



Regime Change as a Trigger of Corruption: Experience from Post-communist Countries*

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Abstract /

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The fall of communism initiated the deepest social, economic, and political changes of modern history. These changes installed new regimes which, irrespective of their current character, are infested by corruption. Why and how did this happen? Are we witnessing a continuity of the communist past or is it a new phenomenon? Is the current corruption a product of former clientelistic networks which adapted easily to the new conditions while using a persisting political, legal, and economic culture? Contrarily, is corruption in the post-communist countries a new phenomenon resulting from a unique process of transformation? The answer includes and combines both alternatives. The roots of systemic corruption are to be found in a mutual interaction of elements, both from the past and brought into existence by this radical change, described herein: the social structure of the communist societies, which lacked capitalist structure (capital, “capitalists”); the character of the communist state, which was not substantially rebuilt during the transformation and was taken over by new/old political actors; economic transformation, which enabled those who controlled the state to form an economic society (economic actors, economic regulations), having at their disposal and using for this goal a huge amount of the state-owned property during the process of privatization.

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In summary, it was the character of the (post)communist state and the social structure of the (post)communist societies which influenced the shaping of basic institutional settings and the formation of key political and economic actors. Together with the huge resources available through the privatization of state-owned property and the historical cultural approaches regarding the maintenance of social, political, and economic positions, there was almost no chance of avoiding corruption and its metamorphosis into a systemic form.

Keywords /

corruption, post-communism, state-building, transformation, political actors, economic actors

Introduction

Corruption is a “resilient” phenomenon with a long history. It is present in authoritarian and even totalitarian regimes, as well as in democracies. Corruption can be found both in developed and underdeveloped countries, in centralized and decentralized political systems, and in states with varying levels of economic regulation. All of these as well as additional factors can influence the type and character of corruption. Thus, this research can help to determine the causal links as to how the space for corruption has been formed, how it spreads, and what its impacts are on social, economic, and political life.

The fall of communism and the following processes of transition, formation, institutionalization, and the consolidation of new systems represent the deepest social and economic changes in modern history. Prevailing optimism and positive expectations during the initial months and even years of transformation were replaced by frustration and a lack of moral values. Newly formed authoritarian or hybrid regimes developed in most of the post-Soviet republics; authoritarian temptation and populist/nationalist appeals continue to shape the political discourse of many other post-communist countries, including those which have already integrated into the European Union and NATO. Democratic procedures, constitutionalism, and principles of the rule of law, even though mostly formally implemented during the last two decades, have recently been openly contested (see, for example, Rupnik – Zielonka 2013; Ganev 2013). Internal political conflicts are less about policy shaping and making and more about access to state resources between particular political and/or oligarchic groups. In many countries, the character of corruption has gained systemic features. The weakness and fragility of some of the post-communist states raise fears about the opportunity of state capture.

This study contributes to the current discussion over questions concerning why and how such a large opportunity for corruption has formed in this region. Are we witnessing continuity with the communist past? What is the legacy of the past like? There are no doubts

that diverse types of corruption were present in the communist regimes, that the social position of the individual depended on affiliation with particular clientelistic networks, and that patronage was a systemic instrument for power sustainability. And therefore, is the corruption in post-communist states, regardless of the deep political, social, and economic changes, only following the previous practices? Is the current corruption a product of former clientelistic networks having adapted easily to the new conditions while using a persisting political, legal, and economic culture (e.g. Naxera 2015; Klicperová-Baker 2008; Klicperova-Baker – Košťál 2017; Iwasaki – Suzuki 2012; Libman – Obydenkova 2013; Obydenkova – Libman 2015)? Or contrarily, is corruption in the post-communist countries a new phenomenon resulting from a unique process of transformation? During the transformation, huge amounts of state-owned property were hastily privatized under very peculiar conditions characterized by the absence of oversight or accountability principles, weak political parties, and only a nascent civil society (e.g. Ciešlik – Goczek 2018; Grzymała-Busse 2007; 2008; Dvořáková 2008; Müller – Skovajsa 2009).

History obviously matters and path dependence is not to be underestimated. A radical change in the regime cannot radically change all aspects of societal life and culture. However, a radical change does open new opportunities for political, social, and economic mobility, and, in this sense, it also opens opportunity structures for corruption. How much are these opportunities dependent on the path the society went through? Is our understanding of the current situation sufficient enough to perform “path tracking” and analyse the influence and interference of the past on the present? In other words, can we search for the answers by measuring the level of weakening or strengthening continuity within important societal and cultural features of the society? Or, did the interaction of past and present newly shape the basic character of the society, its economics and politics, and its condition, thus creating the opportunity for corruption? And, if that were the case, what were the main ingredients of this mixture that would structure the future?

The article is organized as follows: The first section outlines the conceptual underpinning, presents an overview of the basic theoretical and methodological approaches, and formulates the research question. Next is an analysis of the communist and post-communist state in the early phases of its transition, as well as a comparison of its basic features. The third part examines the formation of the political and economic actors and their character.

Our deliberations are based mainly on experience and research results from the Czech Republic and partially with countries which were not part of the Soviet Union, although – as its satellites—they were part of the Soviet sphere of influence; post-Soviet and post-Yugoslavian space is taken into consideration only when the research results of these countries can be more generalized.

