

Reconceptualizing the State: Lessons from Post-Communism

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The (re)building of the post-communist states offers new perspectives both on the state and on the multiple transitions that followed communism. Specifically, it shifts our analytical focus from states as consolidated outcomes and unitary actors to the process by which states come into being and into action in the modern era. This process consists of elite competition over policy-making authority, which is shaped and constrained by existing institutional resources, the pacing of transformation, and the international context. The four ideal types of state-building that result are exemplified by the post-communist experience: democratic, autocratic, fractious, and personalistic.

One of the more curious, and persistent, missed opportunities in comparative politics is a productive dialogue between scholars of post-communist transitions and of the state. In their analyses of the rapid transformations that followed the collapse of communist regimes after 1989, scholars of post-communism have focused on the triple transition from Soviet rule: the transformation of the polity, economy, and civil society. Increasingly clear and divergent trajectories began to

This article and the other articles in this special issue were first presented at the Conference on State-Building in Post-Communist States: Toward Comparative Analysis, Yale University, April 2001. We would like to thank the Yale Center for International Studies for funding and supporting the conference and Margaret Levi and Elizabeth Kier for supporting our compilation of this special issue. For their helpful comments on earlier drafts, we would like to thank Hilary Appel, Keith Darden, Grzegorz Ekiert, Venelin Ganey, Elizabeth Kier, Margaret Levi, Ellen Lust-Okar, Elizabeth Perry, Paul Pierson, Regina Smyth, Valerie Sperling, Richard Snyder, Lucan Way, Erika Weinthal, and the participants of the Comparative Politics Seminar at Harvard University.

POLITICS & SOCIETY, Vol. 30 No. 4, December 2002 529-554
DOI: 10.1177/003232902237825
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emerge, and scholars focused on political parties and party systems, economic privatization and emerging market structures, and popular mobilization and the rebuilding of civil society.¹ These analyses of the complex processes of political, economic, and social change contributed enormously to both our theoretical and empirical understanding of regime transformation.

Yet, they largely overlooked a common denominator across Eastern Europe and the former Soviet Union that is central to the transition—the need to reconstruct public authority, or state-building.² Instead, many scholars assumed that the state framework was similar to that found in many of the developed democracies of the West: a stable and largely unchallenged administrative network. The widespread assumption was rather that these states were *overendowed* with state structures. The prevailing view of the communist state as a behemoth spurred appeals for reducing its size and scope—that is, for state-dismantling rather than state-building.³

At the same time, theorists of the state have tended to ignore the dramatic changes in the post-communist state and the ways in which it challenges existing accounts of the state. For example, post-communist states are taking decades, rather than centuries, to create the legal order; the centralized and impartial bureaucracy; and the networks of security, redistribution, and market regulation that characterize the modern state. These processes are still unfolding and have not reached a stable end point. In contrast, much of the literature on the state has focused on the gradual and evolutionary development of state structures and functions and examined them as consolidated outcomes.

Thus, both scholars of post-communism and of the state have much to gain from a dialogue between these two literatures. On one hand, the post-communist experience suggests important ways to refine the existing literature on the state. Above all, if the rich body of state-centered literature has shown us what the state *is* and what it *does*, the post-communist experience has much to tell us about how the state *becomes*—that is, how it comes into being and into action in the modern era. On the other hand, not engaging the state literature has led scholars of post-communism either to overlook or to fail to specify many of the direct links between the processes of state-building and the “triple transition” from communism. Scholars have sought to explain the variation in political, economic, and social change, for example, in terms of macro-structural conditions such as the level of economic development, geopolitics, and even the degree of “stateness,” but have not focused on the micro-causal processes that underlie these transitions.⁴ This lack of engagement has left unexplained the variation in the types of post-communist states that have been emerging over the past decade: from democratic states in Poland, Hungary, and the Czech Republic to an autocratic state in Russia; personalistic states in Turkmenistan, Uzbekistan, Kyrgyzstan, Kazakhstan, and Belarus; and fractious states in Tajikistan, Moldova, Bosnia, and Armenia.

Therefore, our aim in this article specifically, and in this special issue of *Politics & Society* more broadly, is twofold: to reassess and refine the literature on the state in light of the post-communist experience and to shift the analytical focus of the study of post-communism from “transitology” to state formation. We begin by elaborating on the key features that make the post-communist state-building process distinct and, thus, lead us to challenge previous accounts. This process is (1) rapid, taking place over decades rather than centuries, and as yet has not reached a stable outcome; (2) dominated as much by informal structures and practices as by formal institutions, which are used to varying degrees by both actors seeking to establish their authority and those seeking to resist this authority; and (3) influenced by unique international pressures, such as the pull of the European Union and the demands of globalization. In the following section, we offer an alternative to analyzing states as consolidated outcomes. We propose instead to focus on the *processes* of state formation, which we define as *elite competition over the authority to create the structural framework through which policies are made and enforced*. Both the kind of elites that compete and how they compete are products of constraints fostered by the interaction between domestic institutional legacies and the international setting. The resulting configurations of elite competition, in turn, produce four ideal types of state-building that are exemplified by the post-communist experience: democratic, autocratic, fractious, and personalistic. Finally, we conclude with the implications that our focus on elite competition, pacing, and international pressures has for the study of institutional transformation and regime transition.

RECONCEPTUALIZING THE STATE IN LIGHT OF POST-COMMUNISM

Since existing theories of the state have developed largely from the study of the West European experience, they share several key assumptions. Many of these assumptions have been challenged by subsequent attempts to apply this literature to the developing world, yet they continue to be applied. Others remain uncontested. The post-communist experience both offers a more comprehensive set of challenges and reveals the key constraints that shape the state-building process.

First and foremost, most of the scholarship on the state begins with the premise that the object of analysis—the modern state—already exists as a relatively fixed and consolidated entity. In keeping with the emphasis on outcomes, many theories of state formation take as their analytical focus the consolidated structures of the state and then infer the processes that gradually led to these outcomes.⁵ Similarly, theories concerned with how (and how well) the modern state functions—that is, class, pluralist, and elitist—are based on a view of the state as an established entity. While they differ markedly in their depiction of the state as either an instrument of the bourgeoisie;⁶ a mediator between broad interests groups;⁷ a set of cen-

tralized, cohesive, and autonomous decision-makers;⁸ or a revenue-maximizing ruler,⁹ they all share the assumption that there exists an identifiable set of actors and/or institutions that exert legitimate authority over a given territory.¹⁰

As is the case in many parts of the developing world, however, the post-communist states are neither stable nor consolidated.¹¹ Their state-building processes are ongoing and dynamic; although distinct patterns are evident, they have not yet reached a stable end-point. Thus, the resulting states could become disengaged from society and its demands; evolve into patrimonial networks held together by personalistic rulers; or increasingly constrain themselves with legal-rational structures, popular sovereignty, and adherence to international norms. Moreover, even though the transitional period began a little over a decade ago, some of these states have already changed their outward form more than once. Several post-communist states, for example, have already changed course from emerging democratic states to increasingly personalistic (e.g., Belarus, Kazakhstan, Slovakia until 1998) or fractious states (e.g., Bosnia, Tajikistan), while others have moved in precisely the reverse direction—that is, from personalistic to democratic states (e.g., Serbia). As we argue below, structural resources can either subvert or sustain initial strategies of elite competition. Assuming these states have reached stable outcomes is therefore neither justified nor illuminating. Rather, a focus on the *processes* by which these states transform and develop can tell us much more about the nature of the post-communist state, and states in the developing world more generally, than employing static measurements of outcomes and causal factors.

