

# **Political developments after 1989 and their impact on the nonprofit sector**

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# **POLITICAL DEVELOPMENTS AFTER 1989 AND THEIR IMPACT ON THE NONPROFIT SECTOR<sup>1</sup>**

## **Preliminary remarks**

The installation, functioning and fall of the communist regime in Central European countries - part of the so-called Soviet block (i.e., in Czechoslovakia, Hungary and Poland), took a considerable different turn of events. In spite of that, the fundamental political changes happening in these countries in the late eighties of the last century had one typical feature in common – they were significantly influenced by the ideology and activity of people who voluntarily engaged themselves in civil (dissent) initiatives, or, today, we could say in nonprofit organizations standing in the opposition to the totalitarian communist power (see for example *Solidarita* in Poland, or *Charta 77* in the former Czechoslovakia). The fundamental changes the dissent and its nonprofit organizations (NPOs) desired were, above all, establishing parliamentary democracy with plurality system of political parties and freedom of association of people. The manner in which NPOs in the above countries managed initiating, influencing these changes, or, participating in them, was then reflected in the later attitude of politicians and entire society to developing the nonprofit sector. There can be no doubt that it was the above changes that enabled developing the nonprofit sector, which under socialism was unthinkable of in these countries. The most obvious evidence of that is the rapid growth in the number of NPOs after 1989 in all Central European post-communist countries.

The immediate impact of the political changes after 1989, however, did not mean only the quantitatively expanding nonprofit sector, but also consolidating its position in society. All the above countries before the beginnings of communism, after World War II, did have a relatively strong nonprofit sector, which at the pre-war time had played a very important social role, communism later took away from them by force. After communists came to power, NPOs were subject to severe persecution – many of them dissolved by force and completely liquidated, and a big number nationalized. The rest (especially organizations active in sport, recreation and interest activity) were incorporated into Centralized structure of totalitarian state and politically paralysed. NPOs in these areas were „united“ in big, centrally managed, umbrella organizations, where members of communist party were installed as managers to ensure their ideological control. The communistic supervision over the activity of NPOs deprived many of these organizations of their authenticity and made them henchmen to the communist regime (though in many cases purely formally). Consequently, these organizations had lost the status of NPO in the real sense of the word.<sup>2</sup>

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<sup>1</sup> The following text has been originally written as a chapter of the larger book about Nonprofit Sector in the Central Europe: „Future of Civil Society“. The project was leading by Annette Zimmer and Eckhart Priller.

<sup>2</sup> E.g., Eva Leš speaks about them as about “quasi non-governmental organizations“, as they were politicized: „Since the early 1950’s the activities of these quasi non-governmental organizations were heavily politicized, aimed at legitimizing the political system. Their primary role was a political one, with service delivery a secondary function.“ (Leš 1994: 9)

The first months, and perhaps even years after 1989 the political developments had resulted in a massive surge of enthusiasm for making the situation in this part of Europe democratic. Under its influence the idea (already cherished in the dissent circles) that building civil society is an integral part of communist society transition to democratic society with market economy became widely spread. The surge of enthusiasm penetrated politics and public administration and the representatives of NPOs could reckon with friendly, helpful attitudes of politicians and officials. The time of general enthusiasm made the nonprofit sector play the leading role in building civil society (Leś 1994: 16), and to do so regardless of its actual abilities. It was a challenge to significantly contribute to consolidating democracy in postcommunist countries. In the light of this noble challenge, however, it sort of forgot the need of consolidating the nonprofit sector as such.

It is a paradox that the fall of communism, on the one hand, gave unheard of opportunities of developing the nonprofit sector, but on the other hand, caused a massive departure of activists from nonprofit organizations for politics and state administration (Siegel, Yancey 1992: 16, Cox and Vass 1995: 161-3), and thus significantly weakened the sources of its consolidation.<sup>3</sup> This loss could not be made up by the huge foreign assistance to NPOs in these countries after 1989. The recovering and building of nonprofit sector organizations and structures was prevented by many deficits. They missed everything - property, money, quality legislative framework, tradition, professional background, information networks and the entire service infrastructure, training and educational centres, volunteers, etc. It was generally expected that with the support of the democratically elected political representation removing the above deficits would swiftly proceed. At first, it looked like that. The first legislative changes opened wide opportunities for people associating and setting up new NPOs. In time, however, the creation of the legislative framework began markedly lagging behind the developments in the nonprofit sector, and the consolidation of its position in society considerably slowed down. The wave of democratic enthusiasm relatively quickly vanished, and we could see first disputes and conflicts between the representatives of the public and nonprofit sector. The attitudes of the governmental political representations to strengthening the role of nonprofit sector in society and to consolidation attempts of NPOs inside the sector changed in confrontation with regular problems of governing. And even though the line of particular governments in the particular countries was largely different, it became apparent that in view of consolidating the nonprofit sector, it was a change for worse. The new lines varied in the range from open conflict (Slovakia), to cool reserved (Czech Republic) up to verbal helpfulness accompanied by practically no interest, or not enough level of political will to necessary changes (Hungary, Poland).<sup>4</sup>

### **Political developments after 1989**

Why did such a change in the attitudes of political elites and official authorities happen? To answer the question we should focus our attention on the overall political developments in Central Europe after 1989, where we can identify four common processes (problems) ultimately influencing the relationship of political representation and nonprofit sector. These are: a) elimination of totality comeback threat, b) building the system of political parties, c) forming the style of governing, d) decline in trust of the population in democratic institutions.<sup>5</sup>

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<sup>3</sup> „... the result of the transition itself has been a further weakening of the prospects for the development of civil society.“ (Cox and Vass 1995: 163)

<sup>4</sup> For example in Poland according to Eva Leś „... the idea of civil society has clearly lost its appeal for the political elites and, therefore, it has lost their support.“ (Leś 1994: 16)