1 / Conceptual underpinning, literature overview, and methodological remarks

Corruption is commonly defined as “an abuse of public roles or resources for private benefit” (Johnston 2005: 12) and can take different forms. This study focuses on the systemic¹ political corruption which influences decision-making processes and the content of governmental policies. In such a form of corruption, little attention is paid to the public interest nor to the demands of the public. Spending is mostly diverted to sectors where the gains from corruption and clientelistic exchange are the greatest and the risks lowest. Mainly, “*the parties’ discretionary management of public spending often becomes an objective in itself*” (della Porta – Vannucci 2011: 721; highlighted in original).

Research interest in post-communist corruption arose soon after the transformation process started (i.e. Holmes 1993; 1997; Sajó 1998), and it developed into different approaches. Many important questions were raised in the debate following two conferences at Princeton University (Kotkin – Sajó 2002), which placed the transitional process at the centre of attention while also covering the post-communist countries of Central and Eastern Europe. A good body of literature was dedicated to the legacy of the past and its impact on the behavioural and cultural state of the society (i.e. Klicperová-Baker 2008; Klicperová-Baker – Košťál 2017), the impacts of lustrations and the “purification” of the state apparatus on the quality of the state administration (Dvořáková – Milardović eds. 2007), the continuity and discontinuity of the elites, and the transformation of social capital to political/economic capital (e.g. Možný 2009 ed.; Szélényi – Szélényi 1995; Mlčoch – Machonin – Sojka 2000). Particular countries were studied in regard to their character of corruption in the communist period and its metamorphosis in the transitional period (for the Czech Republic, see Naxera 2015), whilst from a comparative perspective (Kostadinova 2012), broader attention across the post-communist experience was paid to clientelistic networks and patronage (Kopecky – Mair – Spirova 2012).

Of course, corruption is not only a societal or political phenomenon, it is strongly connected to economics. Ciešlik and Goczek (2018: 53) argue that “*there is a historical path dependence, but this dependence is more about the history related to economic, and not political, legacy*”. This dependence is derived from low development status, and the authors see no other additional effects of the communist legacy on corruption. Dealing with the transformation process, the research of Iwasaki and Suzuki (2012), which focused on the quality of the transformation process, empirically examined the determinants of corruption and proved a strong positive relationship between corruption control and the progress of a systemic policy of transformation to a market. They argue that to prevent corruption, the coupling of an egalitarian religious society and a systemic transformation bring about a mutually complementing effect, while a centralized administrative system can become a hotbed of corruption (Iwasaki – Suzuki 2012: 53).

An important part of the research on corruption was dedicated to another phenomenon: state-building. As mentioned by Ganev (2007: 36), there is not consensus on the meaning

of this term but in post-communist studies it usually refers to coherent institution building clearly delimited as within the public domain, with predictable rules, and with reproducible routines staffed by trained civil servants.

Questions were raised as to what extent systemic/political corruption and a fragile and captured state are conditioned by the underestimation of state-building? What is the interconnection of state-building, nation-building, and democracy-building in different cultural, social, and political environments? (Burt 2004; Grzymała-Busse 2007, 2008; Dvořáková – Vymětal 2014). The notion of state-building was further developed through the concept of runaway state-building in the post-Soviet environment (O'Dwyer 2006), supported by thorough research of particular factors influencing the character of (non)state-building in post-communist countries. The elimination of oversight institutions was taken into consideration as was the character of the party systems and party competition (Grzymała-Busse 2007, 2008; Pujas – Rhodes 2011: 739–760). Attention was paid to weak principles of good governance and oversight, undeveloped intrastate (horizontal) accountability (Mungiu-Pippidi 2014, 2015; Morlino 2012), missing regulations on lobbying and the representation of interests (Vymětal 2016), and the effects of administration reform (Neshkova – Kostadinova – Reid 2012). A more complex view of the mutually complementarity nature of state-building, democracy-building, and social/economic transformation was presented by J. Linz and A. Stepan (1996) in their path-breaking work on five arenas important to the consolidation of democracy.

Thus, a lot of has been done on corruption in post-communist countries dealing with the particular aspects of continuity and the legacy of communist regimes in all aspects of societal life and the impacts of economic transitional strategies, transitional instruments, and the opportunities brought by the privatization and marketization of the economy. What is largely missing from the literature are the deliberations on the mutual effects of particular factors, and principally three of them: the character of the social structure in post-communist societies (situations with no private capital or capitalists) the moment communism collapsed, the character of the post-communist state which went through only very limited transformation, and the role this non-transformed state played in the formation of the economic society (economic actors and market regulations) in the early phase of the transition. Thus, my central contribution to the discussion on the causes of post-communist corruption is to advance tentative arguments drawn from existing studies devoted both to theoretical analyses and empirical research, which also reflected the perspectives of different disciplines – political science, public policy, history, sociology, psychology, and economics.

I argue that the roots of systemic corruption are to be found in the mutual interaction of key factors, both from the past and those brought into existence by the radical change of the early transformation years, those being:

- the character of the communist state, which was not substantially rebuilt during the transformation and was taken over by new/old political actors;
- the social structure of the communist societies, which lacked a capitalist structure (capital, “capitalists”);

- economic transformation, which enabled those who controlled the state to form an economic society (economic actors, economic regulations), having at their disposal and using for this goal a huge amount of the state-owned property during the process of privatization.

