ruling coalition will play into its hands in order to regain power.

So, while the parliament did set up a commission to draft necessary amendments to the constitution, it is unlikely to achieve any changes given the position of the minority party not to give its support and, in any case, given the lack of consensus within the ruling coalition on the necessity for the country's final transition to a classic parliamentary model. And there is no way to change the constitution in Georgia other than by parliamentary approval, there being no provision for referenda on constitutional matters. It remains to be seen how, if at all, this vicious circle will be broken, even as regular, sometimes even curious, conflicts between the president and prime minister do damage to the country's image.<sup>9</sup>

Apart from these negative aspects of the transition, however, there are also positive aspects. For the first time in its recent history, Georgia has accomplished a peaceful transition of power through parliamentary and presidential elections. (Municipal elections in June 2014 also received positive assessments.) The country managed to pass through the cohabitation period without serious damage. A coalition of political parties came to power and although it is dominated by one political group, nevertheless it is a new and useful experience for all the coalition members. The country has a viable opposition: the parliamentary minority is not just vocal, it has a decisive voice in all matters that require parliamentary approval by a super majority of votes. Georgia has taken a big step away from authoritarianism. While the process is not yet irreversible and authoritarian practices continue even today, the myth of a "strongman ruler" is gradually losing hold as more and more people realize that the country is better off relying on properly functioning state institutions, a system of checks-and-balances, and the rule of law, rather than on the benevolent attitude of a charismatic leader. Mass media have become independent as never before.

All these changes are reflected in annual reports of Freedom House, which now rate Georgia as a "semi-consolidated democracy" (a democracy after all!), while Armenia is ranked a "semi-consolidated authoritarian

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<sup>9</sup> For more detailed discussion of this issue, see, for instance, "The President and the Prime Minister" by Lincoln Mitchell, September 23, 2014 (<http://lincoln-mitchell.com/georgia-analysis/2014/9/22/the-president-and-the-prime-minister>). — Author's Note.

regime” and Azerbaijan is considered a fully “consolidated authoritarian regime.” Georgia has signed an Association Agreement with the EU and even became a special partner of NATO. These new associations may bring more dangers than security guarantees in the present-day situation, but this is a theme to be discussed separately.

### **Conclusions**

Every country has its own unique history and experience. It would be wrong in theory and unfeasible in practice to replicate the Georgian case in another country. But some lessons can and should be learned: there are both mistakes to avoid and some successes that can serve as examples for other countries. The ongoing adventures of the Georgian constitution (as well as the situation in Armenia and Azerbaijan) allow drawing out some conclusions:

1. In the South Caucasus, the political will of the dominant rulers still prevails over constitutions, although with varying degree in different countries.

2. Personal relationships among leaders often substitute for institutional rules. Key decisions are still made outside the legal framework and this tendency seems likely to continue for some time to come.

3. Political parties remain weak. Parties with an established system of values, which do not change according to shifts in the political environment, are a rare occurrence. As a result, the political system in general is still rather fragile and unstable.

4. Due to insufficient knowledge and experience of democracy, it may take decades to convince the people that it is better—and safer—to live by the rule of law than by arbitrary decisions of a charismatic leader.

5. Attitudes of Western partners towards post-Soviet states are incoherent, biased, and lax. The oft-stated and reasonable principles of “more for more” (more assistance for more progress in reforms) and of “supporting the people, not their leaders” are used selectively.

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## **Response**

### **Arif Hajili**

As usual, Mr. Haindrava made a very interesting presentation. For my part, I will try to explain the situation as it developed in Azerbaijan.

The fight for independence and democracy began in 1988 as a result of the events in Nagorno-Karabakh, where separatists demanded to join this autonomous region of Azerbaijan to Armenia. Very soon, the reaction to Soviet backing for the Nagorno-Karabakh separatists as well as a revival of the democratic traditions of the Republic of Azerbaijan from 1918–21 propelled the emergence of the Azerbaijan Popular Front as a movement for national independence and democracy. On the main square of Baku, hundreds of thousands of people gathered for weeks at a time. By 1989, we were sure the Azerbaijan Popular Front would have won elections to the Azerbaijan Supreme Soviet that were supposed to take place in December, but the communist authorities and KGB structures made this impossible. Soviet troops entered Baku on January 9, 1990 to stem mass demonstrations and martial law was announced.

Supreme Soviet elections took place at the end of September and October 1990 that were partially democratic, with some contested seats. Indeed, they were more democratic than today, when there are no opposition members of parliament and only members of “controlled” parties, but still we could win only a minority of seats to the new parliament.

In September 1991, the first presidential election was held. Ayaz Mutalibov, the Azerbaijan Communist Party leader who one year earlier had made himself president when the Supreme Soviet declared Azerbaijan’s sovereignty, claimed victory in a fraudulent electoral process with limited competition. But the defeat of the August 1991putsch in Moscow had strengthened considerably the independence movement in Azerbaijan and in October the Popular Front forced the Supreme Soviet to declare Azerbaijan’s full independence. A nationwide referendum confirmed this declaration in December, just before the formal dissolution of the USSR. In the wake of military defeats in Nagorno-Karabakh, we succeeded in forcing Mutalibov to resign and the Supreme Soviet called new presidential elections for June 1992. Abulfaz Elchibey, the head of the Azerbaijan Popular Front, was elected the new president in democratic elections by a wide margin of the popular vote against seven candidates. Isa Gambar became the chairman of the National Council, to which the Supreme Soviet ceded its powers as the new parliament, now called the Milli Mejlis.

For a period of thirteen months, we held power. We adopted a lot of democratic laws and we drafted a new constitution. We passed laws

on freedom of assembly, association, speech, political parties, and others. At that time, it was easy to conduct public meetings and demonstrations. There were independent print and broadcast media. In May 1993, Azerbaijan successfully negotiated the full withdrawal of Soviet troops. But the situation deteriorated quickly. The withdrawing Russian troops left most of the weaponry at the military base in Ganja, which were then used by pro-Russian forces led by Surat Huseynov to attempt a military coup aimed at overturning the democratic government just at the point when it was going to sign an oil deal with Western companies. Power was seized by Heydar Aliyev the former Communist Party and KGB leader who had been a member of the Soviet Politburo and enjoyed clear support from Russia. He quickly held a new presidential election that he “won” by fraud, with a supposed 98 percent of the vote.

With the 1993 coup, there was a total reversal of democracy. A new constitution was adopted giving authoritarian powers to the president in 1995. Independent media was repressed. Journalists were arrested. Political prisoners filled the jails. Freedom of assembly was stifled. There was a continual deterioration of rule of law and democratic rights. Since 2003, when Heydar’s son, Ilham, became president, the situation has become even worse. Now, the few independent newspapers left have only very small print runs and journalists are being arrested. Increasingly over the last twenty years there has been very limited possibility to take part in public debate or to speak freely on television. The opposition is blamed for everything. There are more than 100 political prisoners. In our party’s corridors, there are many former prisoners who have been released but can’t find jobs. Many youth activists and journalists are imprisoned and there is a new crackdown on NGOs. The arrest of Leyla Yunus and her husband is the best known case. But many others, including Musavat activists, have been arrested.

The role played by Western institutions to support a return to democratic processes has also diminished. In the 1990s, for example, OSCE representatives successfully demanded amendments to the election law, even if its provisions were not observed, and also insisted on passing the law on free assembly. Today in Azerbaijan, the OSCE has lost both its influence and its credibility because it abandoned support for democratic elections and institutions. And recently, after it did protest repression, the OSCE’s Office of Democracy and Human Rights (ODIHR) was forced to close its office in Azerbaijan. Requests sent to Azeri government officials to reopen the office are being ignored. It is another proof of how little the Aliyev government cares about Western opinion.

It is wrong to say the Azerbaijani people are not ready for democracy. We had democracy in the past, if briefly, in both 1918–21 and in 1992–93.

Independent international observers documented overwhelming support for democrats in the 2000 and 2003 elections and the brutal steps the government took to ensure the results. The increasingly totalitarian dictatorship prevents more and more successfully any independent organization of democrats or opposition and stifles the voices of independent journalists and thinkers. Elections are blatantly falsified and the protocols from the districts are simply made up. Half of the precincts did not even count the ballots. The government does not allow independent monitors to observe the elections. There are no opposition members of parliament.

Opposition political parties still have some minimal resources and we are trying to consolidate our structures and increase our influence in society. Despite many difficulties, we are continuing to struggle and to enter into coalitions and alliances. But without access to the mass media and without freedom of assembly, we cannot win against the escalating repression. In 2000 and 2003, the Musavat Party and Isa Gambar would have won free elections. We felt and documented the support of society. But we also know that we cannot achieve democratic change without the support of Western institutions and politicians. Without such support, the current government can completely falsify elections and prevent democratic change.

In the elections of 2003, our friends helped us, like IDEE, which brought almost 200 observers. They assessed the voting objectively and made clear how the authorities falsified them to prevent the opposition candidate's victory. In 2015 parliamentary elections, we are convinced that we would still have the support of society and that the opposition parties could win free elections. We are optimistic as far as the future is concerned. With support of Western governments, we could make this jump.

## Discussion

IRENA LASOTA

To begin the discussion, I propose to look at the questions that were presented and especially at the question of what mistakes were made [see Appendix 2: Program and Theme Questions on pages 179–182]. In the presentations for the first two sessions, we have winners, losers, winners who were once losers and losers who were once winners. How much did the outside interference of the Soviet Union or Russian Federation make a difference? How much were the changes planned or accidental? Does it make a difference to have a parliamentary or presidential system in a transition from authoritarianism to democracy?

**MILJENKO DERETA***Founder and former Director, Civic Initiatives*

I come from Serbia, which had a success that later became a defeat. Hungary was a great example of a success but now, in free and fair elections, a non-democratic party has won. Elsewhere, we can see how elections often legitimize non-democratic parties or systems. Within the European Union, there is no real reaction to the non-democratic paths that Hungary and other countries have taken. And with the Russian aggression in Ukraine, things are even going backward to an idea that we thought had been defeated, the idea of the eternal Soviet Union. This concept is not finished: with Putin's politics, the imperialist policy of Russia has been revived. In that regard, I am very pessimistic because I see that this aggression and the rise of non-democratic politics are not being met properly by the European Union or the United States.

A second point: when talking about dictatorships, I had the same initial illusion as some Belarusian democrats that Vincuk Viačorka described, that in changing the leadership at the top, you changed the system. But in authoritarian regimes, there is dictatorship at every level of power. So when you cut the head, the dictatorship remains below in all the institutions at every level of society. The top-down approach does not bring about a real change. The Estonian approach, the bottom-up approach of citizens' mobilization, works better. Yet one can see that the impact of Estonia did not extend to Belarus. There was not an exchange of experience; there was no interaction or learning. Another example of where bottom-up change worked is Kosovo. It had a 15-year-history of civil disobedience to the Serbian regime preparing a parallel society to come to power. This is the type of model that can create and sustain changes.

Without social revolution, there is no political revolution. You have to introduce new values that are accepted within society. That is a very difficult and long process and requires a subversive education. You have to prepare a new generation for such a change. The most controlled part of our system today in Serbia is education, followed by the media, which is the only other means to introduce alternative views to society. It is why after two years in parliament, after learning that this institution had no real substance, I returned to working in civil society, where the real work starts. Ivlian Haindrava said that the Georgian model cannot be replicated, but we can still learn from it and find out if there is something common in our experiences. This type of dialogue is important, not to relate this or that experience but rather to see what is common and to see if there are different models within that commonality—pluralism—that can be adopted.

As for Europe, we must define what it is. Formally there are two Europes: there is the European Union of 28 countries and the Council of Europe with 50 members. It is a difference of 22 countries. But there is a tendency to make this one Europe, even if these 22 other countries are not accepted as part of one Europe. The European Union does try to impose one model but even when countries are accepted in the EU it seems now a short-term result. When a Viktor Orbán can talk about illiberal democracy as a separate model, speak openly against various groups in society, and promote the concept of the Hungarian nation existing above society, there is obviously a short-term result.

Serbia changed constitutions six times in the last 20 years, with the last one written in one night having a preamble stating that Kosovo is forever a part of Serbia. And now, the process is such that changes are impossible. After the 2003 assassination of Zoran Djindjić, who really wanted change, the same political parties that provoked the wars in the Balkans again rose to power. The European Union views these and related parties as prospective partners for adopting reforms and changes. For the EU, agenda items are more important than principles, so no one cares that in Serbia there are no free elections, no free media, or that civil society is under enormous pressure.

### **ISA GAMBAR**

*Former Chairman, Musavat Party, Azerbaijan*

I believe that we should pose very concrete questions and find real solutions. For one, we should answer the question: What are the best methods for changing authoritarian systems to democratic systems? I believe that decent people should find the answer to this question. We should bring together people capable of thinking and answering it. Since the revolutionary years of 1989-91, no one has really answered this question. There are a lot of details of events that are described, think tanks have done important analyses, but no one today discusses how we can achieve democracy in current authoritarian regimes.

Many countries still have not made the crucial step towards this transition, so it is important to find answers to this question. Frequently, people talk about a conspiracy of world powers to promote democracy, but this is clearly not happening. This seminar, the people and experts here from different countries, can start the process of answering this question. I am an expert on Azerbaijan and know something about what is happening in other countries, like Iran and even Russia. We are ready to work towards this direction. If we decide to continue this work we can bring others from other post-Soviet countries and encourage them to work with us.

We discussed which model is better: the presidential or parliamentary system. I am convinced that in our countries, we need first a presidential system with a strong leader to bring about decisive reforms. Perhaps we all agree that after the first period the best democratic system is a parliamentary system. But all of these arguments can be sorted out and solutions found for generations following us. We have a very good young generation in Azerbaijan. The most numerous group in Aliyev's prisons are young people. It shows that young people are supporting democracy and are a hope for the future. Our generation still has some energy to work towards democratization. I am optimistic about the future.

### **IRENA LASOTA**

We have here participants from the former Soviet Union those who have the best experience, like the Estonians and Lithuanians, and those with the worst experiences, like Russia and Kazakhstan. There is then the question how come the transitions from the communist system, even with the support of the West, were often carried out by the ones who had perpetuated this system until then? How did think tank analysts decide that all of the Caucasus should have this type of election or this constitutional system? At IDEE, we try to find people who think differently but first of all who think—this is a very rare quality today since usually people are just repeating something of what other people have said. We welcome trying to find not just one way but many ways. As for sharing, we do share a lot of experience and not necessarily just at this table. The leader of the democratic opposition in Uzbekistan, Abdurahim Polat, told me once that the program of the Uzbekistan Popular Front was modeled on that of the Estonian independence movement. “We could never have come up with it on our own,” he told me. So there is a sharing of experiences.

### **ARKADY DUBNOV**

*Independent journalist, Russian Federation*

We have different experiences but we do have something in common: we are from the same generation. A majority of our lives were spent living in the Soviet Union or Soviet bloc. Among us are romantics and cynics. I, myself, am a cynic. From the more cynical point of view, there may be different success stories—like the Baltic States—but the Caucasus and Central Asia had many fewer success stories based on various factors. The Baltic success stories can be explained in part by the shorter experience under communist dictatorship and its previous independence. The intelligentsia was also an engine for the transition. But another factor had to do with energy resources. The Baltic States have no oil or gas. Look at the authoritarian regimes: most of them have economies based on oil and gas, Russia included.

Second, it is difficult to avoid authoritarianism among countries that remain in a state of war or are in a state of mobilization in the face of a real or imagined enemy. I see no possibility for Armenia, for example, to be democratic, no more so than the Gaza Strip. In Azerbaijan, the party in power says the same as in Armenia that it is fighting against the external enemy. In Armenia's case, it doesn't have oil and gas and thus is fully dependent on Russia, including its military.

In my view, the West has played a tragic role in the democratization of the post-Soviet world. Someone mentioned that the West focused on leaders and not the people. Bush assisted Mikhail Gorbachev. Clinton favored Boris Yeltsin. This didn't help us. There was only a small period of time when there was hope for real reforms, from 1991 to 1993, until the October 3 attack on parliament. I still remember that day because it was a defeat of our hopes, in large part because of the attitude of the West and its institutions that sanctioned Yeltsin's attack.<sup>10</sup> The Baltic States had parts of the society that maintained their own national identity and could create their own institutions, but we others did not have that.

In Ukraine, Mr. Kelam said principles are in conflict with pragmatic approaches. My question to him is where are the principles and where is the pragmatism?

### **SERGEY DUVANOV**

*Independent journalist and human rights activist, Kazakhstan*

I highly appreciate the presentations in this session. In one country, there is a process underway that was begun by Saakashvili not using democratic methods, but the process got underway. There is now a separation of powers and one can see a free media and a real opposition. But in other countries we see much more of the unfinished business. In Georgia, democracy is at a developing level; in Azerbaijan, there was a full devolution back to authoritarianism. In Kyrgyzstan, there were two revolutions, but the process of transition was not triggered yet. There is no process underway in Kazakhstan and there is no question about a revolution. There is no social class that could or would implement such a transition. So, I do

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<sup>10</sup> On orders of President Boris Yeltsin, on October 3, 1993, army units attacked the parliament building (called the White House) to forcibly disband the Congress of People's Deputies, which had refused Yeltsin's presidential decree dissolving the Congress and ordering new elections to be held together with a constitutional referendum. The attack ended a year-long economic and constitutional crisis. The use of force by the military and interior ministry over a two-day period resulted in at least 187 killed and 495 wounded according to official government figures. Western governments generally supported Yeltsin's use of force. — Editor's Note.

not think we can just adopt the language of revolution from one country to another country.

We, the human rights activists, participated in endless seminars to find out common mechanisms but there is no common mechanism. Situations are totally unique. As for Kazakhstan, we could not use the example of Georgia. The situation of civil society is totally different. But even in such a low level of development as exists in Kazakhstan we try to implement some steps.

### **ISA GAMBAR**

Maybe I did not make myself clear. Of course we are all very different, but I think we can speak about basic principles for making change. In 1992–93, we, the democrats, were in power in Azerbaijan, but nobody gave us any advice. We were inexperienced. Someone, for example, could have told us that it was necessary to carry out screening or lustration. Instead, we were naïve. We thought that we could achieve social harmony and that different political forces could cooperate, regardless of their past. We didn't realize that without some form of lustration, without stripping powerful communists from power, it would be impossible to continue the process. I am not speaking about the same program for all of us, but there are some clear-cut principles and we can hear about them and all political forces supporting democracy can hear about these values and principles. There are universal values and universal means of reaching democracy. All children are different but we create all children in the same way.

### **GÁBOR DEMSZKY**

*Former independent publisher and Mayor of Budapest, 1990–2010*

In our region, there is a lack of democratic tradition as well as a lack of a middle class. We lack a class of people who owned property, over generations, and, because of that ownership represent certain values and interests. That is something we are missing in all the countries and it explains why all the countries east of the Elbe are different from the countries west of the Elbe. It is why many of us are living in governed or led democracies or dictatorships. Certain elites can rule democratically but it is still a governed democracy, a directed democracy, because there is no civil society or middle class, there is no strong social foundation or mediating factor.

I think there is no one-way solution. It doesn't matter if there is a presidential system or a parliamentary system. In both systems, a party can win a totally democratic election and destroy democratic foundations, changing the constitution, controlling the media, redistributing the wealth, and taking the property from people and giving it to their friends, and in this way create a post-communist mafia state. In Hungary, it happened in



a totally democratic way, through two elections. But now the opposition has no significant media while allies of the ruling party, Fidesz, control nearly all the press and broadcast frequencies. You can listen to different radio stations but you hear all the same thing. In 1989, we organized a referendum against the presidential system because we were afraid that the communists would take advantage of such a system to dominate the state during the transition. The people said no to a presidential system, and no to a party-state dictatorship. But now Hungary is turning back to dictatorship by means of democratic elections in a parliamentary system.

### TUNNE KELAM

Arkady Dubnov asked me what is a policy of principles and what is a policy of pragmatism. I think the Ukrainian crisis has arisen due to the hesitation and pragmatism of the European Union following the Orange Revolution in 2004. Then, there was the opportunity for reforms. But the attitude of the West, especially of Germany, was ambiguous: yes, you were brave, but don't push too close to us. Keep your distance. We are not finished assimilating ten new members that joined us in 2004. The semi-official position was that the EU has got no capacity to integrate new members from the East for the foreseeable future. This attitude was for me the West's contribution to the failure of the Orange Revolution. The policy of pragmatism means thinking first of your own interests. In the current crisis, had the EU reacted more forcefully and clearly to Mr. Putin, this also might have changed things. But Mr. Putin still sets the agenda. He has the initiative and the European Union is reacting by lagging two steps back. Such inadequate reaction does not help to stop the aggression because the Western message is that aggression pays off. It is the same old problem.

As for the success of the Baltic countries, we do have a different experience compared to other post-Soviet countries, but we also share with you the same fullness of Soviet experience. What accounted for this success? First, in the Baltic countries, especially in Latvia and Estonia, we faced a really existential situation, the prospect of becoming a minority in our own country because of the Kremlin's forced migration policies. Since the 1970s, an internal clock was ticking in each and every Estonian counting down the time when Soviet migrants would become the majority in Estonia. If this would have happened, the chance to restore national independence would have been lost forever. We *had* to do something.

It is also true, as Arkady said, that the experience of 20 years of independence between the two World Wars was crucial. Legal and political continuity became our only lifeline, which was embodied in the US policy of non-recognition of the 1940 Soviet annexation. For half a century, the most spectacular feature of this policy was recognizing Baltic legations in

exile within the diplomatic corps in Washington—to the great irritation of the Soviet Union. Every year, the US president sent a letter of congratulations to the Baltic diplomats on their independence days stating that the US was looking forward to the day when their independence would be regained. There were also strong elements of cultural, ethical, and historic continuity, the continuity of civil society tradition. Many people in the Soviet-occupied Baltic States remembered the recent past and told their children how different life was before the 1940 invasion.

Finally, we need to thank Moscow's steps from 1991. If Yeltsin had not had the same colonialist Soviet attitude, then the Baltic States might have retained their Soviet-time economic dependency on the Russian Federation. However, after the turn of 1991–92, when the Russian Federation applied an energy blockade, with no oil or gas coming to the Baltic States, there was no choice but to move decidedly towards the West.

#### VINCUK VIAČORKA

I want to respond to several points. I want to emphasize: Georgians and Moldovans, Azeris and Belarusians are ready for democracy, have a history of democracy, and have an experience of democracy, both distant and recent, that can be drawn upon and used. As for the role of elections and democracy, there are other cases of non-democratic forces taking power through elections. The German experience of January 30, 1933 is one example and the Belarusian example is another. Lukashenka came to power democratically in 1994 but thereafter, once he became president, elections and referenda ceased to be democratic.

And here, we have another important issue. Arkady spoke somewhat sarcastically that we complain about the lack of Western support, that the West does not help us. But I was not complaining and am not angry at the West. I simply pointed out that the West *should* try to help. For us, the West is a well-defined political space with institutions that protect certain values. When the West sends signals that those values are relative, it undermines the position of those who are supporting and defending those values in our countries where there are more difficult circumstances. Tunne Kelam said that there is a tendency to try to treat dictators as educable and that it is not possible to re-educate them. But dictators do pretend that they are re-educated, using the words that refer to genuine institutions in democracies for their own false institutions. The dictatorship says “we have a parliament, we have elections, there is an opposition and if there are shortcomings in our democracy we can fix them.” But it is all false. In our circumstances, these words are meaningless. There is a pseudo-parliament and a pseudo-opposition. Unfortunately, it seems difficult for some to

distinguish between real democratic and non-democratic institutions, whether it is out of naïveté, or cynicism, or plain incompetence.

As far as electoral systems are concerned, we have to keep in mind that regimes such as Lukashenka's Belarus have had already three or four elections that cannot be considered democratic in any way whatsoever. Elections have been transformed into mere rituals for re-legitimization of the regime for the next term with no space for alternative views and messages. In this situation, possible changes in a democratic direction are not necessarily going to be related to elections. Euromaidan was not related to any election but one can see how it led to significant consequences in Ukraine. Unfortunately, Western counselors and advisers, by their inertia, are driving our opposition politicians and democratic forces to adopt specific behavior and strategies, such as taking part in electoral farces. It does not make any sense in our political situation to take part in them.

### **IVLIAN HAINDRAVA**

Vincuk has tackled a very important issue: the role of the West in our countries. Let me add that my impression—I might be wrong—is that autocratic leaders like Aliyev in general are quite smart. The model has been established some time ago: whenever there is an increase in criticism from the West, Aliyev implies that if you press him too hard, there is always Putin to turn to. "I can have thousands of political prisoners and Putin will back me." When Aliyev played this card, the Western pressure stopped. So he is not worried about pressure from the West. He also used the ploy of being secularist: we have these dangerous fundamentalist Islamists and we put them behind bars, and if we are not in power the Islamists will threaten to seize power. So Aliyev removes by force the secular opposition from the political scene and then the space is left only for him or the fundamentalists. He gives the impression that he is the better evil than Islamic fundamentalism. The dictators of the Maghreb countries did the same thing and they did not become democratic. This is the state of Western diplomacy: we do not know what will happen next, so we will accept the current evil.

There are strategic challenges in the global world—for example, Islamic terrorism, Al Qaeda, the Islamic State, and so on. All of these require a concerted approach over decades, but Western democratic leaders know they are in office only one or two terms. This is not enough to develop this strategic approach when they must devote time to their election campaigns. Putin, on the other hand, can take a strategic approach with long-term objectives because he knows he will be in power for a decade. He believes he is in a better situation than Western democratic leaders, who plan from one election to another. This is a real problem.

**VYTAUTAS LANDSBERGIS**

*Former President of Lithuania and Member of European Parliament*

When we speak about the role of the West, we must talk also about our role as part of the West. The role we play can be just as important as what the “West” does. We do not always have to ask for help and assistance. We can say we don’t want to be sold to bad people. The point is not whether the people in the West are good or bad. They are as they are. So, when we see how the West is changing or is stable, we must point to some good things, some civilizational principles that we have inherited and adopted that obliges us to certain behavior. But when we treat something as “either or”—either you are for us and help us or you are bastards—if that is the case then we will find ourselves appealing to Putin, because Putin is against those “bastards.”

The world is divided into democracies and non-democracies and non-democratic states can be divided into anti-democratic states and semi-democratic states that would like to be democratic. These are our political circumstances. We live under certain conditions and it is not simply the Eastern dictatorships or the Western democracies.

In this situation, we have to do something to improve our situation, to benefit ourselves, looking at this backdrop and seeing why we are not doing something better. And not just complain and complain about those who are not good to us. They are not too good to us, but we are not so good either, and we have to improve ourselves, too, so that we become a part of this West that is not good enough. We must help this West so it does not degrade itself. So I want to change this viewpoint here when we speak about the West. It is not something separate from us. It is a certain reality that we must take into account.

**TUNNE KELAM**

In Estonia and other Baltic States, the continuity of values from independent statehood was mixed with the heavy mental, moral, and social legacy of Soviet times. But the perception of these values probably helped us avoid ethnic conflict. Estonia could well have become another Bosnia. Everything was set for this. There was a big part of the population that was very hostile to independence and there were tens of thousands of Soviet troops stationed in Estonia. The so-called Interfront organized hostile anti-Estonian demonstrations. It needs still to be evaluated what helped to avoid ethnic clashes, vengeance, and violence. One can only conclude that the restoration of Estonia as an independent nation state, despite being burdened with such a crushing Soviet legacy, was an absolute miracle. It was a miracle that no one died a violent death during the four years of transition from a communist system to an open and democratic

one from 1987 to '91. On the other hand, there was a price to be paid for this politically smooth transition. The Soviet legacy had its own continuity. Part of the unofficial deal was that the communists were allowed to take full advantage of the new liberalized society. Many of them had even a competitive edge due to their previous influence, managerial skills, and networks, which enabled them to gain most from the privatization of state property that they had managed as directors.

There is an essential topic that we must discuss: the moral and political assessment, the verdict, on the crimes of communism. It is not about obsessing about the past. It is our duty, but even more importantly there is a powerful political substance to having an authoritative moral and political verdict of communist crimes. In my opinion, it can be done only by combining the moral forces of the West and the post-communist countries. One couldn't expect Germans to condemn their Nazi leaders without Western pressure. But after 1989, there was no Western pressure on us to condemn the totalitarian communist system and its crimes. One can conclude that the pragmatism of continuity prevailed on both sides. The first instinct of the recent communist elites as well as their Western partners was to accommodate as usual. This means that instead of any moral verdict, recent communist leaders, now turncoats to the free society, were greeted in the West as prodigal sons. But in contrast to the Biblical prodigal son, these newly born democrats had exercised no repentance. Having established their new power positions, they took care that nobody was going to point a finger at their recent past. One example: the mass media in a number of post-communist states is more and more controlled by tycoons who played a significant role in the communist times. These negative trends, which aspire to suffocating fair competition and compromising the liberal democracy, have their source in the lack of a moral verdict on the communist regimes.

Today, the communist legacy plays a very important role in our countries. What is the basic instinct of totalitarian power: to prevent the emergence of democratic alternatives and to sweep them aside as soon as they are noticed. This mentality plays a powerfully negative role in society. The trend, even in Estonia, is to concentrate political, economic, and media power into the hands of new Cosa Nostras representing the old communist mentality of trying to control everything, just under a more liberal rubric.

## **I**VLIAN **H**AINDRAVA

I agree with everything that Mr. Landsbergis said down to his pauses and intonations. I am the last person in Georgia who is prone to accuse someone else for our shortcomings and for our lost opportunities. Of course, we are the ones to blame. But I would say to Mr. Landsbergis,

whom I consider a representative of the West even if he belonged to the same system that I grew up in, that I suffer very much when the democracies blur the lines, when Putin has supporters from the left wing and right wing in the West, when the West commits mistake after mistake, whether it is in response to the Arab Spring or any other situation. I am depressed by the threats to liberalism that I see even within Europe. This is what I care about. There is little effectiveness in what the Western countries do in our region. There have been a lot of funds spent in vain or worse: these funds have gone to strengthen dictators. I have no ready-made answer to stop this. But I am concerned about the future of liberalism—the liberalism that Francis Fukuyama said had won. The process of events is not going according to Fukuyama's prediction.

### **VYTAUTAS LANDSBERGIS**

We knew that the Soviet Union would collapse and what would remain was Russia. What we needed to figure out was how to survive and how to step away from this huge entity. It was a pragmatic necessity. We tried to distance ourselves from something bad and we thought we were heading to something good. What is next when we see that it was not perfectly good, but only something better? We have seen the many mistakes that democracies have made by not fighting for their principles and just agreeing to do big business with criminals.

The concerns of Western democratic civilization are essentially Marxist in nature. Everyone talks about consumption, the market, income, profit. In the East, they consider all these categories as means to enslave people. I said in the European Parliament—and Tunne will remember what I said—if Western democracies want to survive with dignity they must consider the possibility of life without Russia. If Russia suppresses people and demands that the West tolerates its indecent behavior, maybe we should consider that we should survive without Russia, without tyranny. Maybe we will be poorer, but we want to survive. It means an entire change of vision; perhaps it is utopian, perhaps a crucial necessity.

### **ARKADY DUBNOV**

I would like to point to certain contradictions when speaking about the behavior of the West. Vincuk says the West is a political space of values backed by institutions. I also liked Tunne's description of the clash within the West between principles and pragmatism. Mr. Landsbergis just mentioned that Europe should not continue the liberal obsession with boosting the level of consumption to the point that it is dependent on tyranny, meaning Russia and its energy. But how does Europe view this? Europe wants to diversify supplies of gas from Russia and so needs gas from the Caspian region. How do the EU countries do this? They look to Azerbaijan and

Turkmenistan, a tyranny on the order of North Korea. So the EU makes an ally of these countries. It goes away from one tyranny and chooses another tyranny. What is the answer to this conundrum? I do not know. This is the clash between good and evil.

### **SERGEY DUVANOV**

I am not sure who is my opponent in this discussion but I would like to add my views to it since there is a polarity of views. What is the role of the West in regards to the Maidan in Ukraine, or towards Georgia, or Moldova, or the Baltic States? When we dispense with the Russian conspiracy theories that the Maidan demonstrations and even the demonstrations in Hong Kong are the conspiracy of the US or the West, then we can discuss the role of the West in relation to the people who have taken to the streets, who have taken to the square. So, when I heard that the US embassy is responsible for the demonstrations in Kyrgyzstan in 2005, I laughed. I know what happened there. Both Russia *and* the West overlooked the people in the square. The people in the streets of Bishkek took the president's building as the local opposition was sitting at a roundtable with the government. It was not about US embassy activities. Maidan also happened: people went to the streets. It did not happen because of Western conspiracy.

But we cannot say that the problems in Ukraine today are because no one helps it after Maidan. What is the role of the West? Let us ask ourselves what would have happened to Georgia or to Ukraine now without the West. We wouldn't have Ukraine as it is today. Putin would have devoured it already by elections or by force and annexation. And only thanks to the West did Russia stop its tanks in Georgia at a certain point.

So, let us fantasize that the West backs the opposition in Kazakhstan. As much as it wants. A billion dollars or more to change Kazakhstan into a democracy. The opposition would simply devour this money. Civil society does not exist in Kazakhstan. Real opposition has been done away with. No money would be invested in any real activities. You can only support something that is there already, something with roots, when people have taken to the streets. You cannot impose democracy. Civil society is about the soul of the people. It is not about the knowledge or tools. It is not a set of tools how to do things. The West can educate NGOs how to organize seminars and offer training, but it can't create civil society when it is not there. We want to put our responsibility, this burden, on the West. The West is trying to help us. Sometimes it is totally ignorant and investing in futile activities. But they do try to help us. A diplomat told me: please do create something that we can help. I speak of Kazakhstan. Maybe it is different in your countries. But in Kazakhstan, this is my fault. In the course of 25 years, I and my colleagues could not win against our opponents.

**MILJENKO DERETA**

When it comes to the support of the West, in many cases I think it is wrong to call it support. Very often the West is doing harm when it wants to help. I will quote a British Conservative MP, Rory Stewart, who spoke of this problem in relation to his work in Iraq and Afghanistan and elsewhere:

The idea that foreigners can come from another country, with a very limited understanding of the country, language, and culture and can impose a very vague plan on another society, it is not just disappointing, it is scandalous. The first thing that the international community needs to do is acknowledge its limits, how little it knows, how little it can do, how little influence it has, that we do not speak these people's language very well, that we are isolated in compounds, that we don't spend nights in people's houses, that we don't have a long-term commitment to these countries, that we are impatient. On the other hand, we need to acknowledge that the local society has much more energy and much more power than we ever imagined. We talk about these countries as if they are blank spaces whereas in fact there is an incredible amount of local energy, institutions, practices, and local politicians often have more influence to achieve a lot more than we can.

The West has partial, short-term, and often contradictory interests. The key is long-term commitment and, please, some patience, not to limit help to short periods of time and expect extraordinary results. There is no possible democracy if there is no time.



## Theme 3

# Post-Communist Development of Political Parties & Oppositions

ERIC CHENOWETH

We introduce in this discussion perhaps one of the more important themes relating to the weakness of democratic transition throughout the post-communist region. The presentation is by **Arkady Dubnov**, a veteran independent journalist from the Russian Federation who in the early 1990s was deputy editor of *Democratic Russia*. There are two respondents, **Gábor Demszky**, a former Hungarian dissident and the former mayor of Budapest from 1990 to 2010, and **Isa Gambar**, the former chairman of Musavat, the main opposition party in Azerbaijan.

### Presentation

## The Tragedy of Failure & Political Parties in Russia

by **Arkady Dubnov**

Nearly twenty-five years ago, in 1991, the Soviet Union collapsed and democracy won its place in Russia. Today, we can see that this is no more than a myth. In fact, the creation of the Russian Federation was not the result of an ideological fight but simply the result of the collapse of the Soviet Union.