**a) Elimination of totalitarian regime comeback threat**

After overthrowing the political monopoly of communist parties, the power was in the hands of dissidents and the circle of professionals representing the effort to meritocraticized governing. A great part of the former representatives of communist parties withdrew from political life, and went to the financial and business sector.<sup>6</sup> Their successors partly co-operated with the new elite and shared the execution of power and partly did not give up their fight for „the leading power in society“. Relying on the inherited strong economic background (most of the corporate management was one way or another tied to the communist party), they were aiming to revitalize the (radically) left-wing view of the direction of society, or, setting up new, left wing parties and taking part in parliamentary life. Their economic influence and populism carried on the wings of equal ideas about arranging the social situation, represented a threat in the eye of the new political elite. And it was a threat right for two main cornerstones of the starting social transformation, i.e., for democratisation and marketisation. In the situation when the fragility of democracy was apparent and the market economy only barely taking a breath, the ideology of civil society (together with liberalism), proved itself as a very effective means to putting the authoritative powers on the defensive. For this reason, and for the massive departure of civil activists for politics, the reborn world of nonprofit organizations was met with the spontaneous support and understanding of parties from the entire spectrum of the newly founded political parties and movements.

The ideology of civil society perceived as natural part of the vision of building plurality democracy was developing at the time of totality in the moral opposition to the communist state. Its foundations were laid by the thoughts of dissidents about „parallel polis“ (Michnik, Benda), „the other society“ (Kornai, Szelényi), „anti political politics“ (Havel, Konrád). But after 1989, when the state in the postcommunist countries became legitimate, the civil society was facing new challenges, which its „opposition“ concept could not cope with. The civil society was expected to be the transformation vehicle (Leś, Nalecz, Wygnański, 2000: 20), or, at least, the „watch-dog“ of its materialization (Leś, 1994: 51). The organizations of civil society were supposed to open the room for spontaneous activities of the population and contribute to „de-institutionalisation“ of society (Večerník, 1993: 129). They were to improve the „associative desert“ (Offe) of the postcommunist countries and help remove the „learned helplessness“ (Marody, 1987) inherited from the time of state paternalism.<sup>7</sup> Because of a rapidly changing political situation the new – co-operative - face of the ideology of civil society was born and spread too slowly, and its old – opposition – one remained still present in society.<sup>8</sup> It

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<sup>5</sup> Due to scope reasons this chapter at centres on analyzing and describing the common features of relationships between politics and nonprofit sector in the post-communist countries in Central Europe rather than on differences and specificities of each country. The chapter does not pretend to describe the complex position of nonprofit sector inside the processes of societal transformation through which the central European countries passed during the last thirteen years. To a great extend such analysis have been already done in the excellent work of Anheier and Seibel (1998). The approach is focused on the revealing of the dominant political processes and relationships among the main political actors (government and parliament political parties) and nonprofit organizations or nonprofit sector as a whole after the year 1989. Such approach allowed the author to workout more structured and elaborated view on the impact of political developments on the nonprofit sector.

<sup>6</sup> According Eva Kuti, in Hungary some of the former communist political leaders who gave up their political ambitions, even became nonprofit leaders. Which means that the “brain drain” was not only a one-way process.(Eva Kuti remarks on this chapter.)

<sup>7</sup> They should also strengthen trust in society (Bútorá et al. 1995: 190-1), absorb the „transformation anomaly“, participate in reconstructing social order, give people the necessary enthusiasm and overcome lack of participation, passivity and apathy. (Kolarska-Bobinska 1990) They should be aiming at „... recreating public life, decentralizing public services, making government accountable, promoting pluralism and diversity, mediating conflict, helping to build trust through unforced association and cooperation, and motivating people to act as citizens.“ (Siegel and Yancey 1997: 3)

<sup>8</sup> E.g., in 1994 Bronislaw Geremek (Polish Prime minister) felt he should emphasize that: „Civil society is neither against the state nor is it a paralel polis.“ (Leś, Nalecz, Wygnański 2000: 20)

was just the counter-position of the picture of civil society against that of long-term monopoly rule of one party identified with the state that resulted in a widely shared aversion to political parties as such (Vnuk-Lipiński 1991: 171) visible among intellectuals as well as in the public in the postcommunist countries in Central Europe. By contrast, the need to rapidly make out and spread the concept of co-operative civil society was reflected in a tendency to build modern, civil society from above, according to western models and as an outcome of efforts made by intellectuals (Kuti, Králik, Barabás 2000: 5). But the effort to seize the modern dimensions of civil society, or, nonprofit sector, led to overlooking the role of old, nonprofit organizations surviving the time of communism. Often were they not perceived as a part of nonprofit sector, or, were sweepingly negatively labelled, for example, as „mastodons“ (Gliński 1999: 12) of civil society. Also this factor contributed to a relatively swift division of the nonprofit sector in the postcommunist countries in Central Europe into the area of old (traditional) and new (modern) nonprofit organizations.

### ***b) Building the system of parties***

The developments in the postcommunist countries in Central Europe happening after 1989 were described by Jürgen Habermas as „catching up revolution“, where these countries were aiming to catch up with everything they neglected in the forty years of the communist rule and were lagging behind western societies (Habermas 1999: 162). Neither the nonprofit sector, nor political parties were immune to copying western models, to so-called westernisation. All countries in this area took over the western model of parliamentary democracy, which for its functioning required building a (plurality) system of loyal, political parties. It began to be born from a wide reservoir of parties and little parties, which after the fall of communism started rapidly multiplying. These new parties absorbed into their ranks a great number of the former civil (anti-communist) opposition (dissent), and many a time were downright founded by its members. The influence of dissidents put into the execution of politics and party fight an element of ethos of civil society, which contradicted the, at that time, widely accepted ideas about the standard model of the left-right spectrum of political parties. It was about, e.g., preferring personal moral integrity to party profits, giving precedence to social welfare over party interests, highlighting civil over national identity, experimenting with various versions of the so-called third way, stressing humanitarian values, horizontal nets, soft interactions and greater intraparty democracy, rejecting party discipline or accepting the principles of direct democracy. The effect of these elements of civil ethos on political life disturbed the efforts of parties to their own consolidation into a political system according to the standard, western models most of their leaders wanted. This together with a lack of ideological embeddedness of political parties in civil society (Cox and Vass, 163) resulted in gradually pushing out the elements of civil ethics from the life of political parties.<sup>9</sup>

At the time of early forming the new political system in the postcommunist countries in Central Europe the dominant issue for politics became the direction and speed of economic reform. First and foremost it was the method of managing this issue upon the ideological spectrum of political parties gradually crystallized. In other words, the ideological (left-right) profiling of parties did not come out of their attempt to represent certain groups<sup>10</sup> of civil society, but rather depended on the chosen program of transformation<sup>11</sup> supposed to ensure political leaders as wide as possible support among voters in competition with leaders of other parties.<sup>12</sup> Even the nationalist parties, richly represented

<sup>9</sup> „... civil society had been robbed, its values looted by the process of rapid party formation.“ (Bozóki 1992: 3)

<sup>10</sup> Which was caused by a not very strong social differentiation of postcommunist society as such.