Or, in other words, corruption on this scale was caused by the peculiar character of the communist state, which was taken over/conquered by new/old political actors but not rebuilt. Such an untransformed state became an instrument in the creation of new economic actors and the establishment of basic market principles in a society the setting for the installation of basic market principles on a society without financial capital or capitalists. The new/old political actors, through control of the state, had at their disposal huge sources they could more or less use arbitrarily. I concentrate on the early years of transformation, which can differ in particular countries and is not as easy to delimit with direct dates. It starts with the collapse of communism and finishes in the mid to late 1990s when the processes of privatization have finished and most of the big economic actors have formed. This is the formative period which would influence the character of the corruption and its scope over the coming decades.

2 / The character of the communist state and the post-communist (non)transformation

The character of the state is crucial because the state represents the basic delineation unit of the environment in which the main political actors operate. It is the place where the character of the rules and the institutional framework influence how the political community (polity) formulates the policies to be implemented through political conflicts, competition, and cooperation (politics). The initial phase of transformation after the fall of the “old” regime is very important, because the basic rules, procedures, and institutions are to be set and the whole political community is reshaped and reconstructed.

As was argued in the seminal work of D. Rustow (1970), such tasks could be realized only in a situation of “national unity”, when all the relevant political groups identify themselves with the existing state, and political conflicts do not question the boundaries of the state nor who is part of the political community in question. However, the situation in post-communist countries was rather complicated. All the former communist federations (Yugoslavia, Czechoslovakia, the Soviet Union) collapsed and disintegrated, and the former delineation of the state broke down. Many successor states, mainly in the post-Soviet and partly in the post-Yugoslavian regions, remain unsure of their boundaries and of the composition of their political community – who is and who is not part of it. Although the level of corruption is mostly very high in these “uncertain” countries, we must put such cases aside in our deliberations because the logic of state-building differed when compared to the countries where statehood is not at stake.

While it is widely acknowledged that the transition to democracy is mostly about formation of the conditions for political competition, the linkage between transition to democracy and state-building is perceived less clearly. Certainly, free and competitive elections are a substance of democracy, and the basic standard upon which to define regimes as democratic. Nevertheless, political actors play the political game within an arena, which needs deep changes and (re)construction to break from the past. J.-M. Burt, in analysing the Latin American experience, stressed the necessity of the “building of the state”, which forms the capacity for leaders *“to exert authority over the society and economics but in which there are mechanisms of accountability at different levels that protect citizens and the market against arbitrary actions undertaken by state makers. In this sense, state making and democracy building can be a mutually reinforcing process, but they are not necessarily so”* (Burt 2004: 248).

The long historical experience of Latin America could serve as a warning regarding the significance of underestimating state-building. In the late 1980s and the beginning of the 1990s, neither in Latin America nor in Central Europe had the mutually reinforcing process of state- and democracy-building occurred. Furthermore, neither domestic nor international observers and experts paid attention to state-building (Grzymała-Busse 2007: 2). Transformation models and blueprints reflected recommendations applied to solving problems and the crisis of the then-Western welfare state through deregulation and privatization. The prevailing atmosphere of neoliberalism and its simplified ideological implementation in post-communist countries viewed the state, its regulation, and its oversight institutions almost as if they were the main enemy of the market economy. However, the communist state did not have the character of the welfare state – it lacked basic regulations for private economic activities and basic institutional oversight frameworks (Mlčoch et al. 2000: 79; Kostadinova 2012) – but it was treated as such nevertheless.

What then was the state like the moment communism collapsed? Regardless of the specific features and differences in the character of the state in particular countries, in all of them the institutional framework had a predominantly declaratory character (separation of powers, powers of the parliament, cabinet, prime minister, president); the real decision-making centre (i.e., Štefek 2014) was placed in the party leadership, which derived its power from the constitutionally guaranteed “leading role” of the “Party”. The key power position was mostly held by the leader of the party, even if the party leadership and formal state leadership did not overlap.² The state and party bureaucracy co-existed in parallel structures. In this bureaucratic dichotomy, the state administration was in the “weaker” position, politically dependent and controlled by the Party. Politically independent oversight institutions meanwhile did not exist. Principles of accountability had not been introduced into the system. Although the centrally planned economy had its institutional framework and formal procedures, politicians, the Party, and state bureaucracies could influence economic activities without clearly defined formal or informal boundaries of authority and competences. Security and defence structures (including intelligence) were important parts

of power relations and positions of power inside the Party, and they had the ability to play the role of independent political and/or economic actors (Grajewski 2004).

In general, the communist state was a weak state, with a low level of autonomous capacity to separate the function of the state structures from those who governed (Rueschmeyer – Stephens – Stephens 1992: 64). The collapse of the regimes did not bring with it a radical transformation of the state, however. While the first constitutional change mostly annulled the “leading role” of the communist position, thus providing opportunity for political competition and the transfer of decision-making centres to state institutions, the institutional framework and the position of the state apparatus did not radically change, even with the radical replacement of communist personnel; the civil service still continued to be dependent on politics.