Second, the view of the state as an established actor often led to the assumption that it is also a unitary actor. While this view is increasingly challenged, both by scholars seeking to “bring people back into the state,”¹² and by those studying the developing world,¹³ the image of the state as a coherent and unitary actor pervades the literature. For example, the use of “autonomy” and “capacity” to describe and evaluate the state presupposes a unitary, distinct, and intentioned actor. They suggest an anthropomorphic conceptualization of the state as a political agent that could deliberately formulate coherent goals and would then act to implement its policy preferences, subject to the thwarting or resistance of other (usually societal) actors. In the “statist” literature in particular, the state was frequently evaluated on the basis of its ability to make decisions autonomously from various social forces and its capacity to actually implement these decisions across the territory it governs.¹⁴ Similarly, despite their rejection of the state as either a fixed political unit or a unitary actor, scholars of the developing world have commonly operationalized the state as a specific institution or actor and evaluated states in terms of their strength and weakness, which are functions of the state’s ability to effectively make and implement policy throughout the territory under its control.¹⁵

Yet the post-communist “state” cannot be appropriately described—either analytically or empirically—as a unitary or intentional actor. It is undergoing a

process of formation that is characterized by multiple actors, domestic as well as international, who are staking out claims to public authority. Oligarchs, political parties, and presidents on one hand, and international financial institutions or regional trade associations on the other, all have access to the nascent state structures and exert considerable pressures on the processes of state formation. No one single agent has uniform influence or authority across all state sectors, and state action is neither centralized nor coherent. The emerging states in the post-communist world, therefore, are best characterized as having multiple centers of authority-building, each with different sectoral capabilities and degrees of influence. Those actors who control sectors that are economically significant, such as natural resources and manufacturing crucial to the country's exports, often wield considerably more influence in the state-building process than actors who control less vital sectors.

Thus, post-communist state-building reinforces the more recent efforts to disaggregate the state analytically into actors at various levels of decision-making and administration.¹⁶ It also suggests, moreover, that the institutional location of these actors cannot be assumed but, rather, depends on the particular starting points of a given country. Whereas military elites have exercised a considerable degree of influence over the state's development in Western Europe as well as the Middle East and Latin America,¹⁷ for example, leaders of emergent financial industrial groups (FIGs) have had a much greater influence on political and economic change in Russia since 1991 than officers in the decaying Soviet armed forces.¹⁸

A third and closely related assumption in most analyses of the state is that a clear boundary or distinction between state and society exists—analytically, if not empirically. Theories of state formation, for example, argue that the chief ambition of state builders is to establish and/or maintain a clear boundary between what constitutes the state and what constitutes society, while theories of state function take for granted the existence of such a boundary.¹⁹ In fact, the implicit assumption of a clear boundary between “the state” and “society” underlies functionalist²⁰ as well as constructivist²¹ definitions of the state. It also pervades the literature on states in the developing world, which often emphasizes the role of society in hindering or facilitating the development of an effective state.²² Even the work of scholars who deliberately problematize the notion that states and societies can be evaluated as wholly separate entities is not immune. In these accounts, the state is treated as an agent that voluntarily situates itself within society in an attempt to transform society or achieve its policy objectives (most notably, economic growth).²³ Recent advocates of a more explicitly “state in society” approach have advanced a more balanced view of state-societal relations in which their interaction is treated as recursive and mutually transforming as well as potentially empowering. Yet states and societies remain depicted as separate and competing entities engaged in the struggle for domination.²⁴

The often blurred boundary between state and society in the post-communist context thus offers another corrective to the state literature. On one hand, an integral part of the communist state-building project was to develop a ruling apparatus that was clearly separate from and superior to society in order to establish and maintain a legal-rational order. On the other hand, communist leaders armed with the vision of creating a heroic-Leninist state purposefully blurred the distinction between state and society in both their rhetoric and policy efforts.²⁵ In either case, success was only partial; while Soviet leaders succeeded in obfuscating state-societal boundaries in the Soviet Union, they were unable to erase the preexisting distinction between states and societies in most of Eastern Europe.²⁶ The result is a crucial difference in the amount of space reserved for society to organize independently of the state in the Soviet successor states versus their East European counterparts. Moreover, in contrast to Western Europe, where clear boundaries between state and society (or at least widespread perceptions of these boundaries) appeared gradually, not enough time has transpired for a clear distinction between “state” and “society” to emerge and consolidate.²⁷

We cannot assume, then, that there exist state actors or organizations that are either clearly separate from social ones or even widely recognized as such. Nor can we assume that these distinctions exist to the same degree across the post-communist context. Indeed, it is this variation itself that suggests another key starting point for state formation that has been obscured by the focus on social structure as either hindering or facilitating the state’s ability to effectively dominate society. Whether or not society is organized into autonomous units has an effect on the development of the very state structures that attempt to exert control over society.

Finally, the analytical focus of the early state literature was on a common set of formal institutions that emerged over centuries, including constitutions, parliaments, and especially bureaucracies. Subsequent scholarship has largely duplicated this focus on formal institutions, both inside and outside of the West European cases.²⁸ Such formal practices and structures consist of the official, written-down rules, contract enforcement, extraction and redistribution, and the designated organizations that serve and enforce these rules. Informal practices and structures, in contrast, occur outside of these channels. They are neither codified nor sanctioned officially, consisting instead of shared understandings rather than formal rules, personal agreements rather than legal contracts, or organizations without necessary legal recognition or legitimate power that can nonetheless serve as the basis for extracting and allocating resources.

While existing accounts do not completely ignore the role of informal structures or practices in state-building, they are chiefly concerned with the formal outcomes that eventually emerged. This is understandable since this literature developed primarily to analyze state formation in Western Europe, which began with the elite extraction of resources from the populace for the sake of building armies

to defend or expand their territory and gradually evolved into the centralized state administrations and legal-rational bureaucracies we now view as characteristic of modern states. Thus, these formalized structures were often the only visible ones. Since centuries have passed, we know much more about the formal institutions than about any informal practices and structures that, in contrast, left little historical record. Given their analytical and empirical salience, moreover, it is not surprising that the differences among these formal mechanisms explained much of the variation in West European state outcomes.²⁹

In the post-communist world, however, change is rapid and characterized not by the development of formal institutions alone but by the recombination of the formal and the informal.³⁰ In contrast to earlier West European states, post-communist state-building builds on existing formal state structures. As in the developing world, in many cases the starting point is not the absence of centralized administration but the existence of an extensive and politicized state apparatus, which had both infrastructural and coercive power at its disposal for well over five decades.³¹ The post-communist state also inherited an intricate and robust set of informal structures and practices utilized by political elites, factory managers, and ordinary citizens alike, which have survived the collapse of communism.³² While scholars of the developing world have recognized that the formal structures of colonialism shaped the subsequent state-building process,³³ the post-communist experience illustrates that *both* formal and informal legacies act as important constraints on state formation because they constitute the primary resources available to elites competing for authority. The rapidity of post-communist state-building, moreover, serves to reinforce the effect of these legacies. The fact that the post-communist state is being hastily rebuilt in years, not built anew over centuries, makes this state-building project more akin to *bricolage* than to building up the state brick by institutional brick. Competition between well-placed elites is thus all the more constrained by the availability and configuration of formal institutions and informal practices.

The rapid nature of post-communist state-building also serves to privilege elites participating in the initial stages of the transition and their actions. For example, the same elites who create the initial legislative framework stand to function within and benefit from that very framework. These elites will thus have a direct influence on both who has access to power and how it is exercised.³⁴ This suggests that state-building and regime transition are simultaneous and possibly convergent processes. Yet rather than examining the interaction between the two processes, the literature to date on the state, regime transition, and post-communism has largely chosen either to treat them as wholly independent phenomena or to conflate the two.³⁵

At the same time, post-communist state-building is taking place in an international arena that is replete with other states as well as templates for statehood. This process is complicated by international actors, who are playing a much more

direct role in the formation of formal political and economic institutions, and the pressures of globalization. Those making institutional choices thus face not only greater time constraints but also more intense international scrutiny. In contrast to previous episodes of state-building, international influence has not only become more acute, but it has had a profound effect on the very nature of state-building by changing the formal institutional requirements for becoming a full-fledged member of the international system. Medieval West European state-builders faced external pressures to build strong armies and to establish stable taxation systems.³⁶ In these earlier episodes of state-building, the international context reified existing state structures—security and economic alliances formed among states, but these coalitions assumed little life or legitimacy of their own, apart from their constituent states. Alliances, agreements, and conflicts occurred *among states* qua states, rather than with international organizations with no specific national mandate. There were no supranational, tightly linked, and coordinated agents that could adjudicate or direct state action. As a result, prior episodes of state-building had to *react* to the international context but not necessarily to *comply* with its demands.