<sup>11</sup> „The political conflict in Poland today is not a conflict between interests of particular social groups. It is a conflict over political and economic programs, or rather strategies for achieving basically the same goals – political democracy and a viable market economy.“ (Frentzel-Zagorska 1991: 110)

mainly in Slovakian and Hungarian political scene, had to offer their own version of managing problems of transition to market economy. Basically, in the fight for economic reform, two ideological streams took shape: neo-liberal and social democratic. The first one under the claim „market without attributes“ was favoured by the right-wing parties, and the other one most often represented by the claim „social market economy“ was popular by the left-wing of political spectrum.<sup>13</sup> Both streams offered voters definite, relatively simple and understandable solutions to the current economic and social problems. By contrast, many representatives of the former anti-communist opposition failed to give a definite answer to the question of the economic reform direction. They perceived it as very complicated and not unambiguous and so they were perceived by the public – as difficult to classify, hard to read, complicated and intellectual. Therefore, in the next round of political fight the ideology of civil society could not successfully compete with that of political parties infected by pandering consumerism. The aversion to populism and politics perceived as mission, or a permanent dialogue about the key values simply did not correspond with the expectation of the population concerning their standard of living improvement (which was very strongly encouraged by the leaders of political parties).

On the other hand, besides the „missionary approach to politics“ (Plasser, Ulram 1996: 26) taken by former dissidents, their presence in the executive bodies of the government resulted in a not enough professional approach to managing the administration machinery and political talks with strong interest groups. The ideals of dissidents came up against stiff transformation reality. The representatives of the former anti-communist opposition, facing the dilemmas of transformation process, turned out to be little pragmatic dreamers,<sup>14</sup> and the effect of civil society the on forming the political scene gradually became totally weak. „Their“ parties either adapted to the standard measures, or, in time disappeared or stagnated in the extra parliamentary opposition. They would typically lose elections, and do so also thanks to political compromises disturbing the image of some dissidents as morally fearless leaders of people.<sup>15</sup> After removing the acute threat of totality comeback, the ideology of civil society became in the eye of most politicians only a useless burden<sup>16</sup> on the road to achieving party interests,<sup>17</sup> guaranteed by the „standard“ model of representative democracy. This, though often unspoken attitude of politicians, was naturally reflected in their relationship to the nonprofit sector, where, moreover, returned many (in the free elections) beaten representatives of the former anti-communist opposition.

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<sup>12</sup> „... the polarization of the new political parties was not the result of ancient ethnic differences or economic forces, instead, the political result of leaders of new parties competing for electoral support in uncertain conditions.“ (Glenn 2000: 174-5)

<sup>13</sup> As we can see further it does not mean that in political practice, the left-wing parties cannot implement the neo-liberal economic reform strategy and vice versa that the right-wing parties cannot try to develop social market economy.

<sup>14</sup> „Technicist elites replace the former ones comprising especially dissidents coming from humanistic or humanistic-existential orientations: dissidents were thinkers or artists – philosophers who rebel against the communist system because they had their own social ideal, wanted to have a different type of society. These idealistic spokespersons, however, lost the former support of society, in the eye of citizens having fulfilled their key mission by contributing to the collapse of communism. Under the new circumstances many citizens feel they are little pragmatic, arousing concerns that they are leading society to radical, axiologic standpoints ..... (Strmiska 1993: 110)

<sup>15</sup> E.g., according to Strmiska, „... the representatives of the elite formed from dissidents contributed to their political weakening primarily because some of their members did not sufficiently stick to their mission of intellectuals – clerics, but fairly pragmatically accepted for themselves the strategy of not minor compromises ...“ (Strmiska 1993: 111)

<sup>16</sup> This process is typical mainly for the central level. At the local level the situation is much better.

<sup>17</sup> After the enter of not political authorities into politics, the vision of common good – welfare – was pushed out by political parties, which started pursuing their own interests (Osiatyński 1998: 17)

The only country standing out from this model of forming the political system on the basis of the left-wing taking shape of the political parties loyal to democratic regime in the postcommunist countries in Central Europe, is perhaps, Slovakia. The ideological crystallization of political spectrum in Slovakia did not happen as quickly and successfully as in the other countries. Even today, in the Slovak Parliament there are still significantly represented the non-standard, extremist (fundamentalist) and nationalistic parties in opposition to actually the full spectrum of left-wing parties looking for their allies in nonprofit sector. And the nonprofit sector really helped them very much in their fight against Mečiar's authoritarian political style.<sup>18</sup> In the other countries the extremist powers were pushed out of the centre of political events. Various groups of „standard“, right-, centre and left-wing parties are in power in turn, in dependence on practical success of their concept of economic reform implementation.