Additionally, part of the old/new elites swiftly understood that direct political control of the state made retaining political and economic positions easier, and it could partly eliminate the uncertainties over positions of power under the new circumstances of political competition. New leaders overstepping their powers was rather common and the introduction of effective oversight and accountability principles did not happen. The conditions for these transgressions were favourable. In a society where the prevailing legal culture underestimated the rules and procedures, where the word “accountability” was absolutely unknown, and where independent watchdog organizations did not exist, such approaches were broadly accepted by the public as legitimate. The legitimacy of these approaches was even strengthened by most of the recommendations prepared by external advisors and institutions (see, for example, the Washington Consensus), which recommended the weakening of the state; no initiative dealing with state-building occurred.

The political elites were able to implement various strategies to prevent the foundation of a functional oversight system. They could prohibit or delay the creation of oversight institutions, they could construct politicized institutions loyal to the governing parties, and they could form weak formal institutions which contained few provisions for enforcement (Grzymała-Busse 2007: 82–85). All three of these strategies were used during the transformation processes, and to some extent they are still used today. The choice or prevalence of a concrete strategy depended on specific situations and developments, both internal (mainly at the level of party competition) and external (mainly pressure from the European Union or other external actors). Despite personnel changes in the state apparatus, a professional and impartial state administration was not formed. In fact, the transformation of public administrations in post-communist countries was postponed with respect to other reforms (Neshkova – Kostadinova – Reid 2012: 325). Civil servants did not gain any job security and docility and loyalty to the new leadership continued to be the basic condition for keeping a job within the state apparatus.

Not surprisingly, such an untransformed state started to grow. The growth of the state apparatus reflected neither functional needs it is meant to provide nor popular demands for clientelism or traditional forms of patronage; the “*state administration expanded in the*

process of gaining control over state resources” (Grzymała-Busse 2007: 148). There were two basic methods: discretionary hiring and parastatal and extra-budgetary funds and agencies, e.g. privatization agencies, state-owned banks/boards (Grzymała-Busse 2007: 133–188). Thus, a structure parallel to the state administration was formed which enabled the operation and control of mainly economic activities beyond any kind of oversight or jurisdictional limits or mandates. Such a process enabled “negative informal institutions” based on clientelistic networks to be included in the network and in the decision-making process, while at the same time, it prevented a healthy state-building process, because the weaker the state is, the more important informal practices and networks become (Rupnik – Zielonka 2013: 12–14).

Although little studied, the processes of gaining control over the police, secret police, and prosecution offices are also very interesting. As much as fear pertaining to the influence of communist secret police agents was relevant, such a fear was often used to enshroud the political conflicts over which a party or power group would control the police and intelligence services as well as who would have access to the files of the former secret police. Moreover, these “security” institutions were sometimes connected with organized crime and thus “securing” huge privatization frauds (Dvořáková – Kunc 2000; Růžek 2014).³

To summarize, a concise comparison of the character of the post-communist state in the first years of transformation and its communist predecessor is presented in Table 1.

Table 1. Comparison of the communist state and early phases of the post-communist state

Factors	Communist state	Post-communist state
Political institutional framework and decision-making centres	State institutional framework had only declaratory character; decision-making centres were within the narrow leadership of the Communist Party.	State institutional framework was (re)constructed; decision-making centres were not clearly shaped, enabling the arbitrary overstepping of powers and a subversion of the rules and procedures.
Accountability and oversight	The concept of “accountability” (and even the term) was not known or utilized in the system. Oversight institutions, if they existed, were under communist political control and influence.	The concept of “accountability” (and even the term) was not introduced into the system. The principles of oversight were weak and under political control and influence (civil service law, conflict of interest law, national accounting offices, securities and exchange authorities)

Factors	Communist state	Post-communist state
The state and party/ political authorities and competences	State and party bureaucracies co-existed in parallel structures. The state administration was politically dependent and controlled. Through the party and state administration, politicians set, run, and controlled economic activities with no clearly defined formal and informal boundaries of authority and competences.	Discretionary hiring enabling the co-existence of parallel structures (“advisors”, special agencies) based on patronage and party clientelistic networks. State administration continued to be politically dependent and controlled. Through this parallel structure and together with the state administration, politicians set, run and controlled economic activities with no clearly defined formal and informal boundaries of authority and competences.
State security and defence structures	Security and defence structures (including intelligence) were an important part of power relations and positions of power inside the political sphere and were able to play a role as political and/or economic actors.	Security and defence structures (including intelligence) continued to be part of power relations and positions of power inside the political sphere and were able to play the role of economic actor in non-transparent privatization processes, in some cases even linked to organized crime.
Autonomy	No autonomy: State structures under strong control of those who governed.	Low autonomy: state structures under control (or attempts to gain control) of those who govern.

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As has been mentioned above, at the beginning of the transformation no external actor or authority recommended state-building. Moreover, in the 1990s, we witness the weakening of the traditional role of states worldwide (Kostadinova 2012: 27). Only since 1997, when the admission process for some of the post-communist countries was initiated, did the European Union start to pay attention to the institutional framework and the capacities of these states. Unfortunately, it was too late. Firstly, the basic institutional framework had already been completed (Grzymała-Busse 2007: 89). Secondly, the basic networks and ties between politics, economics, and the state administration had in effect been (re)constructed.

To conclude, after the collapse of the communist regime, those who took control of the government had at their disposal a state with no regulations, no oversight institutions, and a state administration controlled by politicians in power. At the same time, they had the open possibility to form parallel structures which could interfere with decision-making processes. Paradoxical as it may be, such a state became the first “mover” towards the market economy and also played the role of “maker” (“creator”) of the economic society. In a society

without capital and capitalists (Offe 1991), a window of opportunity had thus opened for extremely fast, upward economic, political, and social mobility mainly through corruption and the exploitation of state resources.