In the post-cold war period, in contrast, such organized, active, and supranational agents are the norm.³⁷ State-builders have thus been subjected to direct pressure in the form of international consultants, financial institutions (e.g., International Monetary Fund [IMF], World Bank [WB]), and aid organizations (e.g., United States Agency for International Development [USAID], Technical Assistance for the Commonwealth of Independent States [TACIS], and Western nongovernmental organizations [WNGOs]), to craft particular political and economic institutions according to “international standards.”³⁸ The emphasis is no longer on the ability to defend one’s borders, which demands both military and extractive institutions, but on the ability to compete economically, which often mandates certain representative as well as market institutions—that is, institutions consistent with a democratic political system, a market economy, and free trade that provide stable property rights and constrain predatory rulers.³⁹ Nonetheless, countries facing the same degree and form of international pressure may respond in different ways, because their starting points differ markedly.⁴⁰ For example, the international pressure to democratize can encourage elites to build institutions, such as electoral rules and parliaments, that are formally democratic and yet consistently and deliberately undermined by dominant informal practices.⁴¹ Moreover, where no previous societal mobilization occurred, such international efforts are likely to fail. They may even backfire by undermining popular support for further political liberalization where democratic institutions prove to be a mere façade.⁴²

In sum, the post-communist experience both suggests the need and provides the opportunity for reconceptualizing state formation to refocus our comparative analysis. Rather than depicting states as static and consolidated outcomes or uni-

tary actors and concentrating on the emergence of formal structures, we develop a dynamic model of state formation as *elite competition over the authority to create policy and policy-making institutions*. We thus explicitly shift the focus away from explaining the formal outcomes of state-building to illuminating the configurations of elite competition that lead to different state-building processes. These processes are distinct because they vary depending on the interaction between domestic starting points, which serve as the main constraints on elite competition, and the pacing and international pressures that reinforce these starting points.

STATE-BUILDING AS ELITE COMPETITION

In shifting the analytical focus from the outcomes to the processes of state formation, we define these processes as *elite competition over the authority to create the structured framework of policy creation and implementation*. The structures of the state are thus the product of elite competition, even if this outcome is not intentional. Strategies of elite competition are influenced by the existing institutional resources available to the elites and the opportunities and constraints they provide. External factors, such as the pacing of the transformation and the international context, reinforce these opportunities and constraints. In the post-communist setting, these institutional resources are found in continuities with the previous regime. Two institutional legacies in particular—whether society is voluntarily organized and whether a central state apparatus exists—shape elite competition. As we will see, the rapid pace of the transition reinforced the reliance on existing institutional resources, while the international context promoted the rise of formal institutions in certain settings.

The sections below first examine the constraints on strategies of elite competition, how they arise and how they play out in the post-communist setting, and then demonstrate how the interaction between these constraints gives rise to a typology of state-building.

Elite Competition and Its Constraints

If state-building is competition, the main competitors can include a wide range of domestic individuals, groups, and organizations (e.g. mafiosi, oligarchs, political and economic elites, traditional leaders, criminal syndicates, interest groups, social movements and political parties, economic and social networks), and international forces (including other states, international organizations, and military or economic alliances). While any one of these competitors could win the struggle for authority, the likelihood of victory differs for each. Individuals, groups, or organizations with initial access to economic, political, and/or ideational resources, for example, have a distinct advantage.

Generally, two resources shape and constrain elite competition: the agents to whom the competitors are accountable and the institutional means through which

competition takes place. The existence of agents to whom elite competitors are accountable will determine *who* competes—that is, whether rival elites are representative or self-contained. Democratic constituencies can be both a source of electoral support and a constraint on the scope of elite action. The existence of dominant institutional structures determine *how* elite competition takes place—that is, through formal channels or informal networks.

In the case of post-communist state development, these constraints on elite competition are a direct legacy of the previous authoritarian regime and the state structures developed under communism. Specifically, they consist of the degree to which society could organize independently of the state and the existence of a central, formalized state apparatus under communist rule. These two starting points shaped the kind of elite competition that resulted in the variation we observe in post-communist state-building processes.

Representative versus Self-Contained Competition

The voluntary organization of society into distinct and discernable groups before the start of the state-building process creates potential constituencies and thus increases the subsequent likelihood of *representative competition*. Crucial to this organization is the degree of distinction between state and society—the more the communist state succeeded in blurring this distinction, the lower the opportunity for popular dissent and mass mobilization both during and after independence from Soviet rule. Societal mobilization and organization is thus a manifestation of the earlier state-society distinction.

Voluntarily organized social groups offer a strong incentive for entrepreneurial elites to serve as their representatives because they can provide a ready-made basis for political support. The mechanisms by which prior mobilization is likely to translate into subsequent representative competition are twofold. First, they function as potential constituencies, reducing the barriers to mobilization. Second, the presence of explicitly organized social groups can also compel elites to recognize the fact that their own political success (and, consequently, the failure of their rivals) depends on winning (and maintaining) the favor of such groups. Thus, as Venelin Ganey suggests, popular mobilization can act as an effective check on elite behavior.⁴³ Self-contained elite competition that is neither accountable nor responsive is likely to be thwarted by a society that had mobilized previously to protest precisely this sort of disengagement. This is the case whether society is organized on the basis of economic interests and policy preferences or ethnic identities and kinship ties.⁴⁴

The more society had voluntarily organized prior to the start of state-(re)building, the more likely are elites to *represent* these constituencies and remain accountable to them. Such representative elites compete on behalf of a popular constituency in whose interest they seek to establish authority. They may be recognized leaders of political parties and social movements, of distinct tribes

and other ethnic groups, or of territorial units. If the transformation is slow enough, entrepreneurial elites may even *create* their own constituencies, but rapid transitions impede their ability to mobilize from scratch. In contrast, *self-contained* elites compete only amongst themselves to establish their authority, with little reference or appeal to outside groups or constituencies and no explicit or organized social support base.

How does this process play itself out in the post-communist context? Under communist rule, societal mobilization and the opposition to the communist project were articulated in very different ways: from the mass popular mobilization of Solidarity in 1980-81 in Poland; to the committed, but miniscule, *samizdat* networks of dissident intellectuals in the Russian Soviet Federated Socialist Republic (RSFSR); to a largely quiescent society in the Central Asian republics.⁴⁵ When communist regimes collapsed, these previously organized societal groups were ready to be tapped in many East European countries but exacted representation in exchange for their support. Conversely, in many former Soviet republics, they either did not exist or were dependent upon an extensive system of state-based patronage. As a result, they could influence but not effectively constrain elite behavior.

We thus observe representative competition in those states where a clear line emerged between the communist party state and its subjects that allowed mobilization by society on its own behalf, including Hungary, Poland, the former Czechoslovakia, Slovenia, and the former Baltic republics. These countries have a common history of communist rule imposed on previously independent states, which fostered an antagonistic relationship between rulers and ruled and, thus, served to reinforce this state-society division. Where the boundary between state and society was blurred under communism and, hence, former ruling elites did not face mobilized opposition, as in Russia and many of the other former Soviet republics, we find self-contained competition.⁴⁶

Competition via Formal Channels versus Informal Networks

Strategies of elite competition are also shaped and constrained by the available institutional structures or channels through which they can compete for policy-making control. As noted earlier, such structures can be either formal or informal—codified and depersonalized or discretionary and personalized, respectively. Rapid pace of transformation bolsters the incentives to use the extant structures to which the elites have ready access: with no time to build new channels of competition from scratch, elites will rely on the relatively robust ones that already exist.