Yuri Levada, a Russian sociologist, wrote that Soviet ideology was not strong enough to save the system from collapse and that this ideology died with the empire. This, too, is a myth. The Russian Federation is the only country other than Belarus where decommunization did not take place at all. And so we now go back to a mindset that rehabilitates the Soviet system and Soviet values, the most important of which is that the state is more important than the individual. The secret police and security services have not changed their oppressive nature. Their principal aim is unchanged: it is to maintain the regime, not to safeguard democratic institutions. Media are now functioning like the old Soviet propaganda machine.

Another illusion was that Russia adopted a free market economy. The planned economy continues to exist and the nomenklatura continues to

operate according to the old Soviet hierarchy. The new system has legalized the redistribution of private property and as a result the old nomenklatura now owns most property. Post-Soviet political parties are also in the hands of the former nomenklatura. One can see this extend to Crimea, where the state bureaucracy is restructuring to incorporate officials from one nomenklatura party to another, from the Party of Regions of Ukraine into the United Party of Russia.

Does all of this mean that pluralism and democratic processes were doomed to failure? There are differences of opinion here. I believe there was a possibility of following a democratic path. In 1991, we established the *Democratic Russia* newspaper from scratch and I was the deputy editor-in-chief. The newspaper ultimately went bankrupt but it showed that something was possible. I believe that if Yegor Gaidar's government had received political and financial support from the West on the scale of the assistance Germany and Europe received after World War II through the Marshall Plan, there would have been a chance for democratic change. But the West did not trust Boris Yeltsin because he had opposed and deposed Gorbachev and the West felt grateful to Gorbachev for the fall of the Iron Curtain and the reunification of Germany.

History is much more complex than just human interrelationships—we can see it also looking at the example of Ukraine. The failure of Russian democrats in the early 1990s—apart from their own mistakes—is also due partly to the euphoria of the West and the US. They believed that they had won the Cold War and were not interested in policies that would establish a strong Russia.

The tragedy of democracy's failure in Russia could be seen twenty-one years ago in the events of October 1993, the attack on parliament. What took place in Moscow was in fact a civil war. Absent the timely assistance from the West that Russia needed, the country had headed towards an economic collapse. And Yeltsin, by his own mindset, was not ready for compromise. That is why he had to fight against the attempted Red-Brown coup d'état; everybody remembers the tanks in those days attacking the parliament building. This tragedy became a personal one for Yeltsin. I used to speak with him in those days, both as a journalist and a human rights defender, and it was clear that after those days Yeltsin changed from any democratic orientation.

Another historical marker in the failure of Russian democracy was the presidential election in 1996. The leader of the Communist Party, Gennadi Zyuganov, would have won the elections if the results had not been falsified to ensure Yeltsin's victory. From this point on, the oligarchs took advantage of Yeltsin's weakened position and brought Putin to power.

Today, as before, the role of political parties in Russia is quite weak. There is not a real tradition of political pluralism in the country and it was unrealistic to think this could be achieved in the late 1980s or early 1990s. With Putin's United Russia Party, the "party of power" was recreated. Former prime minister Viktor Chernomyrdin used to joke that whatever party you created in Russia would be the Communist Party. Today, however, Russia resembles more Tsarist Russia in that democratic institutions like political parties are only a façade; they are fake institutions. Some officials think that the return to Tsarist monarchy is just waiting for the right time.

As regards any political opposition, this word should be in quotation marks. All the "opposition" parties are single-personality parties based on their leader: Zyuganov's Communist Party, Zhirinovskiy's Liberal Democratic Party (LDPR), even Yavlinsky's Democratic Party, known as "Apple."<sup>1</sup> There are differences among these parties, but they are all based on the character of the leader. The Communist Party would dissolve without Zyuganov; the same for Yabloko without Yavlinsky. Regardless, they exist in the political context where the United Russia Party is dominant.

The people who are aged 45 and over are the most likely to vote in elections, out of habit, and they are the most conformist. For these voters, the nation and the United Russia Party are one and the same. People are not interested in the party's platform or agenda. They focus only on the party's leaders in both presidential and parliamentary elections.

Of course, the State Duma, or parliament, plays only a technical role and the Kremlin regards it as part of the state administration. The role of the parties like the United Russia Party and the controlled opposition is to implement the policies of the executive branch, of the state.

We can see devolution of Russia in all directions. The country is moving towards autarchy as the outside world further isolates Russia. Its technological development has devolved. The country operates on the basis of legal nihilism and is ruled by force and violence. The result is clear. A few numbers: between 2008 and 2011, forty thousand people left Russia; in 2012, 122,000 left; in 2013, 186,000. We will see higher numbers.

The post-Crimean Russia is a country with serious vulnerabilities and disadvantages. Unfortunately, the West still focuses on Russia's leaders and not on the society and the nation. It is another example of the tragic clash of values of principles and practices as mentioned yesterday. Our colleagues who took the floor—Viačorka, Haindrava—stated their belief that decades are needed to pass before Russia is ripe for the changes that we hoped for in the early 1990s. If the West continues its policies, I agree.

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<sup>1</sup> The Democratic Party of Russia is generally referred to as "Yabloko," or Yavlinski's bloc, which in Russian means "apple." — Editor's Note.

## Responses

### **Gábor Demszky**

I have to emphasize that I am not an analyst or political scientist. My perspective is developed from my involvement in politics and what I am doing now is totally different from what I did for 30 years. I was first of all an underground publisher for ten years. I published literature that was banned in Hungary. Then, between 1990 and 2010, I was the elected mayor of Budapest. I won five elections. In 2010, however, I got out of politics.

Regarding political party development in Hungary, I begin in the old times before 1990. We had only a democratic opposition, as it was called then. One could describe it as anti-communist and mostly liberal or radical in outlook. It was organizing a “flying university,” local independent organizations, like an initiative I founded to help the poor, and published samizdat. I was a leader in that democratic opposition. The guys who are now in power from the Fidesz party were at that time students of the “flying university,” the students of my opposition friends.

At the same time, there was a grouping that could be described as nationalist—not conservative but nationalist. They were mostly writers, some very well known, but they always said that they were neither in opposition nor anti-communist. In their view, there were good nationalist-oriented communists with whom they could cooperate. The main difference between the two groups was that we in the democratic opposition were outside the system, generally unemployed and on the margins, while the nationalist writers were mainly insiders working within the system, whose works could be published or performed in the theater and so on. In 1985, we organized a conference with the most famous nationalist writers as well as with reform economists, who were closer to us but working in state research institutions and not marginalized like the democratic opposition. We had a very interesting discussion but it did not unite us.

From these groupings, the first non-communist political parties were formed. In 1989, we in the older democratic opposition formed a liberal party, the Alliance of Free Democrats (SzDSz) and the younger activists started the Federation of Young Democrats, or Fidesz. A little earlier, the nationalist writers and their allies in educational institutions formed the Hungarian Democratic Forum, or MDF. Several historical parties were also reestablished, like the Smallholders, Christian Democratic, and Social Democratic parties, led by people we had not heard of before and who, we thought later, were likely manipulated by the secret police.

The liberal party, the Alliance of Free Democrats, gained strength due to the referendum it organized in November 1989 on the party-state. The referendum had four questions: whether Socialist Party structures, or cells, should be allowed in workplaces; whether the Socialist Party should own assets; whether the Workers' Guard, the factory-based militia, should continue to exist; and lastly on whether there should be a direct or indirect vote for president. Ninety-five percent of those who cast ballots voted "No" to the first three questions against the party-state system and a large majority voted "No" to direct presidential elections. The last question was a vote against the possibility of a strong communist leader assuming a dominant position in power. (At the time, Imre Pozsgay, the Socialist Party chairman, was likely to win such a position; he is now an adviser to Viktor Orbán.) The referendum results were a large and decisive anti-communist vote. With their ballots, people were choosing capitalism and democracy.

But despite that large victory, we lost the first free elections in the spring of 1990. The MDF and historical parties won a majority of seats in parliament while the liberal parties, SzDSz and Fidesz, and the Socialists were all put in opposition. József Antall, the leader of the MDF who became Hungary's first post-communist prime minister, accepted the existing constitution and also understood and accepted that he had an opposition that was strong in a lot of large cities. On some issues, he led mainly by consensus and there was an agreement among all the parties to privatize property and to establish a capitalist system allowing foreign investment. It was an historic compromise that lasted from 1990 to 1994 and that put Hungary on the path to change.

Unfortunately, this agreement broke down in the so-called "media war" that began over who should head the state television and radio. The nationalists thought that they should be the main influence in the state-owned media and the struggle alienated a lot of voters. Partly as a result of this struggle, the nationalist MDF lost the election in 1994 and the post-communist Socialist Party won an absolute majority of seats in parliament. Despite winning a majority, the Socialists invited the SzDSz to enter into coalition and it was here that we were very unclever. It was a fundamental mistake to join the government. At that point, Fidesz became the largest opposition party and took a radical liberal position against "us," now united with the Socialists. But from this position, Fidesz turned quickly to the right to supplant the MDF as the conservative nationalist party. In 1998, Fidesz won the elections and ruled for four years. I, myself, throughout this period, was always the mayor of Budapest, winning a large majority in elections as the SzDSz candidate.

In 2002, Fidesz lost the elections, and again in 2006, mainly due to the more liberal vote in Budapest. For eight years, there was again a

Socialist-Liberal government and it did not function well at all. It governed during two huge economic crises during which time the term liberal became a stigma, associated with multinational companies and foreign banks that were seen as taking advantage. A very strong propaganda campaign was waged against the liberals. Fidesz also used the politics of memory to re-analyze the past, especially the 1956 Revolution, and assumed the position of a radical anti-communist party. Slowly, an economic populist, nationalist ideology took hold.

Fidesz gained power in the 2010 elections in a landslide, securing more than two-thirds of parliamentary seats and ousting the unpopular Socialist Party that hasn't managed to rebound since.

This time, Fidesz prepared for when it came to power. Within months of the 2010 election victory, using its two-thirds majority, Fidesz put forward a number of laws. The first was the Law on Media. In effect, it allowed Fidesz and its allies to gain a near-monopoly over the media. Today, Fidesz supporters own 85 percent to 90 percent of the media. The law also effectively ex-communicated smaller religious groups, so to speak, because they lost national subsidies for their media. Generally since taking office, Prime Minister Viktor Orbán has curtailed democratic values by systematically limiting freedom of press and religion, weakening the system of checks and balances, and disregarding the rule of law.

What's most disturbing is how direct Orbán has been in his plot to centralize power. He is not hiding behind flowery rhetoric about "freedom," Orbán has explicitly announced that he plans to build an "illiberal state" modeled after Russia and other authoritarian states.<sup>2</sup> So far, his plan has proven fruitful: in April 2014, the Fidesz-Civic Union again won a two-thirds supermajority in Parliament. This was due in part to new election laws that international observers have said disfavor the opposition through gerrymandering and lowering the requirements for parties to appear on the ballot, thereby splitting the anti-government vote.<sup>3</sup>

Now, Hungary's orientation towards Europe has been put in question. The Speaker of the National Assembly, László Kövér, even said that if Brussels goes on resembling Moscow, it would be worthwhile to consider breaking from the European Union. Such a divorce would be an economic disaster, since 6.3 percent of Hungary's GDP comes from European

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<sup>2</sup> See, news reports on the speech in Romania where Orbán announced his plan, for example "Orbán Says He Seeks to End to Liberal Democracy in Hungary," by Zoltan Simon, Bloomberg News, July 28, 2014). — Author's Note.

<sup>3</sup> See "Hungary Elections: Four More Years," *Economist*, April 5, 2014. — Author's Note.

taxpayers, while 95 percent of Hungarian public investments are at least partially financed from Brussels.<sup>4</sup>

In general, we describe what has developed using the term “the Hungarian octopus,” a post-communist mafia state. Indeed, corruption has always been a problem in Hungary, but never before has it been practiced in such an obvious fashion as of late. Some politicians now even embrace it as a patriotic quality.

The international community is no longer staying silent. Both the United States and the European Union are starting to realize that a new Cold War is brewing right in their own backyard. President Obama publicly condemned Hungary for its harassment of NGOs in September and the US government banned six Hungarians implicated in corruption charges from entering the country. The national tax authority has gained a seedy reputation in recent years, having been accused of turning a blind eye to VAT fraud committed by government cronies and of bribing American companies with tax breaks in return for funding policy papers that favor Orbán’s administration.

So we are going back, not just in Russia, but now also in Hungary. Again we are in a situation where we are in opposition not to a government but to a system, where it is not possible to change the government by elections but one must organize opposition by other means.

## **Isa Gambar**

I will speak about the party that I represented for twenty-two years. The Musavat Party is the oldest party in Azerbaijan. It was established initially in 1911, so we celebrate more than 100 years of existence. In 1918, the Musavat Party was the main political force that established the Republic of Azerbaijan and it governed the country for two years. It was the first and at that time the only democratic country in the Islamic world. Musavat initiated many reforms and legislation, including granting universal suffrage and the right to vote for women, ahead of many European countries. And it should be noted that while women were having to struggle for universal suffrage in Europe and the US, the male leadership of Musavat took this initiative in Azerbaijan: men fought for the rights of women to vote.

Russia recaptured Azerbaijan in 1920, this time under the banner of Bolshevism and the Red Army. Thousands of members of Musavat were liquidated in the work and prison camps of Lenin and Stalin. The book of Oleg Volkov describes the dignified behavior of Musavat prisoners in the Solovki prison camp. We tried to fight in an underground movement

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<sup>4</sup> See the EU Commission’s Hungary country page ([http://ec.europa.eu/budget/mycountry/HU/index\\_en.cfm](http://ec.europa.eu/budget/mycountry/HU/index_en.cfm)). — Author’s Note.

against the Bolshevik Party, even after the Stalin purges and the adoption of the 1937 Penal Code, but most of the activities were carried out in exile abroad by Musavat's founder, Mammed Amin Rasulzade, who left after being imprisoned and internally exiled. After being pressured by the Turkish government to stop his anti-Bolshevik activities, Rasulzade left Istanbul in 1929 and organized activities in Warsaw, Paris, and Bucharest, where he played an important role in establishing both anti-Bolshevik and anti-Fascist blocs in Europe. After the war, he returned to Turkey and continued the party's activities.

The ideas of the Musavat party were spread again in the '60s, in an underground movement, when activists sought to rebuild the party inside the country, with support from the outside party. As a result, when the Azerbaijan Popular Front was created to press for Azerbaijan's independence, the Front recognized the original program of Musavat as the basis for the independence platform. There were different organizations represented in this movement, including social democrats, national democrats, and even the Islamic Party, although these do not have strong followings today. During the late *perestroika* period, the leaders of the Musavat party in exile in Turkey communicated with us in the democratic movement encouraging us to formally reestablish the party in Azerbaijan. We did this in 1992 and it has been operating in Azerbaijan ever since. So there was a clear thread of continuous existence.

Let me focus on a few issues. I agree with Mr. Dubnov that Russia has not dealt with its history and unfortunately Stalinist sentiments are re-emerging. But I would argue that the collapse of the Soviet Union *was* the result of an ideological struggle, one between liberalism and Bolshevism. In Azerbaijan, liberalism, represented by Musavat, fought against Bolshevism for 100 years. The Musavat Party fought continuously for people's freedom and the independence of our nation, in that order. Mammed Amin Rasulzade, Musavat's founder, articulated an ideology more than 100 years ago that placed the rights of the individual first, ahead of the rights of the state or nation. The fight against Russian and Azerbaijani Bolshevism was continuous and always related to this liberal idea. But national independence was also important in counteracting Azerbaijani Bolshevism, which of course, tied the fate of the country to Russian Bolshevism.

While many people in Russia (and elsewhere) consider Musavat to be a nationalist party, this means simply that Musavat supports national independence, which of course remains important to us today. But more than 100 years ago, the Musavat Party promoted ideas of liberalism and this is our heritage. The 1918 constitution relied on the concept of citizenship, regardless of national origin, ethnicity, or religion. And this is our policy today. I remember also Chernomyrdin saying that "whatever party we



establish will be the Communist Party.” We, however, were determined that the Musavat Party *not* resemble the Communist Party. We have succeeded.

For example, at its Congress this year, we abided by new statutes limiting the number of terms of the chairman, and so I did not run. I also did not formally endorse any successor. This is extremely important in Azerbaijan. Ilham Aliyev introduced in 2009 a referendum specifically removing the two-term limit on the president’s office so that he could win a third term. We therefore introduced this term limit within the party. At the congress, four candidates ran for the office of chairman, with two candidates having a serious chance to win. In the second round, the vote was 54-46 percent, which demonstrates a party structure that follows democratic procedures. In conditions of dictatorship, Musavat is insisting on being a *democratic* party. This is one reason why we are the leading opposition party in Azerbaijan that continues to have a large support in society. In normal conditions, in a free and fair election, Musavat would win. I assert this based on alternative vote counting and exit polls in prior elections as well as the results of many opinion polls. I would be happy to see free and fair elections in our country to see if I am right.

The crux of the matter is that in Russia there is a different notion of what democracy means. In Russia, people view democrats as having caused the collapse of the Soviet Union and the economic collapse in Russia. In Azerbaijan, democratic parties are seen as the leading force for achieving independence. It is why democratic movements in Azerbaijan, Moldova, Georgia, or the Baltic States are seen in a positive light. Also, during our year in power, people saw that we fought against corruption, while the Aliyev regime has raised corruption to its highest levels and no one is held accountable for it.

Let me turn though to the role of international factors on political parties and opposition in Azerbaijan. These are firstly related to the direct negative influence of Moscow. I am not being original here when I say that the current situation in Azerbaijan is the result of the Kremlin’s policies. For one, the frozen conflict of Nagorno-Karabakh was created by Moscow and it is Moscow that did not and does not allow this problem to be solved. There is a joke in Russia that any post-Soviet states that want to stay independent must pay a tax, a real-estate tax of 20-30 percent. Georgia has paid with Abkhazia and South Ossetia; Moldova pays with Transdnierster; now Ukraine pays with Crimea and possibly eastern territories. It is not a singular phenomenon. Moscow also participated in the military coup in 1993 that caused the collapse of our democratic government. Thereafter, Russia sent special “electoral” teams to support the dictatorship’s elections to counteract the OSCE and Western observers.

The West should have an interest in the spread of democracy in Azerbaijan and other countries of the CIS (Commonwealth of Independent States).<sup>5</sup> We understood this. I agree with Mr. Haindrava's comments yesterday citing the mistakes of the West. We are not fighting for anything special from the West. We are fighting to be considered in the West's interest because we believe that democracy is not a mere word. The spread of democracy is a pragmatic self-interest of the West. So, when the West commits these mistakes, it is to the West's detriment as well as our own.

Specifically, I wish to discuss the Western approach to supporting democratic institutions in post-Soviet societies. Western donor organizations support media and NGOs but ignore political parties. I am happy that the European Parliament gave the Sakharov Award to one of our NGO leaders who is a political prisoner [Leyla Yunus] or if other awards go to prisoners who are journalists and NGO activists. But political activists are ignored. Do they not deserve support? Arif Hajili was imprisoned twice, once for 1½ years and once for 2 years. Two of Musavat's leaders are now imprisoned. Journalists are courageous and deserve grants and awards. But they earn a living from this work. Opposition political activists lose everything, including their jobs. Their families lose everything for them to be active in politics. Perhaps this Western preference for supporting media is that journalists, unlike political activists, are not aiming for political power. The fight for power is seen somehow as less than honorable. It is an odd preference for democracy promoters. They should know that the fight for power in authoritarian countries is heroic and the authoritarian governments treat political activists as traitors. Western leaders do not conceive of how difficult the situation is for our political activists.

Mr. Dubnov reminded us that in Russia in 1996, Zyuganov would likely have won were it not for falsifying the vote. I would ask him, though, what would have happened if Zyuganov had been allowed to win. We know in Poland that after Lech Wałęsa, Aleksandr Kwasniewski, the leader of the post-communist party, won the presidential elections and then Poland became a member of NATO and we saw a succession by leaders of other parties. Russia is not the same as Poland, though.

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<sup>5</sup> The Commonwealth of Independent States was established as a successor "entity" to the Soviet Union as part of the Belavezha Accords, named after the location of the state dacha where the leaders of Belarus, Russia, and Ukraine formally declared the dissolution of the Soviet Union. Eight other newly independent states joined the CIS in 1992 and Georgia joined in 1993. Georgia withdrew, however, following the war with Russia in 2008 and Ukraine left in 2014. The CIS currently comprises nine full members (Armenia, Azerbaijan, Belarus, Kazakhstan, Kyrgyzstan, Moldova, Russian Federation, Tajikistan, and Uzbekistan) and one associate member (Turkmenistan). — Editor's Note.

## **Discussion**

### **ARKADY DUBNOV**

Mr. Gambar poses a very interesting question. What would have happened had Zyuganov become leader of Russia? There was a joke at that time. “Question: What is Zyuganov’s worst nightmare? Answer: That he becomes president.” Politics in Russia is a business. The “opposition” politicians were not and are not contesting for power. They felt and still feel quite comfortable in the situation of systemic opposition and they are provided with this comfortable position by a core electorate, groups of voters characterized by conformism.

If Zyuganov had achieved power, it would have been quite evident quickly that the communists he represented were not capable of managing the economy in today’s world. They might have had political support for their economic policies but these would have driven the country to an even bigger economic crisis than what we had in the 1990s. Perhaps some of you know Sergey Glazyev. He is a current political adviser to the president but before was an adviser to Zyuganov. He proposed then to print more roubles and to use them to buy American currency so that the US economy would collapse. This is the level of thinking of economics of these politicians. I do not think, therefore, that Zyuganov’s victory would have resembled the Polish outcome with Kwasniewski, who represented a completely different communist group. In Russia, it would have ended in nightmare or bloodshed. It was a compromise of the democratic process in 1996 to ensure Yeltsin’s victory, but there was an unfortunate dilemma.

### **SERGEY DUVANOV**

The speakers offered us an analytical overview of the situation but we did not hear much about the reasons why. Why are things as they are now? I did not see the reasons why we find ourselves in this situation, in this place. We were asked to look at where we are after this twenty-five-year period. It is only when we answer this question that we can answer the question of what is to be next. Unlike Georgia, some of us are at the starting point; some of us have even gone backwards. What is next? We have worked for twenty-five years only to lose to our ideological opponents. We need to talk about this to discuss how we are going to work tomorrow.

### **IVLIAN HAINDRAVA**

I do not believe we came here with the hope of finding out one answer. What is to be done in Georgia is one thing, in Kazakhstan another, and another still in the Baltic States. In that regard, we all speak and discuss interesting ideas here; perhaps they will develop into more concrete proposals.

I would like to commend Arkady Dubnov and Mr. Gambar for their comments. Here one could see the difference first between how it was seen from the imperial center and how it was seen from the colonies. In Moscow, they saw developments as the collapse of empire. In the colonies, they saw events as a fight for independence. Interestingly, the communists regained power in the colonies, but not in Russia, in the center; rather the communists accused Yelstin of letting the great empire collapse.

What happened and what happens today in Russia effects the remaining neighboring states, both the former republics and the other states of the region, but also with global consequences. In Russia, as Arkady describes, there was an ideological vacuum. When the Soviet Union collapsed, nothing replaced the former ideology. Alexandr Dugin's Eurasianist idea existed before him but he has turned this into an official ideology, whether we like it or not. It is natural to fill a political void with a conservative, nationalist ideology. Putin's conservatism, however, differs from English conservatism, which tends inward, away from the European Union. Putin's conservatism joins together Soviet and Russian imperialism.

As this ideology is being advanced so quickly, I can hardly predict its future. But as far as the Russian world is concerned, it is being transformed into a clear and evident challenge to the democratic world as an anti-liberal and anti-democratic ideology with global consequences. If it remained local, that would be one thing, but this phenomenon extends farther. It is not simple. Note that while presenting his idea of the Eurasian Economic Community, Putin said it was an historic decision for all countries of the post-Soviet region. I stress *all*.

In Georgia, we considered the concerns of the Baltic States towards Russian expansion and imperial attitudes with some irony. "Why do you worry so much? You are members of NATO after all, not like us." But I believe now that the threats are real for the Baltic States. Georgia didn't manage to join NATO but it is moving to the West as part of a national consensus—a rare occurrence in Georgia. Our message to our partners in the West, "Don't leave us alone with this threat." Article 5 does not apply to us, but please don't leave us alone to face this threat.

## **TUNNE KELAM**

These were very interesting presentations and I have two questions to the presenters. My first question is to Gábor Demszky. You said that we need to have a change from the present system in Hungary. But with whom and relying on what principles? The most popular comment this morning was Chernomyrdin's quip that the communist spirit would survive in all new political parties. The Hungarian liberals were not free from that spirit. As you said, they made the fundamental mistake two times to join with

the nomenklatura party. It reminds me of the famous last scene of George Orwell's *Animal Farm* when the pigs stood on their hind legs and all the animals could see that there would not be any difference between pigs and humans. So my question is what would have been the alternative path? Was there a better option?

For Arkady: you said that decades will pass before Russia is ripe for reforms. But is there a chance to speed up developments? Lilia Shevtsova commented ten years ago that in Russia they were pretending to have democracy while in the West people were pretending to believe in Moscow's pretending. Putin doesn't have to pretend anymore. But is there anything more positive in the development of Russia? Is there any maturation towards democracy?

I wanted to ask also a question on the issue of a Marshall Plan. It was an intriguing idea for all of us and is even today. The Marshall Plan is a fundamental example of solidarity for getting out of crisis. But how could such a Marshall Plan have been offered? To whom would it have been channeled? Yes, it is true that the West did not trust Yelstin and his corrupt entourage. But the Baltic States, too, were not offered a Marshall Plan. The difference was that in the Baltics, new parties, new freedom movements developed on their own, of their own initiative, and developed relationships with Western funding partners. This means first they developed grass-roots level relations and mutual trust, which was followed by economic assistance. The important thing is you need both sides to be ready: the Western side must be prepared to offer assistance, but the other side must be ready to use it in the interests of their democracy, not simply as a chance to grab money.

### **GÁBOR DEMSZKY**

Your question is an important one. I think that now we are in a very similar situation as in the time before 1990. There were different opposition groupings that disagreed with each other, there was a lot of heterogeneity, but in the democratic opposition they all agreed that they opposed communism and we needed to change the system. And we need this agreement today that we are against a new system that is also illegitimate and we must change this system. For me, I think there is no other path than to return to the old, liberal, European, democratic principles.

In general, I would like to see more people in the street and less articles by intellectuals about how they differ from one another. I would like to see more agreement on the objective that we need European, liberal democracy and that Europe is where we belong.

**ARKADY DUBNOV**

Mr. Kelam asks a question that is hard to answer, but I will try. Today, I saw on Facebook something that I thought must be a historical joke. Two hundred peacekeepers from Germany will be sent to southern and eastern Ukraine to monitor the truce between the separatists (that include Russian troops) and Ukrainian forces. Seventy years after the victory over Nazi Germany, German troops are now peacekeepers among the past war's victors who are now at war with each other.

Friday, there was an investment forum. The former minister of economy under Putin, German Gref, who is now a head of a private bank, criticized Putin's economic policy and he likened the current situation to the old communist old boys' network. He publicly criticized Putin. Perhaps, it initiates the revolt of the economic elites in Russia. The fact that there was coverage in print and broadcast media is a positive sign. What it will lead to is not clear.

Certainly, we don't need a Marshall Plan today. Russia offers its own Marshall Plan, first with its military. In Belarus, Russia sustains the Lukashenka regime in power thanks to its economic policies and with its military bases. Russia now does not need a Marshall Plan. Russia has to restore the position of the middle class and for that a different fiscal and economic policy is needed to promote small and medium-sized enterprises and to have the interests of the middle class represented. This is lost now due to Putin's policies.

That is why it is extremely important to strike a balance on the sanctions against Russia, distinguishing between those sanctions targeted against Putin and those against any economic elites who revolt. If we increase sanctions, it may be detrimental. Mr. Landsbergis said it earlier: Russia is a country with an imperial mindset. People react to economic difficulties by responding positively to the Kremlin's propaganda to support the greatness of Russia. Russians are proud of their country. They may face serious difficulties but they want to feel part of a great power that others are afraid of. So, we have to think about withdrawing sanctions to prevent this mindset. Such pressure over the long term may end up in tragedy.

Let me return to the role of Germany in this situation. Its role is huge. It behaves in a very strict way and then it conducts a policy based on a fear of withdrawal of energy supplies. Germany is dependent on gas and oil supplies supplied from Russia through its pipelines. Putin understands this very well and uses it. To find a balance between a policy of principles and pragmatism will be difficult.

**VINCUK VIAČORKA**

Sergey asked a vital question. But Vladimir Vladimirovich Putin has clarified this question. He recreates the totalitarian imperial challenge that existed from before twenty-five years ago. Some of us thought this had disappeared, but now we can see this totalitarian imperialist threat has reemerged. Putin made it clear when he said that the major geopolitical tragedy of the twentieth century was the collapse of the Soviet Union. And he has been consistent in his policy to reverse this so-called tragedy, this so-called catastrophe, in the twenty-first century, by shedding the blood of his own nation and the blood of other nations. I was struck by the news from the Pskov oblast that widows of these poor soldiers who were killed—and I say poor because they are being forced to fight for this idea—that these widows agreed that the graves of their husbands would be anonymous. They betray the memories of their own husbands, the most basic violation of morality, for this imperial idea.

Putin has achieved what he wanted to achieve: between seventy and ninety percent of Russians support Putin and Putinism. Arkady Dubnov is an exception of his generation and possibly of generations to come. And so we are forced to confront again this primary challenge. It should sober us. Vytautas Landsbergis says we must accept the West as it is. In this case, however, we must realize that this is a West made up of all Chamberlains and no Churchills. While Western Europe takes an appeasement attitude, we in Central and Eastern Europe are bordering this threat. It is Ukraine which stands for European values right now.

In my view, we must go back to the idea of mass political and social movements to face this challenge. The Ukrainian revolution of values and decency has shown it. The people were at the forefront. Politicians were following, in the back.

**SMARANDA ENACHE**

*Founder and Director, Liga Pro Europa*

I would like to add the perspective of Romania to try to answer the question of how democratic are political parties in Central and Eastern Europe.

Before December 1989, Romania had one political party, the Romanian Communist Party, whose last leader for twenty-five years was Nicolai Ceaușescu. All other political parties were repressed and their leaders and activists spent long periods of time in prison. During the December 1989 revolution, ordinary people came out against the regime but so also did the second rank communist leaders, those who were seen during Ceaușescu's time as possible opponents of Ceaușescu, the "more

liberal” communists who organized the National Salvation Front led by Ion Iliescu. Their idea was to appeal to all non-communist opponents of the regime to join this Front. They didn’t succeed in this goal. As early as January 1990, leaders of three historical parties, persons who had been imprisoned for decades during the communist regime, re-established these parties, namely the National Peasant Party, National Liberal Party, and Social Democratic Party. A new party was created representing the Hungarian minority, the Democratic Union of Hungarians in Romania (UDMR).

No new party was created from the dissident intellectuals, many of whom in fact were semi-dissidents who accommodated somewhat to the Communist regime. Instead, the dissidents formed movements like the Civic Alliance and other professional organizations. The National Salvation Front of Iliescu also encouraged the creation of extremist nationalist parties, like the Greater Romanian Party. Working in coalition with these extremist parties, the NSF tried to eliminate the historical parties and crushed student demonstrations in June 1990 in Bucharest because the students backed the historical parties.

In 1992, the National Salvation Front, part of which later renamed itself the Social Democratic Party of Romania, won the national elections and held power from 1992 to 1996. This party represented the national communists from the Ceaușescu period. At that point, the three historical parties, the UDMR, the Civic Alliance, and other civic movements came together in a coalition and they won the 1996 elections under the banner of the Democratic Convention. The first non-communist president, Emil Constantinescu, was also elected. But already, in the period of 1992–96, the communists had succeeded in confiscating the Romanian economy by becoming the new bankers and capitalists and they also succeeded in re-constituting the security services. So during the four years the democratic forces were in power, they could not control either the economy or the security services. It was a period of high inflation and economic decline. Not surprisingly, in 2000, the former communists, under the new name Social Democratic Party, won again the parliamentary and presidential elections.

From that time, they reinforced their control over the old structures of the Romanian economy, appropriated the program and the language of the historical parties and civic movements, and then went about undermining and destroying one after another the historical parties. In the case, of the Social Democratic Party, the former communists simply absorbed it. The other main historical parties were infiltrated and financed by former communists and became derivative branches of a common tree. They all utilize very well the language of democracy and display loyalty to Euro-Atlantic institutions, but within the country these parties have corrupted the values and principles of democracy, human rights, and human dignity.



Today there is not one single party in the Romanian parliament that is fully loyal to the principles of the anti-totalitarian and anti-communist movements that brought the people to the streets of Bucharest and so many other cities in December 1989 and in 1990.

We know that political parties are key to democracy. If the loyalty of political parties to democratic principles is a function of circumstance or just a façade, what will happen if Romania has close to its borders an aggressive Russia that, let us say, offers the return of Bessarabia to Romania, to feed or nourish the ideas of Greater Romania. Unfortunately, there is no perspective for new parties. The law on parties in Romania is, next to that of the Russian Federation, the least democratic or liberal in Europe. One needs 25,000 signatures coming from all 41 counties to register a national party. There is no possibility to register any local or regional party. There is no prospect for the time being of registering a new party to continue the principles of the December 1989 anti-communist appraisal and to be loyal to the authentic ideas of democracy. So, we have “democratic” parties without democratic politicians.

### **MILJENKO DERETA**

We did not speak very much about the internal structure of political parties. I think it is an important matter. I find the example of the change of leadership in the Musavat party described by Mr. Gambar a very good and mature one. In Serbia, the leaders of the political parties are still the same as in the 1990s. And when there are internal elections it is very characteristic for them to result in party disintegration and a split of the party.

As you know, Yugoslavia had a different history than Russia and an important aspect of its development was that national communist parties formed in each of the republics under the umbrella of the League of Communist Parties of Yugoslavia. This created an intense dialogue among communist parties that resulted in more intra-party pluralism than the current multi-party system in Serbia or other post-Yugoslav countries. But in the late 1970s there was also the introduction of an ethnic or national aspect into their political party programs and this became the basis of the tragedy of civil war. When a multi-party political system was introduced, those who formed the new parties did not have any political program. The only political program to speak of was nationalist. They did not know anything else to do. And there was an atmosphere of vengeance among the different national communists that was easily transformed to start wars. The old communist party became the basis for introducing independence. The leading communist figure in Slovenia was the first president of independent Slovenia.

There was also disintegration in society. It is now very hard to say who political parties represent. Do they represent the workers? Which workers? Thus, it is less a question as to what constituencies the parties represent than it is the question of who controls the political parties. In Serbia, it is not the former communists who control the parties but the former secret services. It is the secret services that came to power to run the parties. It is very hard now in Serbia. The former communists, dominated by the secret services, are now in power, without any political program except nationalism. I fear this will result in more tragedy.

What was very tragic for the development of the whole region was the perception of the left as communist, or former communist. The democratic left option does not exist in the Balkans or elsewhere. If you place yourself on the left, you are considered a communist. We know this is not true, but without an alternative political offer to the workers, you will not have a real stable democratic political system. In that sense, we did not see the positive political changes we expected because there is still an authoritarian approach to how to run the country without any care of the needs of citizens.

**TATIANA VAKSBERG**

*Independent journalist*

I am speaking one day before the Bulgarian parliamentary elections; I will vote here in Warsaw at the embassy. But after Sunday we expect more or less the same. The elections will likely be won by a party that describes itself as center-right, led by a man named Boiko Borisov. He is a graduate of the Academy of the Ministry of the Interior and was a bodyguard of Todor Zhivkov, the former communist leader for 27 years, as well as for King Simeon II, the Bulgarian tsar, after he returned to Bulgaria. This biography shows the whole problem of the Bulgarian transition. How is it possible for someone to be the bodyguard of two opposite political tendencies, the communist leader and the tsar exiled by the communists, and then become leader of the most successful Bulgarian political party? Boiko Borisov's party is poised to win again tomorrow for the third time. He is a person with high popularity among Bulgarians. No other political party has won successive elections for parliament.