2 / Formation and the character of the new political actors

The failed communist state was based on a rather narrow political community (hierarchically structured *nomenklatura*) with privileged positions in the state that formed and implemented the policies; the economic and social status of the individual was derived from affiliation to political and power networks.

Herbert Kitschelt et al. (1999: 25), when studying the formation of party systems in Central Europe, presented a typology of communist regimes which reflected diverse patron-client relations and the goals of patronage. The authors differentiate between three types of communist regimes: bureaucratic authoritarian (Czechoslovakia), national-accommodative (Poland, Hungary), and patrimonial (Bulgaria). Their roots can partly be found in the character of pre-war social and economic modernity, which influenced the mode of transition from communism. This typology is useful to our deliberations because it can show the impacts of historical and structural differences on political community formation. In what follows, let us develop their characteristics by focusing on the 1970s and 1980s, a crucial period for further development.

The Czechoslovak bureaucratic authoritarian type produced a regime which radically reduced the political community base after the purges following the end of the 1968 Prague Spring and the occupation of Czechoslovakia. At the same time, the regime was not challenged by a strong opposition and political activities of dissent were rather weak, with low levels of public mobilization. The seat of power was based mostly on bureaucratization and institutionalization. Party patronage was not so much motivated by specific personal goals (Naxera 2015: 79) as it was by the shared interest of this narrow political group to coerce loyalty towards the system. The final twenty years were characterized by a power stability which included almost no newcomers among this limited group of leaders at the top.

Kitschelt et al. (1999) classified the communist regime in Hungary and Poland as national-accommodative. The regimes were partly inclusive⁴, the younger generation of pragmatic reformers (often educated abroad or at least familiarized with Western types of institutions) intruded on party structures. Additionally, in both countries the opposition was rather strong and able to mobilize the public. Control of the institutions was part of the individual power position and also an instrument to push through some reforms. The reformers and dissidents were not totally separated from each other as in the Czechoslovak case; nevertheless, the boundaries were still clear.

The third type of communist regime, “patrimonial communism”, of which Bulgaria is representative, was strongly based on a personal patron-client relationship, often having the

character of nepotism. Opposition was neutralized with no ability to mobilize the public, and in its final years, the communist regime tried to strengthen its legitimacy through nationalist appeals against the Turkish minority.

Although we witnessed differences in the character of the communist regimes, even inside the soviet sphere of influence, there are still some general political features which worked in all these types and which could have influenced the formation of the political actors in the new conditions.

A typical feature of any Soviet-type communist regime was the impossibility of political competition, even in cases where there legally existed non-communist political parties. The communist⁵ parties had a specific position in the constitutions which guaranteed the leading role of these parties in political systems. If we translate this principle into the real working of the systems, no challenger could jeopardize the position of the communist parties.

There was no legal possibility for the independent activities of civil society. Although there was a large number of “organized” citizens, most of their activities were controlled from above through the constructed, controlled, and paid structures of “unified” organizations and associations serving as an instrument for the enforcement of communist politics and control (Dvořáková 2008)⁶. There was no possibility to obtain legal independent financing of activities through sponsors or projects and no watchdog organizations. Most importantly, there were almost no channels for communication with “civil society”, no incentives and feedback from below to politicians. It was a one-way communication from above with its organization units. Dissent played a specific role, and it differed in particular countries from the point of view of societal roots and the ability to mobilize the public.

The power position of politically active individuals was not only based on party affiliation but also on affiliation to particular factions or clientelistic networks, which combined loyalty, reciprocal services, and direct or indirect connection to the economic sphere, mainly at the regional level. Financing politics was easy. Although fees were paid by party members, party financing was included in the state budget.

Returning back to the Kitchelt et al. (1999) typology of communist regimes, we find that each type also bequeaths a particular mode of transition from communism. Hence, there was the sudden collapse of communism in Czechoslovakia, a negotiated transition in the case of Hungary and Poland, and a preventive change carried out by the Communists in Bulgaria. Although in all types, the former communist parties remained part of the political game, the level of ideological continuity with the past differed. While the Czech Communists (there was a different situation in Slovakia) went through rather restrained ideological changes after 1989, they have sustained stable support in parliamentary elections (10–15%). However, they have missed coalition potential for inclusion in the executive. In Hungary, Poland, and Bulgaria, the communist ideology was abandoned in favour of a social democratic ideology. In Poland and Hungary, these post-communist parties were soon able to share executive power after the 1993 and 1994 elections. In Bulgaria, the post-communists managed the first years of the transformation.

Despite the different strategies and modes of transition, the dismantling of the old regimes was mostly connected with a broadly ideologically set of political formations like Solidarity, Civic Forum, Public Against Violence, Democratic Forum—mostly without hierarchical power structures and without clearly defined rules for decision-making, responsibility, and accountability. These broad movements were unified against the old regimes, but their pluralistic internal nature inevitably caused them to disintegrate while constructing new regimes. Their successor political groups, together with more or less transformed communist parties as well as reconstructed parties with pre-war and pre-communist traditions, formed the base of the emerging party system (Kunc 2000).