### ***c) Forming the style of governing***

The situation of newly emerging political parties was not easy. Not only in competition with a number of competitors did they have to aggressively look for and find their own identity (Ágh 1996: 139), but they also faced major problems with financially securing their existence. A fact that parties were not embedded in specific social classes meant that (perhaps except communist and postcommunist parties) did not have many members and stable (loyal) electorate. And this was true in the situation when only a costly, spectacular election campaign could guarantee their further survival in Parliament. In this respect they shared the general crisis of mass parties in Western European countries, yet they were not ready for it. An increase in the costs on party activities, fall in money from membership fees and problems with getting support from private sponsors made them (identically to their western examples) stick more to the state, where they found the key source of income for their activity in the form of state financial contributions for the results in the elections. A consequence of this method of consolidating the position of political parties in society was a deeper separation of party interests from the interests of civil society, and even more free relationships with the non-consolidated nonprofit sector. Political parties could expect neither more votes, nor more money from co-operation with weak NPOs. On the contrary, according to Katz and Mair, the process of parties becoming part of the state caused that „political parties do not have to compete to survive any more in the same sense as before (when competing as regards the definition of public policies) and made the right conditions for forming a cartel, where all parties share the same sources and survive.“ (Katz, Mair 1996). The state controlled by political parties becomes not only a substantial source for their survival, but also a barrier to new actors (growing from civil society) entering into political arenas.<sup>19</sup>

Perhaps, even a bigger danger for the NPOs everyday life than the cartelisation was the obsessive inclination of governmental political parties to centralism,<sup>20</sup> by which they wanted to tackle the problems with asserting their own ideas about the political environment of social transformation. Paradoxically, this also applies to the parties ostentatiously showing their neo-liberal line.<sup>21</sup> The governmental political parties saw in the strong (paternalistic) state an optimum means to achieving their own goals, and to do so regardless of their own ideological line. Following their party interests

<sup>18</sup> See chapter on Slovak Country Profile in this volume.

<sup>19</sup> Katz and Mair therefore call the political parties tied to the state and separated from civil society „cartel parties“ (Katz, Mair 1996). Also Attila Ágh speaks about political parties in the postcommunist countries in a similar way calling them „elite parties“ (Ágh 1992: 19).

<sup>20</sup> „... there is an embedded tendency towards centralism and strong elite in Hungarian society which will limit the possibilities of establishing strong links between civil associations and formal politics ...“ (Cox and Vass 1995: 176)

<sup>21</sup> „The crucial and possibly somewhat paradoxical aspect of the neo-liberal position – given that the neo-liberals argued for the need to push the state out any significant involvement in the economy – was to press for the strong and highly centralised state.“ (Kavan 1999: 6)

it was the technocratic pragmatism that absolutely beat the ideological orthodoxy. The effect of this style of governing also manifested itself in gradually removed ideological differences between parties and in expectation that actually every party could cooperate and govern together with any other one (naturally, except extremist parties). As the reform was progressing, it became more and more evident that it did not matter which party was in power, they would do the same as their (seemingly) ideological opponent would (e.g., privatising was in the hands of both right and left-wing governments). In this way the political elites become technocratized, as the technology of power is paramount to them, when „the goals of political activity are considered known and their definition is not understood as the main problem.“ (Strmiska, 1993, 110) „The new“ style of governing typical of centralism and technocratic pragmatism was in a sharp contradiction with the expectations from NPOs concerning their cooperation in developing concepts of public policies and participation in decision-making processes. Its enforcement actually meant pushing the activities of NPOs out to the periphery of the ongoing social transformation.

Incompatible with the technocratic concept of executing power was especially the idea of „robust democracy“ (Salamon, 1999), or, of „a broader concept of democracy“ (Strmiska, 1993, 108), which is part of the civil society ideology. This idea is not satisfied with a limited scope of democracy only to the political sphere and concentration of political democracy on the representative democracy. Its cornerstones are: 1) permanent communication of voters and representatives, 2) participation of the general public in decision-making, and 3) getting the execution of power closer to the citizen, i.e., consistent enforcement of the principle of subsidiarity. By contrast, the technocratic elites are naturally in favour of a narrower concept of representative democracy, where the dominant role is played by political parties and the function of citizens is limited to electing their representatives. The technocratic elites see in a broader concept of democracy a threat of irrational and incoherent decision-making deforming the logic of the system of representative democracy. (Strmiska 1993: 109)

The dispute over the character of democracy - participative versus representative (Morawski 1991: 28) – underwent, and still is going on in all postcommunist countries in Central Europe.<sup>22</sup> Thanks to the cartelisation of the political environment the party representatives have a good access to the media, which play one of the key roles in the fight for the character of democracy. And it depends on the media as such, whether they become the vehicle of dialogue, or the means of biased persuading the voters. And because managing the work with the media has been a long-term Achilles heel of nonprofit sector in the postcommunist countries in Central Europe, the media are under a strong influence of political parties more than the civil society.<sup>23</sup> We should hardly be surprised that in this part of Europe is it the narrow representative model of democracy that is winning, as it better suits the technocratic elites in power here. This model enables them effectively resist the claims of NPOs to enforce their advocate (political) function in society. On the other hand, although the technocratic pragmatism makes NPOs perceived by the political elites as not legitimate opponents in the fight for power, it is not against quiet, but very broad cooperation at the level of „sub-politics“ (Beck 1994), i.e., in the area of providing services in particular at the regional and local level.

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<sup>22</sup> In this respect, a really very instructive polemic between Václav Havel and Václav Klaus in Czech Republic (Pithart 1996)

<sup>23</sup> The Czech Republic makes no exception, where the civil society prevented the strongest political parties gaining the direct control of the public-owned television (at the turn of 2000 and 2001), but in the long run is not able to effectively mobilize its strengths and resources to pursue their view of democracy.

Nevertheless the technocratic style of governing caused that the political and civil elites started to largely depart from one another.<sup>24</sup> The communication among them is not sufficient. NPOs in all post-communist countries in Central Europe feel a lack of contacts with political parties.<sup>25</sup> These would typically take place merely on the basis of personal contacts and not within negotiated and to the public open programs and projects. This selective method of communication would often give cause to suspected cronyism, people tend to accuse the old, (traditional) NPOs of. The cartel and technocratic style of governing ended up in a situation, when the nonprofit sector is not a strong enough counter-player to political parties (contrary to the situation in advanced, western democracies). The departure of political parties from the civil society meant eliminating the control mechanisms of their activity the weak NPOs managed to have formed. Political parties happened to be in a situation when they can effectively limit only themselves (reciprocally). But self-limitation is not one of their strong points. The cartel symbiosis even directly encourages them to exceed democratic norms of political behaviour. In the opinion of Petr Pithart, thanks to their party spirit and corruption, political parties take more for themselves in the democratic system that they should have right to: „...they put their people where there should be professionals positioned, in other words, politicise the state administration. They make the state administration be obliged to them, as they bribe it: they allocate more money to the towns, where they have their own mayors or local governments. They place state orders (and also loans/credits and guarantees of the banks they control, contributions from the funds, where they have the main say) where they can expect support. ... And they generally strengthen the state, because the state, it is actually they, the ones who are in power at the moment.“ (Pithart, 2002).

