Universiteit Leiden

Master Thesis Comparative Politics

Comparative Study: Institutions and Legacies in the Baltic States

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June 2013

ABSTRACT

Despite the extensive literature on the democratisation in the post-Soviet region, little effort has been dedicated to the issue of historical institutional legacies. Many designs stress national-level variation in performance and therefore cannot easily explain the differences among the countries emerging from the former Soviet Union.

This paper uses process-tracing in a case study of the Baltic States of Estonia, Latvia, and Lithuania to test the variable of institutional legacies as a possible causal mechanism that aids the transition from authoritarian rule to consolidation of democracy. The analysis aims to contribute to the post-communist democratisation literature by extending the scope to new, unexplored cases and by stressing the importance of pre-communist historical legacy factor for modern institutional design.

The analysis finds that the restoration of democratic institutions has pushed the character of the states toward consolidated democracies. Lasting effective governance, with the possible exception of citizenship laws, has in due course been achieved as the character of democratic values has survived Soviet homogenising polices.

The conclusion proposes an analysis to measure significant variation between cases with regard to strength of legacy and strength of democratic consolidation in the post-Soviet region and predicts a correlation between these variables.

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INTRODUCTION

> *"The past exists far more intensively in the Baltic States today than is realised in the West. Most Balts are trying to forget the Soviet era and create continuity back to a past that is often glorified beyond any reason. This holds true no matter whether focus is on the independent republics of the inter-war years or—particularly in the case of Lithuania—the memories of distant glory".*[1]

Increasing scholarly attention has been paid in recent years to the strength and character of political institutions as a key factor affecting the viability and stability of democracy. If democracy is to be consolidated, says Larry Diamond, it must garner broad and deep legitimacy among all significant political actors and the citizenry at large, but legitimation is unlikely to be fully and lastingly achieved without some degree of effective governance on the part of the new democratic institutions. Such legitimacy may in fact accrue from a historic cultural commitment to democratic values and norms that have been revived after a long period of authoritarian rule.[2]

Many factors have influenced the path of political transition in post-communist countries as some have become consolidated democracies, while others reverted to authoritarian rule. States, such as Estonia, Latvia, and Lithuania, that have experienced independence and institution-building prior to Soviet rule, appear to be faring better in democratic measures according to the Free-

[1] Ole Nørgaard, *The Baltic States After Independence* (Cheltenham: Edward Elgar Publishing Limited, 1996), p. 58.

[2] Larry Diamond, "Introduction: In Search of Consolidation" in Larry Diamond et. al., eds., *Consolidating the Third Wave Democracies* (Baltimore and London: The John Hopkins University Press, 1997), p. xxii.

dom House Index and Polity Project scores than the far institutionally poorer young nations. I argue that democratic tradition or more broadly referred to as institutional legacy of state structures in effect accounts for this variation in performance in the post-communist region. This paper offers an argument for the significance of *the relationship between institutional legacy and democratic consolidation*.

There is little doubt that pre-communist development of a rational bureaucracy and democracy distinguish the post-Soviet states. Almost all of the more successful new countries had a welter of winning traits from the start of transition including stable and often generous neighbours, strong institutions, as well as homogenous and well educated populations. While the third wave of democratisation has spawned an array of literature concerning the prerequisites for a state to become a democracy, or not, far fewer works have investigated the importance of historical institutional legacy. What is more, significant heterogeneity of the pre-communist and post-communist state differences of each country have been played down by political analysts.[3] Certainly, there is a gap in informed assessment.

This paper seeks to bring together two strands of an argument that have not yet been sufficiently connected: research into the concepts of institutional legacy and how this historical institutional framework links to democratic consolidation. While there has been thorough theoretical consideration of the demise of autocratic regimes as well as mature consolidated democracies, there is a

[3] Juan J. Linz and Alfred Stepan, *Problems of Democratic Transition and Consolidation: Southern Europe, South America, and Post-Communist Europe* (Baltimore: The Johns Hopkins University Press, 1996), p. 236.

distinct lack of theoretical and empirical studies on the impact of institutional legacies on new and consolidating democracies, especially in the post-communist context. The goal of this paper is to show how institutional legacies link to democratic consolidation, and not to explain why consolidation has occurred in the first place. The focus is thus placed on the various forms of institutions and how these compare in time.

In the aim of contributing to the understanding of this relationship, the argument is developed in three parts. The first section investigates the institutional legacy of usable bureaucracy as well as the character of democratic values and the restoration of political institutions. The second part discusses the historical and cultural commitment to democratic governance that arises from the social institutional legacies, and in part to the reaction to the failure of authoritarian past which contrasts it. The final section addresses national minorities as the final hurdle for democratic society to become consolidated.

LITERATURE REVIEW

Before the argument can be made it is necessary to interrogate some underlying assumptions concerning the institutional legacies of post-Soviet states. The aim of this literature review is first, to demonstrate that existing scholarly work has for the most part downplayed the role of initial conditions at the start of the transition period; and secondly to garner adequate guiding questions based upon the literature in order ensure the theoretical legitimacy and confidence in contribution of the argument.

The hypothetical influence of the interbellum (inter-war) period is mistakenly relatively unexplored in the case of East-Central Europe, or moreover the Baltic States, with the possible exception of the collaborative study by Ole Nørgaard *The Baltic States After Independence* which addressed the legacy of the Soviet era, but does not understate the importance of the period of independence. The years of 1918-40 have had a tremendous impact on the history of the Baltic countries, to this day remain the sole legitimising factor for the existence of these republics, and above all may very well hold key answers that potentially explain the present day political and sociological makeup of these small nations.

This paper contributes to the post-communist democratic consolidation literature in a number of ways. First, it investigates exclusively the causal mechanisms between inter-war institution-building and regime trajectories and conditions for democratic consolidation after Communist collapse. Second, the piece demonstrates the importance of taking institutions and historical legacies seriously as while political dynamics and regime trajectories have been ex-

plained by single-case historical analysis in East-Central Europe, no scholarly contribution has specifically focused on the perspective of institutional legacies in the Baltic States. Thus, unlike most previous work, the paper takes a comparative perspective with cross-national analysis of historical legacies and institution-building and their effect on modern day Estonia, Latvia, and Lithuania.

INSTITUTIONAL LEGACIES IN POST-SOVIET COMPARATIVE ANALYSIS

The choice of institutions, the particular economic circumstances, and the norms that emerged dominant after the fall of Communism all worked to determine which legacies would become politically relevant and which not; however, it is paramount to avoid retrospective use of particular legacies, steer clear of generalisations and causal conclusions.[4] In the process of transition there are clearly path-dependent factors that influence all aspects of regime type, however the concept of legacy is particularly slippery and thus the theoretical framework needs to be thoroughly examined. I quote at length from Jeffrey Kopstein who summarises the challenge:

> "If the weight of the past affects the present, at a minimum it is necessary to specify which past. In the case of East-Central Europe, for example, the relevant past has been identified as the policy choices in the initial post-communist years that have been influenced by the path of extrication from Communism, whether roundtables or revolutions, that have in turn been determined by the types of Communist regime that are themselves the product of the types of pre-communist state

[4] Beverly Crawford and Arend Lijphart, "Explaining Political and Economic Change in Post-Communist Eastern Europe: Old Legacies, New Institutions, Hegemonic Norms, and International Pressures", *Comparative Political Studies* 28 (Jul. 1995), p. 176.

and society, which ultimately reflect the level of modernisation at the time of national independence after World War I".[5]

In other words, there is clear path-dependence stemming from initial conditions achieved during time of independence in the inter-war period, that in turn has influenced regime type during Communist rule, that in turn have purportedly influenced the present nation-states. The existing academic literature, however, provides mixed answers at best. Legacies of pre-communist development in institutional building have been too often discussed as a dummy variable as in Grigore Pop-Eleches, 2007, for example, to indicate only the absence or presence of independent democracy prior to communist rule, but not the length of attachment.[6] This is why this paper takes a qualitative versus quantitative approach.

The case of the Baltics is unique above all for the fact that the conflicting and distinct inter-war versus communist legacies are caught in a game of tug of war. In addition, the distinctive inter-war legacy shaped many aspects of the type of communist regime Estonia, Latvia, and Lithuania were going to be in the case of ethnofederalism for example. Phillip Roeder's work on ethnic mobilisation argued against the volcanic revolution model, and while not mentioned explicitly, advertised the institutional opportunity structure that Soviet ethnofederalism had provided.[7] Ironically, after the transition to industrialism, federal institu-

[5] Jeffrey Kopstein, "Postcommunist Democracy: Legacies and Outcomes", *Comparative Politics* 35 (Jan. 2003), p. 233.

[6] For a concise summary on the literature of post-Communist political developments, and their interrogation of historical legacies refer to the literature review in Grigore Pop-Eleches, "Historical Legacies and Post-Communist Regime Change", *The Journal of Politics* 69 (Nov. 2007).

[7] Roeder reintroduced institutionalism into the comparative political agenda during the turmoil of transition and national independence in the post-Soviet region in the mid 1990s, see: Philip G. Roeder, "Soviet Federalism and Ethnic Mobilization", *World Politics* 43 (Jan. 1991); see

tions became instruments of ethnic assertiveness. Most importantly from a historical legacy point of view, the existence of strong national groups and prior state in the inter-war period forced the Soviet leadership to provide some groups than others with much stronger institutions that were used decades later as administrative operates to establish independence once again.

For the above reason, the East European region, as Herbert Kitschelt rightly notes, in terms of the civil and political rights indexes developed by Freedom House, is unmatched by any other region or set of countries with a currently larger diversity of political regimes. In contrast to Latin America, for example, where the central tendency has gravitated toward democracy or mixed regimes, the post-communist area polities display no central tendency to shift to any one particular type of regime.[8] To gather a sense of what effect particular Soviet institutional arrangements have had, a question that needs to be addressed, and that will guide the analysis is *how prior independence has influenced the institutional make-up of the Baltic nations under Soviet rule?*

CONSOLIDATION AS A FUNCTION OF INSTITUTIONAL LEGACIES

A significant number of accounts were certainly unenthusiastic about the democratic prospects of the newly emerging states. Prominently pessimistic was Samuel P. Huntington's thesis on *The Clash of Civilizations*, which claimed that a fundamental gap separated at least half of the former Soviet countries from the

also, Philip G. Roeder, "Peoples and States after 1989: The Political Costs of Incomplete National Revolutions", *Slavic Review* 58 (4, 1999).

[8] Herbert Kitschelt, "Accounting for Postcommunist Regime Diversity: What Counts as a Good Cause?" in Grzegorz Ekiert and Stephen Hanson, eds., *Capitalism and Democracy in Central and Eastern Europe* (Cambridge: Cambridge University Press, 2003), p. 49.

West and, by extension, from democracy.[9] Similarly, in his seminal book *Consolidating the Third Wave Democracies*, Diamond claims that the third wave has had "much greater breadth than depth", and only a small number of new democracies can be generally considered to be deeply rooted and secure.[10] In addition, the bulk of the contemporary scholarly literature tells us that these "incomplete" democracies are failing to become consolidated, or institutionalised.[11]

Democracy, Diamond states, further requires a usable bureaucracy in the form of institutional structures to avoid being left, in the course of transition, in a "huge vacuum" in state political authority, administrative capacity, and judicial efficacy. Moreover, Diamond notes that state-building emerges as a central challenge where state structures have been historically weak, or state decay has accompanied the decomposition of the authoritarian regime.[12] In my opinion, both these works are at a loss for their lack of consideration of effects of historical legacy and prior institution and state-building in the examined cases.