But what was the character of the new political actors? And what were the conditions in which they conducted their activities? How deep was the change, and how did the communist past influence the character and conditions?

The end to the privileged “leading” position of the communist parties opened possibilities for political pluralism and free and competitive elections. This was a real and deep strike into the logics of politics. It legitimized political pluralism and introduced to the system the principle of political accountability based on voter evaluation of political actors.

By contrast, the legacy of communism brought a deformed social structure with no entrepreneurs and with an extremely small middle class; (re)constructed political parties had problems finding their social base in the early years of transition. Mostly they started to operate as “catch-all” parties with some “cartel” party features if we use the concepts developed by Peter Mair and Richard S. Katz (1995). Nevertheless, it is necessary to be careful when using these terms. “Catch-all” parties are strongly connected with civil society and react to demands from below. This was not the case in post-communist countries. The weak civil society (Dvořáková 2008) was not able to play the role of watchdog, formulate its demands, or send signals or feedback to politicians. The parties in post-communist countries were “floating above the society”; they did not build channels for communication. This is why we see the reproduction of traditional modes of decision-making from above, the implementation of policies without taking the societal situation and development into consideration. In a situation, whereby there are no channels to society and no societal feedback, logically, the positions of power among individuals and political fractions are to be based on patronage and clientelistic networks. These processes seem to be close to the concept of “cartel” parties, that is, based on the relationship of the parties and the state (Katz, Mair 1995); nevertheless, we need to be circumspect when applying Western concepts on the early post-communist formation of political parties.

The main challenge however for the functioning of the parties was a problem of financing. On the one hand, there was no possibility to cover party expenses via the state budget; official state allowances were not enough to satisfy the needs of the parties. Moreover, a social structure without “capital and capitalists”, a small middle class, and a low standard of living limited the possibilities for the private sponsorship of parties. On the other hand, resources were easily within reach. Huge state-owned enterprises could be used to either finance

“governmental parties” directly through open or hidden contributions to party coffers and/or through privatization. Furthermore, the risks and costs were extremely low. Those who governed had at their disposal a politically dependent state apparatus and a state which lacked the basic institutions of oversight and regulation. It was extremely easy to build “*longer-term access to state resources where possible*”, mainly through delaying the introduction of oversight and regulation of state assets and via expansion of the discretionary sector of the state administration (Grzymała-Busse 2007: 4–8). An important role was played by the fact that party funding was not regulated or restricted and the regulation of conflicts of interest, if any, was extremely weak. (Grzymała-Busse 2007: 8).

Table 2 compares the conditions for the activities of political actors in communist and post-communist regimes.

Table 2. Comparison of the position of political actors and the conditions for their activities in the communist system and the early phases of the post-communist system

Factors	Communist system	Post-communist system
Political competition	The “leading role of the communist parties” was deemed the privileged position of the Communist party in the political system. No challenger could jeopardize its position.	The end of the privileged Communist Party position, the introduction of free political competition, and pluralism of political actors.
Channels for communication and feedback from “civil society”:	There were almost no channels for communication between “civil society” and “political society”. Most of the activities were controlled from above through the constructed, controlled, and paid structures of “unified” organizations and associations which served as an instrument for the enforcement of communist politics and control. There was no possibility for the independent financing of activities through sponsors or projects.	No developed channels for communication with political society; parties floating above the society. Weak civil society, a lack of independent financing of their activities through national based sponsors or projects. The lack of finances was partly substituted by foreign aid.

Factors	Communist system	Post-communist system
Position of power	The positions of individual or group power were based on clientelistic networks which combined loyalty, reciprocal services, and direct or indirect connections to the economic sphere.	Positions of power were generally legitimized through elections. Nevertheless, inside the parties, the positions of influential individuals and groups were based on clientelistic networks which combined loyalty, reciprocal services, and direct or indirect connections to the economic sphere.
Financing of politics	Party financing was mainly through the state budget and partly through membership fees.	Party financing was through state support, membership fees, and private sponsorship and donors often interconnected with privatization and public procurement. Parties, by eliminating oversight principles, formed “longer-term access to state resources”.

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However, there was another important task that political actors had to realize: the formation of significant economic actors. This seemingly could be a radical rupture with the past because of the “classless” character of the communist society, but was it really?

3 / The formation and the character of economic actors

Everyone can agree with Andrew Roberts that “*converting a planned economy with near universal state ownership into a market economy with private ownership generated enormous opportunities for corruption (...). The temptation of personal enrichment was enormous*” (Roberts 2010: 202). Unfortunately, the problem was much more complicated. The conversion was not only about personal integrity and the temptation of personal enrichment, it was mainly about the formation of an economic society, which included both economic actors and economic regulations (Linz – Stepan 1996).

Free and legal private economic activities were extremely uncommon in the Soviet-type communist regimes, although some limited activities in agriculture, trade, and crafts were present, mainly in Poland and Hungary. Even in such cases, strong state regulation limited the numbers of employees, prices, and profits; assessed special taxes and contributions; determined how and which goods could be produced; and where and at what price production could be realized. These regulations had to prevent the formation of a “capitalist” class, and

at the same time, the legalization of private activities was meant to solve the typical problem of a socialist economy: scarce goods and services.