Thus, if a well-developed central state apparatus already exists, competing elites will rely primarily on formal institutions in establishing their authority over policy-making structures. This tendency is reinforced by the fact that the actors

who dominate the state-building process are often the same elites who occupied preexisting centers of power and so have ready access to these structures. The result is a greater degree of procedural predictability. A set of explicit guidelines and/or regularized events (such as party congresses or elections), for example, will govern elite turnover and succession. Similarly, official channels and designated agents or organizations (such as local governments and tax agencies) will be utilized to implement policies as well as to extract and distribute the bulk of state resources.⁴⁷

The same logic of reliance on existing institutions applies where elites have disproportionate access to strong informal power structures such as patronage networks. Informal practices of decision-making, policy implementation, and resistance to formal structures are characterized both by their lack of official codification and by their location outside of formal channels. When competing elites rely primarily on informal institutions, elite turnover and succession will not occur at regularized intervals. Unofficial channels and informal networks will serve as the primary mechanism for implementing policies and allocating resources. The result is decreased procedural predictability.

This is not to say that “formal” versus “informal” is the only possible distinction to make among the practices and structures used in elite competition.⁴⁸ Nor does it simply reflect the difference between democratic and communist institutions, since both “old” and “new” formal and informal practices coexist in the post-communist context and play an important role in rebuilding these states. Formal and informal mechanisms also reinforce each other—for example, elites who compete in regular elections can rely on personal networks to build political support, and informal conventions serve alongside formal structures to enforce contracts and regulate economic exchange.⁴⁹ The key question is which of these two mechanisms *dominates* elite competition and its subsequent impact on procedural predictability. Thus, this distinction allows us to distinguish the alternatives as elites often do: official channels versus informal networks.⁵⁰

Where post-communist elites inherited the central state institutions that previously governed their respective states, as in the Russian Federation and several Eastern Europe states (e.g., Poland, Hungary, and the Czech Republic), they had a much greater incentive (and opportunity) to establish their authority through these formal structures. This is illustrated by the extent to which elites fought over the control of these formal institutions. For example, in the Russian Federation’s first few years of independence, Boris Yeltsin launched two major political struggles—one to win the presidency and the other to dominate the parliament.⁵¹ Similarly, the struggles over the Constitutional Court in Hungary show the extent to which formal state institutions were the locus of policy-making authority.⁵²

The role of informal structures varied as well. Where formal state structures were more developed, informal institutions augmented the formal. Thus, in East Central Europe and in Russia, social and economic networks based on barter

between enterprises and individuals served primarily as a means of surviving both the political excesses and economic shortages of communism and, thus, were more useful tools for resisting than establishing authority. Where the central state apparatus was not well-developed, as in Central Asia and the Caucasus, however, traditional patronage networks developed under Soviet rule came to define the political and economic system itself.⁵³ This extensive system of patronage networks thus served as the basis for reestablishing public authority in several Central Asian states and, ultimately, allowed authoritarian regimes to consolidate power in Kyrgyzstan, Kazakhstan, Uzbekistan, and Turkmenistan.⁵⁴

Over time, as the state-building process continues, new forms of mobilization and institutional creation can arise. Previously repressed society may mobilize, and elites may deliberately build up formal institutions. In Russia, for example, President Vladimir Putin has steadily reversed the democratic reforms achieved in the early years of Boris Yeltsin's administration.⁵⁵ Moreover, as Regina Smyth's article in this special issue demonstrates, he has done so by deliberately strengthening formal institutions. A shift from informal to formal institutions as the primary means of establishing authority appears to be occurring in Belarus, for example, as Alexander Lukashenko, who launched (and won) a personalistic campaign for the presidency in 1994 (winning again, to no one's surprise, in September 2001), routinely takes over and converts formal laws and institutions to augment his authority and coerce popular compliance.

Conversely, with mass mobilization, representative elites can rise to the fore. Slovakia was transformed from an emerging democratic state into an increasingly personalistic one under Vladimír MeFiar's rule and his marginalization of political opposition. In 1998, however, the opposition minority mobilized enough votes to end his rule and his state-building practices. From 1998 to 2002, state-building processes took on a more democratic character. Serbia's experience since the presidential elections in the fall of 2000 also approximates such a shift in direction. Similarly, both Bulgaria and Romania moved from informal competition among weakly representative elites to increasingly representative competition as society mobilized and formal representative institutions arose in response to European Union (EU) and North Atlantic Treaty Organization (NATO) pressures.

Pacing and International Effects

Post-communist state-(re)building occurs both more rapidly, and under very different international pressures, than previous episodes. Both of these factors reinforce the constraints on and significance of early elite choices and, thus, reinforce the divergence in state-building processes. Rapid tempo privileges direct, intentional elite involvement and, ironically, existing institutional and cognitive shortcuts.⁵⁶ This is because rapid transformations entail information lags: there is simply not enough time to collect, transmit, absorb, and evaluate the "facts" about these changes as they occur. As a result, any potential societal mobilization both

has less time to organize and faces higher informational and cognitive barriers. Thus, whether society is already organized at the inception of state formation becomes all the more important in determining whether elites are self-contained or representative. In contrast, gradual state-building provides the opportunity for not one set of elites but several different sets of elites over time to have an impact on this process, allowing resistance to mobilize and build up and new competitors to enter as the process continues.

Similarly, the more rapid the process and more urgent the need to establish authority, the more tempting it is for elites to utilize institutions that are readily available. Elites simply do not have the luxury to invest in designing wholly new structures and practices or to fully dismantle existing ones. To the extent that they create new institutions at all, they are more likely to engage in recombination of old with new, albeit to varying degrees, as a way to reduce the inherent risk involved in the wholesale replacement of preexisting structures and practices. In contrast, the more gradual the state-building process, the more elites can afford to build anew and to experiment by introducing new institutional forms over time. Learning and diffusion effects can also take on a key role. In short, the faster the pace of state-building, the more powerful the legacies of the previous regime and state structures.

As a result, old and new institutional forms are combined, and often deliberately, by elites searching for strategic templates and resources. Old institutions not only continue to coexist with new formal and informal structures and practices but also are often intertwined. This “recombinance” thus comprises the simultaneous dismantling and rebuilding of state institutions. While analytically distinct, these two mechanisms often become blurred in practice. In some cases, new institutional forms substitute for old ones. The state administrative sectors associated with economic planning, for example, were eliminated after communist regimes collapsed. Instead, ministries of privatization, trade, and new central banks assumed the responsibility for regulating economic exchanges. In other cases, old institutions remain alongside new ones, supplementing their function. For example, in the initial stages of the transition, new laws and regulations were often “sewn on” to the old communist constitutions, as occurred in Poland and Hungary. Finally, some old institutions were “transplanted” into new settings and functions. Islam Karimov’s government in Uzbekistan, for example, co-opted the old village soviets to form *mahalla* committees, which continue to serve many of the former soviets’ functions as well as some new administrative and more traditional ones.⁵⁷

Recombinance can most easily benefit those who wield the new resources of the state. Elites in positions of power, for example, are as likely to use informal practices of surveillance, ostracism, and theft to subvert the intent of formal structures. Political elites can then pick and choose, using the law as a weapon to eliminate inconvenient political challenges and opponents.⁵⁸ The recombinance of

coercive resources from the old state has reached its acme (or its nadir, depending on one's perspective) in Ukraine, where President Kuchma utilizes the existing networks of surveillance and coercion to consolidate his hold on power.⁵⁹ At the same time, as Lucan Way argues in this issue, informal practices at the local level in Ukraine have undermined both the ability of the formalized structures of fiscal administration to function effectively and efforts to reform them.