Table No. 1

<b>CORRUPT POLITICIANS, BUREAUCRATS AND ENTERPRENEURS CREATE NETWORK AND SUPPORT EACH OTHER</b>		
ROW %		definitly/rather agree
1.	Poland	91%
2.	Slovakia	91%
3.	Hungary	81%
4.	Czech Republic	77%

Source: GfK Praha, 2003/2004.

Table No. 2

<b>WE LIVE IN A CORRUPT STATE</b>			
ROW %		definitly/rather agree	
		2001*	2003**
1.	Poland	51%	92%
2.	Slovakia	84%	83%
3.	Hungary	64%	72%
4.	Czech Republic	53%	64%

\* Source: GfK Praha, 2001.

\*\* Source: GfK Praha, 2003/2004.

<sup>24</sup> E.g., in Czech Republic we can even speak about the „split of elites“ into political and civil (Machonin, Tuček 2002: 34), resulting in generally weakening the legitimacy of elites in society.

<sup>25</sup> See, e.g., Wygnański 1995, Gliński 1999, Bútorá 1995, Frič 2000.

Without the effective and permanent control from the civil society, political parties face a threat of degeneration to corruption cronies. The data of the international research survey on the corruption climate in the postcommunist countries indicate that something like that to a considerable extent has already happened. (Frič 2001)

**d) *Decrease in trust of the population in democratic institutions***

The negative effect of the above described technocratic style of governing was currently intensified by failures in implementing the economic reform,<sup>26</sup> and left its visible marks in the attitudes of the public to political parties and democratic institutions in general. The population of the postcommunist countries in Central Europe soon after the change in the political regime got an impression that politics is being done behind people's back (Kolarska-Bobinska 1990: 280), that new elites are recruited on the basis of friends (cronies), bribes<sup>27</sup> and backstage manoeuvring rather than according to professional performance (Siegel and Yancey, 1993: 17). The arguing elites (Kolarska-Bobinska 1990: 278), all kinds of scandals of prominent politicians and egoism of political parties resulted in undermining the legitimacy of new, democratic institutions in the eye of the public (Miháliková 1996: 172-3). Again there emerged the well-known „anti-party sentiment“ (Fink-Hafner 1996) inherited from the time of communism, which was reflected in a decline of public trust in political institutions, declining party identification and failure of political parties to represent social interests. The outcome of all of that is civil passivity, or, lack of activity of people towards the tasks of the time (Kolarska-Bobinska 1990: 279) and a heavy tendency to personalize politics, i.e., orient to political celebrities rather than to programs of political parties.

Jadwiga Staniszkis called the combination of a rising level of distrust in democratic institutions, inclination to the government of firm hand in the system of one political party and growing social apathy the „Weimar syndrome“ (Staniszkis 1981: 167). As known, this syndrome is lethal to young democracies. That is why the issues such as „strengthening the representation of interests“, „deficit of representation“ (Plasser and Ulram 1996, 18), problem of „democracy embeddedness“, or „compensation for democratic deficit“ (Deakin and Taylor 2001) have slowly but surely be coming back not only to social sciences publication, but to political discourse in the postcommunist countries in Central Europe. It means that the idea of broader or robust democracy contained in the ideology of civil society is not dead, but far from it, becoming more important when most of political parties may not openly admit, but at the practical level (where it suits them), actually follow it and minimally intensely consider improving co-operation with NPOs. They have to, also because of growing importance of NPOs in the life of society and relatively high trust these organizations enjoy among the population.<sup>28</sup> Moreover, they must do so under the pressure of the regulations they should observe in relation to the process of their countries joining the EU.

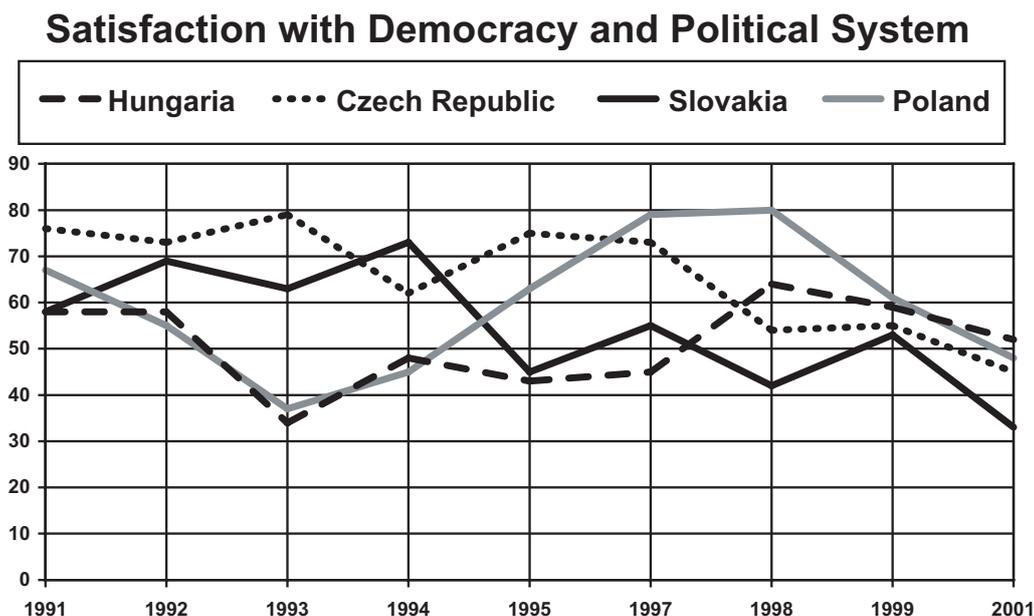
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<sup>26</sup> Klaus Müller in relation with problematic economic developments in the postcommunist countries in Central Europe even speaks about „transformation crisis“; in his opinion, it is mainly manifest in unemployment, social inequality and poverty. (Müller 2001: 236)