The impacts of such regulations, and more generally an economy of shortages, were obvious, and the black market played a strong role in the everyday life of common citizens. Instead of the socialist entrepreneurs mentioned above, the black market was comprised of mostly “petty” actors such as black marketeers, illicit money changers, smugglers, and small-time thieves (misappropriation of socialist property). Bribed junior civil servant staff were part of these local networks in the sense that it was common knowledge who could arrange services or get scarce goods. Small gifts and financial bribes became a customary norm of communication with the state apparatus and service providers. As mentioned by Ciślak and Goczek (2018: 38), the lack of a clear distinction between the “private” and the “public” was followed by an appropriation of public resources for private advantage. These legacies have resulted in a general population with a higher tolerance for administrative corruption and a general willingness to pay bribes (see more Libman – Obydenkova 2015; Kostadinova 2012). The communist elites reacted to such activities by combining an appeal to the immoral side of such behaviour and real prosecution, with no real results.

The economic policy in communist states was based on centrally planned production but the relationship between suppliers and customers did not work efficiently. Managers (mostly of middle rank nomenklatura⁷) were motivated to carry out the plan because of their personal bonuses; the bonuses of their employees were also derived from economic results, but it was “mission impossible” if based only on legal socialist economic relations.

The reaction to such a situation was the use of informal political contacts with politicians, mostly through party bureaucracy and the important role of the horizontal network of state enterprise managers. Both forms of clientelism were mutually interconnected and gave their members special access to scarce goods and services while influencing their social capital (Možný 2009).

The privileged position of the senior staff of large socialist enterprises was derived from their affiliation to the nomenklatura – a political (power) and economic network which allowed mutual, and often reciprocal access to resources, information, and contacts. This could bring personal enrichment. Nevertheless, the applicability of personal profits was strongly limited in communist regimes. Firstly, the level of consumption was rather low; it was dangerous to exhibit extraordinary luxury and provoke attention. Secondly, there were no possibilities for investment and the legalization of profit.

The Czech sociologist Ivo Možný (2009), whose analysis was based on Bourdieu’s concept of social capital, argued that the senior officials of high-ranking socialist management had at their disposal social capital, and the main question in the late 1980s was how to change it into an economic resource. Social capital cannot be inherited, but economic capital can. Another disadvantage of social capital is its contextuality: *“Dirty acquisitions cannot be saved in any bank, and then used in a different context, dirty money can be saved”* (Možný 2009: 106).

Two ongoing processes intersected in the last phase of the communist regimes. The growing gap between the capitalist and socialist economies and technologies provoked many diverse attempts at economic reform in the final phase of the communist regimes (the 1980s), and at the same time, a portion of the senior managers, including bureaucrats and even high ranking secret police officials, started to search for ways to convert political and social capital into economic capital (Glenny 2009; Naxera 2015: 150). Jadwiga Staniszkis (2006), while analysing Polish development, spoke about socialist mercantilism in the 1980s through which the transformation moved to political capitalism.⁸

The end of communism and economic liberalization during the first phase of the transformation process provided immediate opportunities for “petty” actors; the old regulations were removed but new frameworks were either not established or not enforceable. Apart from those who started honest businesses, the lack of a legal framework for private activities legalized and opened windows of opportunities for former black market and illegal “entrepreneurship”. The sphere of such “business” interests continued in their orientation towards untaxed alcohol and cigarettes, prostitution, and developed new ones towards tax evasion. These petty actors for the most part did not become important economic actors; however, the existing and reconstructed contacts and networks strengthened the (semi) criminal character of this type of entrepreneurship. Moreover, among the newly formed “gangland”, we can find people who, due to their personal history and illegal economic roots in the communist regimes, were now able to develop new ties to the local or even national politicians and state administration.

Nevertheless, the formation of the economic society and the main economic actors could not have been based on these “petty” actors and deregulation. The key was privatization of the large socialist enterprises, state-owned banks, and the property of political, societal, and state institutions⁹, combined in some countries with restitutions to individuals and churches.

Studies concentrated on the change of elites confirm that senior managers of socialist enterprises were the most likely to transform their social capital into the economic variety¹⁰ during the early years of transformation (Machonin – Tuček 2002).¹¹ The situation in particular countries differed, as did the privatization methods, but generally, there was a lower level of continuity in politics than in economics (Naxera 2015: 154-156; Szelényi – Szelényi 1995; Hanley et al., 1996). On the other hand, studies did not confirm that a high nomenklatura position formed an automatic advantage during the transformation process¹² (Cviklová 2008); it seems that a key factor was the ability and position to handle the specific enterprise, which includes “know how” (good knowledge of the economic situation of “their” enterprise) and social capital (connections to politics and newly formed or reconstructed clientelistic networks). For certain, qualification and experience also played an important role when starting their own economic activities, and of course, many former socialist managers were now able to fulfil their dreams of private economic activity.

The role of those who governed was extraordinary. They decided the rules and procedures dealing with economic regulations and the processes of privatization. They influenced the

conditions for foreign investments and direct sales, determined access to loans through state-owned banks to cover privatization projects, and influenced the approval of specific privatization projects through appointments to supervisory/managing boards and the boards of directors of state-owned enterprises.

Privatization formed an unprecedented source for corrupt activity. Nevertheless, any source is limited, and state property became exhausted in the late 1990s. This lack of resources from privatization was then partly substituted by European money in both the pre-accession and, particularly, the post-accession periods as well as by longer-term access to state resources built by political parties.