International influence, on the other hand, is more nuanced. Specifically, international actors have a profound effect on the types of *formal* institutions that elites deploy.⁶⁰ Where strong incentives existed to follow international standards of political contestation in preparation for joining international alliances such as the EU, elites faced additional pressures to engage in representative competition. The result was not only the adoption of West European-style parliamentarism as part of the "return to Europe," but wholesale adoption of detailed laws. For example, East Central European candidates for membership in the EU have been adopting the *acquis communautaire*, the legal framework of the EU, in an almost automatic fashion. Where these incentives are weak, as in the former (non-Baltic) Soviet republics, elites can more readily self-contain their competition with little fear of relevant sanctions or hope of potential benefits. For example, the expectation of Russian leaders that their country is unlikely to ever be invited to become a full member of NATO or to join the EU enfeebles the demands of these two organizations that Russia democratize further.⁶¹ At the same time, the Commonwealth of Independent States (CIS) and the Association of South East Asian Nations (ASEAN) impose no such requirements on the former Soviet Union and Central Asian states, respectively.

A Typology of State-Building Processes

These configurations of elite competition produce four ideal types of state-building processes, each of which is illustrated by the post-communist experience: democratic, autocratic, fractious, and personalistic (see Figure 1). Specifically, the interaction between who competes and how they compete determines the degree to which elites and populaces both constrain and comply with each other's demands—the extent to which elite behavior is constrained vis-à-vis broader social forces and the level of "quasi-voluntary compliance" that can be achieved.⁶²

Where elite competition is both formalized and representative, elites face multiple restraints on their power: from other elites, from their own constituencies, and from the formal laws and institutions that emerge out of interelite competition. Formal institutions are used not to coerce, but rather to reinforce, restraints on elite behavior and to establish guarantees for losers.⁶³ Because elite actions are relatively transparent and codified—and thus accountable and predictable—populations willingly comply because they can both expect elites to provide pub-

WHO COMPETES

		Self-Contained Elites	Representative Elites
HOW THEY COMPETE	Primarily through Formal Channels	AUTOCRATIC	DEMOCRATIC
	Primarily through Informal Networks	PERSONALISTIC	FRACTIOUS

Figure 1. A typology of state-building processes.

lic goods and hold them accountable when they do not. The result is a state-building process that approaches the modern democratic state.

Thus, in the post-communist world, the combination of a prior state-society distinction and a centralized state apparatus has produced the nearly consolidated democratic states of the Czech Republic, Hungary, Estonia, Latvia, Lithuania, Poland, and Slovenia. Elites are highly constrained, and popular compliance with formal institutions is also relatively high. Faced with both competition among several sets of elites, including anticommunist opposition elites with popular backing and international recognition, and an organized society that could exert considerable pressure via strikes, elections, and media campaigns, elites were duly restrained from engaging in self-contained competition or circumventing formal institutions. This, in turn, encouraged a high degree of popular compliance. The virtuous cycle was reinforced by the emergence of relatively well-developed party systems to monitor elites and the consolidation of formal institutions to monitor popular compliance. Since building an effective modern state that can provide for security, welfare, and policy implementation requires both the constraint of representation and the resources of a centralized state apparatus, the result is that countries endowed with these advantages increasingly resemble modern democratic states.

Where elite competition is formal but self-contained, elites are largely unrestrained by the population they seek to rule because there are no other countervailing sources of authority.⁶⁴ Entrenched elites, therefore, can colonize formal institutions and subvert them, as necessary, to serve their own ends. In particular, they can utilize their control over the coercive and monitoring capacities of existing institutions to dominate other actors, groups, and organizations through coercion or disengagement, and to force acquiescence among the masses, but not to restrain themselves. Without any guarantees—or even the expectation—that elites will enforce formal rules and procedures consistently, quasi-voluntary popular compliance will also be low—the population may be cowed into submission but will not necessarily grant the state its support or legitimation, since it has no formal means by which to hold the elites accountable. The result is an autocratic state-building process.

Russia exemplifies this particular case. In the absence of organized societal opposition, elites colonized preexisting formal structures, using them to freely plunder public coffers and to consolidate their political and economic gains while relying on informal networks and personal connections as the basis for national policy. Unrestrained elite behavior fostered a low degree of popular compliance, as societal actors retreated into passive disregard for the rule of law and formal administrative structures. Consider, for example, the abysmally low level of tax compliance throughout the 1990s, the result, as Gerald Easter argues in this issue, of the Russian government's reliance on informal elite bargains to extract revenue. Here, instead, a vicious cycle could ensue, as elites became increasingly disengaged from society and societal organization remained nascent at best. A milder case occurred in Slovakia until 1998, where the triumphant elites associated with Vladimír MeFiar ruled through parliaments and other formal institutions but divvied up the spoils of the state with little regard for constituents' interests.

Where elite competition is informal but representative, elites are restrained to some extent by their public commitments. Yet without formal institutions to reinforce this restraint, provide feedback, establish guarantees for losing elites, and regulate popular compliance through incentives and sanctions, elites can neither guarantee that they “will keep their [own] bargains” or that their “constituents [keep] theirs.”⁶⁵ Thus, elites are more constrained because they must satisfy their respective constituencies if they are to remain in power, but this does not produce concomitant popular compliance. The result is a state-building process that is “fractious,” in that no formal institutions channel elite conflict, which can then spiral unabated. Consider, for example, Tajikistan, where elites have been moderately constrained by the need to maintain support among regionally based constituencies both during and after the civil war. And the first democratically elected president of Armenia (Levon Ter-Petrosian) was forced to resign from office for proposing to negotiate a very unpopular truce with Azerbaijan over the disputed

territory of Nagorno-Karabakh. In the rump Yugoslavia, a more complex picture emerges, but the lack of a central state apparatus⁶⁶ allowed Slobodan Milosevic to increasingly rule via informal repression and rent-seeking.

Finally, where elite competition is both informal and self-contained, elites are only minimally constrained. Formal institutions cannot be effectively utilized to foster compliance, either through coercion or through representation. Popular compliance is instead based on personal or familial ties to elites, the distribution of resources through patronage networks, and/or informal privileges. While they maintain control over a steady flow of goods and services, self-contained elites can be confident of their position. Yet in the absence of formal feedback channels or links with elites, the populace can neither constrain elite behavior nor expect to receive these goods and services without some level of compliance. The result is a personalistic state-building process.

We observe this process in Albania, Belarus, Ukraine, and across Central Asia (with the exception of Tajikistan). Ties based on strong personal, ethnic, or traditional affiliations have promoted some quasi-voluntary popular compliance via patronage and special privileges. Elite actions, however, have been left largely unconstrained due to either an unorganized society or highly underdeveloped social organizations. While many of these states initially seemed to be moving toward democratic status, they clearly felt the weight of historical starting points: in Belarus, Kyrgyzstan, and Kazakhstan, for example, the early promise of representative competition was voided by the lack of societal organization and formal institutions that would hold elites accountable.

CONCLUSION: IMPLICATIONS FOR THE STUDY OF THE STATE AND POST-COMMUNISM

The dynamic model of state formation we developed above, a product of the rich literature on the state and the post-communist experience, carries with it several implications for the study of institutional transformation and regime transition.

First, in focusing on elite competition, we depart from existing theory, which often treats states as consolidated outcomes and unitary actors, and instead highlight the *processes* by which states come into being and into action in the modern era. This reformulation is more appropriate for analyzing political, economic, and social dynamics in most of the developing world, where fully consolidated states are the exception rather than the rule.⁶⁷ It discourages the often erroneous assumption that a state exists and acts in a coherent and autonomous fashion and instead encourages an empirical evaluation of the presence, scope, and functions of state structures and practices. This focus on elite competition, and the emphasis on societal organization in shaping it, also avoids a return to the debate over the appropriateness of state-centered versus society-centered approaches.⁶⁸

While scholars of political parties, ethnic mobilization, and interest group politics have focused extensively on elite competition, a shared conclusion of these studies has been that the competition is an act with *redistribution* (of votes, patronage, policies, etc.) as the outcome. In contrast, we argue that elite competition can also be an act of institutional *creation*. This is not to say that we ascribe intentionality to the process—since elites nominally compete for authority alone, there is the real possibility that the state itself is a *by-product* of elite competition rather than its intended consequence. Elites do not necessarily have a particular state in mind when they are engaged in competition over the authority to make policy and policy-making institutions. Yet the more constrained they are vis-à-vis popular constituencies and formal institutions, the more likely they are to build modern democratic states.