What happened to political parties in Bulgaria? Until 2001, we had a relatively stable political system with two major parties, the Socialist Party, the renamed former communist party, and the Union of Democratic Forces, a coalition of several political groups similar to the Democratic Convention in Romania. The UDF had one stable period of governance, between 1997 and 2001, with a government led by Ivan Kostov. This anti-communist coalition came to power after a very dramatic period in

Bulgaria. There had been two years of political and economic instability, hyper-inflation, and high unemployment and poverty. Several reforms were begun at that time, but the most important of them, like pension and health care reform, were never completed and remain uncompleted until today.

In 2001, Simeon II, declared that he wanted to rule Bulgaria again. In fact, he had been the titular ruler in exile until the fall of communism and in 2001 he decided he wanted to return to the country. He had a huge support among Bulgarians although he never articulated any political platform. He said he wanted to change the political system because it did not work. When asked what he would do, he said he would decide when he was in power. It was his answer to many questions. He would say he would improve the lives of Bulgarian citizens but when asked how, he would say he would learn how when he was elected and began to govern.

The party he created was an eponymous one called National Movement—Simeon II. It is the only political party I know of that was given its political orientation by a news agency. Simeon II never ascribed any political orientation to the party but Reuters, presuming it had to be rightist, called it such, so the party started to assume a rightist label. During the four years of Simeon II's rule, Mr. Borisov became the most important figure in the security services. He later was elected mayor of Sofia. After that, he became prime minister.

Smaranda Enache described how in Romania there were so-called democratic parties but not democratic leaders. But I would say that if we speak about parties represented in the parliament we do not have democratic parties at all. We have parties that have no comment in the face of an economic crisis as large as in Ukraine. They have no position on the economic crisis. Existing political parties are simply a gateway for criminals to enter executive and legislative branches of power and gain greater and greater sway. A commentator on one news site made the observation that what we need to change is not only Bulgarian politicians but also the people who vote for Bulgarian politicians.

**PETRUŠKA ŠUSTROVÁ**  
*Independent journalist*

In the Czech Republic, we have a few stable parties. The most stable is the Communist Party, which is the biggest in size and has received between 12 and 19 percent of the vote since 1991. It had the third most votes, with 15 percent, in the most recent election in October 2013. It is very active in public life. It says it does not want to return to the old system, but

it is impossible to make a coalition with it, since many people still don't like communists and they are rather old.

Up until 2000, there were some stable parties, such as the Christian Democrats, but they served only one or two terms. In the last decade, new parties are appearing without any clear agenda. They are generally populist, as in other countries, and are generally based on an anti-corruption platform, corruption being a persistent problem in Czech public life. When you form a new political party, you declare yourself against corruption and for transparency, open access to information, and so on. It does not matter if you are right wing or left wing. Of course, corruption is a problem throughout the West, but there is a general idea that it is not good to steal and corruption generally is punished. In our region, it is not.

Czech political parties are generally democratic. Some of you were in Prague last week during the campaign for local elections. There were many candidates and I have no idea about the agenda of most of them. The people vote mainly on the basis of the candidate, not the party. They can hardly learn the party's agenda. The Civil Democrats are presenting very blurry demands: they are against corruption, they are against selling state property, and they want more housing.

I do not think the Czech Republic is worse than the rest. These are general trends. But I understand people who are skeptical towards democracy when they do not know who is ruling, why they are ruling, and think that their vote really doesn't matter. Other countries experience worse situations. Certainly, the political parties in Azerbaijan are in a worse state than in Czech Republic.

But the West is also changing and the West is now looking for a new identity after the end of the Cold War. What we are seeing with the West's attitude towards Ukraine is not the same West as twenty-five years ago. Someone has taken its anti-communist nerve away.

## **ARKADY DUBNOV**

Petruška mentioned that the West has changed. It is not like it was twenty-five years ago. It does not have an anti-communist nerve. I remember that Gyorgy Arbatov, one of the most influential advisors to Gorbachev, used to say that "we are going to disarm you by taking communism away. You are going to be weaker because you will have no enemy." But the West did not notice that instead of communism there is the threat of energy imperialism. I do not say that it is Russian imperialism. I say it is energy imperialism. Germany is not afraid of military imperialism, it is afraid that the energy umbilical cord will be disconnected.

**IRENA LASOTA**

Anti-communism was at times unpopular even in the United States, and is very much out of fashion today, but I think it is important to the discussion. Twenty-five years ago, the popular movements in Eastern Europe were anti-communist, even when they did not explicitly say they were against communism or the communist system. Simply, these movements promoted values that were contrary to values imposed by communists for 50 or 70 years. And by communist, I am not necessarily speaking about an ideology or about dogmatic communists but rather people who, as rulers, had what the philosopher Theodor Adorno called an authoritarian personality, people who were unsympathetic towards democracy or pluralism. Having such an authoritarian personality, the communists, were highly successful in governing the passive parts of the society. In his book *Political Dictionary*, Jakub Karpiński defined words according to their use in communist countries. He defined “activist” as “the most passive part of the society that can be mobilized when given orders.”

The popular movements of 1988-89 went against communist definitions and values. I have looked again at all the pictures from those years. It is clear from them that these were authentic popular movements existing throughout the Soviet bloc, having leaders who came out of the people’s movements, and all acting against the communist rulers. Go back to when societies began to awaken, in Baku in 1988–90; in the Baltics from 1988–91, especially when a million people held hands in a human chain over 300 kilometers; or in Hungary, on June 16, 1990, when more than a million people came out in Budapest for the reburial of Imre Nagy. They were rejecting communism.

But that was not the only attitude at the time. At that Budapest demonstration, a then-young liberal, Viktor Orbán, was the first to call openly for the withdrawal of Soviet troops. That night, he went to a reception and when he came out, he was shaking. Not only US Ambassador Mark Palmer but also the famous Polish dissident Adam Michnik had told Orbán that he had just committed the most dangerous mistake possible because he would likely be the cause for Soviet retaliation that would ruin everything. This was telling: many people, in the West too, did *not* want people to speak about the Molotov-Ribbentrop Pact, or about Soviet troops, or about independence, or about democracy. And so, later, when the leaders of popular movements in many countries were replaced by those selected by the communists or secret services, there was not enough reaction. In 1992–94, there was an anti-democratic counter-revolution of the former communists, who became successful in Azerbaijan, in Georgia, and as far away as Tajikistan. Two anti-communist prime ministers were deposed by parliamentary coups: Jan Olszewski in Poland and Philip Dimitrov in

Bulgaria, and the democrats in Lithuania lost elections in November of that year. Even here in Poland, there is a sense that somehow the victories of 1989 were compromised by the communists. Solidarity the trade union was forgotten and the revolution was kidnapped by those willing to enter the process of negotiations with communists. The process of how to put down mass movements has been studied by many people from the 17<sup>th</sup> century on, but the process after 1989-91 was new. The democratic victories seemed to be so permanent that the communists had to regroup through political manipulation.

### **ISA GAMBAR**

Some of our colleagues ask that we discuss our mistakes. We made a lot of them and can talk about them. But when voters asked me whether we would make the same mistakes as before, I said, “No, I will commit new mistakes.” The point is that our mistakes are not as significant as the decisions taken in Moscow and Washington. The aggressive policies of Moscow are causing more problems than any of our mistakes. The policy of the West to support only mass media and NGOs and not the political opposition was more harmful than some of our mistakes. Similarly, the decision not to support independent trade unions, which were an important part of civic and political life. Today, we have no independent trade unions; they have been crushed. The same is true in other countries. I remember ten years ago, we tried to get support for the independent trade unions in the oil industry—any type of support. It never came. The decisions made by Moscow and Washington are both significant in their impact.

### **VYTAUTAS LANDSBERGIS**

I want to respond to the idea that the Cold War was won by popular movements against communism. But it wasn't communism that was defeated, as we can see. It was the Soviet Union that collapsed. And what was taken away was the pseudo-communism of Stalin, who seized everyone's property. But certain ideas survived. The “enemy” was taken away, but it was only the formal communist enemy, the name, that was removed, and as a result there was no clear post-war arrangement to prevent its revival.

Before, there was the fanatical belief that the Soviet Union was the leader of the world proletarian revolution and everywhere it succeeded all property would be “socialized,” meaning taken away. What lay behind this fanatical belief was the use of revolutionary violence, or simply violence, for the higher goal of Soviet communism. This use of revolutionary violence was the foundation of Soviet communism and the use of violence is the underlying idea of the current revived threat of Russian imperialism. There is a banner inside the premises of the ruling United Russia party.

It shows Putin as the savior of a girl (representing the nation) by having seized the Crimean peninsula. The idea is that Russia, raped by the West, is saved through the rape of territory. This banner shows everything. Communism was a religion of violence that has been appropriated by today's Russian imperialism. The old KGB people were taught to use techniques to confuse people. The crude term—I apologize for using it—was “to shit in people's minds.” This is what is going on now with Putin's propaganda. The savior is saving Russia from being raped by raping others. Another term, which was used after Georgia, was “keeping the peace by force,” telling the victim of rape to be at peace with her rapist. The “peace” is kept by the one who uses force to seize territory.

## Theme 4

### What is the Unfinished Business?

IRENA LASOTA

We are initiating the topic that is at the heart of this seminar. We have here four speakers—**Isa Gambar** from Azerbaijan, **Tunne Kelam** from Estonia, and **Vytautas Landsbergis** from Lithuania, who were not only very active during the events of 1988–91, but may be described as the very conscience of the independence movements in their countries. **Mustafa Dzhemilev** is the national leader of the Crimean Tatars and may also be described as the conscience of the Soviet human rights movement.

#### Panel Discussion

**Mustafa Dzhemilev, Tunne Kelam,  
Vytautas Landsbergis & Isa Gambar**

#### **Mustafa Dzhemilev**

To tell you the truth, I am not really ready to participate in this academic seminar. I asked Irena what I should speak about and she said the topic should really be “How to liberate Crimea.” Of course, if I knew how to liberate Crimea, I wouldn’t be participating in conferences, I would be liberating Crimea. So if we are not liberating Crimea yet, let me talk about the situation as it is.

Firstly, what are the consequences of the Russian occupation for the Crimean Tatars, the indigenous nation of the Crimean peninsula? They are dramatic.

As you know very well, the Crimean Tatars survived the mass deportation from Crimea in 1944 and the partial genocide perpetrated by Stalin. We survived over decades and worked in a democratic and peaceful way to return to our historic homeland, the Crimean Tatars’ motherland. From the moment of the declaration of independence of Ukraine, the Crimean Tatars were a well-organized group within Crimea that could counteract the Russian separatist movement supported by Moscow. In Ukraine, there was a saying that the most Ukrainian group in Ukraine was the Crimean Tatars. And if you followed the propaganda coming out of Russia starting in 1991, the Crimean Tatars were portrayed as a disgusting group and a de-



stabilizing threat likely to create the next Chechnya or Kosovo. It was said that Ukraine was carrying out the wrong policy by attempting to forcibly change the demographics of the population in Crimea and discriminating against the Russian majority. The Russian population was the majority in Crimea, constituting 58 percent of the peninsula, and the Ukrainian population, which was fairly Russified, speaking and writing in Russian, was about 23 percent. Yet, the Crimean Tatars, constituting less than 20 percent of the population, posed a threat.

Now, since March 2014, there is annexation and occupation. From the outset, we heard about the possibility of a second deportation of Crimean Tatars. The idea appeared on official web sites. There has not been a second deportation yet, but there have been all the preparations for it.

At first the occupation forces tried to negotiate with us. Before the actual annexation, the Verkhovna Rada, or parliament, of the autonomous republic adopted a resolution stating that special rights will be offered to Crimean Tatars, including that they would have representation in the government. The Crimean Tatar language would be officially recognized and even the historic names of Crimean Tatar sites and streets that had been Russified following the original deportation would be re-adopted. It seemed that there would be a state of eternal happiness. A few days later, on March 12, I held a conversation with Vladimir Putin and he made the same promises. I insisted, however, that Crimea should remain part of Ukraine. Of course, I do not refuse Russian support. When the Crimean Tatars were deported, Crimea was a part of the Russian Soviet Federative Socialist Republic and if Russia wants to make reparations, it can negotiate with Crimean Tatar leaders. But the territorial issue cannot be negotiated by us.

Putin stated that he had to wait for the referendum to be held to make a decision. I made clear that the Crimean Tatars would not participate in the referendum because to conduct a referendum on de facto occupied territory contradicts both international and Ukrainian law and the results would be illegitimate. The referendum was held on March 16 nevertheless. The official results stated that 85 percent of residents of the Crimean peninsula voted and 97 percent voted for annexation. In previous elections, turnout had never been that high, and we can say definitely that only about 900 out of 180,000 Crimean Tatars voted and, since there was the option to vote for remaining in Ukraine with special autonomous rights, we are not sure even if these 900 voted for annexation. The real results were revealed in the report of the Federal Security Service (FSB) in Crimea: according to this classified document, only 34 percent of eligible voters took part in the referendum.

Immediately, new regulations were adopted. As of April 18, 2014, those who did not declare their intention to retain Ukrainian citizenship would automatically be considered Russian citizens. To retain Ukrainian citizenship, however, one had to submit a special application that stated formally one's acceptance of Crimea as part of the Russian Federation even when declaring one's intent to remain a Ukrainian citizen. Any person claiming Ukrainian citizenship on the territory of Crimea is considered a foreign alien. What happens if one does not accept Russian citizenship? The person has no right to work in state institutions, to buy land, to be elected or to vote in elections, to use medical services, to receive an exit visa, or even to hold a funeral. People who worked in state institutions were ordered to submit their resignations and to re-apply for their positions as Russian citizens. Our people asked us what they should do in this situation. We said that adoption of a Russian passport did not negate claims of Ukrainian citizenship. Moreover, the Ukrainian government made clear that those who accepted Russian citizenship would still hold Ukrainian citizenship and be treated as Ukrainian citizens on Ukrainian territory.

In general, in Crimea, we deal with a Soviet-type regime and in some respects one that is even worse. Democratic freedoms like the right to free speech, association, assembly, and others are denied. If three persons are found congregating, they are treated as holding an unauthorized meeting and fined from 10,000 to 40,000 roubles [between 200 and 800 USD]. It is a ruinous fine for people. People are afraid of facing such a fine. On May 3 of this year, three thousand people came to greet me at the border of Crimea. I have been banned from the territory and was not allowed to enter. All people who came were photographed, reported, and followed, and all of them have been fined. If the fine is not paid within a month, it is automatically doubled. If it is not paid after that, a person's property can be seized.

Mass searches are taking place. Over the last two weeks, forty searches took place. They are looking for "banned literature," just as they did in the Soviet Union. Now, there is a list 200 pages long containing many thousands of titles and it is being enlarged constantly. They search libraries, book stores, and homes and even seize titles that aren't on the list. If there are books with portraits of people banned by the authorities, like myself, they are seized. The searches are carried out illegally by masked men threatening violence against women and children in the homes. They seize computers and whatever else they find. If they find hryvna, the Ukrainian currency, they interrogate the residents.

The authorities also started to conscript Crimean Tatars into the Russian army—even those who do not hold Russian passports or citizenship.

Once conscripted in the army, they are taken to different regions of Russia. They expect that the Crimean Tatars will desert and not return to Crimea. They do everything possible to make sure that Crimean Tatars leave the territory.

There have been abductions: more than fifteen people have disappeared. Only one person has been found. He was brutally tortured and did not survive. He had protested the occupation by wearing a Ukrainian flag on his shoulders. Videotape showed that men in police uniforms had taken him away but no one has been charged with the crime.

In Crimea, there is also a huge concentration of Russian troops—about 40,000 soldiers with heavy armaments. There are different interpretations of this sizeable force. Some consider it likely that these forces will be used to occupy territory with electrical and water supplies and to create a land corridor to Russia. This would mean new losses in human life.

What also worries us? With the military actions in Ukraine, there will be the justification for destroying the “fifth column” in Crimea, namely those who do not support or accept the annexation of Crimea, and firstly the Crimean Tatar people. We know they have lists of people who would be targeted for liquidation and we cannot exclude mass actions against Crimean Tatars. A week ago, Sergei Lavrov, the Russian foreign minister, said there were no plans for a second deportation. But how can one treat such words? Before the annexation, Putin declared he had no intention of annexing Crimea.

The situation is dire. We are concerned that the topic of Crimea has disappeared from view and people will stop talking about the annexation. No Western nation now recognizes the annexation, but we fear that nothing will be done, and our fate will be similar to the situation of Nagorno-Karabakh, South Ossetia, and Abkhazia. We also fear that, as in 1938, some Western nations might be willing to negotiate over the issue. Not many openly talk about it but some EU MPs and even the Czech Prime Minister speaks of it.

What then can be done? What are we asking for? First, we want the issue of the annexation of Crimea not to disappear from the headlines, from the world media. We must speak about what is happening in Crimea and we must speak about how Crimea should be liberated and returned to the sovereign control of Ukraine. It is difficult to say when this could happen, but most analysts relate it to the length of time the current Russian leader is in power. So it depends on Putin.

The annexation of Crimea is also against the interests of the Russian Federation. It offers no advantages to Russia. To the contrary, it will be a

burden to the Russian economy. The annexation has isolated Russia from the community of civilized nations. Paradoxically, a large majority of Russians are pleased with this situation. If you steal someone else's territory, this is a matter of pride. It is difficult to know how long these attitudes will persist. Right now, there is no possibility for a new referendum. People have been congratulated that they are part of Russia and warned that there is no going back. Article 229 of the Penal Code states that advocating a new referendum is tantamount to treason. The liberation of Crimea will not depend on the moods of the Crimean people, even if those running around with Russian flags have put them away and are disappointed at the results.

As regards the economic situation, the Russian government raised the salaries for state workers but prices have doubled. And the tourism industry, on which 60 percent of the population depends, has been destroyed; it does not exist anymore. Ukraine still supplies Crimea with water and electricity and even foodstuffs. There are kilometers-long queues of trucks supplying food. There appear to be business circles in Ukraine involved in this activity, since it offers opportunities for price gouging. Gas prices are manipulated. Of course, if water and energy supplies are in doubt, Russian forces can act.

There is no independent media. All Ukrainian channels are blocked. You can only watch Russian TV, which presents totally biased news. People become zombie-like watching it. Maybe we can do something in this area by setting up a satellite television channel, but then people need satellite receivers.

It is extremely important to document the human rights violations of Russians, Ukrainians, and Crimean Tatars in Crimea. We established a unit within the Ukrainian government to monitor human rights violations and also document the officials who carry out those violations. All of this information will be filed in cases submitted to the European Court of Human Rights. The fines being levied for border crossing, for example, are illegitimate. There is no recognized foreign border of Crimea and so it cannot be a violation of law to illegally cross the border. Trillions of hryvna have been confiscated and a decision of an internationally recognized court could seize Russian property in response.

Also, Ukraine's capability of defense must be strengthened. In the first days of the occupation, the Verkhovna Rada held a closed meeting and the minister of defense reported on Ukraine's military capability. Can you imagine that at the time of the aggression, Ukraine had only 40,000 soldiers of which only 6,000 had arms? It was a situation ripe for military aggression. The situation improved, but still it remains difficult.

## Tunne Kelam

I feel here at home. It reminds me of how, twenty-five years ago, in central Estonia, we convened the second conference of the oppressed nations of the Soviet Union with twelve nations represented. A third conference was held in January 1991 in Tallinn.

Under the title of “what has to be done,” however, we must ask ourselves if anything has changed? What could we have done to prevent this? When we listen to Mustafa now, I must admit that I did not imagine twenty-five years ago that we would still be talking about lawless societies, rampant corruption, KGB-based governments, oligarchic power, aggression, dismemberment of countries, torture and killings of civilians, the muzzling of free media. Seen from the vantage point of 1989–91, this all should have been unimaginable. And yet, the free countries of Europe and the US are not able to face the reality that the world has changed again. Or has it changed after all?

Yesterday, I said that freedom and democratic rights are not guaranteed if citizens are not prepared to defend what they have achieved: liberty and rule of law. In 1941, Erich Fromm, the father of modern social psychology, wrote his famous book “Escape From Freedom,” where he explained why such unexpected dictatorships like Nazi Germany and the Soviet Union had emerged in enlightened Europe. His conclusion was that having achieved freedom, people had also to take responsibility for themselves. This did not happen.

In 1989, we faced the same situation in Central and Eastern Europe. Freedom by itself does not provide for progress, democratic rights, compensation of the past injustice, or economic advances. Today, the dogma of progress dominates the Western world, an understanding that progress is a steady mechanical process. But there is no guarantee that progress from human bondage to freedom and abundance will mechanically continue.

For me, the continuity of developments—historic, moral, cultural, political—forms a backbone that holds progress together. Continuity was very important for us in the Baltic nations. Having been deprived of all other options, Estonians, Latvians and Lithuanians clung to the understanding that under international law their countries were continuously recognized independent states despite military occupation and annexation. This understanding was confirmed by the remarkable fact that the pre-occupation diplomatic missions continued to be recognized in Washington. There emerged another perception of continuity, however, that of accommodation. This process had two aspects. To a considerable extent, the West had accommodated to the existence of the Soviet Union and its behavior. For its part, the communist leadership accommodated its

subjects to the reality it imposed upon them. Especially after the death of Stalin, when indiscriminate terror subsided, including in the Baltic States, there followed a significant shift in thinking. The Soviet subjects were faced with a softer alternative: they would be allowed to live provided that they accepted the system. One could survive and even have some benefits. This engendered a pragmatic, even cynical approach to the existing dictatorship. A massive barter took place trading people's principles for some economic and social benefits.

I would say that in Estonia, there is still a certain idealizing of the Soviet past. If you look at who are considered the "legendary" figures in our history, they are all those who made their careers in Soviet Estonia, who were part of the nomenklatura. The history of opposition and resistance is not taught in schools. The biggest damage done by communism wasn't the social and economic destruction. It was, as Pope Benedict noticed, the moral destruction and the hardening of souls.

So there are manifold tasks to be addressed. One very important task is assessing recent history. After being elected to the European Parliament ten years ago, one of my biggest disappointments was witnessing the absolute disinterest to our history and to our past. "Yes," they would say, "you have become members now. But don't think too much of the past. Let us look to the future." To our colleagues our past seemed too problematic and troublesome.

After a while, I realized there is no possibility of building a common future without settling accounts with the past. It can't be artificially pushed aside. There are tens of millions of victims who suffered under communist totalitarianism. If we prefer to ignore this enormous legacy of suffering it will find other, sometimes destructive and extremist, ways to emerge. The political and moral assessment of Nazism and Communism on equal terms is not just an historic or emotional problem. It is a problem of our common future, of mutual trust and genuine equality.

Some progress has been achieved. Together with Vytautas Landsbergis and some other friends, we initiated in the EU parliament a "Resolution on Totalitarianism and European Conscience."<sup>1</sup> It was very hard to get a majority behind it. The price was a certain watering down of its substance. But, in April 2009, the EU parliament adopted this historic resolution. It had two concrete initiatives: first, to mark August 23 [the anniversary of the signing of the Molotov-Ribbentrop Pact] as an all-European day of

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<sup>1</sup> The text of the Resolution on Totalitarianism and European Conscience may be found on the web site of the European Parliament (<http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P6-TA-2009-0213+0+DOC+X-ML+V0//EN>). — Editor's Note.

remembrance of all victims of totalitarian systems and, secondly, to create a European Platform of Memory and Conscience, which would gather memories and investigate the past. Both have got half-way. Only half a dozen countries have agreed to mark August 23. The Platform on Memory and Conscience operated in Prague, without money and having a limited staff. Finally, in 2014, the Hungarian government allotted a substantial sum for one year to establish an office in Brussels.

What is important for all of us is to address the past and to create a balanced version of modern European history. The present history is built on the paradigm of the winners of World War II that includes the Soviet Union, despite it being co-responsible for its start. In 2009, the European People's Party supported my idea to publish a book on the history of the communist regimes of the ten new member states, with the title *Reunification of Europe*. It is the first time that the sufferings and resistance of ten communist-subjugated countries have been presented in one volume.<sup>2</sup>

### Vytautas Landsbergis

I see that we fell into a pattern of talking about transition in some countries and not others, of an ordering or competition of countries. But I think this is a problem of definition. The division should be between democracy and non-democracy or democracies and non-democracies. The European Union and NATO are democracies in contrast to non-democracies. And among the non-democracies there are anti-democracies that see democracy as a threat to be destroyed. So, if one country adopts democracy, such a neighbor thinks it must be destroyed.

When thinking about the topic, I also prefer not to divide this whole period starting only with the year 1989, but rather to focus on the years 1989 to 1991. This was a period of time when systems changed, when choices were made for the future. It did not just happen in the year 1989. The first sentence of the seminar's description begins: "The revolutions of 1989 and the subsequent collapse of the Soviet Union. . . ." This implies that the revolutions occurred and as a consequence something else happened. But the process of collapsing was going on throughout the region and throughout this time. The revolutions came about as a part of this process. It is about our destiny in Eastern Europe in this period and the weaknesses of most of the republics of the former Soviet Union.

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<sup>2</sup> *Reunification of Europe: Anti-Totalitarian Courage and Political Renewal*, published by the Group of European People's Party (Christian Democrats) and European Democrats in the European Parliament (EPP Group, Brussels: 2009). See <http://stream.eppgroup.eu/Activities/docs/year2009/reunification-en.pdf>. — Editor's Note.

And here, again, we should be clear: these states were never republics and the Soviet Union was never a “union.” It was a union only of subjugated nations. Thus, I notice also the use of the phrase “former Soviet Union.” I propose to stop using that phrase. We do not think about ourselves in those terms. Don’t refer to the Soviet Union anymore. Let the Moscow leaders think about it. For us, the Soviet occupation was an unfortunate period during which there was an imposition of a system we didn’t want. We don’t want to be included in this construct.

Here, also, we must talk about choices. After the Belavezha Accords, all Central Asian and other so-called republics had a chance to grasp the opportunity to become nation states. The dissolution of the Soviet Union was not simply a formal procedure. For a time, there was a chance to build new states and to choose to become democracies. These were years when people were not spectators but had a chance to build their own countries.

What came later was that the KGB party came back. In Russia, what came to replace Soviet dictatorship was a Russian dictatorship, not democracy. In other republics, or colonies, unfortunately the same happened. Arkady Dubnov spoke about the republics as the children of the Soviet Union; they also adopted dictatorships. The Soviet Union was not just a geographical area, but an ideological, moral and mental sphere, where Russia was the dominant force.

I remember [former Soviet dissident and Russian human rights activist] Sergei Kovalyov writing in 1999 that democracy was over and the KGB was the ruling party in Russia. It was not a party, of course. He meant it as a system of ruling, of government, as in the Soviet Union. Russia was going backward—a restoration of anti-democracy, of the Soviet *ancien régime* coming back in a new form.

What can I say about this unfinished business? If we speak only about 1989, the liberation of nations would have stopped at the borders of the USSR. At that point, the leaders of the Soviet Union accepted the fall of the Warsaw Pact countries but said “don’t touch our formal annexations” in order to retain the borders of the Soviet Union. The same was said when the question of NATO enlargement was discussed. The idea was, “If we cannot keep Central Europe, the rest is ours.” It was the same as the mentality of communist dictators. We are not out of business. All of the Soviet captive nations have to stay. So, the peaceful dissolution of the Soviet Union was a remarkable historic development, but even now the Russian leaders are silent about it because for them it meant the dissolution of their empire.



We remember that Democratic Russia was on our side, backing the Lithuanian independence movement's demands.<sup>3</sup> There would have been enormous difference if Russia had been able to become democratic. And now everything has changed, especially with the 2008 and 2014 wars—Russia is shaped as an anti-democracy.

## Isa Gambar

It is a great honor to be on the same panel sitting next to Mr. Landsbergis and Mr. Kelam. In the late 1980s, we looked at these colleagues of ours in the Baltic States already as legendary persons helping to spark the movements in the countries in the former Soviet Union. We closely followed their work, their movements, the statutes they adopted, their statements and speeches, and their style of behavior in the face of critical events, such as the attack on the Lithuanian parliament in January 1991 and the attempted coup in August 1991 in Moscow. They helped us a lot. In January 1990, when Moscow introduced troops to Baku and hundreds of peaceful demonstrators were killed and the situation was dire, a number of our colleagues from the Baltic States proposed a meeting in Riga between the Azerbaijan Popular Front, the Armenian National Movement, and the leaders of the Baltic independence movements. We met with democratic leaders from Lithuania, Latvia, and Estonia. These talks were not successful in solving the conflict but in those days it was very helpful in calming the situation.

We tried to be good students. We saw what happened in Latvia, Lithuania, and Estonia. We saw the cooperation between the movements and we proposed to colleagues in Georgia and Armenia to follow their example. Our Georgian friends were responsive but unfortunately our Armenian colleagues focused on territorial demands and did not value concerted efforts with colleagues in other states.

Twenty-five years have passed and we may say that the transition period in these post-Soviet states is over. Latvia, Lithuania, and Estonia made key and necessary reforms. They achieved political and economic freedom and they are members of NATO and the EU. They have their problems but they have completed the transition as democracies. The transition period is also over in Azerbaijan, Armenia, Belarus, Kazakhstan, Uzbekistan, Turkmenistan and other CIS (Commonwealth of Independent

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<sup>3</sup> The Democratic Russia Movement was a coalition of parties and organizations associated mainly with Russian dissident and human rights activists. It supported the Democratic Russia bloc within the first Congress of People's Deputies elected in 1989; the caucus was led by Andrei Sakharov until his death in 1990. A Democratic Russia Party was also created but it supported the maintenance of the Soviet Union. — Editor's Note.

States) countries. Unfortunately, the transition period in these countries resulted in authoritarian, corrupt regimes that are part of the Kremlin's policy. Georgia, Ukraine, and Moldova, and maybe Kyrgyzstan are a third category; they are still in a period of transition.

But when we sum up twenty-five years of events, we must try to look forward and answer questions for the future. One question is whether a common strategy is possible for the whole post-Soviet bloc. We discussed this yesterday. In my view, it depends on what we mean by "common strategy." If this is a detailed guideline, the answer is no, there is no such possibility, but if we speak of a common strategy as a set of fundamental values and methods for solving problems in our societies, the answer is yes. These democratic values and methods are common for all of us. We cannot create a single guideline or framework for change, but we can build a "think tank" to share recommendations and strategies on general issues and to analyze how they apply to our particular countries. A common "think tank" would include representatives of liberal democratic views who want to help the transition to real democracy in our countries. Very often, there are situations when our friends from Eastern Europe have more experience and larger possibilities for helping us and supporting us without too much effort.

Yesterday, I was called a romanticist and optimist. But I am an idealist who is pragmatic. I believe we must follow our ideals but also act according to real politics and interests. Politicians who act without keeping the basic interests of people in mind lose their way. Of course, those who follow only short-term goals and fulfill only their interests are not going to be successful either. I am an optimist because I believe we can change the situation. We heard today that it will take decades to make changes in Russia. I disagree. I believe Russia does have the potential to achieve liberal democracy. We see this possibility in demonstrations of tens of thousands of people in Moscow. Do you think it is easy to organize a demonstration in Moscow in support of Ukraine or against the annexation of Crimea? Thousands of people did find the courage to take to the streets. I am convinced that if the government and television were in the hands of normal people, it would take a few months but the situation would change drastically. Millions of people in Russia who now have these imperialist ideas are influenced by current state television propaganda. It is natural for ordinary people to be influenced by such propaganda. But it is also possible to change their ideas.

The problem is that Russia remained an empire after the collapse of the Soviet Union and an empire is incompatible with democracy. When an empire starts to democratize, this is the beginning of collapse of the empire. Putin is trying to prevent this altogether and it will result in more stupid

and harmful decisions. So, we cannot simply hope that reforms will start in Russia and then they will spread to our countries. This was the wrong assumption of Western politicians and think-tanks twenty and twenty-five years ago. We must work in our post-Soviet bloc countries independently of what is happening in Russia. We must support nations struggling toward democracy to change without counting on the politics in Moscow. A lot can be done if the right policies are followed. Positive changes can be achieved and democratic reforms can be made in the post-communist countries. The events in Ukraine proved once again that the people living in the post-Soviet region want these changes and seize the opportunity when it is possible to take a democratic path. I am convinced that as far as Azerbaijan is concerned, the people are ready for democracy. And when pressure from Moscow weakens, the transformation will happen more easily. For this, we expect the support of the US and Europe and especially the countries of Eastern Europe.

## **Discussion**

### **IRENA LASOTA**

I will address the first question to Mr. Kelam and Mr. Landsbergis. How well are you prepared for possible Russian intervention? I don't mean like Crimea, a direct occupation, but some other form of Russian intervention. A year ago, everyone would be thought crazy if they said Crimea was going to be annexed by Russia. So, a provocation in Narva, for example, or in Lithuania, is today a possibility. And for Mr. Dzhemilev, what is the danger that there will be violent provocations in Crimea blamed on so-called "Islamic terrorists." If something happens, who should we think about first?

### **VYTAUTAS LANDSBERGIS**

There are no guarantees that nothing will happen. Anything can happen, especially with such a neighbor having such a strange mentality that believes peace and co-operative relations are less important than seizing a piece of land and building an empire. This mentality is not about the people. During the communist times, there were so many nice words about "the people." It all meant nothing. The people could be annihilated and destroyed. So, we may send tens of thousands to die, but if we take a piece of land, it is all worth it. It is the philosophy of the Russian empire. This is important. It is a fascist mentality. According to the leaders, gaining a larger piece of land is the main goal for the nation and state. We could see even after the Soviet Union collapsed how important this mentality was in relation to gaining or losing a piece of land. In the state propaganda, the Baltic States were said to be "lost." It is bad to lose territory. It is better to retain and "regain" territory.

What can we do with this mentality? We hope that in time this imperial mentality may weaken, but it may take a very long time or it may require a catastrophe. I want neither a catastrophe or to wait a hundred years for this mentality to change.

What we strived for and what we achieved was membership in NATO. The Russian leaders were most angry about our countries' membership in NATO. This was unacceptable because it made their neighbor safer and for them a neighbor being safer is a bad thing. Our job thus is to be safer.

### **TUNNE KELAM**

We are not well prepared either mentally or politically. The Western message to Russia up until now is roughly that despite all its condemnation and protests, aggression pays off. Ignoring really what has happened in Crimea and Ukraine, most people in the West concentrate first and foremost on restoring the peace, which by necessity leaves justice at the sideline. While negotiating the peace terms, the aggressor sees retaining its conquests as part of the compromise. Mr. Putin is confident that NATO will not insist on restoring the status quo ante to Crimea. But one should also note a positive change. In Estonia, people feel a real anxiety. Many people have decided to join the league of self-defense. There is also a sense of solidarity. We don't feel separate from Ukraine.

The best security guarantee for all of us will be when Europe will realize that Ukraine is a European problem in the same way that the Baltic States see Ukraine as their problem. The same applies to Georgia or Azerbaijan. The direction of changes taking place in the Black Sea basin or in the Trans-Caucasus region is our common problem. If we start to think and act politically this way, the EU and NATO will gain credibility.

Never, however, discount even the smallest group. We do not know what is the critical mass of people needed to prevent a catastrophe or to propel progress. People here in this room make up a valuable group who have already changed history and who can change history further.

### **MUSTAFA DZHEMILEV**

Regarding the possibility of violent attacks, it all depends on Russia. If Russia decides that it needs Islamic terrorism as an excuse, then there will be such attacks. I think that Russia is not yet decided on how to deal with the Crimean Tatars. The first steps were to try to make a deal. Putin told me all the good things Russia could offer Crimean Tatars. He proposed greater cooperation with Tatarstan, and so on. But there seems to be no unanimity regarding how to deal with Crimean Tatars. Some people still think it is possible to negotiate. Others try to infiltrate and recruit informers.

Putin did say something about how Crimean Tatars should not provoke bloodshed. Putin is not concerned about bloodshed when he says this. Of course, we are not going to fight with Russia. We adhere to non-violence. But we cannot exclude the possibility of provocation. On our land, there are a lot of Russian troops. They can behave in a provocative way. Russia is also afraid of our negative influence on other ethnic nations in Russia, especially about the Volga Tatars and Tatarstan. They fear that our example of non-violent and peaceful resistance may inspire them. So we cannot exclude that they may want to present the Crimean Tatars as violent terrorists.