<sup>27</sup> „... the rich buy democracy; they always have done and they always will.“ (Miháliková 1993: 8)

<sup>28</sup> According to the results of EUROBAROMETER 2001 the population trusting political parties in the postcommunist countries in Central Europe ranges from 8% (in Slovakia) to 18% (in Hungary). But trust in charities varies in a much wider range: from 45% (in Czech Republic) to 57% (in Poland). In the countries – candidates to EU accession, on average 39% of people trusted NPOs on average, and a mere 13% political parties. And, e.g., in Czech Republic in 2001 three quarters of people more trusted NPOs than political parties. (Frič 2001a: 40).

Figure No. 1



Source: GfK Prague, New Democratic Baromet

## Public Policy and Nonprofit Sector

### a) Decision-making agenda

The re-birth and consolidation of the position of nonprofit sector in the postcommunist countries in Central Europe would not have been possible without substantial assistance from the official authorities, or the state. The effectiveness of NPOs functioning as social institutions depended on their decisions and legislative activities. Making right and timely decisions was not easy, for the decision making agenda of particular governments and parliaments was always under the pressure of different and often opposite tendencies. And that is why in individual cases of the decision-making agenda there were made several, not fully compatible, decisions. The decision-making agenda for deciding on the fate of NPOs was very wide in all the countries studied, but in principle could be summarized in three points, or dilemmas:

- 1) The choice between the tendency to build an adequate legal background for different NPO types functioning with an aim to as most as possible facilitate their development on the one hand, and that to keep NPOs existentially insecure and conveniently distant from the decision-making processes on the other hand.
- 2) The choice between the demanding restructuring of the system of public funding NPOs on the one hand, and keeping the current one when the state prefers conformist, old NPOs to problematic, new NPOs on the other hand.<sup>29</sup>
- 3) The choice between keeping „easy“ to control, state-maintained, nonprofit service organizations on the one hand, and opening a bigger room for competition, which would give greater chances to development of private NPOs to provide services in the areas such as schools, health care system and social care/welfare on the other hand.

<sup>29</sup> From the administrative point of view, the more conformist character of the old NPOs and the more problematic character of the new NPOs is typical mainly in the service not advocacy sphere.

None of the above dilemmas was absolutely definitely solved for the benefit of one of the opposite tendencies. In the first case all postcommunist countries in Central Europe did build a relatively solid legislative framework making it possible for the full spectrum of NPOs to function. But its building was not totally straightforward and did not go on without serious delays and inconsistencies causing serious problems in the life of specific types of NPOs. The building of the legislative framework lagging behind the developments in the nonprofit sector was, e.g., one of the major causes of spreading the negative image of NPOs in the public. It was most evident in the case of foundations, the legal regulation of which was at first very free and unclear and made their misuse possible.<sup>30</sup> The cases of misuse were medialized and used to doubt (discredit) the role of NPOs in the eye of the public. (Bútorá 1995: 22, Freiová 1994: 12, Leś 1994: 49, Leś, Nalecz and Wygnański 2000: 20, Stein 1994: 25-6) With the change in the legislative framework the situation calmed and the reputation of NPOs improved.

In the second case we should say that though on the one hand, in the last decade the state spent more (somewhere even much more) on supporting the nonprofit sector, but, on the other hand, the share of the state in funding the nonprofit sector is markedly lower in the postcommunist countries in Central Europe than, e.g., in Western European countries. (Salamon et. al. 1999). Moreover, the system of funding NPOs from the state resources has not really changed since the time of communist party governing, and in its lack of transparency favours cronyism and conserves some anomalies in the structure of nonprofit sector inherited from that time. (Frič 2000, Gliński 1999) E.g., the areas supported under communism such as sport, recreation and professional advocate organizations represent here a much more important part of the sector than in the West. It is typical that most of old NPOs are active just in these areas. New NPOs (founded after 1989) had to form their relations with the state administration and by their naming new problems, and not traditional methods of their solutions, disturbed the routine of administration machineries. The representatives of the state administration were not ready to this kind of situations and were not used to talk with different interest groups and organizations. (Potůček 1997) Even today, they have a tendency to act from the position of a monopoly supplier of social services. And so many new NPOs often were set up in conflict and sort of notwithstanding the government and state administration.

A relatively lower support of the state to the nonprofit sector in the postcommunist countries in Central Europe is connected to the solution of the third dilemma. The state a little opened the door for private business in the areas such as schools, health care and social care, but by the preferential treatment of the organizations founded by the state and active in these areas, it actually preserves their almost monopoly position. It means this dilemma is solved more for the benefit of the idea of strong state and tendency to centralism.<sup>31</sup> The state in the above areas (which in the West forms the core of nonprofit sector) spends money to support its own „state, nonprofit organizations“ rather than real NPOs. Until now, no government regardless of its ideological colour (or after long discussions, project preparations and timid, practical attempts) has managed to reliably solve the problem of „deetatization“ of public services. As a consequence, the nonprofit sector in the postcommunist countries in Central Europe is relatively small and NPOs have not yet managed to win the position they have in the West.