Second, an examination of pacing effects suggests that one mechanism for the transmission of “legacies of the past” may be the tempo with which transformation occurs. When the pacing is rapid, the actions of elites participating in the initial stages of the transition are privileged, and the templates for that action are likely to come from existing models and structures—of which the institutions of the preceding state and regime are often the most salient. Thus, the faster the transformation, the greater the potential role for norms, practices, and understandings inherited from the past to shape elite decisions. Moreover, elites recombine old and new, formal and informal, practices. Such recombination is thus not limited to the political and economic transitions—it is also the linchpin of reconstructing public authority.

Third, the form and degree of international pressures on state-building vary across both time and space. While West European state-builders, for example, faced external threats that compelled them to establish military and fiscal institutions as well as to form economic alliances, they did so in the absence of either institutional templates or well-endowed supranational actors. In contrast, the post-communist states are being built in an international arena in which the institutional requirements for statehood are embodied in the charters of multiple supranational organizations, which can deny access to resources and/or membership to countries that fail to meet these formal requirements. The pressure to conform, however, is not universal even among post-communist states because their desire (or vulnerability) to adopt international standards is shaped by their different geopolitical locations and economic resource bases. Their geopolitical proximity to Europe and manufacturing sectors, for example, made the EU a very realistic and attractive option for several East Central European states. The energy-rich Caspian states (Russia, Azerbaijan, Kazakhstan, Uzbekistan, and Turkmenistan), however, have displayed little willingness to make concessions to attract Western trading partners.⁶⁹

Finally, this analysis offers a new theoretical lens with which to view regime transitions and their post-communist peculiarities. For the most part, the existing

literature emphasizes the temporal and analytical distinctions between regimes and states. These distinctions certainly apply to cases where regimes preceded state formation (Western Europe) or where states preceded regime change (Latin America and Southern Europe).⁷⁰ Under these conditions, clear influences of one on the other can be discerned.

In the post-communist context, however, these processes are *simultaneous*. They also appear to be convergent and mutually reinforcing—democratic state-building fosters democratic regime transition, autocratic state-building fosters authoritarian regime transition, and so on. After all, the same elites competing over authority to determine both the rules of decision-making (regimes) and the structural framework through which these rules are made and enforced (states).⁷¹ Ironically, then, the very factor long ignored in analyses of the “triple transition” turns out to be its crucial underpinning, since state structures can constrain political, economic, and societal transformations as much as they themselves are shaped by these transformations. As a result of this centrality of elite competition for the creation of both regimes and states, two necessary preconditions emerge for democratization in the modern era: formal institutions and organized societies that constrain elites. If modern democracy is not possible without a state, then democratic transitions are not possible without a democratic state-building process.⁷²

In short, the post-communist state-building processes suggest both a reexamination of the dominant assumptions about the nature of the state and its behavior and a new look at the post-communist regime transitions. Furthermore, they suggest a research agenda that reexamines these processes in the light of elite competition, the constraints of institutions and constituencies, and the effects of rapid pacing and international pressures.

NOTES

1. Book-length analyses of these areas include the following: Herbert Kitschelt, Radoslaw Markowski, Zdenka Mansfeldova, and Gabor Toka, *Postcommunist Party Systems: Competition, Representation, and Inter-party Cooperation* (Cambridge: Cambridge University Press, 1999); David Stark and Laszlo Bruszt, *Postsocialist Pathways: Transforming Politics and Property in East Central Europe* (Cambridge: Cambridge University Press, 1998); Akos Rona-Tas, *The Great Surprise of the Small Transformation: The Demise of Communism and the Rise of the Private Sector in Hungary* (Ann Arbor: University of Michigan Press, 1997); Grzegorz Ekiert and Jan Kubik, *Rebellious Civil Society: Popular Protest and Democratic Consolidation in Poland, 1989-1993* (Ann Arbor: University of Michigan Press, 1999); Steven Fish, *Democracy from Scratch* (Princeton, NJ: Princeton University Press, 1995); and Michael McFaul and Sergei Markov, *The Troubled Birth of Russian Democracy: Parties, Personalities, and Programs* (Stanford, CA: Hoover Institution Press, 1993).

2. There were, of course, exceptions to this rule. See, for example, Valerie Bunce, *Subversive Institutions* (Cambridge: Cambridge University Press, 1999); Arista Maria Cirtautas, “The Post-Leninist State: A Conceptual and Empirical Examination,” *Communi-*

nist and Post-Communist Studies 28 (1995): 379-92; Stephen Holmes, "What Russia Teaches Us Now: How Weak States Threaten Freedom," *American Prospect* 33 (July-August 1997): 30-39; and Valerie Sperling, "Introduction: The Domestic and International Obstacles to State-Building in Russia," in *Building the Russian State: Institutional Crisis and the Quest for Democratic Governance*, edited by Valerie Sperling (Boulder, CO: Westview, 2001).

3. Andrei Shleifer and Robert W. Vishny, *The Grabbing Hand: Government Pathologies and Their Cures* (Cambridge, MA: Harvard University Press, 1998); and Stephen Holmes, "Cultural Legacies or State Collapse? Probing the Postcommunist Dilemma," in *Postcommunism: Four Perspectives*, edited by Michael Mandelbaum (New York: Council on Foreign Relations, 1996).

4. Juan Linz and Alfred Stepan, *Problems of Democratic Transition and Consolidation: Southern Europe, South America, and Post-Communist Europe* (Baltimore: Johns Hopkins University Press, 1996). For an overview of such arguments regarding regime transition in particular, see M. Steven Fish, "Democratization's Requisites: The Postcommunist Experience," *Post-Soviet Affairs* 14, no. 3 (1998): 212-47.

5. S. N. Eisenstadt and Stein Rokkan, eds., *Building States and Nations* (Beverly Hills, CA: Sage, 1973); and Charles Tilly, ed., *The Formation of National States in Western Europe* (Princeton, NJ: Princeton University Press, 1975).

6. Karl Marx and Frederick Engels, *Selected Works* (Moscow: Progress Publishers, 1968); and Bob Jessop, *State Theory: Putting Capitalist States in Their Place* (University Park: Penn State Press, 1990).

7. Seymour Martin Lipset, *Political Man: The Social Bases of Politics* (Garden City, NY: Doubleday, 1960); and Robert A. Dahl, *A Preface to Democratic Theory* (Chicago: University of Chicago Press, 1956).

8. Emile Durkheim, *Durkheim on Politics and the State* (Stanford, CA: Stanford University Press, 1986); Franz Oppenheimer, *The State* (New York: Free Life Editions, 1975); Stephen D. Krasner, *Defending the National Interest: Raw Materials Investments and U.S. Foreign Policy* (Princeton, NJ: Princeton University Press, 1978); and Theda Skocpol, "Bringing the State Back In: Current Research," in *Bringing the State Back In*, edited by Peter B. Evans, Dietrich Rueschmeyer, and Theda Skocpol (Cambridge: Cambridge University Press, 1985), 3-43.

9. Mancur Olson, "Dictatorship, Democracy and Development," *American Political Science Review* 87, no. 3 (September 1993): 567-76; and Margaret Levi, *Of Rule and Revenue* (Berkeley: University of California Press, 1988).

10. See Michael Mann, *The Sources of Social Power*, vol. 2 (New York: Cambridge University Press, 1993), chap. 3, for details.

11. Scholars of the developing world, for example, have emphasized the distinction between juridical and empirical states in Africa and called into question the existence of a "state" itself in the Middle East. See Robert Jackson and Carl Rosberg, "Why Africa's Weak States Persist," *World Politics* (October 1992): 1-24; and Lisa Anderson, "The State in the Middle East and North Africa," *Comparative Politics* 20, no. 1 (October 1987): 1-18.