It is very difficult to prevent violent reactions to provocations. We cannot control all the people or the territory. There might be provocations and some people may not restrain themselves. Then it would be shown on television that bad Crimean Tatars are attacking good Russians. One should be prepared for such news. And remember that many elected leaders of the Crimean Tatars are not allowed to live in Crimea, which makes our voices weaker and our possibilities of tampering the possible violence less effective.

#### **VYTAUTAS LANDSBERGIS**

A point was raised earlier about German peacekeepers being sent to Ukraine. We should not be under any illusion that they are peacekeepers. One can look at the peacekeepers in Georgia, where Russian troops were not moved from the border, in spite of agreement that the Russians would retreat. German troops may be seen as safe keepers of the situation in which Russian employees and agents will stay in areas of occupied territory and Germans will separate them from the Ukrainian army. So Germans will be used to give one more piece of land to Russia. German troops here would be seen not as peacekeepers but as conquest-keepers.

#### **ISA GAMBAR**

This question is just as relevant, even more relevant for Azerbaijan. Estonia and Lithuania are members of NATO, which is obliged to protect it from attack—but one cannot be sure this will happen since the US and UK have now allowed the Memorandum of Budapest to be violated by one of its signatories, Russia. NATO may not be able to counter-act against a nuclear power.

#### **VYTAUTAS LANDSBERGIS**

If NATO did not react, it would be the end of the international world order.

**ISA GAMBAR**

Russian embassies give Russian passports to citizens of Baku and residents of northern parts of Azerbaijan. It is a basis, under Putin's precedent, potentially to attack Azerbaijan. The higher value placed on human life, the more difficulty there is in taking decisions of war. But when a country does not care about the life of their citizens, it is easier to decide to wage war. Developed countries avoid warfare.

## Theme 5

# Decommunization & Transitional Justice

IRENA LASOTA

We have for this important discussion two speakers. The first presenter is **Petruška Šustrová**, a good friend of IDEE's Centers for Pluralism Network. We met in 1977. She is a veteran of Charter 77 and founder of the Committee for the Defense of Political Prisoners (VONS) in Czechoslovakia. From 1990 to 1992, Petruška was Counselor and Deputy of the Czechoslovak Minister of Interior, where she worked on the issues of lustration and decommunization. Today, she is a journalist and public commentator. **Levan Berdzenishvili** is a founder and leader of the Republican Party in Georgia, for which he spent time in the GULAG. He is presently an MP for the Republican Party as part of the Georgia Dream coalition. Levan was a co-author of bills concerning decommunization and lustration in Georgia.

### Presentation

## Communist Legacy and Lustration: The Case of the Czech Republic

by **Petruška Šustrová**

I would like to present the issue of lustration as it regards the Czech Republic.

A year ago, in 2013, we held parliamentary elections and 60 percent of eligible voters cast ballots—about 5 million people. The Social Democratic Party won the plurality of seats with 20 percent of the vote and a relatively new party ANO 2011 (YES 2011) got 900,000 votes, or 18.5 percent. The founder of ANO 2011 is a very rich businessman named Andrej Babiš. In the months before the elections, some media drew attention to the fact that Babiš had most likely cooperated with the Slovak division of the Czechoslovak security services and anyone who was interested could have found out that Babiš was a typical representative of the communist nomenklatura. He had been an official of a huge state enterprise and worked abroad. Our voters knew who they voted for.

Some people have written that Babiš and his ANO 2011 are a threat to Czech national security. I am not sure that it is a real threat or any larger threat than other movements that are trying to re-introduce the communist system to Czech society. I am describing this example to explain how the court system operates. In June 2014, a court in Bratislava determined that Andrej Babiš was not in fact an agent working for the state security services. In lustration cases, the Czech and Slovak courts can make such a determination if a former official of the state security services declares that the inclusion of a person on the list of security agents was due to fabrication by security agents of certain documents. In that case, the court usually decides to acquit the person or determine that based on the testimony of witnesses that someone is not a member of the security services. There is a large burden of proof.

The Law on Lustration was adopted twenty-three years ago on November 4, 1991 in the parliament of the then Republic of Czechoslovakia. The Law on Lustration (Law 451/1991, as it was numbered) stated that people who used to work in the state security services could not hold certain official positions. The law was contentious, but it was mainly designed to protect the country's national security. The Ministry of Interior at the time knew that before the communist system collapsed the lists of the state security apparatus had been handed over to the Soviet KGB and there was a real fear that such lists would be used to blackmail individuals to serve Soviet interests in our country. There was also a strong view that people who held key positions in the communist government and structures should not hold high public positions in the new democratic system.

There were not any political purges. This was a groundless accusation. One can say, however, that lustration did play an important role in Czechoslovak and then Czech politics and one can even say that there was some misuse of the law. At first, the law was to last five years and then it was extended several times. At the moment there are no limits for the application of the law, but at some point it will expire simply because of time—the law covers people who were born before 1971, people 44 years of age and older. The law will thus have less and less application.

Last year, nearly 20 percent of the Czech electorate demonstrated that it did not consider the communist past of ANO 2011's party leader an important factor determining its vote—and this is in addition to the 15 percent of voters who voted for the Communist Party. ANO 2011's platform is to establish a flourishing state free of corruption. Whether it is a right or left party on the political spectrum is hard to say, but it does not speak about returning to the communist system. It is a populist movement that offers people what they are most interested in.



The Law on Lustration was admired by a number of other post-communist countries in the region as a way of settling accounts with the communist past. There are public debates about whether or not to revoke the law, but there is not much impetus for repeal.

Another tool of decommunization was the law adopted in 1993 on the lawlessness or illegality of the communist regime. This law had mainly a declarative purpose but it also affects the rehabilitation of those who suffered from the communist regime. This law expressed the will of the majority of parliamentarians to deal honestly with the past regime. It was not easy. There were those taking part in the public discussion in 1991 who wanted to establish a judicial-type process to publicly condemn the communist past and if not a criminal tribunal at least some public process. I myself had doubts about this idea. One proponent was a friend and colleague who himself had been a member of the Communist Party for some time: did he want to lay blame on himself? Many of us remember that a similar problem was tackled by the Russian Federation Constitutional Court of 1992 when Yeltsin banned the Communist Party of the Soviet Union and the party appealed the ban. The Constitutional Court had to look all the way back in Soviet history to the October Revolution and the Court decided that it was not competent to determine the issue. It ruled, however, that communist party members were certainly free to begin a new Communist Party of the Russian Federation. And by February 1993, the Russian Communist Party, with more than half a million members, was the country's largest political party. It showed that adopting a law or process was not sufficient to deal with the communist past. We can see it in the Czech Republic, with its Communist Party, as well as in other countries.

The issue of communist legacy has to deal now with other public institutions. First of all, this has to do with the task of education and media. In this regard, I believe it was very important to revoke the thirty-year ban on public access to files and to open the archives of the former state security service and other public authorities. This was done in the Czech Republic in 2004. Usually, public archives are protected for thirty years, making them inaccessible to researchers and journalists. The public might have overlooked this issue but Law No. 499/2004 opened the archives of public administration for journalists and historians so that the general facts could be looked at. These archives shed some light on the past, although not fully since it is also necessary to hear testimony from witnesses.

Then, of course, historical works, films, textbooks, and art works have a large impact compared to scientific or research papers. Education also plays an immense role. We must remember that there are new generations that did not experience communism. The Ministry of Education does not

focus on history but on sciences. There is a huge gap and NGOs must fill in this gap. Since communism collapsed, the world has changed a lot and our values have changed in Central and Eastern Europe.

I must add that communists would be unhappy with these words. But in order to change the situation, we should enlighten the society. It is our old idea. Politicians usually think they must come up with new ideas. But I am convinced the old ideas are still important. It is still important to nourish these ideas that we had in opposing communism.

## Response

### **Levan Berdzenishvili**

The analysis of what happened in the Czech Republic is very thorough and from a legal point of view it is very important how these instruments were used in politics and affected actual people who were accused of violations of the law.

From the time I was young, I was convinced of the importance of lustration and decommunization. I want to thank IDEE for always helping us in this regard. IDEE gave a grant called “Getting Familiar with Decommunization” that allowed several of us from Georgia to learn about the experiences of other countries in the practice of lustration and decommunization. We learned a lot about these processes in Poland, the Czech Republic, and other countries.

It helped us to prepare a Law on Lustration, which we submitted a few times. But it was never adopted. During the Shevardnadze period, Mikhail Saakashvili also tried to prepare such a law as head of a law-making committee in parliament; he was joined by several lawyers who later took higher positions. One became a Minister of Justice, although he was accused of other crimes and escaped the country. Another member of the committee became the chairman of the Constitutional Court. But it was impossible to adopt the law at that time. The Republican Party made another failed attempt when it was in opposition.

As time passed, people asked why such a law was needed, since communism was long gone. After all, people change and the threat of communism is not there anymore. In Georgia, there is no Communist Party, nor even a social democratic party or any serious left party. The only parties that exist are liberal or conservative or right-wing. But what is the problem? In fact, the core political party is simply pro-government, following whatever the leaders of the parties say the state should do. There are no ideologies, no vision, and no platforms. Now we are in coalition with just such a party. It is for a European agenda, it is against the communist

regime, and it is against Russia. However, if the government leaders decided one day to change the agenda, the party would change the agenda and justify it by the needs of the state. So it is not just a problem of lustration.

What is the essence of the problem in Georgia? Lustration in the end is about particular individuals. In the end we managed to adopt a law on lustration. It is called the Freedom Charter and we added amendments to it in 2013. To implement the law, an Anti-Totalitarian Commission was established within the Ministry of Interior, with the minister, other important law enforcement officials, and ten members of parliament as members. The committee deals with lustration issues. We found one person who fell under the terms of the law who had to resign his post; he had been a secretary of the district communist party unit and he had come to have a state governmental position. But generally we cannot do anything. The law is quite weak. There is also a group of people who filed an objection to the law with the Constitutional Court.

I wanted to explain another aspect. The Law on Lustration was not able to be implemented when we were in opposition firstly due to the KGB. The KGB took all the documents from the country. We have no documents. Some time ago, I requested my own documents from the KGB in Moscow and I couldn't get them. A former minister was going to deliver them but apparently something happened on the way and I never received them.

I decided that lustration is not enough. Even people who are very anti-communist still have very communistic attitudes. It is not simple. Chernomyrdin was right when he said that whatever party you established in Russia you would have a communist party. This applies to Georgia as well. There will always be a marriage between the state and the party. In that regard, you never know where the money goes. The state was supporting the United National Movement and this money stayed with the party. When we in the Republican Party said that such practices are unacceptable, we were threatened and told "Stop interfering. These are good guys, liberal guys, and you should stop interfering with their business." It is very communistic thinking. The party and the state merged in the minds of party leaders. They became the same, just as in the Soviet Union.

For Georgia, for our statehood and for our democracy, it is important to have a division of the state powers and not to see the "state" as one power. A person comes to politics either through a belief in certain ideas and values or, more usually, in order to work in government, any government, without ideology. For the latter individual, the state is one, a communistic concept of a higher power that decides for them what is good and what is bad. So, members of our parties do not know what they want, except what

the leaders say. They have no real program in response to the challenges of today. But all the members can cite precisely the day's comments by the Prime Minister. And they know what will happen if they express any disagreement. It is a very Soviet attitude that remains from the Soviet times.

I have a solution for this. It echoes Petruška's recommendation: education. In Georgia, we have something very important and interesting going on. In history books, we are told about everything. It even includes information about who founded the Republican Party and who was its chairman. The books are fair concerning the history of Georgia, but you cannot find in these history books what was the essence of the Soviet Union and how freedom differs from slavery.

The textbooks say very simple things, for example that our history was determined and settled in Moscow, not in our country. Children know what independence is but they cannot explain what the Soviet Union was. There was a joke from Stalin's times. One person says that in communism, "Everyone gets what they deserve." And Stalin replies, "No, everyone gets what is mine." In the Soviet Union, everyone got what was theirs. Thank God, today's government is very weak and cannot practice the politics of "everyone gets what is mine."

Here we are discussing with each other and I have gotten a lot of ideas from this discussion. We try to fill the gap, to finish the unfinished business. Georgia is a little bit ahead in comparison with its immediate neighbors and still we have a chance to catch up with our neighbors in Central and Eastern Europe. But we are 20 years behind.

## Discussion

### **Gábor Demszky**

We were asked what were the mistakes that we committed. I believe that the biggest mistake that I committed was to begin the transition with lustration. In 1990, after the first multi-party election, I became the chairman of the national security committee in parliament and we proposed a lustration law. I think it was not a good law. We could not really define the circles we wanted to draw of whom to lustrate. The members of parliament? Politicians? Government officials? Or the whole ruling elite? And who not? Is it constitutional to distinguish between politicians and non-politicians? And whom do you want to restrict? In the end everyone is lustrated. In my opinion we should forget lustration and try to protect the victims of the totalitarian regime. Those people who were under surveillance or interfered with, they have a right to know who did it and why, and to get information from the secret police archives. You need to gather the documents of the

different agencies of the police, put them together, and organize them and everybody can go to get the documents that tell them who was reporting what about whom. In that way, there is a lustration through knowledge and you protect the rights of the individuals. There is some level of moral compensation through this knowledge.

What is the problem? The secret police agents are today the same. Everything has changed: the constitution, the government, and the parties. Who has remained? The agents, the network, and the apparatus. It is still a state secret who are the police agents: it is protected information for 60 years. And so the governing elite can do whatever they want with them.

### PETRUŠKA ŠUSTROVÁ

In the Czech Republic, we have open archives and everyone can check who was doing what and who was an agent.

### SMARANDA ENACHE

Decommunization and lustration are widely debated in Romania's political and intellectual circles. What is my own view? Speaking about lustration, one can speak about it from the point of view of human rights organizations, of the Council of Europe, and of the European Human Rights Conventions. But after twenty-five years we must recognize that the communist regime was a criminal regime and giving such a regime impunity has been a cancer on society.

In March 1990, three months after the revolution, a small group of young people from the "Timișoara Society," referring to the city where the revolution began, adopted a thirteen-point "Proclamation."<sup>1</sup> The eighth point called for all Romanian Communist Party *nomenklatura* and Securitate cadres to be banned from holding public office for a period of ten years, meaning for three consecutive legislatures. It generated a tremendous debate among human rights activists. The politicians who remembered the period after World War II, having experience in the post-Nazi occupation, believed that it was very important to adopt such a ban and to make clear who was who in the communist period. The lustration law drafted by former political prisoners was rejected at first and then, when it was reintroduced, it was postponed and postponed. The Securitate files remained secret for more than a decade. Finally, at the initiative of President Traian Băsescu, the Securitate files were opened and at that point it became possible for citizens to take action in court against those who spied on them.

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<sup>1</sup> See "The Timișoara Proclamation" in *Uncaptive Minds*, May-June 1990, vol.3, no.3 (12). — Editor's Note.

But what happened? Now there are just two individuals, both over 80 years of age, who are on trial for exceeding even the standards of terror of the communist regime in the prison camps that they directed. The problem is that when you go to court with such a case, it is difficult to prove an individual crime, that a person actually suffered humiliation, harassment, or worse. My husband, a former political detainee, received three volumes of files, over 800 pages, but the Securitate records end in 1964 when he was arrested and sentenced, so there was nothing about his harassment while in prison or after his release. Even with these documents in hand, it is for him difficult to act and to start a trial in court.

After twenty-five years of transition, I am absolutely convinced of two things. One is that in dealing with the collapse of a criminal totalitarian regime one must, as it happened after the defeat of the Nazi regime, bar the persons responsible for that regime from public positions. Second, such a policy of lustration must be combined with full access of the victims to the police files and to allow criminal actions to be filed in court. In Romania, President Bănescu established a commission to research the crimes of the totalitarian regime. The Romanian Parliament adopted a Declaration condemning the communist government as a criminal regime. But there was no consequence to this declaration; there was no action resulting from it. Nothing followed. The former communists or their descendants still own the banks and the media as well as an important part of the economy. For the victims of the regime there is in place an almost humiliating pension. Meanwhile, the former nomenklatura and Securitate officers benefit from some of the highest pensions in Romania.

From a human rights point of view, it can be discussed. But from my point of view, that original proposal of the Timișoara Society students was the right one: let's have ten years at least to cleanse the society from the criminal actions of a criminal regime.

#### **TATIANA VAKSBERG**

I come from a country where strangely the archives were opened by the communists, not the democrats. When they did it, they knew that the population had no interest in the information in those archives. Otherwise, there was no lustration in Bulgaria. There was a single law that forbade former officials of state security from belonging to the council that governed radio and television. It was the only law lustrating members of a public commission.

The archives were opened in 2006 by the government of Sergei Stanishev, who was then head of the post-communist Socialist Party. He is now leader of the Party of European Socialists. The law opening the archives provides that any person seeking to work in a public office in the

domain of politics, media, NGOs, banking, large enterprises—the list is very long—has to be checked by an independent commission called the Files Commission. Whatever the commission finds on a person becomes public, but there is no lustration. The person can still hold a public position.

What is the result? We have many thousands of names thoroughly checked by a commission that is working quite well and is at certain times even independent, but there is no requirement for it to make the details public. Because there is no interest in the past in Bulgaria, we practically do not know what the people did when they worked for state security. It means that we have lots of small gossip. Did you know so and so was named yesterday by the Files Commission as working for the state security? Well no, I didn't. And what happened? Well, nothing happened. There is no consequence or follow up. So, in fact, it remains unknown the details of this whole enormous police system.

### **IRENA LASOTA**

The debate on lustration and decommunization has been going on in every country. In Poland, the discussion between pro-lustration and anti-lustration positions is quite vitriolic. If you want to insult someone, you say “he is a lustrator.”

I remember that I was in Petruška's apartment when the Czech Parliament adopted the Law on Decommunization. I was impressed by the law: the statement was short, two pages, and it defined concisely and precisely the period of communism and its specific crimes, ranging from the killing of people to the destruction of the environment. As for the Law on Lustration, it was also quite specific: it defined the range of positions within the communist nomenklatura for which it applied and the public positions that those persons would be barred from for a defined period of time. A first secretary of the party structure of a large enterprise, which was defined as having more than 5,000 employees, could not hold certain positions in the fields of politics, media, and education.

In Poland, by contrast, the media was left untouched and was not decommunized. There were some cosmetic changes on different boards, some privatization, but the former communists kept a strong hold in the media for all this time. Now many books describe how the people who were making up the news on radio and television from 1981–89, that is during martial law, remained in broadcast media after 1989.

I have to say that I, too, have been lustrated. In 1969, after leaving prison, I was expelled from the university and I was barred on political grounds from holding any job except that of a waitress in a restaurant in

Warsaw's Łazienki Park. Even for that job, I was lustrated. I had to bring a certificate that I did not have syphilis because it was specified that anyone with syphilis should not be a waitress. I'm of the view that similarly teachers in post-communist countries should be lustrated so that children should not be taught history by those who previously followed orders and taught lies to children. Teaching history was a profession that meant that one could not be an honest person. It is possible to have just a narrow lustration law, as it is possible to have a narrowly defined requirement for doctors that they can practice their profession if they promise first and foremost to do no harm.

Even so, the issue of lustration in politics is more difficult. One can have the five-year period restricting people from running for public positions but we have seen that after the five years the voters can still choose former communists.

#### **LEVAN BERDZENISHVILI**

We are in different situations. In Georgia, we have the possibility of opening the archives but there is nothing there. We may know who was an agent but the documents proving it have been taken away. The same has been done in the case of other countries of the former Soviet Union. The KGB wanted to cover all its traces and it has hidden the evidence. There is nothing in Moscow either. This means that it is impossible to compensate victims properly since it is difficult to document who were the real victims. In Georgia, the government simply declared that everyone would be given 200 Lari [about \$300 USD] without differentiation. I hope that in the future the real victims of the regime will get proper compensation for their suffering. The European Court of Human Rights has determined that \$10,000 is a proper amount for human rights victims.



## Theme 6

### Civic Institutions, Citizens' Participation

ERIC CHENOWETH

For this session, we have the luxury of four acute analysts of the situation of civil society in the region who have also participated as key actors in civil society's development. Our presenters are **Smaranda Enache**, the director of Liga Pro Europa based in Tirgu Mures, Romania, and **Miljenko Dereta**, the founder and director of Civic Initiatives in Belgrade, Serbia, from 1996 to 2011. After two years in parliament, Miljenko returned to Civic Initiatives in 2013 as a counselor. We also have two respondents: first is **Ales Bialiatski**, the long-time director of Viasna Human Rights Center from Belarus, recently released from prison, and second is **Maria Dubnova** from the Russian Federation, an independent Russian journalist. We have not specially noted Ales's presence here. It is perhaps a sign Ales has returned to normality that he is able to participate in our meetings. But I did want to welcome him back after more than 1,000 days in a hard-regime prison on fraudulent charges. We are most glad he is free to be here and speak with us. Maria Dubnova is a first-time participant in one of our events and to her we say welcome as well.

#### Presentation

#### 25 Years of Civic Activism: Achievements and Failures The Case of Romania

*by* Smaranda Enache

I have been involved in almost all the important events in Romania in the last twenty-five years in various roles: as a civic leader, a political actor, a diplomat, a citizen, and an observer. My non-governmental organization, Liga Pro Europa, was a member of the Centers for Pluralism network, a unique initiative of IDEE in Washington, D.C. I hope that at some point people will recognize how unique it was. Thanks to IDEE and to our partners in the region, I had the opportunity to meet outstanding and influential political and civic personalities of all the post-communist countries, from Central Europe to Central-Asia, and to become acquainted with similarities and differences among our transitions. Due to IDEE's programs, some of us also had the opportunity to become familiar with the situation in current communist countries such as Cuba.

Drawing the balance of the last twenty-five years is a challenging task. It is difficult to formulate a diagnosis of a historical period when one is directly involved in the events. My approach is obviously subjective; it is more a testimony than an academic analysis.

It is also difficult to diagnose a historical period when it has not yet concluded. On the contrary, there are new and somehow unexpected and highly disturbing events adding constantly to this era. As we meet, Russia continues its military occupation of Crimea and blatantly supports secessionist movements in eastern Ukraine; it threatens the integrity of the Republic of Moldova; and it maintains the so-called frozen conflicts round the Black Sea area, such as Abkhazia, Ossetia, and Nagorno-Karabakh. Elsewhere, China continues to massively violate human rights; North Korea threatens the world with the use of nuclear weapons; and in Iraq and Syria, ISIS employs barbarian methods to impose a new Caliphate.

Closer to home, in both Western and Eastern Europe, we experience a new wave of extremism, nationalism, and anti-Semitism. And we see even democratically elected leaders, such as Prime Minister Victor Orbán in Hungary, praise the virtues of illiberal democracies, while Romania's Prime Minister, Victor Ponta, lists the merits of the Chinese Communist Party. During the Ukrainian crisis, both these leaders have barely criticized Russia for its unprecedented violation of international law and human rights. Overall, in the region, unprecedented levels of systemic corruption are undermining the principles of a free and sustainable economy.

None of these developments are new. Liberal democracy has not achieved universality nor have the values of the 1948 UN Universal Declaration on Human Rights been fully accepted. We can remember that it was during the bipolar period of the Cold War that a new theory emerged arguing that democratic principles were relative and should be implemented only in accordance with the "local culture" or political pragmatism. In fact, this approach was—and is—meant to deny the universality of human rights and freedoms and to "adapt" democracy to the interests of local political-religious and cultural elites of the non-democratic half of the world.

We thus convene here as actors and beneficiaries of a 25-year-period of transition from communism in the understanding that in this new historical environment our experience is of paramount importance. To continue the civic transformation of the post-totalitarian regimes, to guarantee the survival of pluralist democracies in the future, to overcome the variety of blatant challenges to liberal values, we need to reflect on the failures of the last twenty-five years in the region and to resume our unfinished business.

Turning to Romania, the first failure has been the regression in the public's support of and trust in democracy and freedom. You all know that Romania had one of the most repressive, Stalinist communist regimes in Central and Eastern Europe and also that its last leader, over twenty-five years, Nicolae Ceaușescu, added to it a strong nationalist element. The repression of freedoms and human rights was complete and before 1989 Romania did not have any genuine civil society. All organizations and associations that existed were created by the Communist Party.

The December 1989 Revolution was a popular, spontaneous, and anti-communist uprising. It started in the city of Timișoara with the arrest of a young Protestant pastor, László Tőkés. It spread quickly to all cities of Romania. Hundreds of thousands of citizens demonstrated throughout the country against communism and for democracy and freedom. People paid a high price for their freedom: more than 1,000 civilians were killed in attempts to repress this uprising. As this was happening, Ceaușescu tried to escape and was captured. Second-rank communist leaders and Securitate officials ordered his and his wife's execution on Christmas Day.

In December 1989, therefore, there were two distinct events happening: there was a genuine revolution, having certain results, and there was a *coup d'état* implemented by second-ranking communist party and Securitate leaders aiming at a counter-revolution and producing other results.

Twenty-five years later, opinion polls taken in September 2014 showed a dramatic weakening of support for democracy. Nicolae Ceaușescu is ranked highest among past Romanian presidents. An astonishing 60 percent of the population considers the country to be going in the wrong direction. Sixty-eight percent of Romanians think that there was more social justice before 1989. Sixty-five percent declare that their living standard was higher before 1989. Public trust in the Church and the Army is higher than in any democratically elected institutions, such as the parliament or the local administration.

One explanation for such public attitudes is the progressive weakening of the post-communist civil society that was built after December 1989. In the 1990s, Romania had around 3,000 active NGOs and hundreds of independent local radio stations and newspapers. Today, the number of active NGOs is less than 1,000 and independent local media has collapsed entirely. The most powerful private TV stations came under the ownership and control of former Securitate agents turned business moguls.

### **The First Phase: Civic Mobilization and Trust in Democracy**

The most active civic groups emerged during and immediately after the December 1989 Revolution. These groups were organized by former

political prisoners and dissidents as well as by groups of individuals who opposed the communist regime in a variety of less public ways and hoped for a fast and effective transition from totalitarianism to democracy.

The most important civil society groups in this first phase were genuinely self-organized without any external support. Their priority was the dismantling of the communist regime, preventing former communists from regaining power, getting rid of repressive institutions, and reestablishing Romania in the community of free nations according to its pre-communist traditions. These groups had a clear ideological agenda with strategic goals and quickly found partners and developed relationships with democratic governments, institutions and NGOs in the Transatlantic Alliance.

The first generation of civic groups, however, acted in a highly hostile environment. State power had been confiscated by the second-rank communists together with the secret services. These forces replaced the Communist Party with the National Salvation Front, a political movement aimed at keeping power and manipulating and dominating Romanian politics and society. The NSF controlled the mass media, state resources, and the key institutions of government, including security and military services. Various methods were used to restore control of the communists and to divide the society, including harassing the leaders of the newly reestablished historical parties and destroying the offices of the Peasant Party, mobilizing popular militias to repress peaceful student demonstrations, using former Securitate agents to foment inter-ethnic conflicts in Transylvania between the Romanian majority and the Hungarian minority (as happened in my home town of Tirgu Mures), exercising control over media, among other methods. The violent repression of anti-communist protests culminated in the suppression of the Bucharest University Square student protest in June 1990.

These political forces also maintained Romania in a grey geo-strategic position: neither East nor West. In August 1991, Romania's President, Ion Iliescu, a former high ranking communist leader, signed a cooperation pact with the USSR, which, in its agony, was pressing Romania to be neutral and not to accede in any military pacts hostile to the USSR, meaning NATO. For the democratic forces, the pact was a clear indication that Ion Iliescu planned to keep Romania in the sphere of influence of the USSR against the clear aspirations of the Romanian nation.

The strong tendency towards communist restoration was opposed by a very strong and focused civil society, which had substantial support from a large part of the population as well as from the West. Civic groups such as the Timișoara Society, the Association of Former Political

Prisoners, the Students' League, the Civic Alliance, the Group for Social Dialogue, Liga Pro Europa, the Association for Interethnic Dialogue, and the Anti-Totalitarian Front of Cluj all cooperated with the leaders of the historical democratic parties—the Christian Democratic Peasant Party, the National Liberal Party, and the Social-Democratic Party—to adopt common strategies to resist the repressive and manipulative actions of the post-communist government led by Ion Iliescu.

For the 1996 elections, the civic groups succeeded in convincing the political parties to form a broad anti-communist alliance, the Democratic Convention of Romania, and put forward a unified opposition candidate, Emil Constantinescu, the highly respected rector of Bucharest University, for president. The Democratic Convention won both the parliamentary and presidential elections. After more than 50 years of dictatorship and a full six years after the December 1989 Revolution, Romania had its first non-communist government.

This first phase was a period of faith in democracy, optimism, trust in a better future, generosity, civic solidarity in the society at large, and unity in achieving goals, I remember these romantic times. We had organizational capacity throughout Romania, close cooperation with independent media, and our citizens were mobilized to vote for democratic change. I remember going from one village to another, sometimes clandestinely in order to avoid attention of the authorities, to identify local democratic leaders who could mobilize the voters and unify anti-communist forces.

Western support was crucial for the very existence of the civic groups. Small grants, distributed to a variety of credible and legitimate civic groups and independent media, allowed them to obtain equipment and publish materials on a large scale for disseminating ideas and values all over the country. Western support also meant trainings, seminars, and workshops to help civic groups and civic leaders enhance their organizational capabilities, develop human resources, multiply results, network, and disseminate good practices. IDEE in Washington, D.C. made a unique contribution to the development and consolidation of civic groups in Romania and in the other post-communist and post-Soviet countries not only by providing crucial support but also by setting up the largest civic network in the region, the Centers for Pluralism. The meetings and publications of the CFP were a unique resource for prominent civic leaders, democratic politicians, and independent journalists in Romania to cooperate with partners in the region and among themselves, to identify common needs and solutions, to mobilize for solidarity in cases of repression, and to organize for free and fair elections.

## **The Failures of the First Non-Communist Government**

The November 1996 elections were a historic victory of Romania's civic movement over the post-communist forces. Indeed, this victory convinced the Western democracies that despite its Balkan roots, its totalitarian past, and its dominant Orthodox culture, Romania deserved the same chances for democracy as the other Central European and Baltic nations.

Civic groups, in close cooperation with Western partners as well as the democratic political parties, succeeded in neutralizing the offensives of the former communist structures against change, implementing deep reforms, and in achieving the strategic and historic goal of Romania's integration in Euro-Atlantic institutions. In 1999, Romania started negotiations for the accession to the European Union and NATO.

The 1996 victory, however, changed civil society in several ways. For one, many leaders of the civic organizations entered the government; I myself accepted a post as ambassador. It may or may not have been a mistake to do so, but what is also true in this period is that civil society groups started to repress their natural inclination to criticize the government's mistakes. We did not want to undermine the non-communist government in which we were participating in a very fragile political situation. So, we gave it uncritical support. Western donors were also encouraging civic groups to concentrate on sectoral or local issues, while the national groups divided among those favoring strong anti-communist policies like lustration and those encouraging a form of national reconciliation and a policy of forgetting the past. All of these factors eroded civil society's effectiveness and credibility.

Unfortunately, during the period of 1996 to 2000, neither the new administration of President Emil Constantinescu nor the parliament succeeded in gaining control over the economy and both eventually lost the trust of citizens, who were suffering economically.

In fact, the first six years of transition and post-Communist rule (1990–96) had been sufficient for the second-rank party activists, state company managers, communist bank directors, kolkhoz chairmen, secret service officers, and all the other privileged persons and groups of the former regime to gain ownership over the country's resources, to control the economy, and to persuade the Western democracies that they were Romania's only reliable economic partners. They used this control as a weapon to dictate economic outcomes. Price increases, high unemployment rates, miners' strikes, and economic instability created disillusion, frustration, and doubt within society that the democratic parties were the best political option.

The political scene had also diversified. Already by 1992, Petre Roman, Ion Iliescu's first Prime Minister, left Iliescu's National Salvation Front to form a new Democratic Party with a social democratic orientation. To achieve a firm parliamentary majority the Democratic Convention was obliged to accept this new party in the new non-communist government. In doing so, however, there were permanent tensions within the government coalition. The Democratic Party, with its leadership roots in the communist system, opposed and blocked all initiatives concerning restitution of property, the adoption of lustration laws, and other key actions. President Emil Constantinescu's administration and the Christian Democratic Peasant Party, the largest in the coalition, were politically weakened.

### **Post-Communism Returns and the Effects on Civil Society**

After four years of a non-communist government and presidency, Romania experienced the total collapse of the democratic forces and along with them the prospect for building a non-communist multiparty system. In the November 2000 elections, Ion Iliescu, still leader of the Party of Social Democracy of Romania (PDSR), won presidential elections and acceded to an unconstitutional third term. In parliamentary elections, the Christian Democratic Peasant Party did not pass the electoral threshold for membership in parliament while the PDSR won a large plurality to lead a new government. A year later, the historical non-communist Social Democratic Party was swallowed by the larger PDSR to form a united Social Democratic Party (SDP). The National Liberal Party (PNL) was hijacked by a new leadership of former communists and merged with the Democratic Party of Petre Roman. Thus, the original parts of the National Salvation Front effectively succeeded in defeating the main anti-communist party, the Peasant Party, and co-opting the leadership of the other parties.

In 2000, these "reform" communists came to power with a new agenda. Over time, the PDSR leaders had realized that they could not stop the course of history and accepted the Cold War victory of the West over the Soviet system. With this acceptance, they decided "to convert" to democracy and to neutralize, step by step, the fragile democratic political parties and thereby take over the system. Although the former communists experienced a large setback in 1996, by the end of 2000, they achieved a total victory over the anti-communist forces of Romania. They controlled all key political offices and institutions, the economy, foreign trade, and the secret services. Iliescu's prime minister was Adrian Năstase, a former communist who was married to the daughter of one of Ceaușescu's most prominent ministers. During the Ceaușescu regime, he had been rewarded with foreign assignments and fellowships in international institutions. Using the recipe of "conversion," Năstase and Iliescu stressed Romania's

Euro-Atlantic integration in their external policies but internally reinforced Romania's unwritten rules of fear and pressure against civil society. Taking advantage of the Western decision to quickly integrate the former communist countries, the Iliescu-Năstase tandem convinced the Western countries that Romania was starting to be a functional democracy with respect for human rights and the rule of law. It was hardly the case.

Already weakened by internal division and having compromised its mission, civil society's position suffered further with the return to power of the former communists. For one, the "conversion" recipe forced a change of strategy. Paradoxically, one of the main strategic goals of Romanian civic groups—integration with Euro-Atlantic institutions—now coincided with that of the former communists. Although Romanian civic groups considered the "conversion" to democracy by the former communists to be false and resumed a critical stance towards the government by denouncing human rights abuses and high levels of corruption, these groups and their leaders continued to advocate for Romania's quick acceptance into the EU and NATO out of fear that Romania's orientation might return to the earlier "grey zone," where Russian interests would prevail.

The civic groups hoped that once Romania was admitted to Euro-Atlantic institutions, the government would be pressured to continue and deepen its reforms. But this proved mistaken and, step by step, the influence of pro-democratic civic groups was further diminished as Western governments preferred to engage in dialogue with the Romanian government. The transition negotiations that previously included civil society groups now became strictly bi-lateral and Western governments willfully overlooked the failings of their new partner. For the West, it became important to promote the new Romanian government as a reliable ally and, in turn, to placate the Romanian government by cutting funding and ultimately abandoning anti-communist civil society groups.

For the Iliescu-Năstase tandem, an active pro-democratic civil society was a significant threat to its new hold on power. The post-communist administration had no inhibitions in undermining democratic civic groups, creating new NGOs (so-called GONGOs) and promoting them abroad, and distributing resources on the basis of party or government loyalty. Criticism by genuine civil society groups was stigmatized as anti-state and anti-patriotic. Western governments started to fund GONGOs as legitimate and civilized partners for Euro-Atlantic integration.