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<sup>30</sup> Eva Leś says, that fraudulent activities of so-called „fake foundations“ have created suspicion, and cast doubt on the reputation of all foundations in the region. (Leś 1994: 49)

<sup>31</sup> Eva Leś speaks about the method of solving this dilemma as „neo-etatization“ beating the principle of subsidiarity. (Leś 1999: 2)

**b) Lack of information, myths and inconsistency**

The ambivalent solution of the above dilemmas indicates the policy of the individual governments in the individual countries to the nonprofit sector is not entirely clearly-cut. A more detailed and long-term view of the developments in the relations between the government and NPOs reveals that in none of the countries tracked the policy of funding and legislatively ensuring the functioning of NPOs is actually of a consistent character (Bútora 1995, Frič 2000, Kuti, Králik, Barabás 2000, Leš 1999, Regulska 1999). As Eva Kuti points out: „In most Eastern European countries there are several explicit and implicit government policies influencing nonprofit organizations, and they often lack consistency.“ (Kuti 1999: 194) Moreover, as Kuti says, the practice of executing these policies at different levels of the public administration can be significantly different.<sup>32</sup> Also the policy of individual governments of different ideological colour and of those of the same orientation differs in time. Logically, the lack of consistency of the public policy to NPOs is not so much an outcome of changing ideological orientation of governments (representing various segments of society), but that of lack of professionalism and ad-hoc pragmatic solutions politicians accept under the pressure of different interest groups. The public policy is not guided by clear and firmly set principles, which would characterize the idea of the political representation about the role of nonprofit sector in society, about the method of its consolidation and about building the civil society. It is evident that none of the governing political representation has, so far, made out an integral concept of developing the nonprofit sector they would identify with. Until now, they even have not tried to systematically collect and master the relevant information about the issues of its development (consolidation).<sup>33</sup>

Lack of information the official authorities show is very dangerous for the nonprofit sector. It enables spreading odd myths about it, degrading its status in society. In the post-communist countries in Central Europe in the public discourse about the nonprofit sector there were combined two, so called, relict myths linked to two basic ideological streams having established on the post-communist political scene. The first one, born in the neo-liberal environment, believes the nonprofit sector is solely the sphere of voluntary and is utterly economically independent of the state and therefore the state subsidies to NPOs are the relict of the communist era. The other one, growing from the social-democratic ideology says that the welfare-state is an universal tool to solve social problems and NPOs are only the relict of the efforts of outdated, traditional societies to come to terms with their own problems. Therefore, they are perceived as an archaic method of tackling social problems, which in modern society can play at most the complementary function to the institutions of the welfare state. Also the nationalistic ideological stream played the myth-creating role concerning the nonprofit sector, as its representatives think that NPOs (above all foundations) are the Trojan horse of multi-national corporations, or other foreign “enemies of their national state”.<sup>34</sup> Obviously, some politicians contributed to the nonprofit mythology, who, e.g., saw in the nonprofit feature of NPOs their parasitic character (When nonprofit, they must live from the profit of others!), saw in it a threat of collectivism comeback and expected that NPOs would undermine the foundations of the emerging market economy. Not informed citizens and official authorities could easily give in these myths, and so we can hardly be surprised that Eva Kuti thinks that the lack of information about the nonprofit sector is „more dangerous and harmful than the occasional political attacks against it.“ (Kuti 1999: 194-5)

<sup>32</sup> E.g.,... regulation at the constitutional level can be significantly different from actual policy at the operational level.“ (Kuti 1999: 194)

<sup>33</sup> It should be added that the situation recently is going to be slightly better. See for example the support of the Czech government to creating the document: „Strategy for Development of the Non-Profit Sector“ (Frič et al. 2000), or the Hungarian government document: „Civil strategy of the Government“ (2002).

<sup>34</sup> E.g., in Slovakia at the time of Vladimír Mečiar government, even the state secret service (SIS) was involved in the anti-state (against Slovakia) activity of foundations. (Bútora et al 1995: 186)

In the situation when the desired data is unavailable and there is no interest in it, either, when all kinds of rumours about misusing NPOs are widely spread as well as myths about their position in society, and there is no clear concept, you cannot expect the public policy towards NPOs would resist the pressures of opposite tendencies and have a consistent shape. But why is it so? Where does the lack of interest of the representatives of political parties and governmental institutions spring from? The answer to these questions was already indicated in the prior analysis of building the political system and forming the style of governing. The verbally helpful but practically reserved and sometimes almost unfriendly attitude is a logical consequence of being aware of their own, specific party interests and chosen technocratic style of governing. The lack of consistency of the policy towards NPOs is thus an outcome of in reality very consistent attitude of political elites possible to be called party pragmatism, i.e., an effort to act in the election term as economically as possible.

**c) Partnership?**

Is this attitude of the government and party tops in the postcommunist countries in Central Europe the cause of the conflict between NPOs and public administration, or, is it co-operation that prevails? The answer is definite, co-operation is largely prevailing everywhere. (Frič 2000, Glinski 1999, Kuti 2000) With the exception of a short time during the Mečiar government in Slovakia, in fact in none of the countries studied the conflict in the relations between the state and NPOs played a dominant role. The concept of civil society as the vital power not standing against the state, but co-operating, gradually became strongly embedded among politicians, officials and general public. Can we therefore assume that there exists a partnership relation between the state and NPOs in this region? And when not, what kind of model of partnership relation do NPOs actually strive for? Most authors involved in analysing the functioning of NPOs in the region admit that the situation in the relations between NPOs and the state has improved in time, but do not think this relationship is a full partnership yet. Not even the representatives of NPOs would say it is, in spite of often admitting that in fact they themselves do not know or cannot agree on what the partnership relation with the state should look like. (Frič 2000)

According to Salamon and Anheier there exist in principle three functioning models of partnership. They called the first one „the German corporative model“, where several associations of NPOs formed a formal, cooperative body the government is obliged to consult with the questions in all main social areas. The second is called „the American model of interest groups“, which through lobbying gives individual NPOs major possibilities to influence the results of legislative process, but always, only in an ad hoc formally non-codified method. The third one could be called „the model of program cooperation“ and works in Great Britain. (Salamon – Anheier 1994: 104) We could say that old NPOs tend to prefer the corporative model, and new NPOs so far cannot agree whether the model of interest groups is better for the nonprofit sector, or that of program cooperation (which requires forming a joint, umbrella organization negotiating the goals and conditions of meeting the program by the state). Today, those closest to meeting their ideas about cooperating with the state in most of the countries studied, are old NPOs. Nevertheless, to both new and old NPOs applies that it is hard to enforce the partnership, even in spite of the pressures coming from the EU in the form of annual assessing reports. No one will allow doubting the principle of partnership in public, but in practice the governments of the postcommunist countries in Central Europe continue in overlooking NPOs „as meaningful social partners in service delivery and in formulating public policy agendas... „ (Leš 1999: 2) Acute is mainly the lack of formally guaranteed, program cooperation. „With very few exceptions, there are no legal regulations ensuring non-governmental organizations' participation in the process of drafting and passing administrative decisions, in process of formulating development objectives or mapping social needs ...“ (Glinski 1999: 18) And just the lack of program partnership leaves the cooperation between NPOs and the state „on benevolence or preference of officials“ (Glinski 1999: 18) and opens a wide space for cronyism (Frič 2000).