This is because pre-war political configurations translate into diverging systems, including a bureaucratic-authoritarian, national-accommodative, and patrimonial. The first type of communist regime, built on pre-existing (inter-war) professional bureaucracy, such as in the Baltic countries, results in far stronger institutions than the patrimonial system, which built on authoritarian regimes

[9] Samuel P. Huntington, *The Clash of Civilization and the Remaking of the World Order* (New York: Simon and Schuster, 1996); see also Samuel P. Huntington, *The Third Wave. Democratization in the Late Twentieth Century* (Norman: University of Oklahoma Press, 1991).

[10] Diamond, "Introduction: In Search of Consolidation", p. xv; see also on the discussion of usable state bureaucracy: Linz and Stepan, *Problems of Democratic Transition and Consolidation*: *Southern Europe, South America, and Post-Communist Europe*, pp. 249-52.

[11] Guillermo O'Donnell, "Illusions about Consolidation", *Journal of Democracy* 7 (2, 1996).

[12] Diamond, "Introduction: In Search of Consolidation", p. xxiii.

and nonprofessional bureaucracies.[13] These trends are best exemplified by East-Central Europe and Central Asia respectively. Consolidated democracy, therefore, could be a function of pre-communist institutional experience.

Indeed, the question of legacy in most analyses focuses on the capability of states to overcome the Leninist legacy influences of authoritarian rule. Ken Jowitt most elaborately, but not exclusively, postulated a pessimistic argument that the Leninist legacy, and in particular its decades long experience, would determinedly shape post-communist regime trajectories.[14] However this notion was advanced by Andrew Janos who took a further step in back and argued that pre-communist cross country differences would nonetheless continue to be salient despite decades of Soviet regional equalisation attempts.[15] The legacy debate in the field of post-communist democratisation is divided, and interrogated either as a negative Leninist legacy influence—or, far less frequently, as a pre-communist historical legacy factor.

Jowitt's analysis provides an antidote to the euphoria of "transition to democracy" declarations, to the view that simply rearranging political and economic institutions will miraculously procure democratic societies, says Ellen Comisso. As such, though many states have entered transition, far fewer have become consolidated. A simple rearrangement or creation of institutions does not result in consolidated democracy under any measure.[16] Differences in democ-

[13] Keith Darden and Anna Grzymala-Busse, "The Great Divide: Literacy, Nationalism, and the Communist Collapse", *World Politics* 59 (Oct. 2006), p. 86.

[14] Ken Jowitt, *New World Disorder: The Leninist Legacy* (Berkeley: University of California Press, 1992).

[15] Andrew C. Janos, "Continuity and Change in Eastern- Europe—Strategies of Post-communist Politics", *East European Politics and Societies* 8 (Dec. 1993).

[16] Ellen Comisso, "Prediction versus Diagnosis: Comments on a Ken Jowitt Retrospective New World Disorder: The Leninist Extinction", *Slavic Review* 53 (1, 1994), p. 188.

ratic transition and consolidation outcomes may well arise from pre-communist legacies, and help explain why post-Soviet states with Leninist legacies vary distinctly in terms of democratisation. Historical and cultural commitment to democratic values crafted in the 1920s is conceivably at the heart of successful consolidation as democratic institutions are not necessarily created from scratch, but restored from the pre-Soviet era. The second consideration that will be interrogated, then, to show causality between inter-war institutions and consolidation prospects is *what institutions have been restored rather than created at the start of independence?*

HISTORICAL INSTITUTIONAL STANDARDS

Beverly Crawford and Arend Lijphart position the "legacies of the past" approach by side of the "imperatives of liberalisation" school of thought.[17] The former aims to explain post-communist regime transformations as a function of social, cultural, and institutional structures created under Leninist rule, while the latter approach emphasises that new institutions can be crafted and new international pressures brought to bear that alleviate the effects of authoritarian rule. The major contribution of Crawford and Lijphart is that they provide a detailed analysis of when and how past legacies and present circumstances have an impact on the direction of regime change, however, the primary analysis focuses on regional differences, and not between legacies of individual states. Moreover, the approaches are both ideal types, and the legacy of the past argument considers the characteristics of countries with a Leninist regime, but does not look at the or-

[17] Crawford and Lijphart, "Explaining Political and Economic Change in Post-Communist Eastern Europe: Old Legacies, New Institutions, Hegemonic Norms, and International Pressures", p. 172.

ganisation of the state before the unsought of Communism. I believe one must go further back to examine precisely pre-Leninist or pre-communist legacies altogether.

While the puzzle of diverging post-communist regime paths has been investigated through numerous approaches, only a handful of scholars have addressed the problem through a historical legacies point of view.[18] In terms of large *N* scale analyses, Grigore Pop-Eleches' paper *Historical Legacies and Post-communist Regime Change* is one of the most comprehensive studies in the field, above all for the sheer number of geographical, religious, economic, historical, and political variables that are examined, yet Pop-Eleches considers the inter-war statehood factor as only a "yes" or "no" value, inevitably ignoring any and all specific factors.[19]

Keith Darden and Anna Grzymala-Busse examine their cases in much more depth in terms of historical legacy, and find a correlation between pre-communist literacy rates and communist exist, but only briefly interrogate other factors of the inter-war period, and conclude stressing the role of a shared national identity to provide standards of what would constitute legitimate rule.[20] Pop-Eleches rightly notes that much of the literature on the subject has downplayed the role of initial conditions at independence from Soviet rule, while post-

[18] See, for example, Valerie Bunce, "The National Idea: Imperial Legacies and Post-Communist Pathways in Eastern Europe", *East European Politics and Societies* 19 (3, 2005); Marcus J. Kurtz and Andrew Barnes, "The Political Foundations of Post-Communist Regimes – Marketization, Agrarian Legacies, or International Influences", *Comparative Political Studies* 35 (5, 2002); and Herbert Kitschelt, Zdenka Mansfeldova, Radoslaw Markowski, and Gábor Tóka, *Post-Communist Party Systems: Competition, Representation, and Inter-Party Cooperation* (Cambridge: Cambridge University Press, 1999).

[19] Pop-Eleches, "Historical Legacies and Post-Communist Regime Change".

[20] Darden and Grzymala-Busse, "The Great Divide: Literacy, Nationalism, and the Communist Collapse".

communist regime trajectories have been largely constrained by historical legacy differences. I cannot but agree. While the joint effect of legacies has greatly circumscribed post-communist democratic prospects, the question of which particular type of historical inheritance matters most is much harder to answer with any degree of confidence.[21]

While the linkage between inter-war and post-communist democracy has been explored before, by Jason Wittenberg in the case of Hungary, the relationship has not been tested on a regional, case study scale.[22] As such, a comparative political analysis of special legacies across these historically unique cases of Estonia, Latvia, and Lithuania is necessary to assess the prospects for democratic consolidation. Institutional path-dependence and the legacies of communist-style totalitarian regime types stress the consequences of initial institutional choices. A question arises of whether the initial institutional choices have supported democratic roots, and further still, to what extent these institutions worked to consolidate democracy after the fall of Communism. In other words, the third set of questions that arise are *what standards of institutions have remained and impacted positively the process of democratic consolidation? Furthermore, what was this potential positive contribution?*

To reiterate, the existing research has little to offer regarding the research question of institutional legacies in the post-Soviet region, and even more so for the case of the Baltic republics. The aim of this research is to alleviate the regional application bias and extend the analysis to the new cases of Estonia,

[21] Pop-Eleches, "Historical Legacies and Post-Communist Regime Change", p. 908.
[22] Jason Wittenberg, *Crucibles of Political Loyalty: Church Institutions and Electoral Continuity in Hungary* (Cambridge: Cambridge University Press, 2006).

Latvia, and Lithuania. Certainly, not enough literature addresses these arguments exclusively, or places a sufficient emphasis on the impact of institutional legacy altogether. Second of all, most scholarly contribution focuses on the institutional legacies from the Communist period, or in other words the Leninist legacy of the states. A major criticism that I express is precisely that historical differences and institutional arrangements of states prior to Communism are not interrogated as a variable and thus frame this analysis and argument to determine the importance of institutional legacies of the initial period of independence.

THEORY OF LEGACIES AND DEMOCRATIC CONSOLIDATION

Institutional legacies are comprised of a variety of indicators that together form an image of the role of said legacies. Accurately defined, the principle of institutional legacy is without doubt specified and operationalised to make concrete predictions regarding democratic consolidation even after a long period of authoritarian rule. The following chapter includes a discussion on the theoretical framework of this analysis starting with definitions of historical institutionalism, institutions themselves, institutional legacy as well as a list of guiding questions gathered from the literature review.

In this paper political institutions are classified as organisations which create, enforce, and apply laws, make governmental policy, and otherwise provide representation for the populous. The term also refers to the recognised structure of informal rules and principles within which the above and other organisations operate. Similarly, democracy is defined by Joseph Schumpeter as that institutional arrangement for arriving at political decisions in which individuals acquire the power to decide by means of a competitive struggle for the people's vote. [23] For example, the major institutions of democracy—parliamentarism and presidentialism—are likewise defined in terms of who appoints the government according to the constitution.[24]

[23] Joseph A. Schumpeter, *Capitalism, Socialism and Democracy* (London and New York: Routledge, 2003).

[24] Mikael Sandberg and Per Lundberg, "Political Institutions and Their Historical Dynamics", *PLoS ONE* 7 (10, 2012).

The analysis relies on the theory of institutional legacy and the two core findings that first, institution-building, defined as creation of democratic style establishments with the impact to engender democratic values in society, took place during periods of independence after World War I, henceforth referred to also as period of inter-war statehood, regardless of the absence of full democracy. The second finding is that these initial institutions necessary for democratic consolidation have survived the harsh Soviet homogenising policies.

The argument is concerned primarily with democratic roots of governance and the historic commitment to democratic values. As already asserted, the span and strength of the pre-war institution-building and the political configuration that dominated it translate into distinct, divergent post-communist regime type outcomes. These outcomes help explain how choices and incentives were structured in the environment following communist collapse and in turn levels of democratic consolidation. Thus the assumption is that inter-war time institutions left a *positive legacy* of democratic standards which have impacted affirmatively the prospects for democratic consolidation following communist exit.

I take a step back, to briefly summarise historical institutionalism in the field of comparative politics. Historical institutionalists above all emphasise the concept of path dependency which results from key historical decisions made by states. Although the institutions that are at the centre of historical institutionalist analysis can shape and constrain political strategies in important ways, they are also themselves the outcome of deliberate political strategies, of political conflict,

and of choice.[25] By this classification, historical institutionalism concentrates on the origins and development of the state, which it explains by the outcomes of purposeful choices and historically unique conditions in logic of path-dependence whereby lessons from the past shape future practises and outcomes.[26]

Institutions themselves are much broader and are able to encompass an array of features and are thus defined by Sven Steinmo and Kathleen Thelen as ranging from formal government structures (legislatures), through legal institutions including electoral laws, through, as already noted, far more formless social institutions such as the relationship between formal government structures and citizenry at large.[27] By extension, for the purpose of this paper, historical institutional legacies are defined as the level to which these institutions have survived authoritarian rule, else interpreted as starting points of states at time of transition from authoritarian regime to democratic.

While no single legacy can account for subsequent regime trajectories, nor predetermine set outcomes, pre-war democratic statehood appears to be a major factor since it may very well have engendered memories of non-communist authority and the subsequent identification of Communism as an "abnormal" form of governance.[28] An arguemnt can be made that historical and cultural commitment to democratic values crafted in the 1920s aid the probabil-

[25] Colin Hay and Dan Wincott, "Structure, Agency and Historical Institutionalism" *Political Studies* 46 (5, 1998), p. 955.