Soon, the free local publications ceased to print and grass-roots associations lost their headquarters and access to local financing. Strong commercial televisions, most of them owned by rich businessmen whose fortunes were built from their communist pasts, controlled the public agen-



da. Civil society entered a new-old situation: some groups became highly dependent on political elites while others entered a fight for survival.

### **The New Division**

As the 2004 parliamentary and presidential elections approached, a new division arose among democratic forces. In order to prevent Adrian Năstase, the PDSR candidate, from succeeding Iliescu as president, some of the most prominent anti-communist intellectuals, human rights activists, and pro-democracy politicians adopted a “pragmatic” strategy to support the main opponents of the PDSR, the “Justice and Truth” Alliance, called DA for short (meaning “Yes” in Romanian), which was made up of the National Liberal Party and the Democratic Party. They backed DA and its victorious presidential candidate, Traian Băsescu, with astonishing devotion despite the fact that both DA parties now were highly infiltrated by former Securitate and military officers and dominated by post-communist businessmen.

Traian Băsescu was a versatile politician with deep roots in Ceaușescu’s communist system and information services. He was a former minister during the early Iliescu regime in the 1990s who had gone with Petre Roman and the Democratic Party after the split of the National Salvation Front. The unconditional support he received from the main intellectual groups associated with the former Democratic Convention seriously damaged the credibility and legitimacy of Romania’s civil society, which was perceived now as a political instrument for Băsescu.

For the ten years of Băsescu’s presidency, Romania’s civic movement was in great jeopardy. Not only had it lost its earlier influence and credibility, it had strayed from its initial strategic goal of establishing a functional and authentic pluralist democracy. Due to the subordination of many talented individuals to political party interests, the civic movement lost many outstanding voices, its capacity for criticism, and its authenticity.

At the urging of a number of civic groups, President Băsescu did initiate the action of the Romanian Parliament to condemn the communist regime as criminal. But he and the parliament rejected the adoption of any legal consequences resulting from such a condemnation. There was no real lustration and a serious limitation was placed on the restitution of confiscated properties. The reparations for persons and groups who suffered communist repressions proved ridiculously modest when compared to the substantial pensions of their former perpetrators.

President Băsescu’s authoritarian administration moved the ideal of achieving a pluralist democracy with respect for human rights farther away than ever. Fundamental rights and freedoms of Romanian citizens came

under constant pressure from state institutions, with very little free media to speak of. Professional advancement was again achieved mainly through party affiliation and loyalty. A high level of corruption undermined the very basis for a free economy. And the dominant Orthodox Church and the public education system both undertook to inculcate values of nationalism, religious intolerance, and antipathy to liberal democracy. During this period, Romania had one of the highest percentages of complaints addressed to the Strasbourg-based European Human Rights Court, mostly involving the violation of property rights, access to a fair trial, and the right to freedom and security. Active Watch, a human rights NGO, reported growing political pressure on the media, as well as cases of internal censorship at state-owned TV and radio companies and direct attacks by political leaders against journalists. Having no inhibitions, former Securitate officials turned media tycoons used their private television stations to undermine trust in democratic institutions, courts, and democratic civic NGOs.

A fair analysis of Bănescu's ten years would also note some positive achievements: a consolidation of Romania's position as a loyal strategic partner in the Transatlantic Alliance; increased access to public information and Securitate files (except for cases related to priests of the Orthodox Church); and greater autonomy of the judicial system that resulted in the conviction and punishment of high officials for corruption and administrative abuses (these included the former Prime Minister Adrian Năstase, the media mogul Dan Voiculescu, and a number of members of Parliament, ministers, prefects, County Council presidents, and mayors).

### **Where Did Civil Society Go?**

Civil society's massive regression began with the disappointing experience of the failure of the first non-communist administration. It led some civic leaders to adopt a pragmatic position of supporting "repenting" former communists compared to Ion Iliescu's more regressive party. They believed these insincerely converted former communists would adopt genuine democratic behavior and values. This belief turned out to be mistaken.

Another mistake of many civic groups was that they oriented themselves towards political elites and lost their connections with society. Their focus and energy went to influencing high ranking politicians and not maintaining contact with citizens. As a result, they lost their function as being a voice for the people; they lost their representational legitimacy.

But another explanation for civil society's regression was the basic need to survive in conditions of progressively decreasing resources for pro-democracy civic groups. From their beginning, these groups had to find foreign donors to support their activity. National ministries and local

governments in Romania were not and are not willing to finance outspoken groups. Until Romania's accession to the European Union in January 2007, civic groups had access to decent financing from Western governments, institutions, and foundations. After the EU accession (and even before), the majority of these donors left Romania and local civic groups had to reorient toward the EU's highly rigid financing mechanisms.

Theoretically, the funds available for civil society in EU member states are huge and cover all sectors of civic interest. But the priorities and the procedures for such funding are formulated without consulting civil society in any given country and are set by Brussels, usually for short-term, single-year, and faddish themes and goals. Another limitation lies in the general obligation for the applicants to add 20 percent of their own funding as a contribution. Often, beneficiaries have to cover up to 50 percent of the costs in advance and are reimbursed only after six months (in the best case). In addition, because of the large amounts of public money involved, transparency and anti-corruption mechanisms have created an extraordinary level of bureaucratic rules and limitations.

The financing philosophy and procedures of the European Union have produced harmful consequences. GONGOs and business-oriented NGOs are the ones generally with the capacity to deal with such bureaucratic requirements and thus attract and receive EU funds. Those more pro-democratic civic NGOs that implement EU-financed projects spend most of their energy in administration and lose the very reason and goals of their initiatives. The EU Commission exercises severe control over the content of the projects. In effect, genuine civic initiatives are discouraged.

There are free and independent civic groups that continue to be active and to fulfill their mission. I am proud to represent here Liga Pro Europa, one of Romania's most respected civic associations. Founded by twenty-one Transylvanian intellectuals opposing the communist dictatorship, Liga Pro Europa played an important regional role in the transition process from communism to pluralist democracy. We were very active in combating nationalist manipulations used by the former communist secret service to keep their influence. Liga Pro Europa carried out projects supporting the restitution of properties confiscated by the communist regime and providing moral and material reparations to political prisoners and other victims. We participated in all civic movements aimed at preventing the communists' return to power and disclosed their scenarios for promoting divisions within our fragile democracy. Liga Pro Europa has also been a strong civic mediator in the historical reconciliation of Romanian and Hungarian communities and in combating all forms of ethnic, linguistic and religious discrimination. At the core of our activities has been education for democracy and respect for human rights and the rule of law.

In its twenty-five years of activity, Liga Pro Europa has trained hundreds of young civic leaders and published dozens of booklets disseminating ideas of civic courage and commitment. Summer camps, civic advocacy campaigns, local grass roots activities, as well as national and international seminars and conferences made a consistent contribution to the empowerment of civil society in Romania. As part of the Centers for Pluralism network, Liga Pro Europa participated in fact finding missions, election monitoring, human rights protests, and advocacy campaigns. It also contributed to and benefited from the permanent exchange of experience, mutual support, solidarity and protection of civic groups and individuals from the post-communist and post-Soviet countries.

Similarly to other civic groups in Romania and the region, however, Liga Pro Europa faces today serious challenges due to the fragility of financing and lack of resources. Paradoxically, just as tensions in the region are rising due to attempts of the Russian Federation to destabilize the new democracies and when there is a growing rejection of liberal values in our countries, the very existence of the most important pro-democracy civic groups in the region is in doubt.

The new generation of civic leaders is mostly pragmatic and is ignorant of or uninterested in history and is generally submissive to the priorities of funders and governments. Civil society in the region needs a window of opportunity for transferring the values of civic activism from the old to the new generations. The unfinished business from 1989 requires new strategies of civic empowerment and the recognition of the fact that funds cannot replace commitment and ideas.

We in the region all run the risk of having democracies without democrats in our countries. It is a very dangerous prospect. It is the antechamber of arbitrary government and authoritarianism.

### **A Positive Postscript, January 2015**

Since giving this paper at the seminar in Warsaw, there have been more positive developments. Happily, civil society has a great capacity of regeneration. The more severe the pressure, the stronger, perhaps, is the reaction. The seeds of twenty-five years of civic and democratic values have begun to germinate. A new generation of civic leaders is emerging with less iconic profiles than the heroes of the dissident times or initial transition period but with much larger outreach to the younger generation. Using social media, this new civil society contributed to a large extent to the unprecedented victory of an outsider in the presidential elections of November 16, 2014.

For the first time, Romania's elected president is a non-ethnic Romanian. Klaus Werner Iohannis is a Lutheran belonging to the small community of Transylvanian Saxons, a clear contrast to the Orthodox majority. Also, until recently, he was absent from national politics; his popularity is due less to a political orientation or ideology than to the good and proper management of Sibiu, a medium size Transylvanian city. Under Iohannis's leadership as the elected mayor of Sibiu for 12 years, the city achieved a remarkable economic development and became a European cultural capital and tourist attraction.

But the victory of Iohannis over the socialist Prime Minister Victor Ponta, who had strong support of the SDP-led coalition and nearly unlimited resources, was not due simply to his personal merits. The real reason of his victory was the huge public indignation of Romanians living abroad who were prevented from voting in the first round. Prime Minister Ponta, fearing the vote of hundreds of thousands of mostly younger Romanian voters working abroad in consolidated democracies, instructed the Ministry of Foreign Affairs and Romanian Embassies to limit the number of voting stations abroad to prevent a large diaspora vote. Many Romanians were unable to vote after queueing long hours in front of the embassies and consular offices. They started to protest using slogans of the anti-communist students' protests from Bucharest University Square in June 1990.

Romanian and foreign analysts were surprised by this civic mobilization, a result of public outrage and indignation at this blatant violation of the fundamental constitutional right to vote. It seemed to contradict dominant nationalist and religious fundamentalist trends until now. In my view, however, this "voting revolution" proved that Romanian civic groups have succeeded in changing public mentalities and empowering our fellow citizens to stand up for their rights.

A wave of optimism now animates Romania. The last opinion polls show astonishing shifts in public perception. Suddenly, the majority of Romanians expressed their trust in the country's direction and in its public institutions. The percentage expressing trust in the elected President is the highest in polling history. Civil society seems to be reaching out to citizens, as it did in the early nineties. It is too early to draw conclusions about the new civil society. Its mobilizing efficiency is impressive, but its agenda and values are less strategic and clear. The task in the next years is to combine the skills of the new generation of civic leaders with a renewed sense of social responsibility, democratic solidarity and historical memory.

## **Presentation**

### **Surprising Turns: Civil Society in the Region & Serbia**

*by* **Miljenko Dereta**

I, like Smaranda Enache, am very glad to be here and I am also glad that I am following Smaranda's presentation, since she mentioned many of the problems that we have in the region. It made me realize how little we communicate with each other despite our closeness in geography. This is one of the problems of civil society in the region today.

I am not going to talk about the past in Serbia; it would take too long to analyze the last twenty-five years. Instead, I have divided my paper in two parts. The first part is more generally about civil society in the region and globally; the second part addresses the situation more locally in Serbia.

#### **Part 1: Civil Society in the Region**

To begin, let me quote a very interesting recent open letter of Danny Sriskandarajah, the general secretary of the biggest global civil society network, CIVICUS, written to its members:

Overly reliant on state funding, we have allowed our work—our ambitions even—to become constrained by donor requirements, by the need to avoid biting the hand that feeds us. Where once a spirit of volunteerism was the lifeblood of the sector, many NGOs today look and behave like multinational corporations.... They have corporate-style hierarchies and super-brands. Saving the world has become big business.... Many courageous, inspirational people and organizations are fighting the good fight. But too many of us—myself included—have become detached from the people and movements that drive real social and political change. The corporatization of civil society has tamed our ambition; too often it has made us agents rather than agitators of the system.

I think this open letter to civil society organizations around the world describes very well how deep is the global crisis that challenges citizens who want to participate actively in the processes that should improve their quality of life in all aspects.

#### **The Last 25 Years**

Twenty-five years is a relatively short period to analyze civil society. But in the post-communist countries it is a complex period, full of surprising turns with differing results.

It must be remembered that in the process of bringing down communist regimes in the region, civic groups played the role of non-existing political parties. They were the ones to challenge the regimes in power. In Poland, the core of the movement was a trade union; in Czechoslovakia a group of intellectuals around Vaclav Havel; in Yugoslavia, a group of Slovenian academics, who initiated discussions on economic reforms that coincided with artists' and students' demands for more democracy.

These groups were successful in achieving difficult and complex political changes and perceived themselves as having not only the responsibility but also the right to remain an important factor in the political life of their countries. Once in power, however, some of them faced unexpected and unpleasant surprises. Presumed political allies showed no enthusiasm to let civil society representatives enter a space that the politicians wanted to control completely.

From a longer term perspective, the Eastern Europe experience contributed to the "re-discovery" of civil society by EU bureaucracies. Smaranda Enache noted the stated obligations of the European Union to consult with civil society, yet these consultations are simply formal. Civil society organizations in Eastern Europe had the expectation that since they contributed so much to the changes in their countries they would have a right to be consulted and even listened to. But their demands for concrete involvement in political decision making created unpredicted opposition from European institutions. Although the stipulation for formal consultation appears to widen the process, in fact the involvement of citizens is minimal—more symbolic than substantial—and it is very often just a simulation with pre-prepared decisions already made. Many barriers exist to prevent this consultative process from bringing about real changes. It is one among many issues of civil society organizations within the EU.

### **The Biggest Challenges**

One of the biggest challenges for civil society in the region was that it was impossible to maintain over a long period of time the energy and will of citizens to be engaged in a battle for the common good and a system of values. Over the course of many years, there was a feeling by citizens of wasted energy given the poor results of their engagement. Together with the "normalization" of life and its newly acquired comfort and commodities, fatigue set in, with citizen's growing passivity evolving dangerously into apathy.

New self-proclaimed "democrats" in power remembered well the danger of an engaged, active citizenry to the "stability of the state," now meaning to their own positions in power, and they limited citizen participation through restrictive legislation or procedures, or simply in practice.

In Serbia, for instance, public debate on new laws is obligatory, but this is usually avoided through “accelerated parliamentary procedures.” Political engagement by citizens is perceived as incidental, while passivity and apathy are seen as normal. At the same time, the public has great expectations of civil society organizations. In the current political situation, however, commenting on scandalous political decisions may be the only possible activity left to civil society groups.

The other big challenge is the now blurred boundaries between politics, business, and civil society. What were once three clear circles with minimal overlapping are today creating just one circle with almost no space for independent activities. I strongly fear that citizens will be the biggest if not the only losers of this interdependence.

### **Cleavages**

In a 2007 article, “Democracy in the Post-Communist World: An Unending Quest?”, the authors offer some useful classifications:

The most obvious fact is that fifteen years after the collapse of communist regimes, there is a wide range of political systems in the region that can be grouped in three categories: democratic, semi-democratic, and autocratic. While some countries enjoy high-quality democratic institutions, others suffer under authoritarian regimes of various hues. More important, despite the welcome phenomenon of “colored revolutions”—an attempt to renew the commitment to democracy in some post-communist countries—the prevailing tendency in the countries that emerged from the Soviet Union is toward “competitive authoritarianism.”<sup>1</sup>

Within these classifications, the examples of Serbia and Hungary become especially dramatic. Smaranda mentioned the case of Hungary. In Serbia, there was a period of intense building of democratic institutions after the fall of Milošević in October 2000, but this was suddenly stopped by the assassination of the reformist Prime Minister Zoran Djindjić, which took place in March 2003. This two-and-a-half-year period was followed by a process of slowing down of reforms, reopening the question of the position of Kosovo, and the gradual reintroduction of a party-state in which the state remains the biggest employer and the only qualification for a job is belonging to the party in power. So now, also as a result of free and fair elections in 2012 and 2014, we have in power a coalition of political parties that were originally responsible for the wars of 1991–95

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<sup>1</sup> “Democracy in the Post-Communist World: An Unending Quest?” by Grzegorz Ekiert, Jan Kubik, and Milada Anna Vachudova, *East European Politics and Societies*, February 2007 (vol. 21/1, 7-30).



and the Kosovo war in 1999. These are parties whose previous leaders stand accused before the Hague tribunal and whose current leaders avoid all responsibility for what happened. This has taken Serbia back from a democratic path and placed it in an authoritarian status. It is a result of a lack of lustration and of the successful fight for survival by extremist nationalistic forces in Serbia.

In the new reality, the definition of the NGO sector comes from Putin. In the Russian Federation, civil society organizations are now defined as foreign agents if they receive support from outside the country. Of course, actors have agents, writers have agents. But in our culture, an agent is a traitor or a spy. The political positioning of Viktor Orbán explains why Hungary was the first state in Central and Eastern Europe to adopt Putin's definition by accusing the government of Norway of interfering in the political life of Hungary. The reason was that NORAD [Norway's development agency] supported ecological groups, which in the government's reasoning meant support of the Green Party. We can rightly fear the rich imagination of enemies of democracy in applying these criteria. Such thinking will spread like wildfire in the region because regimes are waiting for an excuse to take action against those who are critical of them. Here, we are all agents.

This is a big problem because one of the main common points of our countries is the need for funding from abroad. The development of civil societies in poor countries is quite difficult and almost impossible without foreign support. The accusation of being foreign agents has always been an argument for those who didn't want citizens to be active but at the same time citizens' participation has been until now funded by support from outside the country.

### **Financial Sustainability and Donors**

The role of donors as well as their profile and culture changed dramatically in the past two decades. In former Yugoslavia in the 1990s, the donors were mainly a mix of US private and public foundations with almost a complete absence of European funds. Their goal was to contribute to substantial changes in transitional countries. At the time, Europe was incredibly passive. I could never understand that, why Europe didn't care about democracy as much as the US did.

Slowly, and especially after Milošević's departure in 2000, funding shifted largely to state agencies like USAID in the United States and then the EU Commission. They introduced criteria that very few NGOs could meet as well as procedures more appropriate for businesses and state bureaucracy than for citizens' associations. In that process, civil society or-

ganizations have confronted a high level of inflexibility, bureaucratization, and expectations by donors for minimum investments or matching funds.

When we speak of civil society, there is often a blurring of real meaning. Civil society is spoken of outside of its relationship to citizens. It is just an abstract term. The biggest change in the work of civil society organizations in the region—and which I think is the biggest problem—is that in the old times we used to have a project. We had an idea that was a reflection of the needs of people, of citizens. We saw the problem, we defined it, and we proposed a solution to it. Then we looked for donors. The hardest change came when the donors assumed the role of setting the agenda and priorities, which was diametrically opposed to how civil society worked and completely changed the culture of civil society organizations.

Today, the majority of civil society organizations look to the donors, both private and public, waiting for calls for proposals, waiting to see what the needs are of this donor “constituency,” and trying to impose these needs on their own countries or communities. The donors are surprised by anyone proposing their own ideas for developing civil society. They perceive us as serving the interests of the donors, not of our own constituencies. For example, the USAID—since it is not just a European problem—imposes programs that are devised in Washington. It doesn’t care about the ideas and priorities of civil society organizations.

So, civil society organizations no longer know who they serve. At a conference in Turkey, I asked a question of the participants: “Who sets the agenda, civil society or donors?” The almost unanimous answer was donors. This is the new reality. Civil society organizations are not looking anymore to their constituencies but are trying to satisfy the donors’ requirements. This problem generates a lot of mistrust of institutions, whether local, national, or international, and will result in a decrease of involvement of citizens in their activities.

Furthermore, donors, acting as both the agenda setters and funders, react negatively to any criticism, viewing it as insubordination or lack of political discipline. If you criticize any of their decisions—and many of them need to be criticized—you are erased from their reports and their list of potential partners. My organization, Civic Initiatives, was completely erased from [the USAID’s] 2013 survey on civil society, although we are the main capacity building and advocacy NGO in Serbia. “We just cannot control you as much as we would like,” was the unofficial explanation.

I think that the only appropriate organizations that should be setting the agenda are not donors but civil society organizations, meaning citizens.

## **New Technologies**

A completely new aspect of citizen's organization is the direct result of new technologies.

Information and communication technologies have opened up spaces of power, influence, and association to new configurations of actors, leading to a significant growth of online civil society activity and enabling civic networks to be built across geographical, social, and physical divides. Social networks became a space for completely new forms of communication, organization, networking and mobilizing citizens.

The World Economic Forum study on civil society introduces a new division of "off-line" and "on-line" CSOs. We can now talk about "two" levels of civil society. The communication is not just horizontal anymore, it also becomes vertical. It opens a challenge of transferring activism from "virtual" to real life and this is often the main reason for skepticism by those who do not understand social networks. It is a process and methodology that has to be developed but even at this stage there are several very inspiring examples of such synergy in which actions begun online have been transferred to real life with concrete results. I will mention two good local examples. One relates to an arbitrary political decision of the ruling party and the Serbian Orthodox Church to move the remains of Nikola Tesla, the great scientist. His ashes have always been in a special urn at the Nicola Tesla Museum in Belgrade, which some found objectionable on religious grounds. The Church's decision was widely criticized on Facebook and in twenty-four hours thirty thousand signatures were collected on a petition opposing the decision. Within forty-eight hours, two thousand people came out to protest in front of the museum. The decision was postponed. A second example was the mobilization of young people during the recent floods in Serbia in the spring of 2014. An impressive, ongoing exchange of information from the web successfully turned into numerous practical actions, including providing humanitarian aid, volunteers helping people cope, and so on. This online activity has established a still functioning network of volunteers.

It means that there is a new challenge in forming new ways of organization and I think that we are in a good position to deal with this. There are many proposals from young people that are not being heard. Still, when I had the chance to speak to young people about the problems in Serbia, I asked "How would you change things?" The answer was, "It is difficult to change things because it is hard to bring people to the streets." No one mentioned any change coming from institutions—changes can only be thought of as coming from the streets. The system defends itself so well

that people think they cannot influence things within institutions. I myself was in parliament for two years and I saw how it functioned. It was a waste of two years. Nothing really happens in the parliament. It happens in the heads of party leaders; it is a plutocracy that we face.

### **Recapitulation**

There is a very interesting television advertisement in which deep in the forest a mother is eating the last cookie in front of her shocked daughter and says to her, "Life is not a fairy tale."

I was reminded of it when I saw the title of our meeting, "Unfinished Business." It seemed perhaps that we had lived in a fairy tale believing that the "business" of democratic development of states and societies could ever be finished. We know, of course, this is a naïve presumption and that we will not have time to rest or enjoy the fruits of our activities. Nevertheless, when we review the last twenty-five years, a lot has been achieved, not equally in each country but at least now we have among us friends who share our value systems, our goals, and are willing to help us to achieve them.

I will dare to propose that we should concentrate in each of our countries on creating a state of rule of law, equality, and human rights where freedom of speech and association is guaranteed. We should educate citizens so that they can rationally evaluate political options and so not elect those who limit citizens' freedoms or promote inequality. We should no longer presume that free and fair elections are the only institution in a democracy, since they can serve also to legitimize non-democratic systems.

### **Part 2: Serbian Case Study**

After the disintegration of Yugoslavia, civil society organizations in Serbia worked under conditions of ongoing war and economic crises, followed by the NATO bombing in 1999. After the overthrow of Milošević in the year 2000, there was hope that the period of misery and long-term instability would pass, but today we still face the unsolved problems of taking responsibility for the wars, of a continued difficult economic situation, and pervasive poverty.

We understood the role of civil society organizations during the 1990s, when they were declared "anti-governmental." After the democratic change in 2000, however, we became "collaborators," or a partner of the government, in building a different state of Serbia.

At the moment, the greatest obstacle to Serbia's EU accession remains the issue of Kosovo. Implementation of the agreement signed in Brussels required the ongoing normalization of relations to get a date to start membership negotiations in January 2014. There is considerable disagreement in Serbian politics about what approach to take towards both the European Union and Kosovo. In any case, ethnic tensions are not decreasing, since the implementation of normalization measures do not adequately address grassroots problems.

In terms of regional cooperation, there are growing tensions due to debates over mutual law suits on genocide and over measures to decrease the rights of ethnic minorities, among others. There is an ongoing need to build further regional cooperation, especially among countries involved in the conflicts of the 1990s. This cooperation would have direct impact on internal issues regarding the respect of rights of national minorities.

Harmonization with European standards continues and important laws and strategies have been adopted over the years. But Serbia still has a long way to go in order to integrate EU laws and regulations in practice, especially with regard to judicial reform, security, and fundamental freedoms. Corruption is prevalent in many areas in Serbian society despite all the existing laws and institutions. Implementation of existing laws and strengthening the rule of law remains a great challenge.

### **Political Context**

In the 2014 elections, the Serbian Progressive Party (SNS), which emerged from Vojislav Šešelj's Serbian Radical Party, became the country's new leading party. The Socialist Party of Serbia (SPS) joined in forming the government along with other small coalition partners. The new coalition is thus made up of the parties that are responsible for the wars in the region during the 1990s. These parties now carry out policies that are diametrically opposed to their core election platform on which they obtained citizens' votes. Overnight, these parties became pro-European and have taken very concrete steps towards accelerating the European integration process and resolving the Kosovo problem peacefully. Only yesterday, the present authorities called such policies traitorous and opposed to the national interests of Serbia. Still, within the borders of Serbia, this government shows its nationalistic and authoritarian approach in many ways (the promotion of clerico-fascistic groups, putting together lists of anti-patriotic CSOs and individuals, weakening democratic institutions and media freedom, among others).

The struggle against corruption, which is trumpeted from the rooftops, is the main reason for public support of the government. Admittedly, the manner in which this fight is carried out is highly questionable since it

is done outside normal government institutions. Up to now, it has been primarily directed towards settling of accounts with political rivals and former corrupt officials and not towards creating a new legal framework that would prevent corruption in the future.

Political parties are the actual centers of power in which all policy decisions are made. All decisions are made by a narrow circle of party leaders, who place the interests of the party above all national interests. Institutions fail to do the work they should do and fail to do it in the right manner. It is a big challenge for our future work in encouraging civic participation.

### **The Economy**

There is a deep economic crisis. State-owned and state-controlled public enterprises are inefficient and unprofitable, creating huge losses and offering opportunities for systemic corruption. The desire to keep social peace has resulted in public debt that reached greater than 60 percent of GDP.

The high unemployment rate is alarming, with an estimated 30 percent of Serbia's working-age population being unemployed, with the hardest hit being women, minorities, and young people under the age of thirty. In this situation of pauperization and high unemployment, violence has increased against ethnic minorities, especially Roma. More than forty-five women were killed by domestic partners or family members in 2013 (an increase of 90 percent over 2012). Violence among young people in sporting arenas, in schools, and on the streets is on the rise. Particularly in ethnically mixed geographic areas.

Discrimination against minority groups continues to be a problem. Both the rule of law and awareness about human rights are considered low in comparison with other European countries. The situation has gradually improved regarding the legal framework for equal treatment, but the commitment of the government for implementation of the law is deficient.

### **Civil Society and Citizen Participation**

All these circumstances contribute to a decrease of civic activism in Serbia and a low level of citizen's participation in elections. The government is detached from citizens and their needs and citizens are excluded from decision making processes. Citizens are impoverished, passive, and unmotivated to be involved in politics when facing the struggles of everyday life.

The encouraging factor is that there are more than 23,000 currently registered non-profit and civil society organizations in Serbia, with almost half of them established after 2009. This means that the NGO sector is

relatively young; only 15 percent of organizations were founded before 1990. The majority of organizations deal with social services, culture, media, recreation, and the environment. Although civil society groups would recognize the economy as the burning problem in society, not many deal with the issue. There is a need for building NGO capacity to engage more citizens' groups in dealing with the economy, to monitor economic measures, and to play an active role in this area. Yet, in recent times, Serbia has seen a gradual, but marked reduction of activity by foreign donors. Most embassies and foreign government development agencies have indicated that they will be gradually phasing out their support to Serbia as the country progresses towards European integration.

In this context, Civic Initiatives is encouraging citizens to engage in solving problems that affect their lives. The role of civil society should again be to put citizens in motion to actively participate; to demand from government to respect the rule of law and to solve numerous existing issues in Serbia in an adequate manner; and through different forms of association to take part in making new policies and directly implementing them.

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## Responses

### **Ales Bialiatski**

First, thank you for welcoming me back. I had to keep silent when I was in prison. So I now have this habit of being more quiet and did not intervene until now. I will do my best to make up for it.

I am very pleased to be here. All these days have been very useful for me. Everything we discussed gave me a lot to reflect on. Let me share what I think has happened in our country over the last twenty-five years.

The activity of citizens in our country has come in waves. One early wave came in 1968, sparked by events in France, then in Warsaw, and then Prague, and those events spread even to Belarus and Russia. The next wave was at the end of the 1980s. A lot of people took to the streets and it is difficult to explain why it happened. There was a crescendo in which masses of people went out to protest. But then the wave receded. People retreated from the streets and the activity subsided. Later, after some time, the people took to the streets again in 2006 and then 2010 to protest the elections, but were suppressed. Why does citizens' action manifest itself in this way? I think one of the reasons has to do with the quality and structure of civil society organizations. When they exist, they are able to channel peoples' emotions and energies into constructive action. When they do not, then people retreat to their quiet existence.

The peak of mass protests in Belarus was in 1989–90. The people who protested forced the government to take certain definite steps to establish independence. Vincuk Viačorka described it well. But then the wave receded. At the time, many people decided that the mission was accomplished. Many of our friends and colleagues who participated in these actions and democratic changes withdrew from the citizens' movements. They went into business, returned to their jobs, and focused on their personal lives. Why? They believed the changes were irreversible and that these changes were in the capable hands of people in the state structures and political parties. This was a fundamental mistake. It turned out later on that without active citizens' participation and action the political parties and structures could not defend these changes in a critical situation against real threats to democracy. This allowed the reversal of the democratic transformation by Lukashenka.

In the early period, there were a number of moments when something could have been done better. There were rallies up until 1991 in Belarus but our politicians did not use them to remove communists from power. The Belarus Popular Front was a minority in parliament at that time. The attempted coup in Moscow in August 1991 should have prompted us to



call for early elections in Belarus, but we lacked the understanding to act with more decisiveness. Another turning point was the constitutional crisis in 1996 when there was a movement of MPs to petition for the impeachment of Lukashenka. But, here again something was lacking; in this case it was the critical mass of people who would come to the streets to defend Belarus's democratic future. Practically speaking, we, the democrats, were the ones who did not take advantage during these critical junctures.

So, Belarusian civil society was not strong enough to sustain democratic changes. Miljenko Dereta noted that it is difficult to sustain victories. It was the case in Belarus. It was very difficult to maintain the victories of the early 1990s without enough citizens willing to maintain their participation in civic action. We can speculate why our Lithuanian colleagues were able to surpass this threshold to achieve a different level of democratic development. I do think that the prior period of independence of the Baltic States played a huge role. We were deprived of this independence by the Red Army since 1919. In the Baltic States, at critical moments the older generations played a positive role in their revolutions. In Belarus, the older generation did not experience independence and did not possess those democratic values.

When you look at other events, for example the Arab Spring, one can see how the absence of civil society following the revolution meant that there was not a continuing positive movement for democracy. Only Tunisia sustained its democratic revolution. I was in Tunisia one month after the revolution meeting representatives of civil society, including from professional organizations, trade unions, and civic and human rights groups. Many of the activists had been educated in France, had traveled abroad, and they survived in a dictatorship with features similar to Azerbaijan and Belarus. This gave more hope that Tunisia could go through a more positive transition, unlike in Libya, where we see ongoing conflict and instability. The Tunisians I spoke with could recall only two human rights organizations existing under Qaddafi and their leaders lived in France. Without any real civil society, how can you hope to sustain the achievements of a democratic revolution?

In Belarus, we experience a certain *cul de sac* in relation to the development of civil society. There is nothing indicating new winds of change. We have to focus on youth initiatives, new movements started at the grass roots level that are not financed from outside. We understand that this is the future for overcoming the crisis in Belarus. For example, the silent applause movement [when students lined the streets in mock silent applause of officials in motorcades] was an interesting example of action outside usual political or civic unrest. It was a new form of protest. Often such initiatives have no clear political import, whether they are bicycle clubs or

ecological initiatives. They are initiatives simply where people can realize their potential and mobilize without the government's orders.

We can clearly see that youth activism is looking for forms of effective activity. We represent the old structures. We had a lot of successes, but we have a number of disadvantages, especially by acting on the same path for the last twenty-five years. We are ready to help the new energy of youth initiatives with the hope that it gives a new political impulse. We can clearly see that we are returning to the starting point. Twenty-five years ago we were looking for a new energy. We were organizing campaigns for the victims of Stalinist repression, we launched new movements.

I believe and I am convinced that democracies should protect themselves. One can look at the example of Poland, which after the French Revolution adopted a new constitution and established a new Sejm [parliament] only to be occupied and dismembered by Russia and the Austro-Hungarian Empire. Catherine the Great felt threatened by the democratic changes in Poland. Without sufficient armed forces, Poland was divided. So, neighboring countries did not get to experience the impact of Poland's democratic constitution. I believe the same can be said for Ukraine today. I am really worried that Ukrainians will not be able to defend the successes of their revolution, to develop their own path to democracy. The dangers exist internally and externally. Moldova also faces a similar threat.

Let me make up for being quiet earlier in the program and respond to several comments and topics that have been raised. On decommunization, I believe lustration is a necessary tool that allows us to protect ourselves, strengthens the gains of a revolution in a given country, and when it is carried out according to the rule of law it does not violate principles of human rights. We human rights defenders wanted dictators to be condemned and demanded that dictators from Africa be brought to the International Criminal Court in the Hague to account for the hundreds of thousands of victims of repression. Lustration is strengthens trust towards the new state authorities and new governmental institutions that are starting everything from scratch. And lustration should be done sooner rather than later.

People spoke of the decline of values in the West as part of the rise of consumerism. But it is the liberal and humanitarian values of the West *and* its high standards of living that offer a vastly better choice than what the East can offer or what our government can offer citizens. It is an important difference when an ordinary Ukrainian or Belarusian sees his own standard of living compared to that in Western countries. But we need to make this comparison without saying that consumerism or high standards of living somehow negate or overshadow Western values of justice, morality, and

human rights. In this regard, one should use certain markers, like the death penalty, religious freedom, freedom of speech, and so on.

As regards NGOs, there was the comment that the drive for money kills their creativity. On the other hand, money is the lifeblood of NGOs. It is necessary for survival. Isa Gambar noted that NGOs are being supported, but not political parties. But I must say that in Belarus the journalists and human rights defenders suffer the most. They are the object of the new crackdown. The parties in Belarus are not at such a risk right now. What is most important is that we should not divide ourselves. We should unite political and civic movements.

Sergey Duvanov said yesterday that we in the authoritarian post-Soviet countries lost. I do not agree with him. You can see that even in the present situation, overall we are developing towards progressive democratic goals. We lost some of our progress. But our movements have the direction towards democracy.

## **Maria Dubnova**

Today, all the features of the Soviet regime as they appeared during the latter stages of the Soviet Union—that is, the period after the invasion of Afghanistan—are returning.

The independence of the judiciary is totally compromised and courts are being used to crack down on private businesses. The state considers again that private profit means a loss of revenue to the state. One out of six businessmen is the object of criminal prosecutions.

As for the media, all of you know the terrible propaganda of all of the television broadcasts. They pour out outright lies that cultivate hatred. And this wave of hatred is hard to control. It generates an image of “the enemy.” There are both internal enemies, such as liberals, national traitors, and fifth columnists, and then there are external enemies, such as the West and the United States. Every word of Russian media must be mistrusted. Any truthful information must be found from alternative sources, which are scarce and being made even scarcer. Independent media are closing, journalists lose their jobs, and bloggers are forced to register as media outlets.

There are no mechanisms for civil society to have influence on policy. Discussions with civil society representatives on issues of legislation, for example, are a simple formality. Meanwhile, witch hunts have started for “foreign agents” within civil society. The phones of activists are tapped and emails are screened. Some have been pressured to leave for abroad.