As Martin Bútorá noted the balanced and equal partnership between the state and nonprofit sector is hard to build in a country strongly affected by the tradition of state paternalism (Bútorá 1995: 20). The already mentioned indication of official authorities to centralism is derived from this tradition, the one slowing down the development of partnership relations mainly at the local level. The principle of subsidiarity has not yet become the firm part of political culture in the postcommunist countries in Central Europe. The official authorities verbally fully accept it, but their practical behaviour does not agree with that.<sup>35</sup> Often it is sheer formalism with no desired contents.<sup>36</sup> This is accordingly reflected in the activity of local government. In spite of really very wide cooperation with NPOs<sup>37</sup> its representatives „... often do not understand the role played by NGOs, and NGOs often perceive local government actions negatively, feeling that they are being used instrumentally.“ (Regulska 1999: 187) In time, on both the parties there emerged negative stereotypes of the other one. NPOs often perceive official authorities as bureaucrats not serving the public but the state. On the other hand, the representatives of NPOs are in the eye of local government authorities sometimes only naïve amateurs (or even extremists), who make them unnecessarily more busy (Frič 2000: 54-7). In several last years we can observe a positive trend to overcoming these negative stereotypes. However, it is a very slow process and facing many barriers (Gliński 1999: 23-24). One of them is the mutual lack of information about the functioning of democracy. The local authority representatives do not know the role NPOs play in the expanded democratic system and no nothing about the possibilities of social participation techniques, direct democracy and civil consultations. On the other hand, the representatives of NPOs do not know how the local authority mechanisms operate or which legal regulations are valid in the area (Gliński 1999: 25).

### **Consolidation of nonprofit sector**

The above reveals that the political developments in the postcommunist countries in Central Europe after 1989 had the cardinal effect on the fate of nonprofit sector in this region. Unfortunately, the consequences of this effect on NPOs were not always only positive. The political culture here did not develop that rapidly, as it was necessary to solve the urgent problems of social transformation. Political decision makers were and still are afraid of letting NPOs enter into the (sub)politics, consistently enforce free competition in public services and cancel the cronies relations with old NPOs. And the reason why is that it suited their narrowly conceived party interests. The often declined „lack of political will“ to solve the current problems of NPOs is just the euphemism helping cover the real face of the postcommunist politics. The incriminated „lack of political will“ is not a consequence of inability of politicians to cope with demanding task they set up themselves. It is a logical consequence of the common method of executing the politics in this region. We should openly say that in the relationship to the nonprofit sector, the “big politics” failed! It does not sufficiently meet its role of the facilitator of its development. The fact that the nonprofit sector is in crisis, or, in several crises at once (as described by Eva Kuti),<sup>38</sup> or that it run into the limits of its inner development (as mentioned by Polish authors)<sup>39</sup> is not only the question of its in-house problems caused by the representatives

<sup>35</sup> „... subsidiarity principles are not rooted in the Hungarian political culture. They are imported, they represent an attractive element of the recently developed vocabulary which fits, in best case, in the ideology, but not in the behavioral patterns of the government.“ (Kuti 2000: 30) „At current principle of subsidiarity is rather a part of the democratic rethoric than real vehicle of social welfare reform.“ (Leś 1999: 1)

<sup>36</sup> „When some tasks of the state administration were transferred to towns and local governments, that is, formally beyond the reach of the state power, the new holders of authorities and power were not ensured enough money to be able to execute their competencies.“ (Bútorá 1995: 20)

<sup>37</sup> See Frič 2000: 35, Gliński 1999: 22-23, Kuti 2000: 26-7, Regulska 1999: 186.

<sup>38</sup> In relation with the countries of Visegrad four speaking about fiscal, economic, effectiveness, identity and legitimacy crisis. (Kuti 1999) See also Hungarian Country Profile in this volume.

<sup>39</sup> See: Leś, Nalecz, Wygnański 2000: 21.

of NPOs as such. It is mainly a consequence of long time dragging problems of the effectiveness of the outer framework functioning (primarily funding and legal regulation of the life of NPOs), the „treatment“ of which through state institutions is just in the job description of the political sphere. It was the state controlled by the communist party, which robbed the nonprofit sector of the most precious values: tradition, authenticity and property. Today the state controlled by the democratic elites is condescendingly boasting about its annually contributing a not small amount to the development of nonprofit sector out of the state budget, even though it is only a fraction of what the nonprofit sector could have got out of its own resources, had the state not robbed it of them half a century ago.

There is no doubt that after the long time of non-organic development the nonprofit sector needs to consolidate its position in society. In my opinion there is also no doubt about „the lack of political will“ causing a serious delay in the nonprofit sector consolidation. The question is how to do it to find enough of political will to solve the problems of nonprofit sector. It would certainly be naïve to expect that political parties would recognize on their own the importance of the need to consolidate the nonprofit sector. The only way how to do it is to try, using the inner strength, to overcome the „crisis of identity“ of nonprofit sector and materialize the vision of its changeover into the social actor able to defend their own interests. It means that the nonprofit sector must be able to conceptually prepare, organize, facilitate, coordinate and moderate the changes inside its own self. At the same time it will be necessary to reconcile the efforts of many individual NPOs, their branch or regional groups, coalitions, associations or umbrella organizations so that they would work in synergy. To act as the social actor means formulating and defending own interests through joint activities of a bigger number of NPOs. Without that the identity of nonprofit sector remains inconsistent and the sector as a whole is not able to act as the partner not only at the central social level, i.e., mainly towards the government, ministries and parliament, but also at the regional and local level.

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