[26] Vivien Schmidt, "Institutionalism" in Colin Hay, Michael Lister and David Marsh, eds. *The State: Theories and Issues* (Basingstoke: Palgrave Macmillan, 2006), pp. 98-118.

[27] Sven Steinmo, Kathleen Thelen, and Frank Longstreth, *Structuring Politics: Historical Institutionalism in Comparative Analysis* (Cambridge University Press, 1992).

[28] Darden and Grzymala-Busse, "The Great Divide: Literacy, Nationalism, and the Communist Collapse", p. 90.

ity of successful consolidation, as democratic institutions are not necessarily created from scratch—but restored. In light of the evidence examined in the review of the existing literature, institutions constructed during nation-building in the 1920s need to be compared to institutions at present time. Guiding questions based on the literature review that will to be addressed include:

1. To what extent institutions have been restored rather than created at the start of independence;
2. How prior independence has influenced the institutional make-up of the Baltic nations under Soviet rule;
3. And what standards of institutions have remained and impacted positively the process of democratic consolidation and what was this potential positive impact?

BACKGROUND

The aim of this chapter is to outline some basic, yet vital, features regarding the broader significance of prior democratic institution-building for democratic consolidation prospects in political science. One finds that in addition to numerous problems experienced by countries in transition, nations such as the Baltics have had a particularly difficult legacy as democracy and nation-state have often been conflicting logics in the face of national identity as well as citizenship related problems.[29]

Each of the Baltic States enjoyed a period of sovereignty during 1918 to 1940 which was undoubtedly reflected in the decisions of nation-rebuilding during the early 1990s. This paper is based upon the judgement that history and the specific legacy of the previous regime types are important for all analyses of political transition and consequently democratic consolidation. Estonia, Latvia, and Lithuania had the most substantial prior experience of democratic politics of any of the Soviet republics and all held multiparty elections during inter-war independence.[30] Kitschelt defines the Baltic inter-war semi-democracies as having considerable associational mobilisation based on class, nation, and economic sector in an environment of beginning industrialisation and bureaucratic state building with a formal legal rule of law. [31] The question is to what extent institutions and their informal standards have been upheld during authoritarian rule,

[29]Linz and Stepan, *Problems of Democratic Transition and Consolidation: Southern Europe, South America, and Post-Communist Europe*,; the question of the nation-state minority problem and its effects on democracy consolidation in the Baltic region is discussed as Linz and Stepan conclude in advising for an inclusionary versus "othering" discourse in nation formation when it comes to national minorities.

[30] Linz and Stepan, *Problems of Democratic Transition and Consolidation*, p. 403.

[31] Kitschelt, "Accounting for Postcommunist Regime Diversity: What Counts as a Good Cause?" pp. 69-70.

as well as the extent to which these standards helped democracy to become consolidated.

Prior experience of democratic governance has certainly influenced the course of a difficult transition. This is because not all new countries are really new—some are born almost fully formed, others have to start from nothing—and this is a crucial difference to a nation's success. More than half of the youngest nations in the world were born or reborn after the collapse of Communism in Europe and had existed as independent states as far back as the Middle Ages.[32]

[32] Peter Apps, (2012) Special Report: Why some new countries are more equal than others [WWW] Reuters.

METHODOLOGY

The complex differences in the initial set of conditions among Soviet successor states served as the basis for mobilisation once the old Soviet regime and state began to disintegrate. Factors including political, cultural, social, and economic institutions, geographical compactness, and others have consequently affected democratic consolidation prospects among these states. To address the multitude of factors likely influencing said prospects, Kitschelt proposes deep causal analysis, but one that does not lose sight of social mechanisms, writing that even though path-dependence is an important feature of political regime change, it never exhausts the empirical richness of history.[33]

The cases of Estonia, Latvia and Lithuania share many similarities in the initial set of conditions and institutional legacies, thus the use of process-tracing can certainly complement the comparative case study method. Alexander George and Andrew Bennet state that by tracing the causal process from the independent variable of interest to the dependent variable, it may be possible to rule out potentially intervening variables in imperfectly matched cases. This can create a stronger basis for attributing causal significance to the remaining independent variables.[34] The basic assumption of path dependence in political science is that history matters. But of course everything has a cause and as the objective of this research is to determine whether a correlation can be drawn between institutional legacy and democratic consolidation, process-tracing will be used in con-

[33] Kitschelt, "Accounting for Postcommunist Regime Diversity: What Counts as a Good Cause?" pp. 81-82.

[34] Alexander L. George and Andrew Bennett, *Case Studies and Theory Development in the Social Sciences* (Cambridge: MIT Press, 2004), pp. 214-15.

juncture with the comparative case study method to develop testable hypotheses regarding the research question.

To achieve the goal of specifying the causal mechanisms that link institutions to democratic consolidation, it is interesting to bear in mind the assumption of institutions and their historical dynamics proposed by Mikael Sandberg and Per Lundberg who suggest that changes in regime types occur at one level, while institutional dynamics work on another.[35] A separation of institutions from any one particular regime type allows for analysis which can show that institutions are durable and able to undergo regime change as well as influence the course of subsequent transitions by being able to sustain a character, that is for example democratic in nature, while existing in a state that is not.

The implication of this separation for the purposes of this paper is possibly a causal mechanism that can link inter-war time institutions in the Baltic States to the pace of democratic consolidation processes seen following transition. Indeed, roots of major political outcomes often rest most fundamentally with causal processes found well in the past and one must look closely at the unfolding of events over substantial periods of time.[36] These intricate differences can be normatively evaluated and their effect on the prospects of democratic consolidation of each of the states accessed through an analysis of the shape of inter-war era as well as modern day institutions.

To reiterate the definition of institutions, these are on one hand political organisations, but also social institutions, as well as informal rules and proce-

[35] Sandberg and Lundberg, "Political Institutions and Their Historical Dynamics".

[36] James Mahoney and Celso M. Villegas, "Historical Enquiry and Comparative Politics" in Charles Noix and Susan C. Stokes, eds. *The Oxford Handbook of Comparative Politics* (Oxford: Oxford University Press, 2007), p. 73.

dures by which the above institutions operate. This paper aims to explain the observable link between legacies and democratic consolidation through a case study of various institutions that can primarily be grouped into three broad categories of first; political and legal institutions including legislature and the executive systems, political parties, as electoral laws; second, the social institutions of language, school curriculum as well as national symbols. Furthermore, as institutions may in addition refer to the accepted structure of rules and principles within which organisations operate, the definition may incorporate such concepts as the right to vote, responsible government, and accountability. Thus turning to the criteria of inclusion, the institution to be considered in the third part of analysis is citizenship or otherwise interpreted as the right to vote.

Case Study Method

To start with, the limitation of relying on causal mechanisms to develop a hypothesis over the cross-case analysis needs to be addressed. Given the complexity of both legacies and reactions to them, deterministic arguments can be both limiting and misleading as they are usually postulated on external observers' arbitrary selection of particular historical circumstances and symbols. Each of the study cases show the importance of legacies (cultural, economic, institutional, and social) varies as a "function of the particular dimension of democracy" that will be captured by the indicators of consolidation.[37] I anticipate be able to minimise the likelihood of deterministic conclusions through substantial exploratory process-tracing and qualitative analysis of institutional change, looking

[37] Pop-Eleches, "Historical Legacies and Post-Communist Regime Change", p. 910.

first at inter-war time institutions and subsequently to how these affected modern institutional arrangements.

A further problem associated with such research is that deterministic arguments are frequently circular, that is, they are based on what appears to be happening at present in a given country, and subsequently explained by selective reading of the past. In light of this, the analysis is hypothesis-generating driven. Through the use of guiding questions the shape and standards of institutions and legacies will be discussed first, followed by a theoretical search of a link between these factors and how they have aided democratic consolidation.

The effect of institutional legacies assisting consolidation processes will be measured by specifying the parameters of consolidated democracy and looking to see whether these have been matched by the character of new institutions in the Baltics. The aim is to focus the analysis and discussion to clearly specify the dimensions by which the legacies of the past translate into outcomes decades later, whether commonalities and differences in the historical legacies between selected states can explain the consolidation progress after communist collapse and the momentous political, economic, and societal change that followed it.

John Gerring notes that when examining correlative relationships or causal relationships the case study is often "highly informative", and what is more, *what* and *how* questions are easier to answer without recourse to cross-unit analysis.[38] The use of the case study method has been selected for it is advantageous regarding the research enquiry of *what*, or in other words the causality between institutional legacy and democratic consolidation. The type of the-

[38] John Gerring, "What Is a Case Study and What Is It Good For", *American Political Science Review* 98 (2, 2004), p. 347.

ory-building research objective this paper undertakes can be best described, in a term coined by Lijphart and Harry Eckstein, as "heuristic", that is, a case study that undertakes to inductively identify new variables, hypotheses, causal mechanisms, as well as causal paths.[39]

Regarding causal mechanisms, Gerring writes that *X* must be connected *Y* in a plausible fashion to ensure the pattern of covariation is truly causal in nature. In order for the research objective to be met, the mechanism needs to be identified. This identification happens when one puts together general knowledge of the world with the observed knowledge of how *X* and *Y* interrelate. It is in the latter task that case studies enjoy a comparative advantage.[40] The *X* and *Y* factors are the independent and dependent variables of the investigation which I proceed to discuss in turn. The mechanism in question is likely to be the democratic tradition that is fitting with not only previous institutions (legacies) as well as accepted by policy makers and populous alike, but above all facilitates transition and consolation of democracy.

VARIABLES

The independent variable of the investigation is the institutions during independence in the inter-war era and indeed how these institutional legacies have developed during the process of consolidation. Institutional legacies for the purpose of this analysis, defined as the structural, cultural, and institutional starting points of the Baltic countries at the outset of transition. The dependent variable

[39] Arend Lijphart, "Comparative Politics and the Comparative Method", *American Political Science Review* 65 (3, 1971), pp. 682-93; and Harry Eckstein "Case Studies and Theory in Political Science" in Fred Greenstein and Nelson Polsby, eds. *Handbook of Political Science*, vol. 7 (Reading: Addison-Wesley, 1975), pp. 38-79.

[40] Gerring, "What Is a Case Study and What Is It Good For", p. 348.

to be measured is the equivalent, modern democratic institutions. The independent and dependent variables of institutions at different points in time are selected to show their development and links to consolidation.

The analysis takes the before and after approach because the element of time is crucial to the test, as time before communist rule acts as the independent variable of the analysis and is necessary to establish a basic link between legacies and democratic consolidation prospects. Even though these traditional starting points have deep and complicated historical roots in the region's pre-communist past, this paper does not attempt to retrace these, but instead to explain the predicted causality between the legacy of stateness, characterised by Juan J. Linz and Alfred Stepan as the state-nation and the political, economic and social configuration which it encompasses, and democratic consolidation.[41]

The core supposition of the argument relies on the strength of pre-communist democratic experience in the inter-war period to facilitate democratic consolidation, in the example by Pop-Eleches, by allowing for collective memories of free elections and democratic rule and by strengthening anti-communist forces in cases where pre-war democratic parties were revived following the collapse of Communism.[42] The following section outlines, in depth, the concept and established measurement of democratic consolidation. For now, it is useful to note that the primary definition revolves around the ability of states not only to hold the first free and fair election, but to sustain conditions ensuring that elections and political freedoms are institutionalised.

[41] Linz and Stepan, *Problems of Democratic Transition and Consolidation*.
[42] Pop-Eleches, "Historical Legacies and Post-Communist Regime Change", p. 912.