All of this is reminiscent of the late Soviet regime. Some of you have raised the idea that this phenomenon may be related to Russia’s historical

cycles of reform and counter-reform, revolution and counter-revolution, or engagement and isolation. This idea gives some feeling of hope that following the nadir of counter-reform, perhaps there will be a new rise for reform. On the other hand, it also puts us in the framework of isolation that was experienced after the Soviet invasion of Afghanistan. After introducing Russian troops to Ukraine, the situation is similar. This mechanism operates more like a wheel. We all know how to survive these circumstances; it is a skill like riding a bicycle. We know how to preserve ourselves and how to resist internally.

The public discourse today brings us back to topics that were discussed in the 1980s. Arkady and I together published a book that described this period, which we thought was behind us. We did not think it would return. It was an inverted time, when one could spend the whole night in a queue in order to get theatre or exhibition tickets. The relationship with the West was interpreted only in terms of European culture. Now, on Facebook, people are discussing the same dilemmas that faced my parents. The matrix is the same.

There were several strategies for how to behave in that period. One strategy was active resistance, which required a great deal of courage. The second was emigration. The annual number of emigrants is rising every year. Until recently, there were mostly economic emigrants; now we see the rise of political emigration. People are ashamed that they do not have the will to fight. All the questions return: where to live? how to live? These are questions not about the comfort of oneself or even the welfare of one's children, but about political and existential well-being. It should not be so.

Currently, with the Ukraine war, we divide people into those who think like us and those who do not and, after the annexation of Crimea, into those who think it rightfully belongs to Russia and those who think it does not. The Ukrainian events have divided people as in the past and these divisions insinuate themselves into their circle of friends. We have to screen people who are friends. You see purges of Friends on Facebook. Trying to find alternative sources of information is also similar to the 1980s. In the past, we retreated into the kitchen for discussion—we called them kitchen debates.

While it does seem there is a retreat to the 1980s, there are some differences. In the Soviet days, there were some guarantees of economic welfare. Today, there is the ghost of destitution, especially among the elderly. There is also no development in the fields of science and technology. And the level of cynicism among state authorities is even higher.

These new aspects generate certain positive attitudes among people. In the past, there was a different direction to look to for the essence of

life. Some used to look for it in culture. Nowadays, people have tasted travel, supermarkets, personal space: a taste of life that they didn't have in the Soviet past. There is also a new phenomenon of volunteering. People understand they cannot wait for the government's help. There are different campaigns to help the elderly, the sick, and children. There was nothing like that in the past. I myself participate in this volunteer movement and see how it develops human networks.

There are new negative aspects, however. One can see it on the internet. In the past there were values like culture and civility. People filtered their views through a certain cultural lens. In the era of the internet, the intelligentsia is traumatized by the crude level of discourse. As the contemporary Russian writer Viktor Erofeev wrote in an essay, "Great Russian writers made us see the folk as a jewelry box but it turned out to be a coffin with rotting giblets." Each of us has to decide whether it is possible to enlighten the Russian nation, a nation not prone to enlightenment, or instead to live one's short life somewhere else so that the children can live without trauma and in dignity. We have the experience of our parents transmitting values to their children but we must decide if it is necessary to take our children abroad to live a life of dignity.

We see neo-fascists taking to the streets and pictures of Islamists as two seas that may overflow, but people fear more the return of the Iron Curtain. Russian intelligentsia, in its genetic and behavioral matrices, developed the option of living a meaningful life even behind iron curtains. From our parents and the elderly we were given a simple pursuit of happiness: "We are alive. Not hungry. Not in prison." It is easy to restore the past today because on the one hand the state power draws from the archives and reanimates ready-made models for ruling and, on the other hand, the intelligentsia displays a tendency to return to internal, not active, political resistance. For civic activism to be activated, we must overcome the inherited fear-based behavior we got from our families. For this we need courage, but heroism in peacetime is rare.

We just learned that Yuri Lyubimov, the great director and actor, has died at the age of 98.<sup>2</sup> He was a role model. These role models are dying but we must continue somehow.

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<sup>2</sup> Yuri Lyubimov was a renowned actor and director who began the Taganka Theater in 1964. His productions tested the limits of censorship, most notably the classic *The Master and Margarita*, by Mikhail Bulgakov, which he brought to the Russian stage for the first time in 1977. He was exiled and stripped of Soviet citizenship in 1984 but it was restored in 1989 and he returned to Moscow to continue the Taganka Theater. — Editor's Note.

## **Discussion**

**VYTAUTAS LANDSBERGIS**

I am moved to comment on the last two speakers, Ales Bialiatski and Maria Dubnova. They have focused on the “state of the art” on the topic of what is going on in Russia and, through it, Belarus.

Russia is an ulcer on the body of all of us. As Maria mentioned, the state of official propaganda is such that you cannot trust a single word of the media. So how do we keep in touch, keep contact with the society that is against this propaganda? They are switching off the idiotic programs. Can we encourage this tendency, to not be influenced by this propaganda? Of course, to defend civil society, we must do away with this media. It is simply a tool for propagating lies, for propagating over and over that Russia is right, that it is great because it is right, and that it will be greater still because it is right. We have to reject this propaganda and ideology in its entirety.

Right now, a minority runs a society where the majority accepts living in a madhouse. We must accept this reality. Edgar Allen Poe wrote a story about a man inspecting an insane asylum. The medical staff warns him that the patients believe they are all healthy and that the medical staff is mad. Today, all of Russia may become a madhouse and a lot of people are trying hard to achieve this based on the old anti-Western or what I call anti-civilizational matrix of the October Revolution. What happened after October 1917? John Reed wrote about this time in Russia. When Reed visited Maxim Gorky, he was having a nightmare that Russia was heading to Asia with its back to the West. Now, Gorky’s nightmare is coming true.

The question is what is happening inside Russia. Before, the Iron Curtain was outside the country and we were inside it. Now, the Iron Curtain is within Russia. It divides families and divides “us” from “others” or the “aliens.” Vladimir Vladimirovich Putin started this idea with the Nashi movement, whose full name is the “Youth Democratic Anti-Fascist Movement—Ours!” Some people call it Putin Jugend or Putin Youth. They are young toughs who provoke fights during peaceful demonstrations with people who disagree with Putin, like in Romania in 1990, where the miners attacked the students as “trash.” Provocations are organized against anyone who disagrees with Putin.

Therefore the question arises how normal people can survive. You mentioned that there is now migration for political reasons, to be able to live in normal conditions because people don’t want to live inside this madhouse. Then the madhouse will be controlled only by insane people who will turn everyone mad. People are ready to fight for this degraded

Motherland. There is no cure to save the country except to reject this virus. The struggle against the virus must go on.

The future can't be seen in bright colors. But when the bottom is reached, perhaps a positive movement can begin. It is hard to know when the bottom will be reached or what the bottom is. Until then, we must protect ourselves and hope that the madhouse will not be perpetuated forever.

### **MARIA DUBNOVA**

I would like to comment on Mr. Landsbergis's advice that Russians should switch off the television. All of us who participate in peace marches, we threw away our TV sets. But it is not about watching television. Today, participation in civil society in Moscow, in Russia, is a personal act of courage, a personal decision. It cannot be a mass movement. The society has a different pace of maturation. We remember the tanks in the center of Moscow. We know the authorities are willing to do a great deal to suppress mass demonstrations. We know how the peaceful demonstrations in 2012 ended up.<sup>3</sup> For our authorities, it is easy to put people in prison and make them hostages. People need to have courage to act and it is a personal decision. We are responsible for our children: at minimum, we can raise our children with certain values and teach them to take responsibility. We are not sure if it will have direct impact, whether or not it will have an impact on the whole society. Yesterday, we visited the Museum of the Warsaw Uprising. There is one display relating how a young woman told her father that she was going to take part in the Uprising and the father kissed her in silence. The responsibility cannot just be placed onto our children. But I do believe we must raise our children not to be silent.

### **IRENA LASOTA**

I want to say a few words about Smaranda's and Miljenko's comments on Western support for civil society. The problem goes beyond imposing specific agendas and selecting recipients on an unprofessional or even worse basis, although this is part of it. Many Western donor institutions and endowments have built and justified their programs on the myth that democracy was built in the entire post-Soviet world from outside by their funding programs. It is a very dangerous myth because it strips the people

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<sup>3</sup> On May 6, 2012, one day before the inauguration of Vladimir Putin to his third term as president, riot police attacked a demonstration of 20,000 people, part of a continuing protest movement against the previous year's fraudulent parliamentary elections. Police took 400 persons into custody and 28 were charged with criminal offenses. Of them, one committed suicide, one was committed to a psychiatric hospital, and 14 persons have been convicted to prison terms of up to 4½ years. — Editor's Note.

in the region of their self-esteem as important actors in building democracy and forces them into a “business” model in which “democrats” compete among themselves for the donors’ money and the donors choose who are the “best” democrats. But no amount of money can inculcate values and courage. Many donor organizations are led by people who had only a theoretical approach to democracy but without any practical experience. For example, they had the theory that an opposition can win only if it unites. In practice, this meant uniting the dissidents with KGB fronts and parties led by agents.

We have seen the proliferation of international movements for democracy. There is the World Movement for Democracy, Civitas and Civicus, and then there is the Community of Democracies. In 2000, many of us were at one the first meeting of the Community of Democracies in Warsaw. Russia, led by Putin, had just launched the war against Chechnya, but was still being invited to participate as a democracy. We saw how this Community of Democracies was dealing with civil society. Beforehand, at the State Department, government officials decided that it was necessary to hold a meeting of civil society organizations at the same time as the political leaders, but not to hold it anywhere near the political leaders, who were meeting at the Royal Castle, but miles away at the Hotel Sobieski. The agenda was set by political leaders who simply wanted to say that the civil society organizations were meeting to support what they were doing and did not want any controversy, such as protests of Russia’s inclusion in this Community at a time when it was carrying out genocide. Any real expression of civil society was in fact silenced. Indeed, those groups that organized a separate protest were later defunded by government-backed donor institutions. It appears to be the same with the Eastern Partnership, which has been made into a tool for the EU’s economic expansion and uses the civil society meetings to neutralize criticism of governments such as Azerbaijan and Belarus.

### VINCUK VIAČORKA

If we mechanically look at the institutions that make up a parliamentary system and we interpret them as being democratic when in fact the society is silenced, this is just a corruption of words and meaning. Smaranda Enache was describing the manipulation of civic leaders in the more democratic setting of Romania; Miljenko Dereta was raising the issue of how elections do not lead to democratic outcomes without an effective civil society. Yesterday, people said our countries’ situations were far apart, but today we see ours is not the only case where there is rollback.

The Eastern Partnership (EaP) was an initiative to bring six of the countries of the former Soviet space—Armenia, Azerbaijan, Belarus,



Georgia, Moldova, and Ukraine—into the sphere of economic development and general values of the European Union. Unfortunately, there has been little success. There was a typical bureaucratic *étatist* approach that identified governments with nations and societies. At the same time, the bureaucrats ignored the societies. There are five main activities within the Eastern Partnership and only one involves civil society representatives. No civil society representatives participate or even have the opportunity to monitor EaP economic cooperation projects or intergovernmental “flagship initiatives.” This simply benefits government officials in our non-democratic countries. EU money going to infrastructure may easily be stolen by our officials. The lack of transparency and accountability makes a corridor for corruption. Independent civil society and media does not have the possibility to monitor the use of this money or expose this corruption. Among the six countries of the Eastern Partnership, there are enormous differences, but the EaP does not apply any different approach towards the clearly anti-democratic regimes in some of these countries.

The governments of Lithuania, Poland, and Sweden, which initiated the Eastern Partnership, deserve respect. They believed it was going to look like five branches of a tree, but Brussels cut off some of the branches. It is very difficult to come to a consensus of twenty-eight states, but we must remember that when there is not effective participation of citizens in a country, civil society cannot act as a watchdog. The EaP requires a quick reshaping. Without democratic consolidation of nations of EaP countries, Gazprom can simply roll over these countries and realize the geopolitical interests of the anti-democratic state of Russia.

Let me give an example of what Western support sometimes looks like. There was a European program to support small and medium enterprises in Belarus through a bank fund. The bank fund rejects loans to anyone who was in prison. One entrepreneur had participated in a peaceful protest rally against electoral fraud and was imprisoned for fifteen days. He was denied a loan.

### SERGEY DUVANOV

Kazakhstan is at the border of Europe. By formal geographic division, one of its regions is in the European continent. It is a member of the Council of Europe and part of European institutions. I am listening here to these speeches and discussions and the most grave situation seems to be ours. When we speak of civil society in our country, it is within the parameter of the Soviet expression “sovok,” shorthand for *homo Sovieticus*, in which the relationship of the individual is subservient to the state. The citizen exists for the state, not the state for the citizen. This is the attitude of citizens within the realm of Soviet ideology. In such a situation, there is only one

hope, “let there be no war.” We don’t care about human rights, protests, rallies, or freedom of speech. Let us simply be allowed to survive, to exist. This is the extent of people’s interests. It is the parameter for defining our civil society.

The situation is aggravated by broadcast media, which is pervasive. It makes idiots of the citizenry. Seventy percent of the media is from Russia; the rest is state-owned. In Russia, there might be some alternative found through the internet, but in Kazakhstan, only 15 percent of the society is connected to the internet. And everyone has the same view.

Here is the paradox: for twenty-five years we tried to build civil society and the building blocks were not citizens but subjugated citizens, the willing slaves of the state. Imagine the following situation: a majority of civil society organizations support the concept, “Crimea is ours,” meaning Russia’s. This is not an independent civil society. During the Georgian war, forty “civil society” organizations were sitting at a conference in Almaty, and there were only two that defended the sovereignty of Georgia and the rest supported Russia. This is what Kazakh civil society looks like and these organizations receive most of the grants from Western governments and foundations.

### **ERIC CHENOWETH**

I will add something to what Irena has said because it is very important. By now, it is necessary to put democracy promotion in quotation marks. While there remain a few intelligent foundations and individually some good programs, the overall practices of Western donor organizations and endowments today have very little to do with promoting democracy and mostly to do with maintaining bureaucracies and self-justification. These practices are adopted supposedly for maintaining transparency, measuring “effectiveness,” assessing “impact,” sharing “best practices,” encouraging “innovation” and “social entrepreneurship,” and creating “self-sufficiency.” We at IDEE knew it before but Smaranda and Miljenko, and others in this room, have quite powerfully elucidated what all this means.

In truth, “democracy promotion” has become a charade that cannot hide a simple fact: over the last twenty-five years, there has been very little democracy promoted, much less achieved, in the spending of billions and billions of dollars. There has simply been an “industry” created in which thousands of people take part but very little of value is actually produced. Any time an opening occurs due to the courage of citizens facing up to repressive dictatorship, the “democracy promotion” industry takes credit for it. But no one takes responsibility for twenty-five years of overall failure, the many reversals of democratic progress, and the success of dictatorship

in pushing citizens back, whether it is in Iraq or Egypt or in the post-communist space.

### **GÁBOR DEMSZKY**

The countries of the whole Soviet empire suffered from over-centralization. It means that we had not just a state-run economy but a political system that was based on a single party and the local soviets had no power at all and followed the central directions of the Communist Party and the ministries at the national center. After 1990, this vertical system was radically changed in some countries, changed only partly in some countries, and not changed at all in others. In certain countries, the old Soviet model of extreme centralization still governs in spite of the pretense of local democracy.

This is important because local government is part of the checks and balances on power in a democracy. Local councils can control the government if they are given power to impose and collect taxes, establish the policies of the local government, and direct the local administration. I talked about these principles in Strasbourg and the national representatives did not like my lecturing on principles of local democracy. It means the national government has less power; it has to share money and power with local authorities and governments. The whole taxing and allocation authority is not in one central authority; they have to share with cities and regions. That became the case in Poland, Hungary, and the Czech Republic to give some positive examples.

But now in Hungary, the Orbán government took away power from the local government because it wants to control all the state income. It took over the budgets of schools, hospitals, public works—everything significant. When I left office in 2010, the budget of Budapest was \$2.5 billion. Now, it is \$1.2 billion and its authority over schools, hospitals, and public works was taken away. Thus it has no power anymore. Technically it is a symbolic power. Civil society is weak when the money funding it is coming from the national state or the local government. And when the local government has no money civil society is even weaker. It is that simple.

### **MILJENKO DERETA**

I always have a problem dealing with these very general issues. But what Gábor Demszky said about decentralization is very important. It brings back the idea that I expressed yesterday about the bottom-up approach. The problem with our political elites is a certain degree of disdain in which they hold citizens. They don't really need them. This disdain is especially oriented towards organized civil society because they perceive it as competition if organizations express disagreement with them.

They expect us to support them uncritically. Until we change the culture of communication among the political elites and the citizens who elect them, especially those organized in civil society, we will have continuous problems at the top.

A second point. You mentioned Nashi in Russia. We have Nashi in Serbia. It is a registered organization in Belgrade, a Putinist group. They have continuous actions against everything the civil society is doing that is oriented towards democratic change. All of these actions are tolerated by the state. I am proud to be one of the people they list as one of the main enemies of Serbia on posters they parade on the streets—the posters give my address. This type of threatening behavior is tolerated by the state. In fact, Nashi's offices are in the House of the Army, so in this sense it is not only tolerated but supported. There is a not-so-public but obvious cooperation among some of the regimes in the region and the Russians in their approach to limiting democracy and citizens' participation.

## Theme 7

# What Happened to the Dream of Independent Media?

ERIC CHENOWETH

Twenty-five years ago, among the central ideas of the freedom movements was that it was necessary to have independent media to replace the state-controlled media of communist regimes that had simply printed and broadcast lies and propaganda serving the party-state's interests. But the dream of independent media has not been realized in most of the region. This session explores what happened in different countries. We begin with **Tatiana Vaksberg**, who was a founding activist of the Bulgarian Students Association in 1989 and is today an award-winning independent journalist and translator. The first respondent is **Sergey Duvanov**, an independent journalist from Kazakhstan who was imprisoned for 1½ years on fraudulent charges in the early 2000s because of his intrepid reporting on government corruption under President Nazarbayev's kleptocracy. **Maciej Strzembosz**, a leader of the student self-governing movement in the 1980s, is an independent television producer and filmmaker who has spent a great deal of time since 1989 working on enacting legislation to strengthen the independence of media and culture.

### Presentation

#### The Media in Bulgaria: The Full Story

by **Tatiana Vaksberg**

I was a little bit unsure when I prepared my paper whether to focus more on the contemporary gangsterization of the media in Bulgaria or about the lack of freedoms for media in the 1990s and what caused it. So, I will tell you the full story.

In November 1989, my grandparents' apartment in Sofia became the repository of strange items from the Occident. One was an electric typewriter brought by Irena Lasota, an unknown person to us at the time. We had just created the Bulgarian Independent Students Association. She told us this was a basic tool for us to be able to be heard. Just write the news the way you see them through your own eyes, she said. Don't rely on the state media to give an accurate image of the events; they won't do it for you. These were among the most important sentences ever spoken to me.

A few weeks later, we received two more gifts from Poland. Both related to a free press. In December 1989, a Bulgarian studying in Warsaw brought to us a small manual mimeograph machine donated by Solidarność. For it, a typewriter was used to impress heavy waxed-paper stencils—a highly uncertain process because you can't see really what you type. The stencils were placed on a drum for copying what you wanted to produce with ink. The problem was that you need a lot of practice operating such a machine and we didn't know all the intricacies. The Bulgarian Student Association managed to produce three issues of a prototype publication with 40-50 copies each. Some copies were posted with glue on the buildings of popular places in downtown Sofia.

The second present was given to us in the very beginning of 1990 by a Solidarność representative named Marian Orlikowski (he is now the Polish consul in Lviv). He brought us an offset press with metal plates—a much more sophisticated machine to produce a real newspaper. He told us this was the cheapest and easiest way to produce a publication and communicate with people what you want to be heard. We managed to produce two issues of a student newspaper with it. We should have done more, of course, but at the same time the first “real” independent newspaper was born, *Demokratiya*, the daily of the United Democratic Forces (UDF). As part of the UDF, the students association turned its attention to helping make this daily a success. It was one of our most important mistakes—not to insist on producing an independent student newspaper and relying on one single opposition newspaper instead.

When Orlikowski met with the students in Sofia, in January 1990, he also delivered a very important message to the newly created Bulgarian opposition: not to agree to the Communist Party proposal to hold a Round Table with the opposition as the mechanism for arranging the country's transition from a single-party state to a multi-party democracy. “Do not negotiate with them”, he said. “Just do yourself what you think is the right thing to do.” His advice was ignored. It became one of the greatest mistakes of the Bulgarian opposition. From that moment, virtually all of the gains of the opposition were based on permission given by the Communist Party, instead of independently winning the opposition's goals. In late January 1990, the UDF presented two preconditions to the Communist Party for agreeing to the Round Table with the Communist Party where the forthcoming elections and future multiparty system were decided. They were: permission to publish a newspaper with a large circulation using state printing presses and state-controlled print paper and permission to occupy office space. The first daily, *Demokratiya*, and the weekly *Svoboda Narod* (Free People), which started in February 1990, were grant-

ed circulation of 70,000 copies each, printed through the state printing offices. This determined the development of the media in Bulgaria.

There were other attempts in 1989 and early 1990 to create newspapers independently from the Communist Party and the democratic opposition. The first and most important was *Nezavisimost* (Independence), which was inspired by two samizdat magazines *Glas* (Voice) and *Most* (Bridge), both published in the late '80s during communist rule. *Nezavisimost*, edited by Gancho Ganchev, put out ten issues using an early computer and printer. But most of those independently sponsored newspapers could not survive for long. The newspapers that survived were launched on the same model as *Demokratiya*, by gaining the state's permission. Based on its precedent, editors of new publications also asked to use the state printing offices. Soon after the first free elections in 1990, it became clear that a very strange kind of press freedom was born: free media that never really fought for their freedom. Twenty-five years later, many analysts agree that one of the main reasons for Bulgaria's significant and constant decline in press freedom indexes over the past two decades lies in part in the perception that establishing the independence of free media was not a value that Bulgarians were willing to struggle for.

Indeed, over the years, Bulgaria media went through a spectacular decline in freedom and public confidence. At the outset, there was an impressive and rapid propagation of print media. In 1990 alone, there were 1,000 newspapers in the country, mostly organized around a community, a leader, or a cause. Most were closed, but new ones did emerge. While the total numbers did not change significantly, with an estimated 900 print publications in 2007, the content of them did change quite a lot. In the beginning of the 1990s, the majority of print publications published general interest and news and corresponded to the sharp political polarization of society. Today, the print media are largely entertainment, lifestyle, fashion, music, cinema or sport publications. General news and information publications declined in number, public confidence, and level of freedom.

In 2014, the Open Data sociology group of the Open Society Institute determined that 3 percent of the public had confidence in newspapers, 3 percent in radio, and 4 percent in internet news sites. Television has a higher level of confidence at 43 percent, but much of this group is found in the age category of 60 years and older. Freedom House and Reporters Without Borders show that there is something dramatically wrong with media governance and freedom. In 2003, Reporters Without Borders listed Bulgaria 34<sup>th</sup> in media freedom, ahead of Italy, the Czech Republic, and Romania. In 2014, it occupies 100<sup>th</sup> place. To illustrate the drop, post-war Serbia, which is not in the European Union, holds the 54<sup>th</sup> place.

European authorities often criticize Bulgaria for the lack of media freedom. They are especially critical of the law that allows anonymous companies to own media. This means that shady business circles, including those involved in illegal activities, can possess a media outlet without any transparency. These outlets claim to be authoritative sources for news and analysis on political and economic issues, however any Bulgarian journalist can tell you which publications are funded by trafficking in women, or by arms sales, or by Russian organized crime.

The second corrupting factor in media governance is the state, especially through its program of media and PR funding. In the last six months alone of 2013, the Bulgarian government gave 3 million Euros to media to explain its policies—from the need to reform the health system to the need for constructing new roads. The government is also operating European Union funds through which many media find support to publish or broadcast. Such state-controlled funding does not contribute to media's critical stance towards the government.

Last but not least, the communist past plays an important role in the deplorable conditions of media. It took twenty years for the government to admit that the security services played a key role in the transition from communism, especially in the field of media. Only in December 2009, the Files Commission published a list of current journalists with ties to the former security police. It announced that in 2009, 11 percent of the journalists working in print media as well as the hosts of the most popular television shows had worked for the communist state security. Some of the journalists were working for foreign-owned Bulgarian-language newspapers, such as *Business Week* or for the US-funded *Radio Free Europe*. The most important revelation was the state security connections of the editors-in-chief of the two leading general interest newspapers, *Trud* and *24 Hours*, as well as of the entire office of the weekly newspaper *Pogled*, published by the Bulgarian Journalists Union. Meanwhile, attempts to establish an alternative journalists' association repeatedly failed.

The Files Commission was established according to the State Security Archives Law, which was passed by parliament only in 2006. This independent commission was charged with checking state security affiliations of twenty-nine categories or groups, including national politicians, members of the judiciary, bank owners, army representatives, ambassadors, their deputies and other members of consulates, mayors and members of municipal councils, sociological agencies and lawyers associations, and people known as credit millionaires. This last group is made up of people who in the 1990s were given credit by banks without any collateral and when those banks went bankrupt, they were untouchable and did not have to give any of the money back.



Media represented a distinct category. While the Files Commission had to check all the members of the other groups who entered public life after 1989, journalists were checked only as of the date the law entered into force. It is thus believed that journalists played a much more significant role during the transition period, with many more than 11 percent of journalists being agents of state security and using their positions to manipulate public opinion.

With all these factors—the media relation to state security, the modern-day state-funded corruption, the non-transparent ownership of media—it is no wonder that the biggest scandal now in Bulgaria is the following. A company created by a family relation of a parliament member took a very large credit from a private bank at a time when the government had ordered the majority of state-owned enterprises to put their funds in that particular bank. The bank was allowed to use these funds from state-owned enterprises for any financial operations and it was the fastest growing bank in Bulgaria in the period of 2007–12, growing 9 percent annually. The family relation of the MP used the very large bank credit he received to become owner of a dozen national newspapers, one television station, a publishing house, and also the companies controlling general distribution of newspapers and other publications at kiosks.

The story finally attracted attention but by this time the newspapers were sold to an off-shore company and the ownership could not be traced. When the European Union paid more attention to the gangsterization of the Bulgarian economy, the government announced that this powerful bank was in fact unfit and its owner was a criminal under an Interpol warrant. The owner fled to Belgrade and the bank was closed with all the money seized or blocked by the government. Many people are not able to pay their mortgages as a result, which has created an artificial amount of bad credit. The media sold to the off-shore company now orchestrates campaigns against the political enemies of the leading party.

## Responses

### **Sergey Duvanov**

We are talking about why the dream of independent media was not reached. In Kazakhstan, the dream did start to be realized during *perestroika*. During that time and right after independence there was a renaissance of free media and free speech. It was an epoch when everything was possible. In the late Soviet period, together with my friends, I set up an independent newspaper and we were able to earn enough money and raise money from the US to establish a television channel. We had to bribe here and there but it was more or less acceptable. It was a Romantic peri-

od. There was no censorship. We had a program communicating live with people over the phone. It was very popular and we led in the ratings. There was a flourishing independent newspaper business.

This idyllic epoch lasted just four years. As Nursultan Nazarbayev consolidated power, the authorities realized the danger of free media in losing control over the public. So they decided to come up with mechanisms to take the media back under their control. Starting in 1994, the crackdown started on broadcast media. The authorities limited television and radio frequencies in favor of private companies that were allied to the government; this put us out of the broadcast media. In print media, it was the same. People were forced to sell their shares in an independent company that published the largest newspaper. The holding company came to be owned by the family members of President Nazarbayev and that company came to own the largest newspaper, television, and radio.

The period between 1996 and 2000 was an interesting time. There was still a struggle between the authorities who wanted to control everything and us who wanted to remain independent. It was not possible to register new publications—they were all rejected. So we figured out how to use existing registrations. I was able to publish a newspaper called *Fahrenheit 451* and there were others. It was a game of cat and mouse. After three or four issues, a publication would be closed and we came out with a new title. Of course, we ultimately exhausted the limits of existing print licenses, so then we used a non-media certificate, and so on. Then we began to print sort-of underground in Kyrgyzstan. At that point, the authorities used the courts to bring criminal cases against independent journalists and editors, whom they prosecuted on ordinary crimes. I was arrested and imprisoned.

We then encountered a new situation with a new opposition arising from a young generation of businessmen who wanted to use their money to influence politics. Due to their money, an independent television channel was started and also a newspaper. It was a breakthrough. There was now a polarity of opinions in which someone could follow events and different views. The next stage, however, was the government prosecuting the new opposition and businessmen or forcing them to emigrate.

So in the end, the information space was totally “cleaned up.” There is a refusal to register any new media; there is total control over print-runs; there is censorship and any independent media are closed using a variety of laws and bureaucratic mechanisms. There are still a couple of independent newspapers but the audience share is very limited, so much so that the authorities no longer pay attention to them, since they cannot influence the situation or the minds of people. It is the only reason these few examples of independent press can still operate.

I am not expecting you to pity us in Kazakhstan. But I would like to discuss why it happened. How could we have four years of free media and then have that free space devolve into nothing? The simple reason this happened, I believe, was that we were in no way equal to our opponents, which comprised the entire state apparatus.

On our side, there was just a group of people who wanted to change the situation. In 1971, long ago, the KGB apprehended a dissident. He was 28 years old at the time. I was then 17. His interrogators told him he could go to Europe. He told them he would not leave and that instead he and his friends were going to bring Europe to Kazakhstan and live like Europeans. This idea stuck in my mind and it became the guiding idea of my life. In 1988, when the Alma Ata Popular Front was created, I was already a journalist and I also became involved in political life. Human rights activists from the Netherlands at the time offered me the opportunity to leave the country and I repeated the words of my friend: that I was going to be a part of building Europe here in Kazakhstan. There were hundreds of us in those days. It was a euphoric time. We were very popular. While the state television had new technology and we had only primitive equipment, we were more popular. I thought we would succeed and there was no way back.

But the way did go backward. I disagree with Ales Bialiatski that we did not fail. We did fail. We were not equal to our opponents. Today, there are now very few people who think like me. Yevgeny Zhoftis, the head of the Kazakhstan International Bureau for Human Rights and Rule of Law, is one. I can count maybe twenty of us today still living inside the country. Others went into business and left, voting with their feet. And now when we look ahead I do not see the forces that can put forward the ideas we once hoped would take hold in Kazakhstan. I am disappointed and my pessimism is based in reality. Perhaps in Belarus there is more reason to be optimistic. In Kazakhstan, the fact is that we failed.

What should be done, then? I will not flee the country. I do still think we can change the situation. But I believe we must have a new strategy. We are the last border of Europe. We believed that our electorate wanted democracy and the only thing we had to do was to show them the way. We had many conferences and seminars and trainings to show them this way. The latest sociological data is that 85 percent of Kazakh citizens have a favorable view of the government. We thought our people were going towards democracy but now they are the subjects of Nazarbayev's and Putin's brainwashing. People who once would shake my hands in respect because I was a democrat today refuse even to greet me, believing I am a traitor who betrayed our country to the US.

## Maciej Strzembosz

I start with the premise that anyone who wants to shape the common civic space is a politician, by definition. I am a politician, but I am allergic to political parties. So, I became a screenwriter, producer, and the head of several NGOs. I was also a member of the group that drafted the first media law for Polish Prime Minister Tadeusz Mazowiecki in 1991 and I worked as the government's lobbyist to pass the law through parliament. Since then, as a private citizen representing Polish NGOs, I helped pass five other pieces of legislation related to media and culture in parliament.

Probably what I will say for most of you is heresy and fantasy at the same time and I know that the Polish experience is different from Belarus or Azerbaijan but it is the experience that I can share.

After the 1989 revolution, there were two fundamental misunderstandings in Poland. The first was that the politicians who took over thought that the situation in media would be fine if we replaced the bad guys with good ones. This turned out obviously not to be true. But second, all politicians simply misunderstood the media. Some knew how to manipulate it, but none understood media and especially none understood television.

Politicians, by definition, are not credible when they say they want independent media. Even if a political leader is sincerely for the independence of media, someone in the party will behind his back attempt to make the media sympathetic to that party and that government. There is too much to gain in controlling media, not so much in fostering one's own party as in having the possibility to destroy your opposition.

The only way to do something with the television medium is to change its nature slowly. It is a lengthy process. If you are in opposition, you cannot simply reject the television because for the society television is the most important medium with which to communicate. And if you give up this tool to communicate with society, then it means you want to be in a ghetto without influence on society. You influence society, however, less through news programs. Influencing society begins more with children's programming and continues from there.

There are four groups of people who create the content on television no matter who the politician is or what the politician thinks. The four groups are: artists, producers, journalists, and celebrities. They draw viewers and create the sustenance for television to survive. The real task is how to get those four groups to help foster the idea of citizen, how to make them part of a citizens' movement, how to persuade them that the country and they themselves will be better off if there is a better media, if there is a better society, and if democracy is observed.

I will give you one example. I produce mostly comedies. The accumulated audience of my comedies counts approximately 6 billion viewers. On one series alone, the number is 2.8 billion. Each episode reaches millions of Polish viewers. And mine are not the most popular. Even so, if I want to reach people, I have much more power than the prime minister to communicate with society. If I want to promote the fight against breast cancer, instead of going to a news show that is watched by 200,000 people, I put it as a topic on my show through a character diagnosed with breast cancer. I am having much more impact over a much longer period.

So a positive program for media is to try to work with these four groups. How do you start? You give them financial independence. This means having the possibility for them to collect royalties and then it is possible to convince them to use those royalties for different purposes. In Poland, we convinced them to use part of the royalties to help new filmmakers and then to pass a new cinematography law that taxed all commercial media ventures at 1.5 percent for a fund governed by all important media players, including broadcasters, distributors, producers, and filmmakers. The government has no say in determining how to spend the funds and what films will be financed through this fund. We prepared legislation with the aim to build a space for culture that is independent from government. We have this year proposed a new media law (unsuccessfully so far) creating a similar fund for radio and television production based on licensing fees, a so-called Mission Fund. It will allocate funds up to 50 percent of a production budget for radio and television shows meeting the criteria established by the independent members of the fund. Then, a producer has the possibility of going to any station with a 50 percent budget and having it matched, no matter if it is a private or public channel.

Then you have to remember about NGOs. In Poland, everyone who was in opposition was in an NGO. But when my generation came to power, they immediately forgot about NGOs. You will have to rebuild NGOs and to do so independent of government money. We put through another piece of legislation that was a very small thing but potentially quite significant. According to this law, every public television and radio station has the obligation to allocate at least 2 and up to 6 minutes every day for civic programming that is free for NGOs as a public service. The only thing the NGOs need to do is to produce an ad or a video for a civic campaign. It is not well used yet but I think it is a good idea.

If you want a free and independent media, don't use government money because there are always conditions attached. The condition may sound good, like don't support anti-Semitic groups. But after that good condition, there will soon be ten or twenty other conditions, many of them bad. Where is the money to come from? In Poland, we introduced a law to tax

businesses in the filmmaking industry at a very basic rate, 1.5 percent, for a public fund that is independently governed. The Polish Film Institute now has annual financing of 40 million Euros. You persuade businesses it will benefit them and that it will be more beneficial if it is independent of government.

What I am trying to say and what governs my activity as a citizen is that culture is a currency of independence. Without independent culture, you won't be independent long.

## **Discussion**

### **IRENA LASOTA**

As in Kazakhstan, there was independent media in Azerbaijan, including television for a short time. I wanted to ask Mr. Gambar: how have the independent media voices been eliminated in Azerbaijan? What was the process there?

### **ISA GAMBAR**

One journalist in Azerbaijan wrote that there is mutual freedom of media in Azerbaijan today. Journalists have the absolute freedom to write what they want and the authorities have the absolute freedom to beat, to kill, and imprison any journalist.

We do use the internet and social media and there is some print media, but the print runs are decreasing due mainly to the authoritarian government's unwillingness to tolerate different views or independent information. Thus there are pressures on independent media from all directions. Some of the owners are forced to sell their papers. Some journalists are bought. There is repression and imprisonment. Judges carry out orders from the presidential apparatus and issue huge fines against newspapers for publishing something unauthorized—fines they are incapable of paying. There are other methods such as limiting newspaper circulation and the selling of newspapers at kiosks.