12. Levi, *Of Rule and Revenue*.

13. Lisa Anderson, *The State and Social Transformation in Tunisia and Libya, 1830-1980* (Princeton, NJ: Princeton University Press, 1986); Jeffrey Herbst, *States and Power in Africa: Comparative Lessons in Authority and Control* (Princeton, NJ: Princeton University Press, 2000); Joel Migdal, *Strong States and Weak Societies: State-Society Relations and State Capabilities in the Third World* (Princeton, NJ: Princeton University Press, 1988); and David Waldner, *State Building and Late Development* (Ithaca, NY: Cornell University Press, 1999).

14. This refers to the literature that was inspired by Evans, Rueschmeyer, and Skocpol's seminal *Bringing the State Back In*.

15. Anderson, *The State and Social Transformation*; Jackson and Rosberg, "Why Africa's Weak States Persist"; Atul Kohli, *The State and Poverty in India: The Politics of Reform* (Cambridge: Cambridge University Press, 1987); and Migdal, *Strong States and Weak Societies*.

16. Joel Migdal, Atul Kohli, and Vivienne Shue, *State Power and Social Forces: Domination and Transformation in the Third World* (New York: Cambridge University Press, 1994).

17. Tilly, *Formation of National States in Western Europe*; Ellen Kay Trimberger, *Revolution from Above: Military Bureaucrats and Development in Japan, Turkey, Egypt, and Peru* (New Brunswick, NJ: Transaction Books, 1978); and Alfred Stepan, *Rethinking Military Politics: Brazil and the Southern Cone* (Princeton, NJ: Princeton University Press, 1988).

18. Juliet Johnson, "Russia's Emerging Financial-Industrial Groups," *Post-Soviet Affairs* 13, no. 4 (1997): 333-65; and William E. Odom, *The Collapse of the Soviet Military* (New Haven, CT: Yale University Press, 1998).

19. This includes, for example, the work of Emile Durkheim, S. N. Eisenstadt, Karl Marx, Charles Tilly, and Max Weber. For an overview and critique of the "differentiation" approach to state-building, see Bertrand Badie and Pierre Birnbaum, *The Sociology of the State* (Chicago: University of Chicago Press, 1983), chaps. 1, 2.

20. Eric A. Nordlinger, *On the Autonomy of the Democratic State* (Cambridge, MA: Harvard University Press, 1981); Krasner, *Defending the National Interest*; and Skocpol, "Bringing the State Back In."

21. John P. Nettl, "The State as a Conceptual Variable," *World Politics* 20, no. 4 (July 1968): 559-92.

22. Migdal, *Strong States and Weak Societies*; and Thomas M. Callaghy, *The State Society Struggle: Zaire in Comparative Perspective* (New York: Columbia University Press, 1984).

23. Peter Evans, *Embedded Autonomy: States and Industrial Transformation* (Princeton, NJ: Princeton University Press, 1995); and Vivienne Shue, *The Reach of the State: Sketches of the Chinese Body Politic* (Stanford, CA: Stanford University Press, 1988).

24. Joel Migdal, "The State in Society," in Migdal, Kohli, and Shue, *State Power and Social Forces*, 7-34.

25. Kenneth Jowitt, *New World Disorder: The Leninist Legacy* (Berkeley: University of California Press, 1992).

26. Grzegorz Ekiert, *The State against Society: Political Crises and Their Aftermath in East Central Europe* (Princeton, NJ: Princeton University Press, 1996).

27. On the state-society distinction, see Nettl, "The State as a Conceptual Variable," 559-92.

28. Anderson, *The State and Social Transformation*; Atul Kohli, *The State and Development in the Third World* (Princeton, NJ: Princeton University Press, 1986); Douglass C. North and Barry Weingast, "Constitutions and Commitment: The Evolution of Institutions Governing Public Choice in Seventeenth-Century England," *The Journal of Economic History* 49 (1979): 803-33; and Alfred Stepan, *The State and Society: Peru in Comparative Perspective* (Princeton, NJ: Princeton University Press, 1978). An important exception is Philip Khoury and Joseph Kostiner. *Tribes and State Formation in the Middle East* (London: I. B. Tauris and Co., 1990).

29. Thomas Ertman, *Birth of the Leviathan: Building States and Regimes in Medieval and Early Modern Europe* (Cambridge: Cambridge University Press, 1997); Douglass C.

North and Robert Paul Thomas, *The Rise of the Western World: A New Economic History* (Cambridge: Cambridge University Press, 1973); and Tilly, *Formation of National States in Western Europe*.

30. For Marx, for example, state-building amounted to the total destruction of the old order and its replacement with a new order.

31. Mann, in *Sources of Social Power*, distinguishes between infrastructural and coercive state power.

32. Stark and Bruszt, in *Postsocialist Pathways*, developed the notion of “recombinant property” as neither wholly private nor state-owned.

33. For a countervailing view, see Herbst, *States and Power in Africa*.

34. This is how Sebastian Mazzuca distinguishes between regime and the state, respectively, in “Democracy and Bureaucracy: Access to Power versus the Exercise of Power” (unpublished manuscript).

35. Valerie Bunce, *Subversive Institutions: The Design and the Destruction of Socialism and the State* (Cambridge: Cambridge University Press, 1999); Ertman, *Birth of the Leviathan*; Robert Fishman, “Rethinking State and Regime: Southern Europe’s Transition to Democracy,” *World Politics* 42, no. 3 (April 1990): 422-40; and Linz and Stepan, *Problems of Democratic Transition and Consolidation*.

36. See, for example, Tilly, *Formation of National States in Western Europe*; Charles Tilly, *Coercion, Capital, and European States, AD 990-1990* (Oxford: Basil Blackwell, 1990); and Jeffrey Herbst, “War and the State in Africa,” *International Security* 14, no. 4 (spring 1990): 117-39.

37. Anne-Marie Slaughter Burnley and Walter Mattli, “Europe before the Court: A Political Theory of Legal Integration,” *International Organization* 47, no. 1 (winter 1993): 41-76.

38. Erika Weintal, *State Making and Environmental Cooperation: Linking Domestic and International Politics in Central Asia* (Cambridge, MA: MIT Press, 2002).

39. Mancur Olson, *The Rise and Decline of Nations* (New Haven, CT: Yale University Press, 1982); and Douglass North and Barry Weingast, “Constitutions and Commitment: The Evolution of Institutions Governing Public Choice in 17th Century England,” *Journal of Economic History* 49, no. 4 (1989): 803-32.

40. In the present international context, for example, a country that is well endowed with natural resources, particularly oil and gas, faces much different restrictions on participating in international trade than a country for which economic growth depends on exporting manufactured goods. With a few notable exceptions (i.e., Iraq and Iran), the former has an open invitation to export its oil to Western markets and to join the Organization of Petroleum Exporting Countries (OPEC) regardless of its regime type and economic policies, while the latter must adopt a specific set of representative and market institutions to be considered a viable trading partner with the West and to join regional trading blocs such as the European Union.

41. For a description of this phenomenon in post-Soviet Central Asia, see Pauline Jones Luong, “Institutional Change through Continuity: Power Shifts and Prospects for Democracy in Central Asia” (paper presented at the Eighth Annual Conference on the Individual versus the State, Central European University, Budapest, Hungary, 18-21 May 2000). For a description of this phenomenon more broadly, see Fareed Zakaria, “The Rise of Illiberal Democracy,” *Foreign Affairs* 76 (November/December 1997): 22-43.

42. See Jones Luong, “Institutional Change through Continuity”; and Michael McFaul, “The Perils of a Protracted Transition,” *Journal of Democracy* 10, no. 2 (1999): 4-18.

43. Venelin Ganev, “Post-Communism as an Episode of State-Building: A Sociological-Historical Approach” (paper presented at the Conference on State-Building in Post-

Communist States: Toward Comparative Analysis, Yale University, New Haven, CT, April 2001).

44. Such voluntary societal organization itself is indicative of and dependent on a clear division between the state and society under the previous regime. Conversely, the more the boundary between state and society was blurred under the previous regime, the less likely is post-communist society to be organized on a voluntary basis and the more likely the elites are to be self-contained.