CASE SELECTION

Much of comparative political science research of the early 1990s has focused on Central European cases of Czechoslovakia (and following the Velvet Divorce on Czech Republic and Slovakia respectively), Hungary, and Poland. Relatively little has been done concerning the three Baltic States that also re-established independence after the collapse of the Union of Soviet Socialist Republics (USSR). Thus I take the most similar case design for the Baltic trio of Estonia, Latvia, and Lithuania as comparative features emerged between the Baltic three already after World War I, especially in the field of politics and generally the Baltic nation-building.

During the inter-war period, the Baltic States were assimilated to one another through similarities of structure and dynamic of their political systems, despite previous variation of individual experiences or the different historical development.[43] While the cases fall under the same umbrella of typology, process-tracing may reveal different causal paths to outcomes. Process-tracing is able to strengthen the comparison by helping to assess whether differences other than those in the main variable might account for differences in outcomes.[44]

Cross-regional comparisons cannot be ruled on the assumption that they are not useful because of the unique characteristics of countries with a pre-communist past.[45] These case comparisons provide an excellent test, and if the assumption is correct, there should be significant evidence to support the claim

[43] Stanley Vardys, "The Baltic States in Search of Their Own Political Systems", *East European Quarterly* 7 (4, 1974), p. 400.

[44] George and Bennett, *Case Studies and Theory Development in the Social Sciences*, p. 81.

[45] Crawford and Lijphart, "Explaining Political and Economic Change in Post-Communist Eastern Europe: Old Legacies, New Institutions, Hegemonic Norms, and International Pressures", p. 173.

that democratic consolidation is facilitated by a tangible historical legacy of sovereign rule and preceding standards of democratic institutions. Such legality is likely to derive from a historic cultural commitment to democratic values and norms that have been revived after a long period of authoritarian rule.

The circumstances under which the three states originally established independence from Tsarist rule differ radically, while on the other hand they share in common the history since 1918 and their common de facto one party rule. Overall, Estonia, Latvia, and Lithuania exhibited considerable similarities in institutional legacies at the start of transition. The deliberate selection of similar historical cases is based on the assumption that these cases pose appropriate tests for a candidate relationship hypothesis between institutional legacy and democratic consolidation to be identified.

In their publication on selection bias is qualitative research, David Collier and James Mahoney point out that case study designs with no variation in the dependent variable do not inherently represent a selection bias problem. In the framework of this paper it is useful to use a narrow range of cases studied for the unique circumstances that the Baltic States represent in the broader context of post-Soviet democratisation phenomena. In the words of Collier and Mahoney, the advantage in being able to capture heterogeneous causal relationships is justified even if this increases the risk of selection bias.[46]

[46] David Collier and James Mahoney, "Insights and Pitfalls: Selection Bias in Qualitative Research", *World Politics* 49 (1, 1996).

Democratic Consolidation Concepts and Measurement

In light of the complexity of the exercise, the democratic consolidation phenomenon is concisely interrogated in this section. The following discussion aims to highlight the relationship between the research variables and democratic consolidation: the independent and the dependent variables of institutions during different points in time, in addition to the extent to which legacies of democratic governance have helped democracy become consolidated after the end of authoritarian rule. This chapter assesses the concept of democratic consolidation and moreover how it differs from democratisation. The discussion is necessary to specify the parameters that will be used to measure the concept in analysis section of this paper.

Transitology in political science has typically focused on what type of transition a country undergoes (protracted, revolutionary, imposed by elites, and so on) and whether or not a country "makes it" to the first elections, which are assumed to inaugurate a new democratic regime. Steven Fish fittingly points to the need to address what happens after initial elections, as well as the subsequent extent of democratisation and changes in the "quality" of democracy.[47] The required concept of democratic consolidation however has a variety of meanings attached to it, and in order be measured, needs a single "referent"; a

[47] Steven Fish, "Postcommunist Subversion: Social Science and Democratization in East Europe and Eurasia", *Slavic Review* 58 (4, 1999), p. 799.

phenomenon that provides a universally accepted definition as well as its "operationalisation".[48]

While consolidation is assumed to occur when democracy, so to say, becomes the only game in town, democracy itself is yet another example of an "essentially contested concept" and evokes altering resonates and meaning to various groups.[49] A largely pluralist definition of democracy is provided by Robert Dahl, that at a minimum, a democracy is a political system in which people can choose their authoritative leaders freely from all competing groups and individuals and not the government.[50] Another view simply defines democracy as a system in which parties lose elections. In democracy there are parties, divisions of interest, values and opinions. There is competition, organized by rules, and there are periodic winners and losers.[51]

Arguably the most useful definition in the context of consolidation is that of Dahl's polyarchy which consists of seven attributes of: elected officials; free and fair elections; inclusive suffrage; the right to run for office; freedom of expression; alternative information; and associational autonomy.[52] Guillermo O'Donnell explains that attributes one to four refer to a basic aspect of polyarchy that is inclusive, fair, and competitive elections. Attributes five to seven refer to political and social freedoms that are minimally necessary not only during but

[48] John Gerring, *Social Science Methodology, a Critical Framework* (Cambridge: Cambridge University Press, 2001), p. 64.

[49] Walter B. Gallie, "Essentially Contested Concepts", *Proceedings of the Aristotelian Society, New Series* 56 (1955-1956), pp. 167-198.

[50] Robert A. Dahl, *A Preface To Democratic Theory* (Chicago: The University Of Chicago Press, 1956), p. 8.

[51] Adam Przeworski, ed., *Democracy and Development Political Institutions and Well-Being in the World, 1950-1900* (Cambridge: Cambridge University Press, 2000), p. 16.

[52] For an in-depth analysis of the attributes see: Robert A. Dahl, *Democracy and Its Critics* (New Haven: Yale University Press, 1989), p. 221.

also between elections as a condition for elections to be fair and competitive. Thus when elections and political freedoms are institutionalised, democracy is likely to endure, or in other words can be considered as consolidated.[53]

Importantly democratic consolidation requires much more than elections and markets and is not just a prolongation of the transition from authoritarian rule.[54] Linz and Stepan note the range of democracies from low-quality to high-quality, all of which may be consolidated. One finds that consolidation engages different actors, behaviours, processes, values and resources. Stressing the cultural, ideological and national peculiarities of the Baltic cases, and especially the distinctive historical legacy bequeathed by an authoritarian regime, Philippe Schmitter and Terry Lynn Karl state that it is not to say that everything changes when a polity "shifts" toward consolidation as many of the actors will be the same, but facing altered problems and, if consolidation is to be successful, behaving in different ways.[55]

The importance of informal behaviour and rules cannot be taken for granted. O'Donnell remarks that polyarchy is embodied in an institutional package, a set of rules and institutions that are explicitly formalised in constitutions and auxiliary legislation.[56] Rules are supposed to guide how individuals in institutions, and individuals interacting with institutions, behave. In dealing with informal rules and institutional legacy, Linz and Stepan rightly draw a line in their

[53] Guillermo O'Donnell, "Illusions about Consolidation", *Journal of Democracy* 7 (2, 1996), p. 36.

[54] Linz, Juan J., and Alfred Stepan, "Toward Consolidated Democracies", *Journal of Democracy* 7 (2, 1996), pp. 16-17.

[55] Philippe C. Schmitter and Terry Lynn Karl, "The Conceptual Travels of Transitologists and Consolidologists: How Far to the East Should They Attempt to Go?", *Slavic Review* 53 (1, 1994), pp. 175-77.

[56] O'Donnell, "Illusions about Consolidation", p. 38.

argument between the Baltic and the Commonwealth of Independent States (CIS), as there are significant differences between the two groups. The Baltic countries enjoyed independence for a considerable time after 1918, while other republics of the former Soviet Union derived their existence and their boundaries from the Soviet state.[57] As such, contentious decisions in the Baltics, such as language implementation and citizenship law, are at time controversially substantiated as stemming from inter-war time institutions.

[57] Linz and Stepan, *Problems of Democratic Transition and Consolidation*, p. 427.

CONSTRUCTION AND RE-CONSTRUCTION OF INSTITUTIONS

The investigation of the research question is structured in three parts regarding at least one of the guiding questions proposed following the examination of the existing literature. The subsequent part of the analysis tackles two of the three proposed guiding questions of whether institutions have been restored rather than created at the start of independence following communist exit and ultimately to what extent democratic standards have remained and impacted positively on the process of democratic consolidation.

During the autumn of 1991 all three Baltic States were under the burden of the decision on the future model of government; first, whether to opt for parliamentary or presidential systems; second, the type of electoral system that should be implemented; and lastly who should be eligible for citizenship in the re-established states. These issues were immediately liked and turned into a debate about whether or not to reintroduce the inter-war constitutions and constitutional arrangements.[58]

Linz and Stepan note that the events of the first half of the 1990s presented obstacles to democracy that were not previously seen and were created by politicians caught up in the discourse of nation-state politics. Decision makers in Estonia, Latvia, and Lithuania were, in the early stages, unfortunately inattentive to a style of politics helpful to the crafting of a consolidated democracy. Linz and Stepan focus primarily on the account of the Communist period, only ac-

[58] Nørgaard, *The Baltic States After Independence*, p. 56.

knowledging the importance of pre-communist histories as they discuss two independent generic variables which are considered to be particularly important in the given context and form the concept of "stateness"—regime type and the relationship between state, nations and democratisation. What is more, within each type of previous regime there are further variations, but the most basic argument is that different types of authoritarian regime affect the subsequent trajectory of efforts at democracy in systematic ways.

To support the argument that the character of democratic values and the restoration of democratic institutions have aided democratic consolidation the chapter proceeds to compare the institutional arrangements surrounding the two areas of type of government including the electoral laws, and national minority rights of the three case states during the inter-war era and following transition to democracy after Soviet exit. In this chapter I examine the development of formal democratic institutions and of democratic reconstruction and how the processes were structured by historical experience.

This analysis traces the institutional framework of the model of government and the electoral system, and second, citizenship laws. The first two aspects refer to the basic aspect of Dahls' polyarchy that are inclusive, fair, and competitive elections. The third feature of citizenship laws is based on the definition of polyarchy and consolidated democracy which refers to political and social freedoms as well as Linz and Stepan's notion of nation-state politics and the need for representation of majority of the populations as necessitated by legitimation of consolidated democracy.

Democratic Experiment

It can be said with confidence that the Baltic political systems underwent an evolution along parallel lines. Stanley Varys notes that the circumstances that surrounded the birth of the republics were almost identical while the social and political environment of the times furthermore strongly dictated the governmental and societal system that the leadership of the three chose.[59] In accordance with the prevailing political currents of the time (the Great War being won by Western democracies created a climate favourable to democratic theory) Estonia, Latvia, and, Lithuania approved liberal democratic, else referred to as egalitarian, constitutions that prescribed political structures of assembly type and single chamber parliamentary systems.

Assembly type democratic systems that exalted in the power of the legislature were adopted while the executive branch was made a mere instrument of legislative will, as the voters could directly approve or disapprove of policies submitted to them.[60] In their seminal book *The Baltic States: The Years of Dependence, 1940-90* Romuald Misiunas and Rein Taagepera explain that the Baltic republics of the inter-war period were democratic and semi-authoritarian states with highly mobilised political associations.[61] Despite the previously varied backgrounds of the three, all states experienced a "Western type of institutional modernisation".[62]

[59] Vardys, "The Baltic States in Search of Their Own Political Systems", p. 400.