The story of television is much simpler. Since 2000, the access of the opposition to television channels is nil. Opposition representatives appear on TV only during the election campaign, but perhaps for 4 or 6 minutes. Even the public television created under the influence of the Council of Europe is simply a government channel. Despite our request and demands for this channel to carry out its functions properly, it doesn't allow any free access. The Council of Europe, which trumpeted the creation of this station as its triumph, is silent today about its actual content.

The authorities in Azerbaijan closed almost all financial sources for the opposition and the opposition press. The freedom of journalists to create independent media is also non-existent. In this situation, we do not feel the support of international organizations. There is cooperation with NGOs in the media sphere and sometimes even large grants of 1 million Euros are awarded for media watchdog projects, but not for independent media itself. A watchdog is useful but not as crucial as independent media in authoritarian regimes.

Beginning in 2003, independent parties and newspapers tried to establish an independent satellite television but in order to begin it needed several million Euros—a huge amount for us although not a huge amount for European or American institutions. Instead, the USAID offered huge grants to both independent and government-affiliated NGOs, without distinction. There was a huge scandal when \$1.5 million was offered to the NGO of the head of a parliamentary commission who is very close to the presidential administration. We don't know how this money was spent.

This is the situation in a few words. We have a few newspapers that try to stay independent and some that represent opposition views, but our main hope lies in social media. What we write there is read by a larger number than readers of independent newspapers and so far the authorities haven't limited social media. Now, however, it is trying to introduce a requirement that anyone commenting on Facebook must enter their data from their internal passports. This would be tragic. People wouldn't express their views freely.

The situation of print media is similar to other types of freedom in Azerbaijan and in other post-Soviet states. We have quite a peculiar situation. Everyone remembers that in the Soviet times people were prevented from leaving the country. Now, all rights are violated except the freedom to travel abroad. People can leave easily and that would be considered a good thing by the authorities.

### **GÁBOR DEMSZKY**

I wanted to comment on Maciej Strzembosz's presentation. I agreed with his prescription for creating interesting television programs and I think his ideas are well formulated. But this approach is valid only in normal circumstances, where the media is free and not the opposite, where it is fully controlled by the government or by different ruling circles of family and friends. Ask Sergey Duvanov about the Nazarbayev family control over national television and other media; ask Arkady and Maria Dubnov about the Putin mafia's control of Russian media; ask Hungarian experts about the situation of media in our post-communist mafia state. I

disagree with you that the politicians don't know how to use media. These so-called politicians know exactly how to use the media.

In Hungary, the law passed by Fidesz created a new media authority controlling all the broadcast frequencies and overseeing publications. It give the frequencies to Fidesz allies. There is one radio station and one television not controlled by Fidesz; it makes for a media ghetto. Fidesz creates messages through its machinery. You can hear the same messages at all the stations because there is a centrally delivered message. The law was condemned by the State Department, the EU, and the European Parliament,<sup>1</sup> but no one is actually doing anything. In fact, the opposite: the EU is providing huge subsidies.

### **MILJENKO DERETA**

I agree: what Maciej proscribes is possible in normal situations but today we heard the story of the madhouse in Russia. In Serbia there is a similar madhouse. The current prime minister was the Minister of Information during the NATO bombing campaign when Milošević imposed martial law in Serbia. He is today as efficient as he was then in controlling all information that is distributed. Every morning he calls the journalists to a press conference to tell them the main news stories they should report on. He forbids any ministers from going on non-preferred media channels. At press conferences, he is distributing questions to journalists that may be asked and throws a tantrum if a question is asked that is not on the list. This is all seen by the public. But there is no reaction: the media is all controlled and journalists are blackmailed and trying to keep their salaries. They have nowhere to go. The top two newspapers are owned by former secret police officials and those tabloids announce who is going to be arrested and even publish transcripts of interrogations by police.

There is also a monopoly over advertising. It happens in Hungary, too, and the media accepts conditions on what it broadcasts or prints in order to get advertising, to survive. So, while there may be a private television station, to get advertisements it can't say certain things. All this is happening in front of our eyes and no matter how much we criticize it nothing is changing. During the recent floods in Serbia, the government arrested people for sowing panic for posting messages on Facebook with information on what was going on. The European Commission did finally step in to tell the government it couldn't arrest people for posting messages on Facebook.

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<sup>1</sup> In July 2013, the European Parliament accepted the report of special rapporteur Rui Tavares that was highly critical of the Hungarian government's human rights practices and compliance with European human rights standards, especially the adoption of the Media Law and constitutional changes. — Editor's Note.



The support for independent media does not exist now in Serbia so what we are doing is discussing the best way to disseminate information. People are lacking information. The independent media circulation is now very low. In the 1990s, one of the hopeful things we had were the small local televisions in each village. In Tito's times, these were for showing stories about local weddings but we used them as a way of spreading information. We are trying to find new points for spreading information.

As a former filmmaker, I am attracted to the idea of spreading ideas through television programs and films. But the problem is that the funding comes from the state. And the state uses it for its own propaganda. During Tito's time, we had very good quality films and the Black Wave film movement, which was very critical of the socialist system. Why did Tito allow funding for it? For one, it created the illusion that there was some level of freedom. But the second reason is that it kept those filmmakers politically quiet. They made movies and didn't make any problems. Only Dušan Makavejev was forced to move to the States for many years.

#### **IRENA LASOTA**

Somehow, I think we should keep some proportion. The situation in Hungary and Serbia is incomparable to what is happening in Central Asia—remember that Sergey Duvanov spent one-and-a-half years in prison and in Azerbaijan the list of journalists imprisoned for long periods of time is long. It is like comparing communism in the 1950s with that of the '70s and '80s. The differences are quite big.

#### **MILJENKO DERETA**

Yes, but I think it is not correct to minimize the problem in our countries. Nobody said that the situation is good anywhere. What we were describing though is the situation in an EU member, Hungary, and an EU-candidate member, Serbia. And pursuing independent journalism in Serbia is not without consequence. We can count in recent years three journalists killed for their reporting. No one knows about it outside Serbia.

#### **SMARANDA ENACHE**

Just to add to the picture. Control of the media can sometimes go beyond state borders. Harassment of the media in Hungary is exported to Transylvania to the Hungarian community of Romania. Business people associated with Fidesz own the newspaper *Marosvasarhely* in our city, Tirgu Mures, which has a large ethnic Hungarian population. Elek Szokoly, a participant here, used to be for years a columnist with that newspaper until he received a letter from the editor saying that his articles were no longer welcome because he was critical of Fidesz.

**MACIEJ STRZEMBOSZ**

I want to make my point stronger: government cannot control culture. Ask Osip Mandelstam. The government can kill the poet but not control the culture. If you think the government controls culture by owning media, you are lost. Get out of politics, then, because you won't do anything. During the communist period in Poland, everyone in the opposition knew that the good songwriter-singer was more effective than government propaganda. And that is the same today. If you find a good singer-songwriter, it will be more important than being elected to parliament. And Gábor is a prime example of what I am saying. For twenty years he was mayor of Budapest and it is half of the country. In fact, Hungary is the only country in Europe where the media is so highly concentrated in one city—90 percent is concentrated in Budapest. You were mayor of the city and you were responsible to create a culture for businesses to be independent and to be resistant to what Orbán is doing and you didn't do it when you were governing the city with a huge budget and had connections to the governing party in order to pass favorable legislation. In Poland there is the saying “the cloister lasts longer than the abbot,” and you did not build the cloister.

When I hear people in Poland complain about censorship and that no one is giving them a chance, I tell them it is because they can't build anything. Today, international advertisers don't choose where to advertise on the internet, the internet chooses the advertisers. They have computer programs directing the ads. I am not speaking about Kazakhstan, but in Hungary an important part of international advertising goes automatically by computer programs. If young, educated people go to a site, the advertisers wanting to reach that group will follow. So go create such a site. It is not true in Belarus and Kazakhstan, but it is true in Serbia and Hungary. Then, there are certain rules of media. Television has a female-dominated viewership. Shows that appeal to women and that are established will not be cancelled. Orbán couldn't do anything about it. It takes years to develop, but it is possible to do it. The same with children's programming. You can use government propaganda against itself. If you had a children's program saying that true Europe begins in Kazakhstan, the government wouldn't do anything against it if it were popular. If that program were popular, you would have children growing up thinking they were Europeans.

In free Poland, I was blacklisted twice by public television. During the post-communist government, the public television chairman did it. I didn't blame him because he was a socialist and I was always anti-communist. And then Bronisław Wildstein from the right Solidarity government did it because I made fun of one of his programs on a blog. He said that as long as he was chairman of public television, Maciej Strzembosz won't be able

to do anything. But by then I was a producer of a show called “The Ranch” with five-and-a-half million viewers. Many spontaneously protested just the rumor of the program’s cancellation and it was renewed.

I want to make a bet with Gábor that if he really wants to do it and has a talented filmmaker, I will make a Hungarian-Polish co-production that will be totally against Orbán and he will be satisfied with it. The European Union has laws that must be implemented.

In Poland you could go to prison for printing a publication in the 1980s, but it was relatively easy and common to do it and I was involved with printing and distributing independent newspapers. There were 200 serious publications that were long-lasting and a 1,000 if you count the local publications. It is simply not true that you can’t do something in Hungary today. You can do a lot. It is simply much harder for someone who was in power to go back to the basement and start over.

### **GÁBOR DEMSZKY**

First of all, in Budapest, we were building independent culture. We spent more than 10 percent of our budget for culture. We owned fourteen theaters and built an independent library. We created jobs for creative artists and intellectuals. We did it partly due to tradition and partly due to the political orientation of people in Budapest. It was a more liberal city and Orbán and Fidesz lost the election in 2002 and 2006 because of Budapest. I disagree that we were not protecting and building up independent culture. The point is that the whole climate in Hungary changed when the law changed the media’s structure in favor of one ruling group. Yes, we can convince the one person who now controls film production in Hungary to do a film that is critical of Orbán, but the problem is with the structure. Film production is controlled by one person tied to Orbán.

### **MILJENKO DERETA**

Before telling our authorities what are the European Union standards, we must convince the European Union representatives in Belgrade that what is happening in Serbia is against their standards and that they should pay attention to it. Most often, they are just whistling away such concerns. Really, what I think you are not realizing is that Serbian politicians today have the support of European Union officials *not* to respect the standards because the European Union does not care.

### **SERGEY DUVANOV**

If I understand Mr. Strzembosz correctly, he is saying “give me a lever and I will move the world.” Of course, Archimedes did not in fact have such a lever and he did not move the world. You did not consider one fac-

tor. You as a producer may do a lot. But the authorities targeted me personally as a producer of media. What happened in Georgia and Kyrgyzstan is not the same. And our authorities are feeling so threatened that they isolate themselves. I will not get inside this circle and you will not get inside without dealing with three KGB agents first. You think that you can produce something that is so brilliant and popular and there can be introduced a political message and everything is possible. It isn't.

### **MACIEJ STRZEMBOSZ**

I understand that it is not so easy. I am not attacking you. I understand your situation is much more difficult. But I think there are still ways to go around some of these difficulties.

### **VINCUK VIAČORKA**

In Belarus, there are no possibilities for bringing anything to the television. All the channels are state owned. As in Kazakhstan, television is considered a means to protect the state's security. There, anything endangering the standing of Nazarbayev is kept off the air. In Belarus, it is the same. There are five government channels. There is no independent radio or television. There may be non-governmental or non-state programming, such as music and comedy, but all of this is under censorship and there is no possibility of making political jokes that are anti-Lukashenka.

There are very few independent print publications left and they have small circulation. And only 5 percent of the population has direct access to internet. Still, people look for an alternative source of information. We know that 15 to 20 percent of the population actually uses the internet to seek alternative information. Considering everything, this is a good figure and it concerns the government, which tries to apply filters and shut down internet sites.

There is an alternative youth culture that uses social networks. But remember, the internet requires effort to actually look and find what you want. With television, you switch it on and you have the program all day long. And recent poll figures indicate that 70 percent of the Belarusian public trusts Russian television news, which is even more dominant in Belarus. Belarus's government television programming is more primitive and is not as professional as Russian media. It hardly covers anything on Ukraine, good or bad. It is focusing on Lukashenka visiting the truck factory. But Russian media presents propaganda on Ukraine with high professionalism. It is state of the art and much more powerful than Soviet propaganda.

What is urgent now is to save alternative sources of information for Belarus. Apart from the internet, there is the US-funded Radio Liberty, two radio stations broadcasting from Poland (Radio Racjya and

Euroradio), and Belsat, the satellite TV channel also operated in Poland. Belsat is essentially a Polish channel that has some U.S. and European support. It is accessible to 20 percent of the population and the government tries to restrict its spread by restricting sales of satellite receivers. Still, it reaches about 300,000 to 350,000 people. There is a rumor that Belsat will lose its funding. This channel is now the only possibility for broadcasting alternative culture and news. So I address my colleagues to please save this Belsat channel as well as these other sources of alternative information. There is a great need for them.

### **MACIEJ STRZEMBOSZ**

We will make sure it won't happen under either party in government.

### **ARIF HAJILI**

I must agree with Irena Lasota that in many post-Soviet states we have different problems. The development of democracy in these countries is not similar. In Azerbaijan, we have more than 100 political prisoners, dozens of whom are recognized by Amnesty International as prisoners of conscience. People are being apprehended regularly, not only because they take to the streets, as in the past, but now just because of expressing critical views of the government. The situation is getting worse. Ten years ago, Vincuk Viačorka and others came to Azerbaijan to observe the elections and at that time he could see me on television and meet me openly in restaurants. Even without any real democracy in Azerbaijan, I could say then the situation was better than in Belarus. Now, we are not allowed on any television and we are refused service in many restaurants.

Unfortunately, it is a mistake to think it cannot get worse. We thought Haidar Aliyev was the worst ruler and then came his son Ilham. He spoke English and had a lot of friends in the West. But in recent years, he simply disregards everyone in the West and is acting worse than Lukashenka.

The situation of media is definitely worse today. In 1989, hundreds of newspapers were established and many of them were independent. The most popular were opposition party newspapers. But year upon year, pressure has been building on journalists. Many were arrested. More than ten famous journalists were sentenced. Eldar Huseinov was killed. The government prevents the circulation of independent newspapers. Many kiosks refuse to sell them and it is illegal to sell them in open or public places. We don't have an independent news agency any more. In cities with 100,000 or more inhabitants, there are only one or two places to buy newspapers.

We have developed a social media network. There are more than one million people receiving independent information through Facebook. But Vincuk Viačorka is right to stress the importance of television. People in post-

Soviet countries are inclined to believe what they see on TV, even more than from their personal observation or relations. Belsat, therefore, is of the utmost importance for Belarus. In Azerbaijan, we discussed the idea of establishing an internet television in a neighboring state, like Turkey or Georgia, but this is impossible because of current Azerbaijan government relations with those states. Eastern European countries, especially Poland, are not dependent on Azerbaijan for oil. So perhaps Poland could offer at least an internet TV. Even twice or three times a week for two hours each day would be a great improvement and would be very popular.

In October 2015, we will have parliamentary elections. These are important because according to a new election law different parties will receive state budget funding if they are represented in parliament. So, please try to monitor our elections in 2015 in good faith. IDEE helped us a lot in 2003, when it informed the world what happened in Azerbaijan during the elections. All honest people remember the 188 IDEE election monitors. They were the only honest monitors, while the OSCE and other official delegations were less critical. If it is possible to monitor elections in 2015 it would be very important for us.

### **MACIEJ STRZEMBOSZ**

Irena asked me to describe what we did together for Cuba. We used money from the Polish Film Institute to translate into Spanish the most important Polish films and smuggled them to Cuba. We can do the same for you. If you are interested, we can translate into Belarusan, Azeri, Kazakh; we could do twenty movies for five languages. Piracy, of course, is something we fight all the time. But there are websites where you can synchronize subtitles for any movies. Youth will access such things if it is put on the internet.

## Closing Session

### **25 Years After 1989: What is the Unfinished Business?**

#### **ERIC CHENOWETH**

Our seminar rapporteur is Charles Fairbanks, an expert in Soviet and post-Soviet affairs and a member of IDEE's Board of Directors. Irena and I first met Charles right after the introduction of martial law in Poland in December 1981 when he was the deputy assistant secretary at the State Department's Bureau of Human Rights during the Reagan Administration. At a time when it really was not clear that the US would adopt or keep a strong policy on the Jaruzelski dictatorship, he was our best ally in ensuring such a strong policy and in keeping that policy in place. In this session, he will provide some reflection on the seminar and thus a framework for discussing the unfinished business twenty-five years after 1989.

#### **CHARLES FAIRBANKS**

I want to highlight some elements that emerged from the discussion and then to look for some conclusions on what democrats in the former Soviet bloc might do in the future.

We began on Friday with the general topic "Revolution, Evolution, or Devolution." Mr. Viačorka noted that public protest can emerge at any time, which I think is important. I think in the seminar we should have looked more at the enemy and his weaknesses. Contemporary authoritarianism—or competitive authoritarianism as political scientists call it—definitely has weaknesses that can be exploited.

Mr. Viačorka also pointed out that since the Ukrainian events, dictators like Aleksander Lukashenka of Belarus now have two enemies, the democrats and Putin, and have to fear that a stronger man can replace the strong man. I would argue that we are entering a third period quite different from the first period in the early 1990s and different also from the second period that followed in between the two decades since. In this third period, the relationship between Russia and the other countries and the West will be quite different than it has been.

In the second discussion, people argued that formal constitutions are less important than informal factors, and I would agree. I would add, however, that they are very important in leadership succession crises, in which a number of dictators had to depart because they faced term limits and did not feel strong enough to change those limits.

It was at that point in the discussion that the problem of the weakness of political parties arose. This issue has been underemphasized; it seems to be the most significant problem of countries like Ukraine and Georgia that have an opening to democracy but not yet consolidated democracy. Arkady Dubnov argued that in Russia the parties are so weak that they tend to wind up taking the state as their base or their constituency. This observation can be extended to other countries. Certainly, such attributes kill any political enthusiasm of members, if there was any, and it also means that the system is unstable or cyclical. This is a big problem.

There was also in our discussions a real disagreement about the readiness of countries for democracy. Arif Hajili argued that it is not true that the societies in authoritarian regimes are not ready for democracy. Miljenko Dereta noted that changing the top doesn't change the system, that there is the structure of dictatorship at each level of society and therefore there is need for reform and activism from the bottom up, as in Kosovo. Sergey Duvanov, however, said that you cannot push or impose democracy on the people. Here the disagreements are based on the experience of the particular country. Tunne Kelam noted that certain situations can propel democracy. Estonian independence came from a desperate situation in which the Estonians were becoming a minority in their own land and it seemed the last chance. A people that is not "ready" can become ready in an unusual or dire situation.

There were also disagreements about whether there were common mechanisms or tools for democratic change. Isa Gambar raised the question "why are the post-Soviet countries so isolated from each other?" And they absolutely are. There is more news about the exploration of Mars on Georgian television than about Azerbaijan, not to say anything of Dagestan. For me, the reasons for this isolation remain unanswered. Mr. Gambar's proposal to establish some type of think tank that would foster communication among the countries of the former Soviet bloc is a very useful practical agenda item.

We also disagreed about the role of the West in influencing events in the region. Coming from the West, I was struck by how kind participants were towards Western policy. When I think, for example, that Great Britain took the lead for 70 or 80 years in creating a coalition of great powers to carry out a consistent campaign against the slave trade—at the cost of thirty thousand lives—it frankly makes me ashamed of Western inaction today. It raises the serious question of the decline of the West.

Sergey Duvanov said Russia would have devoured Ukraine and Georgia without the West, and Gábor Demszky said our countries still need the West to go forward. But Miljenko Dereta made the argument that the West



often does harm even when it wants to do good. I think this is certainly true in the case of the United States and it is a very important point. It is to some extent a hopeful argument, since one can argue more easily about *how* to do good as opposed to *whether* one ought to do good or not.

The debate about decommunization and transitional justice was the clearest. Gábor Demszky said “forget lustration,” whereas Petruška Šustrova and Levan Berdzenishvili, along with most of the other participants, were more in favor of it. Most people agreed on the importance of education and dealing truthfully with the region’s history. Tatiana Vaksberg, however, noted that there was almost no interest in history in Bulgaria, which is true also in the case of Georgia. That interest will come back I think. One might see something like the change in people’s interest in World War I many years after that war was over. Sometimes people are too close to events to think critically about them and then there comes a point in time when they want to start to think critically about them. I find my students in Georgia are getting interested in Soviet history.

On the development of civil society, the problem of donors becoming the constituency rather than one’s own people was raised. And it is a very prevalent problem. I think also that the Western strategy on Bosnia and Kosovo shows that among the Western mistakes is a desire to give people freedom but then to control the way they use it, rather than letting them fight for and develop their own freedom. Observing from closer up the difficult attempt to reach freedom in Georgia and Ukraine, I have concluded that people need to make mistakes—within limits—and to learn from those mistakes. This is what the English did when it became a half-free country between 1638 and 1689. Many of the problems in Eastern Europe come from the fact that freedom came so easily and quickly and people had to struggle to transform into reality existing principles rather than fighting an open enemy.

Miljenko Dereta argued that extremist groups are part of civil society and I agree with that quite emphatically. All civil society, even if it advocates unpleasant causes, constrains the government and forces the government to respond to the society and thus builds democracy. In many of these societies, there are only two alternatives: democracy without liberalism or liberalism without democracy, the latter being the formula of Saakashvili and Erdogan among others. I think the latter formula of liberalism without democracy, which we in the West are attracted to, is self-contradictory and won’t last. Democracy should be the priority.

Mr. Dereta also proffered that our task was to restore the dignity of politics and to me that is the most important agenda item. What can be achieved through a free press or civil society and everything else we

discussed is tremendously important but if what we want is a free government ultimately it depends on elections, institutions, and politicians, who are a very flawed breed of people but there have to be such people to make democracy work. All of you have the difficulty that you're trying to create free politics in circumstances where it is already weakened on two levels: first, representative democracy is already more detached from politics than direct democracy. Second, huge democracies like America or even more so the EU with its famous democracy deficit also are at a great distance from traditional concepts of the importance of politics. This is something that the former Soviet bloc countries need to discover and it is not easy in these circumstances. It helps that many of these countries are small. In a country the size of Azerbaijan or Moldova, the size of a city state, it is much easier than in Russia, where no one knows what is going on in that immense place.

## **Discussion**

### **IVLIAN HAINDRAVA**

I would like to reiterate: I believe that mistakes and failures that took place in Georgia are first of all the fault of Georgians—but not exclusively. Let us look at the period of the last twenty-five years: what was there twenty-five years ago and what is there now. Then, it was easy to say simplistically, “There is a good West and a bad Soviet Union; it is good there, and bad here.” There was a clear duality. Now, we can say “it is almost good there and not so good here.” In the past, Radio Liberty, BBC, and VOA spoke the truth, and our own radio and TV programs broadcast lies. Today, the situation has changed. On one side, we can hear half-lies and on the other full lies.

What is our situation in Georgia? My colleague spoke about ambassadors to Georgia. There were five or six ambassadors from each of the leading Western countries in the last twenty-five years. We know the names of every US ambassador but remember only a couple of ambassadors' names from the other countries. You don't have to know what the German ambassador in Georgia is doing today, but I should know and I do not know. Despite my current official position, I don't even know what he looks like. Nor does Levan and he is the deputy chairman of the parliamentary committee on EU integration. I understand that Georgia is not the center of the world and that these diplomatic and political appointees who are sent here do not think we are the center of the world either. We are situated in the middle of nowhere—on the periphery of Europe, Russia, Asia. And many in Europe neither want us nor regard us as part of Europe. But at the very least we are at the border of Europe, not the United States,

and Europe should be interested in what is happening on its border and what is happening there.

I have got this impression that Europe is tired and wants to be left alone and this is its goal. But Europe will not be left alone by the countries around Europe, neither by the Middle East, nor by Russia, nor by the former Soviet geopolitical space. We may disagree about what is Europe and what is not Europe but this is the environment around Europe and Europe cannot detach itself from all of the problems in the countries surrounding it even if our countries are not regarded as Europe.

The concept of Zbigniew Brzezinski was to establish a *cordon sanitaire* around Russia. What do we have today? We have a belt of frozen conflicts between Russia and Europe: Transdnister, Crimea, Donetsk, Luhansk, Abkhazia, South Ossetia, and Nagorno-Karabakh. And Russia is able to manipulate each of them to its advantage.

So the question arises: what is the vision of Europe? What is EU policy? Unfortunately, my observation is that we see the bureaucratization of European policy with politicians and diplomats replaced by bureaucrats. If anyone had illusions that it was possible to do something with politicians and diplomats changed into bureaucrats, the latest events should disabuse them. Herman Van Rompuy or José Manuel Barroso [the former Presidents of the European Council and European Commission], even together, are hardly a counterbalance to Putin. In the meantime, former German Chancellor Gerhard Schroeder receives remuneration from Gazprom.

One hundred and sixty years ago, Britain and France fought for the Crimean peninsula and sent their fleet there. As a result of winning the Crimean war, they stopped the expansionist policy of Russia for a couple of decades at least. Today, from Britain and France, we hear that they are not going to fight Russia for some far-off peninsula. In the 19<sup>th</sup> century, they managed to find their way to it and fought for this peninsula, but today one suspects they couldn't find it on a map even using Google.

When only four of the EU-NATO countries are willing to spend just 2 percent of their GDP on the military, it is hard to be optimistic about the future, not just about Georgia and Moldova, but also about the other countries. At the same time, we witness the success of Azerbaijan's so-called "caviar diplomacy" as a result of which some European politicians and diplomats turn a blind eye to massive human rights violations or applaud "elections" there.

In my opinion, Europe, represented by the European Union, is the most progressive integration project of humankind, but if inside the EU right-wing activists are sympathizing with Putin we can see that the values together with the goals of the West have become blurred. So, therefore,

what is the answer to the question? What is the unfinished business? As I attempted to show, the business has not been finished in either Tbilisi or Kyiv, but also it has not been finished in Brussels and Washington and Berlin. I do not know if this business is going to be finished. Certainly, the prognostication of Fukuyama of the final triumph of liberalism did not come true. We have to bring all of our potential and forces together, listening to each other. Here at this table we are experts of the post-Soviet space, we are better experts than those in Berlin, Brussels and Berlin. We still have a lot to do, a lot to finish, and certainly we have to do it together. But I am afraid it is not going to be easy.

### **ISA GAMBAR**

I will continue the idea of Ivlian Haindrava. Twenty-five years ago we had the goal that the countries of Eastern Europe had to make the transition from a state-run economy to a free market economy and from an authoritarian political system to political freedom. These countries had to detach themselves from the Soviet empire and to become part of the enlightened, democratic world. These goals were clear. We were not talking about changing or transforming Western countries. The goal was to change *our* countries. The West was supposed to help us. Some Eastern Europe countries went down this road; they did carry out necessary reforms and to a certain extent achieved political and economic freedom. But a majority of the countries in the post-Soviet space have not gone down this path and this is the unfinished business that we must deal with.

Who is to blame? It is a familiar question. Ivlian said that in Georgia, firstly Georgians are to be blamed. I wonder if he is right. And while I can agree that you Georgians are to blame, perhaps it is not constructive to think this way. The example of Azerbaijan also shows that it is not a question of whether our people are ready for democracy. I understand that the Baltic peoples were more ready for democracy than our society, and the Georgian people are also more ready than the Azeri people, but we are not unready. I remember a Western political leader was in Baku as an observer in the Azeri parliamentary elections. He expressed surprise that Musavat and other opposition party representatives knew by heart the electoral law and were attempting to protect fiercely the right of citizens to exercise their right to vote according to their own consciences. To us it was not a surprise.

From 1945 to 1990, Germany was divided and during this period West Germany developed one way and East Germany part another. But in 1991, were the Baltic peoples more ready than the East German people to become free? Whom do the Azeri people resemble more, the North Korean or South Korean people? These are the same people. The South Kore-

an people were able to develop democracy very dynamically and their economic development index is higher than many of the most developed countries. North Korea is a swamp and even wind does not visit this country. The problem is not whom we more resemble; the problem is around us, in Moscow and other centers. Sometimes, the problem is not within a people or a nation only, but also with those who have a stake in maintaining dictatorship. In October 2003, on the streets of Baku, Ivlian Haindrava was saying that Azerbaijani people are much closer to democracy than the Georgians. A few months later, we were on our road toward a police state and Georgia was marching toward democracy. Would it be happening if Azerbaijan was not an oil rich country?

Yesterday, I admitted we committed many mistakes. But even a hundred of our mistakes are not equal to one mistake of Washington. When the US Deputy Secretary of State Richard Armitage sent congratulations to Ilham Aliyev on October 15, 2003 before even the votes were counted and while thousands of peaceful demonstrators were being viciously attacked—it was one such mistake. The mistakes of Azeri, Ukrainian, Georgian democratic leaders do not influence the situation as much as Western policy. Can the liberal changes in Ukraine help liberate Crimea?

I am willing to accept the advice of friends. We need it. I want us to clearly understand, however, that the situation in our countries depends on decisions elsewhere. It is not an easy truth, but it is a truth we must recognize and consider in our future work.

### **ARKADY DUBNOV**

I am afraid that my words are going to be misunderstood to say that I agree that nothing can be changed; that is not my intent. Many years ago, I studied energy at the university and was a specialist in automation. My supervisor was the son of Boris Pasternak, who was also an engineering expert. I told him that the electric engine should have this or that characteristic. Pasternak's son said to me, "The engine doesn't owe anything to anyone. It doesn't *have* to be this or that."

There is dissatisfaction with the European Union and its bureaucratization, despite it being, as one speaker said, the highest achievement of political democracy. I agree with him about the nature of the achievement, but we must remember that bureaucracy, also, is about democratic procedures. There are twenty-eight members of the EU. Federica Mogherini and Donald Tusk [the High Representative for External Affairs and the President of the European Council, respectively] can not and will never be like Putin. Putin decides everything himself and does not need consensus or any help from the bureaucracy to do what he wants.

Tusk works for the EU. He needs consensus and we can't demand that the EU take decisions without consensus. So we have to deal with it.

We think that Central Asia differs from the European part of the post-Soviet space but the differences are not that great. The main difference, however, is that these countries have more energy resources and for this reason it is harder to promote democracy there. I carried on a conversation with German Foreign Minister Frank-Walter Steinmeier when he worked on the EU's policy towards Central Asia. I expressed my discontent with Steinmeier and the EU. But for him, Central Asia had only two aspects: as a potential market for the EU and as a source of energy supplies for the EU. These were the only two things that he was interested in. For Steinmeier—a left Social Democrat—democracy and human rights issues were not important.

But do not idealize the EU's vision now or twenty-five years ago. Some of the new EU countries could reach freedom because there were certain developments in the Soviet Union and in certain countries in Eastern Europe. It was these changes that undermined the dictatorships of Stalinist-Brezhnev times. Still, when the Soviet Union collapsed, we laughed that the OSCE was dictating the rules of the game and that it decided the countries of Central Asia fulfilled the democratic requirements of membership. Turkmenistan, for example. There was an OSCE mission there with a wonderful Romanian diplomat. She was very courageous but no one could understand the difficulties of Turkmenistan and the OSCE was easily manipulated. Turkmenistan lives in a different historical time and so does Azerbaijan. The Baltic States, of course, are different: these were countries created before the Second World War and were independent. It was the Molotov-Ribbentrop pact that changed their situation.

Between the European Union and the United States, there is a huge difference as regards Russia. The US is not dependent on the energy imperialism of Russia but the EU is. When the EU takes decisions, some of its members must take this into account, such as Romania and Bulgaria regarding the southern pipeline or Germany regarding gas supplies. Angela Merkel and Putin have held 38 telephone conversations in the past year—we know the accounts of only 6 or 7 of them. Thirty-eight telephone conversations! It means Merkel is dependent on Putin and Putin is dependent on Merkel and there will be no decisions that would undermine energy stability. The EU is certain about one thing: everyone agrees Putin is unpredictable. We know he has nuclear weapons: how is the EU going to fight such a country with nuclear potential? The US can do things because it has nuclear parity and no one in Moscow is going to risk confronting the US with nuclear weapons. But the EU does not have parity and is dependent on Russian energy.

Let me sum up. Nobody owes anything to us. Europe does not owe us anything. The US doesn't owe us anything. We have to do everything ourselves. And we have to calm down and tackle these issues.

### GÁBOR DEMSZKY

I am glad that out of this mosaic, we are now bringing these many different subjects together. There are two types of countries around this table. One group belongs to the *cordon sanitaire* around Russia: the Baltic States, Poland, Czech Republic, Slovakia, Hungary, Romania, and Bulgaria. More and more, Europe wants to involve other countries of the Balkans. Thinking in the longer term, European politicians are thinking that this is Europe. For Robert Schuman, and even for others later, the vision did not include these other countries, much less the Caucasus, Central Asia, nor even Ukraine. In 1989, the Soviet empire collapsed. It did not collapse because of us, because the democratic movements in those countries were so strong that we won, but rather that the system collapsed, the whole melted like ice on a hot summer day. These two years of 1989–91 were nothing when you compare how long colonial empires existed in history and how long it took to dismantle them. Time was compressed; the speed that all this happened was extraordinary. Helmut Kohl was the most surprised that from one day to another he could unite Germany. No one was prepared for it.

In this rush, many mistakes were made. The first was that Europe could be extended rapidly and go closer and closer to Russia. Not only the association membership to the EU was given and membership promised to this first category of countries, but also NATO membership. And it was crazy. I was in Moscow in 1990 as an observer to the negotiations on the withdrawal of Soviet troops from Hungary. The highest generals of the Soviet armed forces were there with Shevardnadze, who was the only one authorized to speak. And we agreed that within one year, the troops would withdraw from Hungary, East Germany and the other countries. You cannot imagine the humiliation for these people that they had to give up, that they had to withdraw their soldiers from countries where they had a higher standard of living and Russia could not provide apartments or an equal standard of living at home. The Russians were foreseeing the collapse of the Soviet Union. Certainly it was humiliating. Associated membership in the EU was all right, but NATO membership was too much for them.

### SMARANDA ENACHE

I hold the opinion that democracy and human rights are universal. Therefore, I would not embrace the idea that some nations have the right to have democracy and others do not. At what point in history they achieve democracy is not something we can predict, but we can see that aspirations

for democracy are not limited to what Europe has historically been nor to the United States. Therefore I am advocating for the right to democracy and respect for human rights for all nations in the twentieth-first century. And I do not share the idea that human rights are an invention of the West and we have to be careful not to offend states and cultures that reject values of democracy and human rights as being alien to their traditions. It is well known that at the UN there are countries invoking cultural pretexts for not respecting fundamental human rights or the rule of law on grounds of different traditions of their distinct culture.

On the other hand, because human rights and the rule of law and democracy originated in Europe and the United States, we as nations have high expectations that Europe and the US will support us, the new democracies. For our part, we have to do our best not to introduce more divisive challenges to the Transatlantic Alliance than it already has. We do not want a competition between the United States and the European Union, for example, because we need the unity of the Transatlantic Alliance. We should also understand that in the moment that we as nations and citizens have a choice for democracy we also undertake new responsibilities. We must acknowledge that we are part of the West with all of its risks and responsibilities. We speak of the West in two ways, geographically and politically, in the sense of values. We are not at a geography lesson here. We share values. We have a responsibility to contribute to the unity of Western civilization.

### **MILJENKO DERETA**

In such meetings and discussions, I try to see what has not been mentioned. What we are overlooking is that the European Union did not develop in the framework of values that we are talking about. Smaranda mentioned human rights. Human rights are the last issue being discussed in Europe at this moment. The economic survival of the European Union is currently more important. It does not want to talk about values. Europe reacts to the provocation of Russia but without knowing how to deal with the aggression against Ukraine.