45. See, for example, Grzegorz Ekiert and Jan Kubik, "Contentious Politics in New Democracies: East Germany, Hungary, Poland, and Slovakia, 1989-1993," *World Politics* 50 (1998): 547-81; and Pauline Jones Luong, *Institutional Change and Political Continuity in Post-Soviet Central Asia: Power, Perceptions, and Pacts* (Cambridge: Cambridge University Press, 2002).

46. The obscured division between "public" and "private" also facilitated widespread (and unhindered) elite extraction of formerly state-owned resources. Since everything belonged to "the people" and, hence, was officially "public" property, after the Soviet Union collapsed, nominally "public" officials easily usurped the assets under their jurisdiction for private gain. See, for example, Steven L. Solnick, *Stealing the State: Control and Collapse in Soviet Institutions* (Cambridge, MA: Harvard University Press, 1998).

47. This does not mean, however, that these channels will always be utilized effectively. Elite reliance primarily on formal institutions that are often ineffective is not the same as elite reliance primarily on informal institutions. Informal practices, however, may influence the effectiveness of formal structures. See, for example, Robert D. Putnam, with Robert Leonardi and Raffaella Nanetti, *Making Democracy Work: Civic Traditions in Modern Italy* (Princeton, NJ: Princeton University Press, 1993).

48. This distinction is particularly appropriate given the universe of cases to which this model applies: that is, state-(re)building efforts in the modern era and in a context already laden with institutional legacies. In these cases, the distinctions commonly used in other studies of transitions and institution-building are less useful. "Democratic" or "nondemocratic" distinctions presuppose a teleology that is inappropriate given the unfolding nature of the state-building processes. Even simple "old" and "new" (or pretransition and posttransition) classifications presuppose a historical break that cannot be taken for granted. Similarly, the dichotomy between "structure" and "agency" often obscures the interaction between the two that lies at the heart of most political processes. See William Sewell, "A Theory of Structure: Duality, Agency, Transformation," *American Journal of Sociology* 98, no. 1 (July 1992): 1-29; and Jacek Bielasiak, "Substance and Process in the Development of Party Systems in East Central Europe," *Communist and Post-Communist Studies* 30, no. 1 (March 1997): 23-44.

49. On informal institutions as an enforcement mechanism, see Arun Agrawal, *Greener Pastures: Politics, Markets, and Community among a Migrant Pastoral People* (Durham, NC: Duke University Press, 1999); Douglass C. North, *Institutions, Institutional Change, and Economic Performance* (Cambridge: Cambridge University Press, 1990); and Eleanor Ostrom, *Governing the Commons: The Evolution of Institutions for Collective Action* (Cambridge: Cambridge University Press, 1990).

50. The classic rendition of this choice can be found in Niccolò Machiavelli, *The Prince* (1515; reprint, Oxford: Clarendon, 1987). For a more contemporary treatment, see Robert D. Putnam, *The Comparative Study of Political Elites* (Englewood Cliffs, NJ: Prentice Hall, 1976).

51. The Soviet presidency was created in March 1990 to effectively replace the Communist Party's monopoly rule. Mikhail Gorbachev held this office until Yeltsin's election as the first president of Russia in June 1991, but the two leaders struggled over the position

and the design of this institution for several months in between. For details, see Richard Sakwa, *Russian Politics and Society*, 2d ed. (London: Routledge, 1996), chap. 7. Although Yeltsin's battle with the parliament (Supreme Soviet) ended in the latter's destruction by force (October 1993), he moved quickly to replace this Soviet institution with a democratically elected bicameral legislature (December 1993).

52. Antal Örkény and Kim Lane Scheppelle, "Rules of Law: The Complexity of Legality in Hungary," in Martin Krygier and Adam Czarnota, eds., *The Rule of Law after Communism* (Aldershot, UK: Ashgate, 1999).

53. Jones Luong, *Institutional Change and Political Continuity in Post-Soviet Central Asia*, chap. 3; Stark and Bruszt, *Postsocialist Pathways*; Ronald Suny, *The Revenge of the Past: Nationalism, Revolution and the Collapse of the Soviet Union* (Stanford, CA: Stanford University Press, 1993); and David Woodruff, *Money Unmade: Barter and the Fate of Russian Capitalism* (Ithaca, NY: Cornell University Press, 1999).

54. Jones Luong, *Institutional Change and Political Continuity in Post-Soviet Central Asia*.

55. Putin was elected president in the spring of 2000. Although Russia was already heading away from democratic statehood and in the direction of autocratic statehood in the later years of Yeltsin's presidency, Putin appears to be formally consolidating this shift.

56. Anna Grzymala-Busse, *Redeeming the Communist Past: The Regeneration of Communist Successor Parties in East Central Europe* (Cambridge: Cambridge University Press, 2002).

57. David Abramson, "From Soviet to Mahalla: Community and Transition in Post-Soviet Uzbekistan" (Ph.D. diss., Indiana University, 1998).

58. Stephen Holmes, "Can Foreign Aid Promote the Rule of Law?" *East European Constitutional Review* 8, no. 4 (fall 1999): 68-74.

59. Keith Darden, "The Dark Side of the State: Formal and Informal Mechanisms of State Supremacy" (paper presented at the Conference on State-Building in Post-Communist States: Toward Comparative Analysis, Yale University, New Haven, CT, April 2001).

60. It can also affect informal structures and practices, but such influence is likely to be indirect, delayed, and distorted by diffusion effects, since there are no clear or direct channels.

61. In fact, the ability of Russia to engage in an ongoing dialogue with the North Atlantic Treaty Organization (NATO), first through the Russian-NATO Permanent Council (since its formation in 1997) and more recently through the NATO-Russia Council (established in May 2002), precludes any need for President Putin to adopt the political and economic conditions required for full membership.

62. The term "quasi-voluntary compliance" refers to citizen compliance that is based solely on neither coercion nor ideological affinity but relies in part on both. In the context of taxation, it occurs "when taxpayers have confidence the (1) rulers will keep their bargains and (2) other constituents will keep theirs." We borrow this concept directly from Margaret Levi, *Of Rule and Revenue*, 52-53. Note, however, that we are extending it beyond taxation to other institutions and functions.

63. Jack Knight, for example, argues that formal institutions serve as viable enforcement mechanisms for social contracts. See Jack Knight, *Institutions and Social Conflict* (Cambridge: Cambridge University Press, 1992).

64. They would not want to follow policies, for example, that might foster massive upheaval or popular revolt, but otherwise they face no restraint on their actions.

65. Levi, *Of Rule and Revenue*, 53.

66. Unlike its Soviet or Czechoslovak counterparts, rump Yugoslavia consisted of two former republics—Serbia and Montenegro—with no previous central state apparatus that

governed the two and the two alone. Thus, even as Milosevic could take over many of the formal institutions of the former Yugoslavia (especially the army), there was no communist-era central state apparatus that corresponded to the rump Yugoslavia.

67. See, for example, Jennifer Widner, "States and Statelessness in Late Twentieth-Century Africa," *Daedalus* 124, no. 3 (summer 1995): 129-53.

68. See, for example, Theda Skocpol, "Bringing the State Back In: Strategies of Analyses in Current Research," in Evans, Rueschemeyer, and Skocpol, *Bringing the State Back In*.

69. This appears to be changing in Russia, however, as domestic oil companies have consolidated their gains at home and are seeking access to international markets through attracting Western partners. See Pauline Jones Luong and Erika Weinthal, "Energy Wealth and Tax Reform in Kazakhstan and Russia," *Resources Policy* 27, 4 (September 2002): 1-9.

70. See Ertman, *Birth of the Leviathan*; and Fishman, "Rethinking State and Regime."

71. Stephanie Lawson, "Conceptual Issue in the Comparative Study of Regime Change and Democratization," *Comparative Politics* 25 (1993): 183-205.

72. In making their case for "stateness" as an explanatory variable for regime consolidation, Linz and Stepan, in *Problems of Democratic Transition and Consolidation*, argue "Democracy is a form of governance of a modern state. Thus, without a state, no modern democracy is possible" (p. 17).