[60] Stanley Vardys, "Democracy in the Baltic States, 1918–1934: The Stage and the Actors", *Journal of Baltic Studies* 10 (4, 1979), pp. 320-21.

[61] Romuald J. Misiunas and Rein Taagepera, *The Baltic States: The Years of Dependence, 1940-90* (Berkley: University of California Press, 1993), p. 11.

[62] Nørgaard, *The Baltic States After Independence*, p. 55.

On the other hand, very liberal constitutions and electoral rules seriously hampered the creation of stable governments.[63] All three states had direct, proportional representation elections without any minimal threshold requirements and as a result political instability quickly ensued. The electoral laws made it easy for very small groups of people to nominate candidates and in addition promised a share of gains whatever results were achieved during elections. In Latvia, for example, the law of 1922 permitted any five persons to register as a political party.[64] In 1923, Estonia had twenty-six political parties, fourteen of which were elected to the parliament. In Latvia, twenty-six were elected, while Lithuania endured less with only eight general parties. Nonetheless, such political division made the executive very instable in all three.

On the other hand, Vardys states that such political vacillation and instability did not in fact signify the instability of the state power itself as at no time were any of the three countries in danger of collapsing as a result of internal conflicts and difficulties produced by the assembly type system. [65] Vardys also notes that in the early twenties the multi-party system did not paralyse decision making by the parliaments as the most creative period of Baltic statehood, including the agricultural reforms coincided with the political domination by assemblies. [66] Democracy nonetheless faltered as the extremely liberal type democracy led to partisan difficulties in reaching consensus and laissez-faire laws and constitu-

[63] Misiunas and Taagepera, *The Baltic States: The Years of Dependence, 1940-90*, p. 11.

[64] Vardys, "Democracy in the Baltic States, 1918–1934: The Stage and the Actors", p. 322.

[65] Vardys, "The Baltic States in Search of Their Own Political Systems", p. 402-3.

[66] State authorities were capable to suppress attempts made by domestic groups on behalf of foreign governments such as in the cases of Lithuania in 1919 and the Estonian Communist putsch in 1924.

tions allowed multiple ethnic cleavages to destabilise the political system through the creation of countless parties and alliances. [67]

All of the Baltic States were, to a degree, multi-ethnic societies. Figure 1 shows the percentage of the titular ethnic population in each of the states during censuses conducted in the inter-war period. However it is important to bear in mind that not only the numbers of titular nationals changed during communist occupation, but the make-up of the minorities changed too, from largely mixed, to predominantly Russophobe. This problem will be dealt with in detail in the following chapter.

FIGURE 1. BALTIC DEMOGRAPHY

	Estonia		Latvia		Lithuania	
Year	1934	1984	1939	1989	1923	1989
Titular Nation (%)	88.8	61.5	75.5	52	69.2	79.6
Russians (%)	8.2	30.3	10.6	34	2.5	9.4

Source: Anatol Lieve, *The Baltic Revolution: Estonia, Latvia, Lithuania, and the Path to Independence* (New Haven: Yale University Press, 1994, rev. ed.), pp. 432-34.

In Estonia there existed a significant Russian population and smaller German and Jewish minorities, around 89 percent of residents in the 1930s were ethnic Estonians. Latvia has historically been the most diverse of the three, with around 75 percent of ethnic Latvians and significant Russian, Jewish, German as well as other Slavic minorities. In Lithuania only approximately 70 percent of the population in 1923 were Lithuanian, contrasted by significant Jewish, German, and Polish minorities. Concerning the issue of ethnic unrest, a real attempt at homogenising society was made by all three states in order to avoid ethnic or other diacritical cultural marks and in turn, nationalist conflict. David Smith

[67] Nørgaard, *The Baltic States After Independence*, p. 47.

notes that a pioneering effort was conducted to impellent non-territorial cultural autonomy for national minorities.

The studies by Smith and Martin Housden in *The Baltic States and Their Region: New Europe or Old* show that despite the undoubted power of ethno-cultural nationhood, democratic multicultural solutions were not only conceived but implemented in the three countries during the first period of independence and minorities in the Baltic region enjoyed a high degree of autonomy.[68] Vardys in *Democracy in the Baltic States, 1918-1934: The Stage and the Actors* correspondingly expresses that in the early period of the Baltic States' existence, "arrangements for the minorities were very progressive", in particular noting on the considerable promulgation of cultural autonomy for ethnic minorities.[69]

The multifaceted societies however were undergoing extremely rapid change. Despite ethnic appeasement efforts the untested combination of exceptionally generous civil and participatory rights with the radically democratic systems caused political instability and eventual collapse of democracies. Authoritarian regimes led by personal dictatorship were introduced by national leaders Antanas Smetona in Lithuania in 1926, Konstantin Päts in Estonia in 1934, and Karlis Ulmanis respectively in Latvia in that same year, to curb the possibility of partisan unrest and of takeover by radial right-wing forces. The overarching goal after this period placed a premium on unity through nation-building, centralisation of the state, limitations on such divisive practices as political competition

[68] David J. Smith, ed. *The Baltic States and Their Region: New Europe or Old?* (Amsterdam–New York: Editions Rodopi B.V., 2005), pp. 211-13.

[69] Vardys, "Democracy in the Baltic States, 1918–1934: The Stage and the Actors", p. 321.

and civil liberties.[70] Solidarity and not necessarily constitutional democracy was the goal.[71] Leaders in all three republics were committed to rapid development to catch up with the West and to enhance, in the process, international security.

Despite political instability and even though some democratic rights were suspended, notes Nørgaard, the Baltic States continued to exhibit positive development as progressive reforms of the educational systems took place in all three states as well as in the area of safeguarding political and cultural rights of national minorities.[72] The otherwise termed presidential regime, in Lithuania, and authoritarian democracies in Estonia and Latvia did not bury democracy altogether. Vardys writes that democracy suffered a debacle, but it was temporary, noting on the steps taken toward it by Estonia with the introduction of the constitution in 1938, and Lithuania, by President Smetona allowing opposition party members in his cabinet.[73] Ultimately, it is difficult to speculate the direction Estonia, Latvia, and Lithuania would have taken politically, as the breakdown of the republics in 1940 was not due to internal causes, but to events in Europe beyond the control of any of the three countries and external influences that destroyed Baltic statehood altogether.

[70] Valerie Bunce, "The National Idea: Imperial Legacies and Post-Communist Pathways in Eastern Europe", *East European Politics and Societies* 19 (3, 2005), p. 425; similarly observed by Juan Linz and Alfred Stepan as the concept of stateness and the privileging of independence over democratisation. Immediate reincorporation of the Baltic territories into the Bolshevik state was a real threat, and this is of course what happened to independent Ukrainian and Belarusian states proclaimed at the same time. The Baltic societies were not discreet homogeneous units with national identities, and could have turned out differently had their institutional histories been different.

[71] Rawi Andehal, *National Purpose in the World Economy: Post-Soviet States in Comparative Perspective* (New York: Cornell University Press, 2001).

[72] Nørgaard, *The Baltic States After Independence*, pp. 47-48

[73] Vardys, "The Baltic States in Search of Their Own Political Systems", p. 405.

Reconstructed Democracy

In all three countries, the constitution-building process in the 1990s took place in a phase of extraordinary politics as decisions were made by small, insulated elites working in each of the Baltic States without ordinary constraints from broader political forces in society. Constitutional changes declaring the indigenous languages the state languages of the republics was adopted as early as 1988 in Lithuania, and 1989 in Latvia. All three laws, including Estonia's, mandated all government officials to become sufficiently proficient in the state language, as previously only Russian had been the sole prerequisite.[74] A similar reintroduction of the whole inter-war constitutions would have had not only great symbolic value, but would also have offered the Balts a legal basis for refusing to grant citizenship to the Russophobe immigrants of the occupation years.[75]

In explaining the institutional development after the end of communist rule, historical legacies help understand not only the frame of mind decision makers were in, but also the kind of safety net provided by the inter-war constitutions and the institutional arrangements expressed therein. Indeed, the overwhelming belief was that new constitutions should have their basis in already existing institutions. In the end, the choice of a parliamentary systems intentionally transferred power to new national elites with parliament as their power base as a consequence pushing aside the previous Russian-dominated leaders.

The institutional framework decisions rested fundamentally on the type of future model of government as well as on the question of who should be eligi-

[74] Misiunas and Taagepera, *The Baltic States: The Years of Dependence, 1940-90*, p. 325.
[75] Nørgaard, *The Baltic States After Independence*, pp. 64-65.

ble for citizenship in the re-established states. The issue of the constitution was settled in Estonia by a compromise between the Supreme Council (the Soviet parliament) and the new Estonian Congress (dominated by the National Independence Party) which obtained legitimacy by holding parliamentary elections and by registering citizens of the inter-war republic and their descendents. Like in all three states, the question of whether to opt for parliamentary or presidential systems received most heated debate. However following a referendum in June of 1992 a parliamentary model of government was adopted, by which the parliament—Riigikogu—was to be the cornerstone of the Estonian state structure, while the president would hold a more ceremonial role.[76]

Similarly in Latvia, the parliament, or Saeima, has been established as the basis for the state structure and the role of the president limited to ceremonial. The parliament in Latvia in the only one out of the tree states to have passed a resolution confirming a full re-enactment of the 1922 constitution, albeit with means of constitutional amendments put into force in 1998 as well as suspension of some provisions of the restored inter-war document. Conversely, in Lithuania constitutional proposals operated with a far more powerful president that was the case in the Estonian or the restored Latvian constitutions. While the popular front, just as in Estonia, agreed from the outset that a new constitution was needed, Lithuania witnessed the most intense constitutional struggle of the three which predominantly focused on the question of what the role of the president ought to be. This reflects in a number of ways, the institutional setup of the inter-war era following the emergence of national leaders in all three, and particularly

[76] Nørgaard, *The Baltic States After Independence*, pp. 65-69.

of Smetona in Lithuania who defined his position as presidential. Moreover, as a result of the political battle in the 1990s, the state today has a very elaborate structure of built-in checks and balances and is positioned between the two foci of power—parliament and the presidency.[77]

The three nations at present elect a government for a four year term by proportional representation (only in the Lithuanian electoral system is mixed with half the members elected in single-seat constituencies and the second half by proportional representation), seemingly following Lijphart's recommendation of combination of parliamentarism with proportional representation detailed in *Constitutional Choices for New Democracies*.[78] It can be said with confidence that politicians learned from past mistakes as all countries adopted moderate proportional representation systems and implemented a five percent threshold for individual parties (and seven percent for joint lists in Lithuania) in order to limit the influence of minor parties. Subsequently no single party today often has a chance of securing a majority and thus coalitions rule in all Baltic governments.

On the issue of citizenship and voting rights, both Estonia and Latvia provided political power to ethnic nationals by diminishing the political influence of immigrants. The Supreme Council in Estonia held a separate referendum regarding the voting rights of Russian-speaking residents in the summer of 1992, the result of which was that about forty percent of the inhabitants were denied citizenship and by extension, the right to vote. The move eliminating Russophobe minorities from the political sphere in Estonia eradicated the need to reintro-

[77] Nørgaard, *The Baltic States After Independence*, pp. 69-77.
[78] Arend Lijphart, "Constitutional Choices for New Democracies", *Journal of Democracy 2* (1, 1991), p. 72.

duce the exclusionary 1938 constitution. The Latvian Supreme Council decided already in 1991 that voting rights should be granted only to those who held citizenship in 1940 in addition to their decedents. Conversely in Lithuania, the number of immigrants was not politically a threat to the ethnic Lithuanian majority, and unlike in Latvia or Estonia, the issue of enfranchising Russophobe minorities was not an issue of major importance. However, as the phase of constitution rebuilding drew to an end, the institution formation process became open to intervention by both Western governments and organisations that by and large promoted liberal standards of democracy that were equally quick to point out the urgency of nation-state building processes that sometimes violated the principles of contemporary liberal government.[79] Concern was first and foremost expressed about the issue of newly formed Russophobe minorities.