So we are talking on one level and the European Union is talking on a completely different level. In this regard, the EU did not react to Victor Orbán's speech proclaiming his new goal to make Hungary an illiberal democracy—even though Hungary is a member country. The reaction had to come from the other side of the Atlantic. In fact, the EU does not have a European policy on the issues we care about. Look at Belarus: what is the EU doing now in Belarus? Nothing. It didn't do anything during the wars of the Balkans. The EU countries always waited until things developed and everything was finished before starting to give us lessons on how to behave. That is my experience. So I think we have to be aware of that and



not to have great expectations from Europe. The only way to provoke a response from Europe is to create a crisis.

Second, no one talked here about poverty and unemployment. We were talking about politics as if this were an abstract activity, without context, and there were no economic conditions in our countries, no poverty and no unemployment. We all come from poor countries. The unemployment rate in Serbia is 35 to 40 percent. Fifty-five percent of young people are unemployed. There are no prospects for getting a job. This is something that we should work on: how to deal with this economic issue. The current governments cannot do it, don't want to do it, and don't know how to do it. They get through such crises now because of the passivity of citizens. But if by chance one of you or us comes to power we will have to deal with this problem and we are not talking about it.

### ERIC CHENOWETH

Twenty-five years after 1989, which started the new era, we are witnessing something that we did not expect, a revival of outright Russian aggression and occupation in the region. Yet, while Putin has clarified the situation for us, Vytautas Landsbergis reminded us that he didn't just start this year to act aggressively. It was at least from 2008 and the war against Georgia. And other participants have indicated that the current outlook of Russia began much, much earlier. Certainly, the wars in Chechnya were clear evidence of the restoration of a brutal, murderous mentality in the Kremlin, yet the West was silent and totally ineffective in its response. It could not realize that this signified something that had to be counteracted. Even rallying the entire human rights community in Washington, IDEE encountered mostly indifference by US foreign policy makers.

I might point out that in an issue of *Uncaptive Minds* in 1994, Françoise Thom described the likely rise of Putinism well before Putin came to power by analyzing the revival within the Russian elite of the concept of Eurasianism.<sup>1</sup> This concept could be seen in policies regarding the "frozen conflicts" that Russia manipulated and maintained as well as in the expanding dominance Russia displayed towards the "near abroad." The West could not cope with any of it. Today, we have new frozen conflicts that are being created due to the revival of aggression and occupation and, while there is some response, we are witnessing overall an inability to cope with the scope of the problem on the part of the West.

But it is not simply a weak response to the revival of imperialism, but also to democratic openings, to the idea that democracy could in fact

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<sup>1</sup> "Eurasianism: A New Russian Foreign Policy," by Françoise Thom, *Uncaptive Minds*, Summer 1994, vol.7, no.2 (26). — Editor's Note.

spread and root itself in the region. We saw this weakness even in Romania with the breakthrough election of Emil Constantinescu and the victory of the Democratic Convention. Western countries did very little to help make this democratic opening permanent and were indifferent and seemingly relieved to the retaking of power by the former communists. After this, we saw time and again the West failed to take advantage of democratic openings, whether it was Georgia or Serbia or Ukraine and in each case anti-democratic forces supplanted the initial democratic victories made possible by mass action. But much earlier, in the 1990s, Belarus and Azerbaijan were key examples of countries that had real and significant democratic forces needing support and they found only Western indifference as democracy foundered and succumbed to coups. A decade later, the West accepted the continuation of these dictatorships instead of adopting a strong policy of support to democratic forces mounting clear challenges to the existing rulers in elections. The “democracy promotion” activities around these elections turned out to be merely window dressing on an overall policy of tolerance towards dictatorship. These were forsaken countries.

There has also been surprising inaction to reverses in democratization, as in Hungary and Serbia, and also to reverses in civil society. In the latter case, there is now an all-out assault against genuine civil society organizations without any serious response, just another round of ineffective declarations. On top of which, Western donor institutions are incapable of recognizing not only the perversion and corruption of civil society throughout the region but also their implicit participation in the process of that corruption and perversion. By imposing the idea of agnosticism towards civil society groups—or worse, by actively preferring the professional experience of former communists trained in manipulating society to the inexperience of democrats who sought to rebuild civil society, however imperfectly—Western donor institutions have simply bastardized democracy promotion.

I think we must be a group that helps clarify the situation. What can be done? What approach should we have? I think we should have the same approach as we, generally, in this room have always had: to expand the space of free countries, countries that are free to choose their path through the democratic expression of the people, as well as to expand the “islands of democracy” within dictatorships, in which democrats know they have support to keep pushing forward. We should again adopt the approach of Zofia Romaszewska and her husband Zbigniew when they started in 1988 the organization of the International Human Rights Conference in Krakow. The approach was to expand the regional network of activists who had common principles, common ideas, and common grounding in

the concept of democracy, and to use these networks to revive the democratic idea and democratic practice within non-democratic countries. It is something that IDEE has tried to do in its actions, meetings, and seminars over 30 years.

### **IVLIAN HAINDRAVA**

Isa Gambar states that whatever our mistakes, our fate is decided by Washington and Brussels. My view is that our fate is decided in Tbilisi and in Baku. Our strategic choice is made by us and others may either interfere or impede or help us. And the example of Ukraine is one of these illustrative examples. There are four million Georgians, eight million Azerbaijanis, but forty-five million Ukrainians. Do not complain that Russia is at fault and the political class in Ukraine was perfect and what happened was only because Putin arrived and then did what he did. The corrupt political class of Ukraine created the circumstances for what Putin did. Unfortunately. And my greatest hope is that the Ukrainian nation, following this evil, and now paying a much higher price than it should, achieves freedom. But it is nonsense not to recognize that the circumstances resulted from the mistakes of the political class of Ukraine.

Arkady Dubnov mentioned the energy dependence of Europe in relation to Russia. I discussed this issue twelve years ago at a conference in Germany where I warned participants that the Nord Stream gas pipeline would increase their dependence and vulnerability towards Russia. They laughed at this idea. They argued that we are interested in Russian gas and Russia is interested in European money and that Russia would not blackmail Europe. I was not such an expert or prognosticator. But the issue was clear cut. Professor Landsbergis and the Poles warned the Germans but the Chancellor [Gerhard Schroeder] was who he was and we have what we have.

### **CHARLES FAIRBANKS**

I'm glad that people have begun to talk more about the contemptible nature of Western policy, which will get worse. And I think the crisis will get worse. But it is precisely for that reason that I think people are too pessimistic. In Russia, there is the revival of hope of a complete revision of 1991 and it is unclear if Ukraine can hold onto its sovereignty in this situation. So the West will be confronted with a much more difficult situation. It is not clear how the West will respond, but in the case of the United States it is already clear that a Republican administration or a Hillary Clinton administration will have a stronger foreign policy because the whole foreign policy elite has unanimously expressed shock at the weakness of US policy under the current president. As the crisis worsens, it will force decisions on the West. The weakness of the West is not fated.

**ISA GAMBAR**

Shevardnadze at first bowed to Russia and then moved his politics towards NATO. But it did not help him. Abkhazia and South Ossetia remained under the control of Russia. The problem is that the decisions of our politicians—Gamsakhurdia, Shevardnadze, Saakashvili, and Ivanishvili in Georgia and the Aliyevs in Azerbaijan—did not change anything. Our territories are in effect occupied by Russia. South Ossetia is occupied by Russia. It is not that I want to move discussion away from our mistakes or our own strategies and decisions. But when I say that our mistakes are not comparable in significance, I am criticized. Moscow creates the conflicts and puts NATO in a difficult situation where it is not capable of including countries like Georgia as members. The countries that are aspiring to be members of NATO are in big trouble and this is the purpose of the politics of Moscow.

We are responsible for our country and our people. It has been a twenty five-year-long struggle for democracy in Azerbaijan despite decisions made in Moscow, in Washington, or in Tbilisi or anywhere else. I am ready to have a conference and to make detailed analysis of our mistakes. But I want to be clear and find reasons for what has gone wrong. Only when we are clear about the reasons for it can we influence what is going on. Of course, it is easier to influence decisions in Azerbaijan than in Russia or the United States. But we should do everything possible to exercise this influence.

**VINCUK VIAČORKA**

Do we have the right to discuss the mistakes of the European Union? Yes, we have, because we Belarusians feel part of Europe, not in an institutional sense but in a geographical and axiological sense. And so we feel partly responsible for decisions that are taken by the European Union. We want it to make wise and moral decisions. The better the decisions taken by the institutions of the EU, the stronger its values will be felt in Belarus or in Azerbaijan.

We are part of this moral and political space. We have a right to talk about it. In 1982, Ales Bialiatski and I could hardly imagine that thousands of our compatriots would take to the streets and demonstrate for democratic values but they did. They returned to their homes three years later and we are blamed. But in the beginning of the 1990s, our region was forgotten as soon as Belarus, Ukraine and Kazakhstan turned over their nuclear arms to Russia. Miljenko Dereta was right: to bring attention of Europe and NATO to our region, it is necessary to have a serious bloody conflict.

Today we must be united and strong. We must scream out about the new situation resulting from the Russian aggression against its neighbors: “the gendarme of Eastern Europe” is beating someone who is trying to liberate himself. Once Ukrainians wanted to liberate themselves from a corrupt government, the punishing sword of Putin appeared. There was the precedent of Georgia, but it was not evident to everyone that this was the prelude to the situation we have now. If Europe and NATO do not respond, they are simply incapacitated. We see bloodshed in Ukraine because people are willing to fight and die for European values, yet Europe remains calm. If the EU ignores it and the US cannot find the strength to counteract it, how can we be optimistic in assessing the potential of the democratic world to defend its own values and itself?

### **IRENA LASOTA**

I have been thinking about how to be optimistic and it is not easy. I will use the example of Cuba. Around the table, ten people have been to Cuba as part of IDEE programs to support the dissidents and emerging groups of civil society on the island. Others have sent their brothers, or children, or colleagues. Our activities in Cuba were for us the testing ground for what is possible, what is necessary, and where to start. We, from our standpoint, were very impressed by the Cuban dissidents. We met with oppositionists, artists, groups of printers who did not have printing machines. And this is one of the lessons that we learned: that in the worst possible conditions, one can try to do something. One can build small circles of opposition. The Cuban dissidents made a lot of mistakes and the West made a lot of mistakes, but still after more than 50 years of communism, there is still life, still opposition. One of the activists said if you give us thousands of memory sticks with films we can distribute them and spread information to people to give them another vantage point. Cuba, however, also taught us about Western donors, in this case the US government, who believe that if you did not build civil society in two or three years, in the fourth year they must move to other projects to achieve US goals. One new project the US government moved to was a program to work with local prostitutes—whom the US government failed to realize were government workers barred from US programs—to teach them about AIDS prevention. This was the new direction chosen because civil society was not built in a day.

No one was prepared for what happened now with Russia. Even Mustafa Dzhemilev, one of the greatest men I have ever met, did not prepare for it. They didn’t prepare anything for military occupation. For the Russians, everything was visible and it was easy to come in one week and control everything. On the one hand we say Putin and the other anti-democrats are the threat, but I am afraid we are not getting ready even on a technical level.

**PETRUŠKA ŠUSTROVÁ**

Twenty-five years after 1989, I find myself in the same situation as when I began to be active in politics and civic activities, forty-five years ago in 1968. Since then, I have always known that our oppressor sat in the Kremlin but we always fought—whether using a typewriter or any other way—against our government. Ours was a sovereign state even if the fate of our state was ultimately in the hands of the Kremlin’s leaders. After 1989, different people came to the Kremlin, and we know all about them, but there is nothing new about the Kremlin. The Kremlin is an old institution, older than our memory. Crimea was the object of interest of Catherine the Great—it is all the same.

Perhaps Washington, Brussels, and other Western capitals have changed. I am afraid that the West is prone to the temptation of a good and pleasant life. Let the Kremlin have its way; let someone like Ronald Reagan decide to fight and we do not have to do anything and we hope we will never have to help anyone. But the situation is not so dire and I do not know if the situation is so pessimistic. It is better than before. We are now in Warsaw and here there is a perfect, beautiful word—*solidarność*, solidarity—people here in this room around this table remember what this word was and is. It is our responsibility to use all our efforts and take all the possibilities to influence the West and people in the West to return to the straightforward approach in dealing with the East. This is the second side of the coin. As Vaclav Havel said—I am paraphrasing—“if we say there is no hope, it is not that there is no light at the end of the tunnel, it is our mindset that we do not see it.”

## Appendix 1

### Profiles of Seminar Participants

**Levan Berdzenishvili**, an MP, is first deputy chairman of the Committee on European Integration in the Georgian parliament. A former political prisoner in the GULAG (1984–87), Mr. Berdzenishvili is a founder of the Republican Party of Georgia, first established in 1978. He is a full professor in Literature, chairman of the Civic Development International Center–Center for Pluralism, and former director of the National Library of Georgia (1998–2004).

**Ales Bialiatski** is a scholar of Belarusian literature and a human rights and democracy activist. As a Soviet dissident, among other actions, Mr. Bialiatski organized the memorial ceremony at Kurapaty, the site of thousands of killings by the NKVD in the late 1930s. In 1988, he was a founding member of the Belarus Popular Front. In 1996, he established the Viasna Human Rights Centre, which he has directed since its founding. Since 2007, he has been vice president of the International Federation for Human Rights. Mr. Bialiatski was sentenced in 2011 on false tax evasion charges for his human rights activities and was released on June 21, 2014. Mr. Bialiatski received the Human Rights Defenders Award of the State Department in 2011 and the 2013 Vaclav Havel Prize.

**Eric Chenoweth** is a founder and co-director of the Institute for Democracy in Eastern Europe, which began in 1985. He was also a co-founder, with Irena Lasota, of the Committee in Support of Solidarity in December 1981 and was its director until 1987. Mr. Chenoweth worked in the international affairs departments of the American Federation of Teachers and AFL–CIO (1987–93) and was editor-in-chief of *Uncaptive Minds*, IDEE’s journal of information and analysis on Eastern Europe (1988–97). As a consultant for the Albert Shanker Institute, he is principal author of Democracy Web, a web site for comparative studies in freedom.

**Gábor Demszky**, from Budapest, is a graduate of Eötvös Loránd University in law (1976) and sociology (1979). He established the Foundation to Help the Poor in 1979 and the independent AB Publishing House in 1981. In 1988, he helped found the Network of Free Initiatives and the Alliance of Free Democrats (SzDSz). He was elected Mayor of Budapest in 1990 as leader of the SzDSz list in local elections and served as mayor until 2010, winning four direct elections. He was a Member of the European Parliament in 2004. His autobiography in Hungarian, *Freedom Lost*, was published in 2013.

**Miljenko Dereta** was a film director and commentator from Belgrade. Having never moved his address, he lived in five states—the last being the Republic of Serbia. Mr. Dereta was active in anti-war and democratic parties starting in the early 1990s and founded Civic Initiatives in 1996, which he directed for fifteen years. He served two years in parliament (2012–2014) as an independent member in the political coalition, U-Turn (*Preokret*) where he worked on education reform before returning to Civic Initiatives in 2014 as counselor, where he was active in numerous civic, humanitarian, and democracy projects. [See *In Memoriam* on page 183.]

**Arkady Dubnov**, from Moscow, is an analyst and expert on post-Soviet countries and Afghanistan. Previously an engineer at nuclear power stations, he has worked since 1990 as a journalist and commentator at numerous publications, news agencies, and networks. He was chief editor for Radio Liberty's Moscow bureau, in 1990 and subsequently deputy chief editor for *Democratic Russia*. Since 1998, he has been a political analyst for *Vremya Novosteya*, Moscow News, and RIA News and works with different European and American news networks.

**Maria Dubnova**, from Moscow, is deputy chief editor for the Fergana News Agency. A PhD in philology and a graduate from the Journalism Faculty at Moscow State University (1992), she worked at *Moskovskiy Komsomoletz*, *Kommersant*, and the journal *Novoe Vremya*, and reported for different newspapers and broadcasters such as *Vremya Novosteya*, and *Novaya Gazeta*. She is the author of *Tanks in Prague* among other books.

**Sergey Duvanov**, from Almaty, Kazakhstan is an analyst, journalist, and human rights activist. Mr. Duvanov helped found the People's Front of Almaty in 1988 and was a leader of the Social-Democratic Party of Kazakhstan. From 1992–97, he was chief editor of an independent radio and television station in Almaty and from 1998–2000 was chief editor of the *Fahrenheit 451* newspaper. He was imprisoned and sentenced on false charges from 2002–04 for his coverage of corruption issues in Kazakhstan. He is currently head of the Kazakhstan Bureau of Human Rights' information department and editor of the newsletter "Human rights in Kazakhstan and the World." He writes frequently for opposition newspapers and web sites.

**Mustafa Dzhemilev** is the acknowledged leader of the Crimean Tatar people, the historic ethnic community of the Crimea dating from the 14<sup>th</sup> century. As a leader of the Soviet human rights and Crimean Tatar national movement, he was arrested six times between 1966 and 1986, spending a total of 18 years in the GULAG. Beginning in 1988, he led the repatriation of 300,000 Crimean Tatars, exiled en masse in 1944 to Central Asia, back to their homeland. He was the elected chairman of the Mejlis, the self-



organized parliament of the Crimean Tatars, for more than 20 years until 2013 and has been an elected member of the parliament of Ukraine since 1998. He is currently banned from the Crimean peninsula by the Soviet occupation authorities and works from Kiev to defend the Crimean Tatar nation and to return the Crimean peninsula to Ukrainian sovereignty.

**Smaranda Enache** is founder and Co-Chair of Liga Pro Europa, an independent civic organization based in Transylvania, Romania, begun in 1990, and is Vice-Chair of the Centre for Democracy and Reconciliation in South-East Europe, based in Greece. From 1998 to 2001, she was Romania's Ambassador to Finland and Estonia. She is the recipient of several awards for her civic activities and is the author of articles on democracy, ethnicity, human and minority rights, and intercultural education.

**Charles Fairbanks** is a senior fellow at the Hudson Institute and a member of the Board of Directors of IDEE. Since 2006, he has lived in Tbilisi, where he is a professor of political science at Ilia State University and also president of the American-Georgian Initiative for Liberal Education. He previously taught international relations at Johns Hopkins's Paul H. Nitze School of Advanced International Studies in Washington, DC and was the first director of its Central Asia-Caucasus Institute. He was a deputy assistant secretary for human rights and a member of the policy planning staff of the US State Department in the Reagan Administration. Mr. Fairbanks writes frequently on the former Soviet Union in the *Journal for Democracy* and other publications.

**Isa Gambar** is a longtime leader of democratic forces in Azerbaijan. A founder, with Albufaz Elchibey, of the Azerbaijan Popular Front in 1988, Mr. Gambar served as speaker of parliament in 1992–93. In 1992, he led the revival of the historic Musavat Party in Azerbaijan and was its elected leader for 22 years. Since the 1993 coup of Haidar Aliyev, Mr. Gambar has been a leader of the opposition against the Aliyevs' dictatorship, including as head of the coalition Democratic Congress in the late 1990s and early 2000s and as the opposition's united presidential candidate in 2003. He is currently President of the National Strategic Studies Center in Baku.

**Ivlian Haindrava** is deputy secretary of the National Security Council of Georgia. In 1992–95 and 2004–08, he was a member of the Parliament of Georgia. In 1993–95, he was a member of the State Constitutional Commission. From 1996, he headed the South Caucasus Studies program at the Center for Development & Cooperation–Center for Pluralism, and later was director of the Republican Institute. He is author of articles on democracy, security, and conflict resolution issues.

**Arif Hajili**, a journalist by profession, is the chairman of the Musavat Party, Azerbaijan's historic pro-democratic, liberal political party. A

leader of Azerbaijan's independence movement, Mr. Hajili was a member of parliament in 1992–93. As a member of the executive board and deputy chairman of Musavat, he has been a leader of the opposition to the Aliyevs' dictatorship and imprisoned numerous times; most recently, he was released in 2012 from a 30-month sentence following his participation in an "unauthorized demonstration."

**Tunne Kelam**, an archivist by profession, was founder of the Estonian National Independence Party in 1988. In 1990, he was elected chairman of the Estonian Congress, the alternative parliament to the Supreme Soviet established by Estonian citizens. After the country regained independence, he was an MP and Deputy Speaker of the Estonian Parliament from 1992 to 2003. Mr. Kelam was vice president of the Parliamentary Assembly of the Council of Europe in 1992–95 and, since 2004, has been a member of the European Parliament, where he serves on the foreign affairs committee and security and defense subcommittee. Mr. Kelam is also a member of the board of trustees of the Estonian Museum of Occupations and of the Platform of European Memory and Conscience and author of numerous articles and books.

**Vytautas Landsbergis**, a musicologist by profession, founded and led the Sajūdis independence movement, and was the elected speaker of parliament in March 1990 when Lithuania became the first nation to declare independence from the Soviet Union. In 1993, he became leader of the Homeland Union, which won elections in 1996, and he served as speaker of the Lithuanian parliament, the Seimas, from 1996 to 2000. He has been an elected member of the European Parliament since 2004. He is a founding signer of the Prague Declaration on European Conscience and Communism.

**Irena Lasota** is a founder and president of the Institute for Democracy in Eastern Europe, which was formed in 1985. She was a founder, with Eric Chenoweth, of the Committee in Support of Solidarity in December 1981 and was its president until 1990. She was editor and editor-at-large of *Uncaptive Minds*, IDEE's journal of information and analysis on Eastern Europe (1988–97). Ms. Lasota was expelled from Warsaw University in 1968 and imprisoned for her political activities. In the US, she taught political science at Yale and Fordham Universities. A freelance journalist for Radio Free Europe for 16 years, she is also author and co-author of numerous articles and reports on Eastern Europe, and editor of several series of pamphlets and books on democracy.

**Mieczysław Puzewicz**, a former Solidarity activist, is a Catholic priest. He founded and is chairman of the Volunteer Center in Lublin, where he has initiated and coordinated assistance programs for the homeless, pris-

oners, refugees, street children, juvenile offenders and people with mental disorders as part of the overall campaign “Build the Civilization of Love.” Mr. Puzewicz is also founder and chairman of Global Solidarity, which has coordinated civic and humanitarian programs in Cuba, Georgia, Serbia, Ukraine, and several African countries. Father Puzewicz served as a Bishop’s vicar for youth in the archdiocese of Lublin from 1997 to 2010; was a spokesman for Archbishop Józef Życiński and the Archdiocese of Lublin in 2010–12; and is director of the diocesan radio station ”eR.”

**Zofia Romaszewska** is a Polish human rights activist. Together with her husband, Zbigniew Romaszewski, in 1976 she began the Intervention Bureau of the Workers Defense Committee (KOR), which was incorporated into the Solidarity trade union movement in 1980–81. During the martial law period, after imprisonment, she and her husband reorganized the Intervention Bureau, assisting thousands of repressed workers. The Romaszewskis organized International Human Rights Conferences in 1988 in Krakow and in 1991 in Leningrad, the first transregional human rights gatherings in the Soviet bloc (a third conference was organized in Warsaw in 1998). Ms. Romaszewska directed the human rights bureau of the Polish Senate for many years in the 1990s and 2000s. She has continued her human rights defense work in current-day Poland.

**Maciej Strzembosz** is an independent film and television producer and screenwriter. A graduate of Warsaw University, he was a leader of the Polish student self-government movement during the martial law period. In 1990, he was managing director of the main Polish public television Channel 1 and in 1992 participated in drafting the new broadcast law. A founder and former director of two of Poland’s most successful independent production companies, he has been chairman of the Polish Audiovisual Producers Chamber of Commerce (KIPA) since 2002 and involved in efforts at reforming media and copyright laws and in passing a new cinematography law that created the Polish Film Institute. He was co-author of the Pact for Culture, a joint government-civic agreement with the Citizens for Culture movement.

**Petruška Šustrová** is a Czech journalist, publicist, and translator. From 1969 to 1971, Ms. Šustrová was imprisoned on political grounds and was an active dissident from 1971 to 1989. One of the first signers of Charter 77, in 1985 she was one of its three spokespersons. From 1979 to 1991, she was a member of the Committee for the Defense of the Unjustly Persecuted (VONS). From 1990 to 1992, Ms. Šustrova was Counselor and Deputy of the Czechoslovak Minister of Interior. From 2008 to 2013, she was a Member and President of the Board of the Institute for the Study of Totalitarian Regimes. In 2009, she was the recipient of the Czech Republic’s highest award for journalism, the Ferdinand Peroutka Prize.

**Elek Szokoly**, a former political prisoner under the Romanian communist dictator Gheorghe Gheroghiu-Dej, is a civic activist, journalist and political analyst. Mr. Szokoly is a founding member and director of Liga Pro Europa in Tirgu Mures, which is a member of the Centers for Pluralism. He was co-editor of the quarterly journal *Altera* and is a member of the Provincia reflection group in Transylvania. He has published numerous studies and articles on regionalism, nationalism, intercultural values, and human and minority rights during the transition period.

**Andrius Tučkus** joined the anti-Soviet human rights movement in 1975 and was a founding activist and youth leader in the Sajūdis independence movement in the late 1980s. Since 1996 he has been working as the advisor of former President Vytautas Landsbergis in his capacities as an MP and MEP.

**Tatiana Vaksberg**, a leading activist in the Bulgarian students' movement in 1989–90, is an award-winning journalist based in Sofia. A correspondent for Deutsche Welle Bulgarian Service and Radio Liberty Russian Service, her journalism has focused on human rights issues and the field of transitional governance. Her works include "Technology of Evil," a 2001 documentary film that investigates the communist-era campaign of forcible assimilation of the Bulgarian Turks; *Milosevic and the Tribunal: A Personal View of an Unfinished Trial* (2007); and a forthcoming documentary on the Khmer Rouge Trial in Cambodia (2015). She was awarded the Robert Bosch Foundation Literaturhaus Berlin and Herta Müller Scholarship for her book *State Security and the Kids*. She is co-translator of Varlam Shalamov's *Kolyma Tales* and Alexander Solzhenitsyn's *Gulag Archipelago* into Bulgarian.

**Vincuk Viačorka** is a leader in the Belarusan democracy and independence movement. Starting in 1979, he helped launch underground non-conformist youth groups, samizdat publications, and protest actions. In 1987, he co-founded the Confederation of Belarusan Circles and, in 1988, the Belarusan Popular Front. He also co-founded numerous civil society organizations, including the Belarusan Language Association, the Belarusan Humanities Lyceum, the Institute for Statehood and Democracy, and, in 1995, Centar Supolnasc, a member of the Centers for Pluralism network. He co-founded the Assembly of Pro-Democratic Non-Governmental Organizations, serving as its chairman in 1999–2000. Mr. Viačorka was chairman of the Belarusan Popular Front from 1999 to 2007 and helped build the nation-wide coalition United Democratic Forces of Belarus. As an early opponent of the Lukashenka dictatorship, he has been arrested numerous times, starting in 1996. Mr. Viačorka, known for his scholarship in defense of the Belarusan language and the humanities, is also editor of *Spadcyňa* (Heritage) magazine.

## **Appendix 2**

### **Program**

#### **25 Years After the 1989 Revolutions: Time For Reflection on Unfinished Business**

#### **Seminar Statement**

As one reflects twenty-five years after the Revolutions of 1989 in Eastern Europe and the subsequent collapse of the Soviet Union, it is obvious that a great deal was left unfinished. Indeed, today, we are witnessing an attempt to reverse some of the fundamental outcomes of that transformation. Yet, even before the most recent events, it was clear that the larger promise and hopes of the 1989-91 transformations remained unfulfilled. The political, economic, and social deficits are more obvious in most republics of the former Soviet Union, but they are also notable in East Central European, Baltic, and Balkan countries, which continue to face serious challenges remaining from the legacy of the communist period. All of these factors are significant as the world confronts a revisionist Russian Federation seeking to reassert its dominance over the region. The Institute for Democracy in Eastern Europe (IDEE) believes that the twenty-fifth anniversary of the events of 1989 provides an opportunity to analyze what occurred, to assess the different outcomes across the region, and to develop ideas and strategies for taking on the unfinished business of that era. To do that, IDEE is organizing a focused seminar gathering democratic activists who helped bring about the 1989-91 revolutions and took part in the region's transition to address these issues. IDEE has drawn participants for the seminar from the community of activists it has worked with over more than three decades.

## Program

### Session 1

#### **1989–91: Revolution, Evolution, or Devolution**

Presentation: Vincuk Viačorka

Response: Tunne Kelam

### Session 2

#### **Constitutions, Electoral Choices & Their Consequences**

Presentation: Ivlian Haindrava

Response: Arif Hajili

### Session 3

#### **Post-Communist Development of Political Parties & Oppositions**

Presentation: Arkady Dubnov

Responses: Gábor Demszky, Isa Gambar

### Session 4

#### **1989–91: What is the Unfinished Business Today?**

Panel: Mustafa Dzhemilev, Tunne Kelam,

Vytautas Landsbergis, and Isa Gambar

### Session 5

#### **Decommunization & Transitional Justice**

Presentation: Petruška Šustrová

Responses: Levan Berdzenishvili

### Session 6: Civic Institutions, Civic Participation

Presentations: Smaranda Enache, Miljenko Dereta

Responses: Ales Bialiatski, Maria Dubnova

### Session 7

#### **What Happened to the Dream of Independent Media?**

Presentation: Tatiana Vaksberg

Responses: Sergei Duvanov, Maciej Strzembosz

### Closing Session

#### **25 Years After 1989: What is the Unfinished Business?**

Rapporteur: Charles Fairbanks

## Theme Questions

### **(1) 1989–91: Revolution, Evolution, or Devolution**

Were the 1989–91 revolutions a triumph of liberal values? How were those values fulfilled or lost in Central and Eastern Europe? Did economic restructuring supersede political values? How were liberal values fulfilled or lost in the former Soviet Union? To what extent did democratization fail due to the involvement of the Russian Federation and to what extent was the failure internal within each country? What role did Western governments and institutions play in fostering or inhibiting democratic outcomes?

### **(2) Constitutions, Electoral Choices & Their Consequences**

What were the choices for electoral systems in 1989–91 and how did they impact the political development of Central and Eastern Europe? of the former Soviet Union. Did parliamentary or presidential systems work best? How did the framework of constitutions develop or inhibit democratization in Central and Eastern Europe? in the former Soviet Union? What role did Western governments and institutions play in determining constitutional and electoral outcomes?

### **(3) Post-Communist Development of Political Parties & Oppositions**

How did political parties develop and what was the political spectrum in the wake of communism's collapse? Why did political party development differ? Where did the political and institutional elites come from after 1989–91? How did they affect the political outcomes in the region? What role did Western governments and institutions play in assisting/limiting political parties? How democratic are Central and Eastern European political parties? Are there viable opposition parties?

### **(4) Decommunization and Transitional Justice**

What were the different approaches to decommunization and transitional justice in Central and Eastern Europe? in the former Soviet Union? Was the lack of decommunization and transitional justice a democratic choice or an imposed one? Did participation of communist elites and institutions after 1989–91 inhibit the democratic transition? Are problems like corruption and lack of transparency related to the lack of decommunization? Was there a lasting political impact to the lack of decommunization and transitional justice?

**(5) Civic Institutions, Civic Participation**

Following the mass uprisings of 1989-91, why has there been so little citizen participation in the transitions from communism? Why are civic institutions so weak? What inhibited citizen participation in civic and electoral life? What role did Western governments and institutions play in assisting/limiting civic institutions? What role did the Russian Federation play in interfering in civic development in the former Soviet Union? What can be done to strengthen civic and citizen participation today?

**(6) What Happened to the Dream of Independent Media?**

One of the fundamental ideas emerging from the period of communism and state control of media was that the development of democracy in Eastern Europe and the former Soviet Union depended on a free and independent media. What happened to the dream of media independent of political control? Where is there free and independent media in Central and Eastern Europe? in the former Soviet Union? What issues have emerged regarding political influence of the media?

**(7) Unfinished Business: Common Strategies for the Next Era**

Where do things stand twenty-five years after 1989? Is it possible to develop common strategies for strengthening and expanding democratization in Central and Eastern Europe and the former Soviet Union? Can liberal values and their impact be strengthened? What should be done to strengthen democratization in Central and Eastern Europe and what is the role of EU and NATO in achieving that? Is it possible to expand the zone of democracies to the former Soviet Union?

• • •



**Miljenko  
Dereta**  
(1950–2014)



### **In Memoriam**

It was with great sadness that we learned of Miljenko Dereta's death on November 3, 2014 just one month after his participation in IDEE's seminar, "25 Years After 1989."

Miljenko Dereta was among Serbia's most recognized civic leaders, first as a determined opponent of the Serbian dictator Slobodan Milošević and the murderous wars he carried out and then as a founder and long-time director of Civic Initiatives, based in Belgrade. He played a key role in mobilizing citizens to overthrow Milošević, in building civic institutions that could last, in mentoring youth and civic leaders, and in fostering civic education as a means of instilling democratic values in the next generations. Civic Initiatives continues as one of Serbia's most important and effective civil society organizations.

Miljenko Dereta was also a founder and leading member of the Social Democratic Union, a member of parliament as part of a liberal coalition (in 2012–13), and he made his distinct political voice heard through regular columns in independent newspapers and appearances on independent media.

Miljenko Dereta was among the region's most effective and respected proponents of civil society and democracy. For him, supporting democracy never stopped at the border's edge. He was engaged in many European institutions with the aim of cutting through bureaucratic mindsets and getting assistance to flow to civic forces throughout the region that could do the most effective work (sometimes successfully, but not often, as he reported).

He was an essential member of the Institute for Democracy in Eastern Europe's Centers for Pluralism, a network of civic and political leaders and activists committed to principles of liberal democracy. In this network he participated in numerous human rights and democracy campaigns and was always a welcome adviser to activists and movements in other countries.

Miljenko Dereta was an unusual person on the Serbian political and civic scene, indeed in all of the post-communist countries. At a time when Serbia was in the firm grip of chauvinist nationalism and cultural atavism, he championed cosmopolitanism, Western democracy, and political liberalism. At a time when political liberalism was equated with economic liberalism and free market capitalism, he identified with the European tradition of social democracy. But mostly, in a period when his country was in the grip of a repressive state and paramilitary thugs, at a time when ethnic massacres and street kidnappings were daily news stories, when the economy had spiraled downward to put most people in physical and emotional despair, and when even the political and civic opponents of Milošević had adopted a hard, cynical cast of spirit in which betrayal was common and loyalty was rare, Miljenko insisted on creating a world based on humanity. His belief in democracy was not simply a preferred philosophy but also a personal and moral creed that governed both his political and personal relationships. The simple human values of dignity, honor, respect for others, and personal trust were paramount in his worldview. Opposition tactics, political strategy, the smallest civic action, and even internal organizational culture had to be based on them.

Miljenko was also our very close friend whom all the participants in IDEE's Seminar "25 Years After 1989" will miss dearly. His death at the too-early age of 65, has left a void. It cannot be filled. But his work, we hope, will live on through the lasting influence he had on civic and political life in Serbia and beyond. He inspired us and many others with his words and his actions.

ERIC CHENOWETH AND IRENA LASOTA



## Institute for Democracy in Eastern Europe (IDEE)

The Institute for Democracy in Eastern Europe (IDEE) is an independent organization dedicated to the active promotion of democracy, civil society, and human rights throughout Eastern Europe, the former Soviet Union, and other communist or post-communist countries. IDEE also seeks to share the varied experiences of democratic movements and the transitions from communism in Eastern Europe with political and human rights movements seeking democratic change in other parts of the world.

### *Uncaptive Minds*

From 1988 to 1997 (nine volumes, thirty-four issues), IDEE published *Uncaptive Minds*, a journal of information and analysis on Central and Eastern Europe and the former Soviet Union. It is the most comprehensive journal from this period *about* the transition from communism in Eastern Europe that was written *by* those in the region bringing about democratic change. This special issue marking the 25<sup>th</sup> anniversary of the 1989 revolutions includes many contributors to the earlier publication.

For more information about IDEE, see its new web site, [www.idee-us.org](http://www.idee-us.org) as well as [www.idee.org](http://www.idee.org), which maintains the archive of online materials posted by IDEE from 1998-2014. Or contact:

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