As restored states, the Baltic trio took almost identical approaches to defining their citizenry after independence—each linked citizenship in 1991 to citizenship in the inter-war period. Latvia opted for a fairly exclusionary citizenship law to govern the naturalisation of the largest of the non-Latvian minorities, while Estonia restored a heavily amended 1938 citizenship law. All permanent residents whose roots to either country went back no farther than the Soviet period were made to apply for citizenship on equal terms as recent immigrants and fulfil fairly stringent naturalisation criteria, including proof of proficiency in the titular group's language.[80] Only in the case of Lithuania, all residents were granted citizenship perhaps because as Linz and Stepan explain that it was "psy-

[79] Nørgaard, *The Baltic States After Independence*, pp. 81-82.

[80] Pål Kolstø, "Nation-Building in the Former USSR", *Journal of Democracy* 7 (1, 1996), p. 121.

chologically and politically easier" to follow an inclusionary citizenship strategy for all residents that it would have been in Latvia or Estonia.[81]

Institutional Performance

On the choice of democratic institutions, Diamond affirms that representativeness and inclusiveness, secured through highly proportional systems of representation, fosters broad commitments to democratic legitimacy by incorporating ethnic and political minorities into the democratic process.[82] Indeed the proportional representation system stimulates best the emergence of coherent parties. One of the consequences of the parliamentary and proportional representation systems is the greatest possible inclusion of representatives of small groups in the decision-making process.[83] This type of democracy could be called inclusionary, and a multinational democracy.

Another aspect of institutional design introduced by Diamond is one of tension between "durability" features of institutional strength (including programs and policies), and on the other hand, the capacity to adapt to social and political circumstances. I expand my thoughts on the Baltic States' ability to adapt rapidly to change as well as other positive consequences of institutional performance in the concluding chapter. At this point it is useful to note that in the instance of over-institutionalisation, structural coherence, discipline, and regularity may turn into rigidity and underrepresentation of important new (or newly salient) generational, regional, ethnic, or class groups; and extremely low

[81] Linz and Stepan, *Problems of Democratic Transition and Consolidation*, p. 405.
[82] Diamond, "Introduction: In Search of Consolidation", p. xxv.
[83] Lijphart, "Constitutional Choices for New Democracies", p. 81.

electoral volatility may signify a lack of competitiveness, meaningfulness, or civic engagement in the party system.[84]

The Baltic States shared with all other post-communist countries a legacy of an authoritarian system of governance and institutions badly affected by communist rule. Unique to the Baltics was the aspiration for pluralist democracy fuelled by desire to recapture the character of inter-war republics and in turn to catch up with the West. The concept of a usable bureaucracy has been introduced in the review of the literature, and refers to a problem of a state in a vacuum of political authority, administrative capacity, and judicial efficacy created by transition. I consider that the institutional legacy largely averted the problem of an institutional vacuum in all three of the Baltic nations, as the re-established governments were able to quickly and decisively implement political authority and continue administrative state capacity. Only three years after gaining independence all three countries were categorised as free by the Freedom House Index.

Arguably the positive impact of institutional legacies on the process of democratic consolidation was threefold. Remnants of lawful inter-war time institutions provided legitimacy to the new governments as rightful successors to the inter-war republics, presented lessons which have been implemented particularly in the area of electoral laws, and perhaps above all offered a usable state bureaucracy that was used decisively in the fight for independence as was overall absent in other post-Soviet states other than those of East-Central Europe. Indeed, the conditions of a lively and independent civil society; a political society with sufficient autonomy and a working consensus about procedures of govern-

[84] Diamond, "Introduction: In Search of Consolidation", p. xxv.

ance; and constitutionalism and a rule of law—are virtually definitional prerequisites of a consolidated democracy. However, these conditions are much more likely to be satisfied where there are also found a bureaucracy usable by democratic leaders and an institutionalised economic society.[85]

The implication of the above finding, for the purposes of this paper, is a causal mechanism that links inter-war time institutions in the Baltic States to democratic consolidation today precisely through the concept of usable bureaucracy. The most notable indicator is the speed at which the overall institutionalisation of democracy occurred. Linz and Stepan's thesis on the problems of democratic transition and consolidation concludes that democracy is consolidated by the presence of the institutions supporting and surrounding elections. The development of state structures, political parties and of a democratic political culture happened incredibly rapidly and worked to support free and fair elections. Overall, all three states have created the basis for the development of multiparty systems. I reason that the Baltic governments have balanced the issue of over-and-under institutionalisation, as defined by Diamond, particularly well. In this regard I dedicate the following parts of the analysis precisely to the issue of governability and representation of minority groups and the unique case of non-citizens, to develop a better understanding of institutional development and nationalism and identify the importance of national character of the Balts as the possible problem in multi-ethnic democracy building.

[85] Linz and Stepan, "Toward Consolidated Democracies", p. 20.

ETHNO-NATIONALISM AND THE SOVIET SYSTEM

The previous chapter has shown that the institutional setup of the Baltic States during the inter-war independence years in fact matters significantly for democratic consolidation prospects. Following this finding I address the effects of the same institutional legacies during the years under Communist control and the second part of my argument that the observed commitment to democratic values and governance arises in part from the reaction to the failure of authoritarian rule, and of course from the institutional legacy of the inter-war period that preceded it. Indeed, strong democracy advocating institutions of the inter-war republics were exceptionally difficult to eradicate. As already noted, official state languages as well as other institutional arrangements were swiftly restored instead of being created from nothing.

Because of their inherent character, social institutions have been conceivably the most resilient to regime change. I begin by looking at how prior independence and sovereign rule influenced the institutional make-up of the Baltic States. The importance of institutions in question does not only become relevant once the regimes have entered transition, but is likewise significant during the time under Soviet rule. The institutions examined in this chapter are the social institutions of language, schooling curriculum as well as national symbols. These hold particular significance precisely because of the argument that the national character helped the three states retain the legacies of the inter-war time republics. The aim of this chapter is to show how social institutions and ethnic nationalism worked against the homogenising Soviet system, identify the importance of

national character of the Balts as the possible problem in multi-ethnic democracy building, and finally to introduce a layer of legacies that extend beyond the inter-war era.

Modernisation and Identity Building

The term transition, in the context of the Baltic States, most often refers to the documented period of 1989 onwards, to describe the economic, political, and societal change that occurred following the delectation of independence from the Soviet Union by all three Baltic nations, but of course the countries in question experienced another equally important transition from belonging to Tsarist Russia to establishing independent republics.

Estonia, Latvia, and Lithuania all experienced Western type of modernisation during the period of independence between 1918 and 1940. In the area of economic growth and development, Ernest Gellner argues, communication through a common medium was essential. The rise of nationalism was therefore fuelled, according to the functionalist argument, by its beneficial consequences to a modernising economy which needed, above all, a labour force that was similarly educated and homogeneous in character.[86] In the area of language and education, all three states implemented a strong national schooling programme prior to their incorporation into the USSR. This argument is supported by Darden and Grzymala-Busse's research on historical legacies that shows a strong correlation between pre-communist literacy rates and communist exist in the Baltic States (Figure 2).

[86] Brendan O'Leary, "On the Nature of Nationalism: An Appraisal of Ernest Gellner's Writing on Nationalism", *British Journal of Political Science* 27 (Apr. 1997).

With respect to pre-communist literacy and culture, post-communist countries fall into three basic categories. In the first group are those with highly schooled populations and substantial national content in the schooling curriculum at the onset of the communist period: the Czech Republic, Estonia, Hungary, Latvia, Slovakia, Slovenia, Poland, Lithuania, Croatia, Romania, and the Western Ukrainian region of Galicia. All of these countries had achieved over seventy percent literacy before Communism.[87] These governments and especially the three Baltic States were using nationalist school curricula to build loyalty to the new states and to legitimate their territorial claims.[88]

Figure 2. Literacy and Communist Exit

	Literacy Rate at Onset of Communist Schooling	% Non-Communist Seats in First Free Elections
Estonia	99	74.3
Latvia	93	73
Lithuania	77	67.3

Source: Keith Darden and Anna Grzymala-Busse, "The Great Divide: Literacy, Nationalism, and the Communist Collapse", *World Politics* 59 (Oct. 2006).p. 113.

Prior national curriculum education is thus attributed as a major factor in distinguishing regime trajectories in post-communist states. Schools and other institutions provided the means for nationalist character to develop more in some states than others. Even though the USSR brought industrialisation and electrification to rural areas, Communism never achieved broad popular support; indeed, it was seen as undermining the more progressive European charac-

[87] Darden and Grzymala-Busse, "The Great Divide: Literacy, Nationalism, and the Communist Collapse", p. 94.

[88] Ibid. p. 95.

ter of the region.[89] Anti-Russian sentiments were—and remain—pervasive. It is precisely the two decades of inter-war economic development and nation-building policies that allowed purposely crafted, distinct, national identities to become widely shared among each of the Baltic inhabitants.

Soviet Institutional Arrangements

National curriculum through national language education embedded the Baltic area as a core ethnic region once it was incorporated into the USSR and the character of Estonia, Latvia, and Lithuania threatened the ethnofederal stability of the whole union. What is more, Soviet ethnofederalism turned out to be a double edged sword. Importantly, the Soviet system allowed the Baltic nation-states to remain and adopt, within ethnofederal states, some of the characteristics of statehood as well.[90] Valerie Bunce notes on the striking development of a Soviet two-tiered system of dependencies, wherein just as Eastern European republics were dependent on their party-states for economic and political resources, as well as security, so were leaders of these party-states dependent on the Soviet Union for the same.

A central element of the Soviet developmental strategy was the creation of political institutions that expended the control of the regime. This strategy was noteworthy for providing considerable measures of interethnic peace as the Soviet regime began the process of industrialisation, and yet decades later, with industrialisation well under way, this developmental strategy instead fuelled a

[89] Darden and Grzymala-Busse, "The Great Divide: Literacy, Nationalism, and the Communist Collapse", p. 105.

[90] Bunce, "The National Idea: Imperial Legacies and Post-Communist Pathways in Eastern Europe", p. 427.

divisive and destructive round of ethnopolitics.[91] Soviet ethnofederalism was in fact faithfully damaging for the long-term prospects of the union as it allowed for ethnic mobilisation as was the case in the Baltic States.

Phillip Roeder's work on ethnic mobilisation argues against the volcanic revolution model, and while not mentioned explicitly, Roeder points to the institutional opportunity structure that Soviet ethnofederalism had provided. Ironically, after the transition to industrialism, federal institutions became instruments of ethnic assertiveness providing useful resources for national fronts. Pro-independence forces won in all three states with extremely limited popularity of the Communist Party in the election of 1990. However, as the case for independence of the Baltic nations has been premised on the notion of illegality of the Soviet occupation and annexation in 1940, by extension, the newly elected republic Supreme Soviets were also illegal.

In practise it was difficult to avoid the use of existing government structures for the pursuit of independence.[92] As already discussed in the literature review, the existence of strong national groups and prior state in the inter-war period forced the Soviet leadership to provide some groups more than others with much stronger institutions that were used decades later as administrative operates to establish independence.

As such, one of the main features of the democratisation processes at work in Eastern Europe in the late 1980s was the emergence of nationalist

[91] Phillip Roeder, "Soviet Federalism and Ethnic Mobilization". *World Politics* 43 (Jan. 1991).

[92] Misiunas and Taagepera, *The Baltic States: The Years of Dependence, 1940-90*, p. 332.

movements in virtually every corner of the region.[93] What is more, Soviet institutions did not change evenly across all countries, as Roeder notes that the contrast between Lithuania and other union republics after 1990 offers cross-sectional comparison of the consequences of changed institutions.[94] Indeed, nationalism and anti-Communism fuelled each other while the Baltic States benefited from factors including political, cultural, social, and economic institutions, geographical compactness and perhaps most importantly an "other" that was defined simultaneously in ideological, spatial, and national terms; and a sense of being an embattled minority poised against a majority—the old Soviet regime.[95]

Latvia and Estonia can certainly be added to Roeder's analysis, as unlike the other twelve post-Soviet republics, the Baltic trio did not see themselves as Soviet-successor states. The three had a record of armed and unarmed opposition against Soviet authority from the 1940s to the 1980s. Here, the Soviet communist party's leadership at the republic level oscillated between heavy handed repression and subtle efforts to craft inter-ethnic accommodation, say Misiunas and Taagpera.[96]

Legacies at Re-Establishment of Independence

The rupture during the Soviet era in all three states has been based on symbols. In a situation where many people rejected everything Soviet, the inter-war years

[93] Yitzhak Brudny, *Reinventing Russia: Russian Nationalism and the Soviet State, 1953–1991* (Cambridge: Harvard University Press, 1998).

[94] Roeder, "Soviet Federalism and Ethnic Mobilization", p. 232.

[95] Valerie Bunce, "Rethinking Recent Democratisation: Lessons from the Post-communist Experience", *World Politics* 5 (2, 2003), pp. 181-82.

[96] Misiunas and Taagepera, *The Baltic States: The Years of Dependence, 1940-90.*

represented to many Baltic citizens the basis on which to build today.[97] The largest protests typically took place on dates of symbolic significance in the pre-communist national calendar, such as dates of independence. Banned pre-communist anthems, nationalist songs, or songs from the wartime anti-Communist partisans—known to all—were also used to mobilise mass protests.[98] The inter-war republics undoubtedly acted as reference points for political movements during the entire struggle for independence.

The importance of the language question in the early phase of the new national movements and the declaration of Estonian, Latvian, and Lithuanian as sole state languages demonstrate that the ethno-linguistic definition of the nation was closely associated with the notion of the state.[99] States were legitimised by reference to their pre-war predecessors and the principle of legal continuity was used to legitimise a strict citizenship policy and the exclusion of all Soviet-era newcomers and their descendants from the Latvian and Estonian national communities.[100] Adam Przeworski noted the prevailing sentiment was that "if not for Communism, we would have been like the West", as any communist achievements were discounted in comparison with the counterfactual of non-communist statehood and the ready comparison with the West.[101] The inter-war statehood has been elevated to the status of a new Golden Age defining the present, too.

[97] Nørgaard, *The Baltic States After Independence*, p. 42.

[98] Darden and Grzymala-Busse, "The Great Divide: Literacy, Nationalism, and the Communist Collapse", p. 109.

[99] Marko Lehti, "Estonia and Latvia: A "new" Europe challenges the "old"?" in David J. Smith, ed. *The Baltic States and Their Region: New Europe Or Old?* (Amsterdam – New York: Editions Rodopi B.V., 2005), p. 96.

[100] Ibid.

[101] Adam Przeworski, *Sustainable Democracy* (Cambridge: Cambridge University Press, 1995).

Perhaps because creation of an entirely new pluralist civic democracy, complicated by a jumbling of identities and resentment over the forced nature of Russian immigration—was the initial choice in all three Baltic countries to follow restorationism.[102] Secessionist politics followed as the Baltic territories inherited a unitary structure where conflict was less evident, despite the fact that most of these states share a similar profile with their ethnofederal counterparts, for example, not just recent statehood, but also minority populations that are just as heterogeneous and geographically concentrated.[103] The question of state and political authority and the national community that it represents became a question once again.

The case in question is exceptionally rare as the Baltic region has undergone tremendous change over the last one hundred years as ethnic groups that are in power changed hands multiple times. A discussion of this political reality neither calls into question the legitimacy of the sovereignty of the Baltic nations nor does it detract from the fact that the presence of such large Russophobe minorities is primarily a legacy of the Soviet imperial policies.[104] The effects of inter-war time institutional legacies were two-fold. For one, the past legacy of the Baltic region forced Soviet leaders to accommodate some institutions unique to these countries. Even though the communist period erected fundamental barriers to political and economic development, existing institutions were sufficient

[102] Victor Grey, "Identity and Democracy in the Baltics", *Democratization* 3 (2, 1996), p. 86.

[103] Bunce, "The National Idea: Imperial Legacies and Post-Communist Pathways in Eastern Europe", p. 432.

[104] Gwendolyn Sasse, "The Politics of EU Conditionality: the norm of minority protection during and beyond EU accession", *Journal of European Public Policy* 15 (6, 2008), p. 849; the Russophobe minority is defined as a diverse group of Russians, Ukrainians, Belarusians as well as other minorities.

to allow for an independence movement based on ethnic mobilisation. At the same time, the inter-war republics acted as reference points for political movements during the entire struggle for independence and the inter-war legacy was used to rise against Moscow's duel oppression of centralism and Soviet Communism.

INCLUSIONARY DEMOCRACIES AND INSTITUTIONS

As previously discussed, institutions may refer to the informal recognised structure of rules and principles within which political and social organisations operate, including such concepts as the right to vote, and accountability. In the final chapter of analysis I expand the investigation of the change of institutions through time between the inter-war era and the present day to look specifically at citizenship laws as an institution as well as the rights associated with it. I address the demographic legacy of the Soviet period, the issue of minority groups as well as the unique case of non-citizens in Estonia and Latvia.

As I concluded in the first chapter of analysis, state structures in the Baltics have been reasonably strong and have aided transition as well as consolidation of democracy. Problems associated with large minority populations have not necessarily impeded the overall success of democratic consolidation however large numbers of Soviet era immigrants have nonetheless created a problem of state-building in the modern period. So while most aspects of democratic rule have been achieved, with a certain level of confidence, it can be said that the problem of minority issues remains as the final hurdle for high-quality of democracy to be achieved. This chapter additionally takes a closer and concluding look at the link between institutions and their legacies and how these tie with democratic consolidation. Once more, the goal is not to explain how successfully the case countries have achieved consolidation, but to identify historical institutional legacies as a significant factor that has shaped the situation, in this case, regarding minority accommodation.

It is useful to note a new area of research concerned with precisely the issue of varieties of consolidated democracies and Linz and Stepan's assumption that there is more than one type of consolidated democracy. These political scientists explain that a robust civil society, with the capacity to generate political alternatives and to monitor government and state can, "help start transitions, help resist reversals, help push transitions to their completion, and help consolidate and deepen democracy" and stress that consolidated democracies "continue to improve their quality by deepening popular participation in the political and social life of the country".[105]

DEMOCRACY AND MULTINATIONAL STATES

As noted in the chapter on concepts and measurement, democracies call for five particular interacting arenas of: a free and lively civil society, an autonomous and valued political society, the rule of law, a relatively efficacious state bureaucracy, and an institutionalised economic society, to become consolidated. Form the onset, this essay has reinforced the statement that democracy is consolidated by the presence of the institutions supporting and surrounding elections, and above all, that it must garner broad and deep legitimacy among all significant political actors and the citizenry at large.[106] I wish to add a further degree of classification from Seymour Lipset who argues that democratic legitimacy is best gained by prolonged effectiveness which he defines as being "the actual performance of the government and the extent to which it satisfies the basic needs of *most of the*

[105] Linz and Stepan, "Toward Consolidated Democracies", p. 16.

[106] Linz and Stepan, *Problems of Democratic Transition and Consolidation: Southern Europe, South America, and Post-Communist Europe*.

population" (emphasis added).[107] One finds however that while nationality is often cited as the predominant principle in establishing boundaries and identities (as argued by Philippe Schmitter for example), there is simply no democratic way of deciding what a nation and its corresponding political unit should be.[108]

Both Estonia and Latvia's citizenship policies have certainly received widespread criticism while international bodies have altogether branded the issue of non-citizens as a problem of statelessness. As the previous chapter concluded, a natural consequence in the Baltic States was the enhanced role played by national identity and the growth of traditionalism whereby people became more interested in the past and turned to history for its moral canon. The question in the case of the Baltic countries boils down to how well minorities and non-citizens are represented, on one hand, but on another, why people chose or are unable to obtain citizenship. In this respect it is useful to note that according to Linz and Stepan, political identities are highly changeable and socially constructed, and above all, while democratisation itself may encourage actors to attempt manipulations in order to create constituencies favourable to their respective purposes, it does not, and cannot resolve the issue of identity.[109]

In a multinational setting, the chances to cement an identity and consolidate democracy are increased by state policies that grant inclusiveness and equal citizenship and that give all citizens a common roof of state-mandated in-

[107] Seymour Martin Lipset, "The Social Requisites of Democracy Revisited: 1993 Presidential Address", *American Sociological Review* 59 (1, 1994), p. 8.

[108] Schmitter, "Dangers and Dilemmas of Democracy", pp. 65-6.

[109] Linz and Stepan, *Problems of Democratic Transition and Consolidation: Southern Europe, South America, and Post-Communist Europe*, p. 35; and Philippe C. Schmitter, "Dangers and Dilemmas of Democracy", *Journal of Democracy* 5 (1, 1994), pp. 386-87.

dividual rights.[110] To achieve this goal, the state is advised to pursue relatively homogenising and assimilationist policies in the areas of education, culture, and language, as all three Baltic States did during the 1920s. The forging of a common, shared identity however does not mean the eradication of the multitude of ethnic identities, but the incorporation of these into state governing under equal terms. It is useful to note that the goal of the nation-state model is for all members of society to have a single, dominant, shared identity, as members of the nation, and as citizens of the state.

Multiple Identities, Institutions, and Citizenship

The key question is to what degree civic democracy has prospered in what to some degree could be called multi-ethnic Baltic States, in light of their complicated historical legacies. Major problems revolve around historical democratic institution-building and the rise of nationalism during authoritarian occupation and in the particular case of Estonia, Latvia, and Lithuania—citizenship and language policies adopted by new governments in their constitutional design at the re-establishment of independence. While these issues remain highly debated and politicised, the sides are not as clear cut as it would seem. There is a great need to take in hand historical legacies and maintain a balance between minority rights and preservation of the titular culture, including its language, traditions, and symbols.

The demography and culture of the Baltic States have been irrevocably changed by the ethno-demographic transformation which has contributed to a

[110] Alfred Stepan, "Ukraine: Improbable Democratic 'Nation-State', but Possible Democratic 'State-Nation'?" in: Julie Newton and William Tompson eds. *Institutions, Ideas and Leadership in Russian Politics* (Basingstoke: Palgrave Macmillan, 2010), p. 185.

severe decline in the Latvian share of its population from 75.5 percent in 1939 to 52 percent by 1989; while in Estonia, the decline was even more distinct with the proportion of its titular population being reduced from the pre-war 88.8 percent to 61.5 percent by 1989. Only the Lithuanian titular population has grown relative to its pre-war total.[111] Whereas the Russian population increased to a comparatively low 9.4 percent, it was balanced by a similarly sized increase in the Polish minority population.[112]

Whilst the figures represent only a freeze frame of the constant change of the Baltic demographic profile, the central issue in the identity equation undeniably arises from the massive post-war—followed by unsteady—Russian immigration.[113] While the influx of Russian workers has officially been explained by the need to man factories, a common feeling among Baltic people is that the entry was a conscious decision by Moscow to dilute native Baltic culture. In a turn of history, following perestroika and the rise of national independence movements, the legacy of late-Stalinist deportation, immigration and industrialisation resulted in an unfavourable climate for many Russians living in the region. Today, ethnic Estonians and Latvians are minorities in many of their own countries' largest cities. Latvia has been by far the most threatened by Russian migration as in none of its seven most-populous cities is Latvian spoken by a majority of the residents while in the Estonian capital barely half the people speak Estonian.[114]

[111] For a detailed explanation on reasons including natural birth and death rates, guerrilla warfare and differing demands of its economy see: Grey, "Identity and Democracy in the Baltics", pp. 72-5.

[112] Refer to Figure 2 on Baltic demography in the preceding chapter.

[113] Grey, "Identity and Democracy in the Baltics", p. 77.

[114] Juan J. Linz and Alfred Stepan, "Toward Consolidated Democracies", *Journal of Democracy* 7 (2, 1996), p. 24.

Soviet-era migrants and their descendents became non-citizens overnight. Only minorities in Lithuania enjoy equal political rights as other citizens as the country never introduced exclusionary citizenship policies. Commonly, the Lithuanian type of democracy is called inclusionary, and a multinational democracy, but the homogeneity is only relative. The Russian minority at independence was nine percent of the total population, but there was also an important Polish minority consisting of seven percent living in the new borders, a minority that did share a common language nor consider Russia their homeland.

Citizenship and naturalisation issues and especially state language as a requirement remain entrenched in ethnic divisions across the region. The question of inclusiveness in modern democracy is undeniably salient as ethnic structure not only determines institutional outcomes, but also has important consequences for cohesion among the indigenous population. Paradoxically, Latvia and Estonia, who have adopted harsh citizenship requirements, and have a large number of non-citizens living in their borders, are too considered as well performing democracies, despite being non-inclusive.

Neither of the Baltic cases necessarily suggests a correlation between ethnic homogeneity and success in institutionalising democracy. Latvian and Estonian exclusionary policies have been primarily based on the size of the minority populations at the time of independence, while all three states opted for protection of titular ethnic groups in one form or another. In the case of democracy indicators however, discrimination against the Russian speaking minority, in the form of exclusive citizenship, has cost Latvia and Estonia to miss the desired top mark from both Freedom House Index and Polity IV Scores.

The situation regarding minority recognition in the Baltic nations today can be largely explained by the shared historical legacies of the three states. A deeper investigation of institutional legacies regarding citizenship is useful because while the field of study on democracy in multinational states is broad, the Baltic condition is distinctive because of the setting in which the titular and non-titular nationalities changed multiple times in recent history. Institutional legacies thus provide as a considerable dynamic as the "restored-state" approach to citizenship clearly serves the political interests of the titular nationality, and can even lead to so-called ethnic democracy.[115] A further key provision is the language requirement as it defines the institution of citizenship laws.

One finds that political institutions are necessary for democratic consolidation; democratic consolidation needs legitimacy (share among political actors as well as citizenry); and legitimacy, in the case of the Baltics, derives from historical institutional legacy. As such, the first round of independence has been repeatedly used as a legitimising by the restored Estonian, Latvian, and Lithuanian governments. However, positioning ethnic homogeneity and successfully institutionalising democracy is a difficult task as political institutions in Estonia and Latvia are founded on restricted citizenship, excluding major parts of the large Russophobe populations from, most prominently, political participation.[116] Minimally necessary attributes as according to Dahl's polyarchy of political and

[115] Jeff Chinn and Lise A. Truex, "The Question of Citizenship in the Baltics", *Journal of Democracy* 7 (1, 1996), p. 135.

[116] Grey, "Identity and Democracy in the Baltics", p. 74.

social freedoms in a consolidated democratic society, that is, the right to vote or run for office, have not been extended to non-citizens.[117]

Without a doubt, discussion regarding the minority and non-citizenship problems in the Baltics is prominent. In respect to the research question on the relationship between institutional legacy and democratic consolidation, the restitution of state structures regarding citizenship and nationality impacted unconstructively on democratic consolidation. Paradoxically, while the approaches have been that of restored-states, that is defining the citizenry as according to family ties to the inter-war time citizens of Estonia and Latvia, in reality the liberal structures safeguarding minority rights that have existed in the first republics, have not been restored.

A common political roof of state-protected rights for inclusive and equal citizenship in both Estonia and Latvia needs to be extended today, as it has been during the two decades of inter-war time institutional arrangements. The human capacity for multiple and complementary identities is one of the key factors affecting democracy in multinational states.[118] All Baltic societies allow a variety of publicly supported communal institutions such as media and schools in different languages, symbolic recognition of cultural diversity, a variety of legally accepted marriage codes, legal and political tolerance for parties representing different communities, and a whole array of political procedures and devices that Arend Lijphart has described as "consociational democracy."[119]

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[117] For an in-depth analysis of the attributes see: Robert A. Dahl, *Democracy and Its Critics* (New Haven: Yale University Press, 1989), p. 221.

[118] Linz and Stepan, "Toward Consolidated Democracies", pp. 27-28.

[119] Ibid. pp. 17-18.

Conclusion

In this paper and the exercise contained within, I set out at finding a hypothesis to explain the relation connecting legacies of the past and prospects for democratic consolidation of countries in transition by looking at democratic reconstruction and consolidation of democracy in the Baltic States. The cases of Estonia, Latvia, and Lithuania indeed exemplify the importance of the historical context in comparative political analysis altogether, but above all in the framework of post-Soviet democratisation and more importantly—democratic consolidation. By and large, the relationship between institutional legacy and democratic consolidation generally impacted positively, aiding the consolidation processes. Institutional legacies have been able to endure and the Baltic cases exhibit too, just like the Central-European states, a linkage between inter-war independence and modern day institutions.

Through the use of the case study method and process tracing I have argued that historical and cultural commitment to democratic values has risen from institutional legacies of the inter-war republics, and in part to the reaction to the failure of authoritarian past of communist control. What is more institutional legacy of usable bureaucracy as well as the character of democratic values and has aided, and ultimately legitimised, democratic consolidation and lasting effective governance has in due course been achieved increasing the quality of democratic consolidation. The findings of this study underpin the contribution made in this thesis as they substantiate the claim to broaden the studies such as

those of Wittenberg and Pop-Eleches to the Baltic region and beyond.[120] It seems that there is certainly enough evidence for an array of further analyses of institutional legacies.

More than twenty years after the collapse of the USSR, the best performing new countries have been those with the longest prior experience of nationhood and centralised government. Countries that were incorporated by the Bolsheviks after 1917 are today the least democratic; those that were incorporated into the Soviet Union during World War II come second; and the countries that became communist—but not Soviet—after the end of the war are today the most democratic according to a range of indexes. The research findings similarly point strongly towards historical legacies. It is precisely the two decades of inter-war statehood that allowed distinctive political and national character to become widely shared among the Baltic nations, and not just the Central European cases as much of the literature suggests. The societies in question were not discreet units with homogeneous identities and could have turned out differently had their institutional histories been different.[121]

The modern standard in comparative politics has resulted in a branding of a multitude of diverse countries and societies as collectively post-Soviet. Literature on transition, democratisation as well as democratic consolidation in the wake of communist collapse has precisely, and in number of ways, wrongly taken the start of independence from USSR as a starting point of analysis, largely ignoring the historical context or the historical legacies of various states that were in

[120] Pop-Eleches, "Historical Legacies and Post-Communist Regime Change"; Wittenberg, Crucibles of Political Loyalty: Church Institutions and Electoral Continuity in Hungary.

[121] Rawi Andehal, *National Purpose in the World Economy: Post-Soviet States in Comparative Perspective* (New York: Cornell University Press, 2001).

some way or another incorporated into the Soviet system. As a concluding remark I call for a deepened exploration of the historical context as well as national identity and its importance in transition and democratisation of these states, thus connecting institution-building and democratic consolidation in the wider context.

Post-communist regime trajectories have been principally circumscribed by differences in historical legacy. There is little doubt that pre-communist development of a rational bureaucracy and democracy distinguish the communist and post-communist development of the twenty seven post-Soviet states. As already shown, pre-war democratic statehood is a major factor, since it may very well engender memories of non-communist authority and the subsequent identification of Communism as an "abnormal" form of governance.[122] However, I believe that other factors including, but not limited to, a recognised inter-war state are in addition important. Thus my proposed hypothesis of an investigation of the causal links between length of preceding institution-building and regime trajectories as well as conditions for democratic consolidation after communist collapse is that *the longer the autonomous and institutional experience prior to the onset of communist rule, the greater the likelihood of high levels of quality of democracy measures*.

Of course, in the post-Soviet region, not all countries have consolidated democracy and will score very low in terms of democratic performance. These results would not hider the analysis as those states are likely to have very weak or non-existent institutional legacies. Despite their common history of de facto

[122] Darden and Grzymala-Busse, "The Great Divide: Literacy, Nationalism, and the Communist Collapse", p. 90.

one party rule, the post-Soviet countries exhibit considerable institutional legacy differences thus elevating the significance of formal and informal institutional development prior to the onset of communist governance. Such future research would contribute to the post-communist democratisation literature as while many transition and consolidation designs stress national-level variation in performance, they cannot as easily explain the differences among the countries emerging from the former Soviet Union.[123] The aim of the research would not be to predict long-run prospects for democracy solely on the basis of political history and associated traditions of political culture, rather—to calculate a direct correlation between the two variables, and to see significant variation between cases with regard to strength of legacy and quality of democracy.

In concluding I reiterate Joseph Rotschild who dubbed the inter-war period in Eastern Europe as the triumph of nationalism and of its political limitations, stating that the territorial settlements freed three times as many people from nationally alien rule as they subjected to such rule.[124] However the triumph was not ling lived. While prior democratic experience in the Baltics has strong contemporary resonances, these are complicated by recent memories of emigration, exportation and extermination of local peoples that the Soviet rule entailed. In terms of proximity, the latter legacy remains much stronger, thus while the first round of independence fostered inclusive democratic state and institution

[123] Ibid. p. 87.

[124] See, for example: Joseph Rotschild, *East Central Europe Between the Two World Wars* (Seattle: University of Washington Press, 1974), for a discussion of the Baltic States in the inter-war period.

building, the USSR brutally transformed the Baltic polities demographically, culturally, economically and even ecologically.[125]

Arguably the most prominent inheritance of the history of the Baltic three today is the ability and ease at which governments and citizens have adapted to rapid change. Perhaps that is the definitive consequence and the potential positive impact of standards of institutions that have remained and impacted positively the process of democratic consolidation. While electoral volatility is similarly high in the Baltics today as it has been during the inter-war era, one can point to positive aspects, and precisely the institutional legacy and political history of the states as a major factor in the ability to adapt and reform quickly and decisively.

The mechanism accountable for this is likely to be the democratic tradition that is fitting with not only previous institutions (legacies) as well as accepted by policy makers and populous alike, but above all makes possible the quality of democracy to be achieved. This ability of institutions to adapt can generally be termed as institutional flexibility which has developed as a result of the numerous changes in institutional arrangements that have taken place. The Baltic governments have been able to quickly adjust to economic and other challenges, compared to older, deeper rooted democracies in Europe.

[125] Linz and Stepan, *Problems of Democratic Transition and Consolidation*, p. 402.

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