Table 3 compares the conditions for activities of economic actors in communist and post-communist regimes.

Table 3: Comparison of the position of economic actors and the conditions for their activities in the communist system and the early phases of the post-communist system

Factors	Communist system	Post-communist system
Basic framework of economic policy	Centrally planned economy. Preparation and implementation of “plans” often based on the informal networks of politicians, party bureaucrats (state bureaucrats), and the senior managers of enterprises.	Market economy in the process of formation. The market “had been created” through privatization processes which brought radical but often unclear changes to property structures influenced by informal networks of politicians, state bureaucrats, managers, and former illegal “businesses”.
Private economic activities	Limited legal activities, strong regulations. Circumvention of the regulations via goods and services provided by the black market.	Legal private economic activities with very limited regulations and a weak legal framework. Strong sector of state-owned property which started to “operate on the market” and was the object of privatization.
Economic actors	Position based on social capital. Economic activities based on a horizontal network of senior management staff of socialist enterprises with links mainly to party bureaucracy.	Conversion of “old” social capital into economic resources through reconstructed networks and links to political parties and the state bureaucracy as well as newly formed agencies.

Factors	Communist system	Post-communist system
Profits	No possibility to invest, limited and controlled consumption, and limited possibilities for money laundering.	Uncontrolled consumption, possibility to invest profits, open window of opportunity for money laundering, and the export of finances abroad.

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Conclusion

This study raised several questions dealing with the origins of corruption in the new post-communist democracies. Are we witnessing a continuity with the communist past or is it a new phenomenon? Does corruption in post-communist states, regardless of the deep political, social, and economic changes, only follow previous practices? Contrarily, is corruption in the post-communist countries a new phenomenon which has resulted from a unique process of transformation, during which huge state-owned property assets were privatized and placed in the unregulated hands of (new/old) political elites?

There is no doubt that corruption is, besides other things, also a cultural phenomenon which reflects tradition – the way “things have been done and decided”. In short, political, legal, and economic cultures matter. History is always present, and sometimes with deeper roots than we would expect. Therefore, it is at least worth mentioning some features of the communist culture which substantially influenced the corruption. The principle of accountability had never been practiced before and even the word was not part of the political vocabulary. The constitution, laws, and rules were intended only as declaratory and, the common ability to bypass those laws or rules was well developed. The communist regimes worked contrary to their own constitutions, and, although the legitimacy of the regime was declared as being based on the people’s support with the masses “organized” in many organizations – from time to time mobilized to present their support and loyalty – there was mostly only low levels of independent public activity (with some exceptions in Poland and Hungary). Private economic activities were by and large only able to operate on the black market, with no legal framework and no regulations.

Regardless of all these factors, which without doubt played important roles and are to be taken into consideration, the deep causes of systemic corruption in post-communist countries are to be found somewhere else. We argue that the roots of systemic corruption in post-communist countries are to be found in the beginning of the transformation processes. The key factor which negatively influenced future development was an underestimation of state-building in spite of the fact that a post-communist state had to serve as both a “mover” of the market economy and a “maker” of the capitalist system and capitalists. As a result, the state did not gain autonomy and was used for the purposes and interests of those who governed.

It was not as difficult to form new political actors; free and competitive elections gave legitimacy to them. But new or reconstructed political parties, and politics in general, lacked financing in a country with no capitalist social structure. On the other hand, new political elites had at their disposal an untransformed state, one without a professional and independent apparatus and no oversight institutions in operation. Thus, the political parties could build longer-term access to state resources and also serve as an organizational unit upon which the traditional interconnection between political, bureaucratic, and economic networks could be reproduced and reconstructed. It was not that important whether the clientelistic networks from the communist past were used or if new ones were formed (both processes happened, and mostly, they were mutually interconnected); the most important factor was that these networks could influence the formation of an economic society (both economic actors and market regulations).

It is important to stress that the transformation from communism started without being theoretically anchored. Then again, it did not take place in a vacuum. The prevailing neoliberal approach dating from the 1980s was attempting to find an answer to the welfare state crisis and this approach was applied to the post-communist countries. But communist states were not welfare states.

To summarize, it was the character of the (post)communist state and the social structure of the (post)communist societies which influenced the shaping of the basic institutional settings and the formation of key political and economic actors. Together with the huge resources available through the privatization of state-owned property and the historical cultural approaches regarding the maintenance of social, political, and economic positions, there was almost no chance of avoiding corruption and its systemic metamorphosis. The fall of communism brought radical social and economic changes. These changes and the continuity of the weak state, which was not rebuilt, created unprecedented opportunities and space for corruption.

The lessons learned from these processes may also be applied to other transformations and can help to explain why transitions fail and/or why the product of transformation is fragile or even a captured state, as was seen during the Arab spring. State-building matters, and it must form basic autonomous capacities and systems of oversight and accountability independent from the influence of those who govern.

Notes /

- 1 We can find many other partly overlapping terms used for systemic corruption: political, grand, or endemic, for instance. We prefer the term systemic as it is resulting from the system and has a strong impact on the functioning of the political system.
- 2 The leader of the party (General Secretary/First Secretary – titles could differ between particular countries and periods) was *de facto* the head of the state; nevertheless, in some of the communist countries there was also the post of president, which could be filled by the leader of the party or someone else.

- 3 This was, for instance, the case in regards to the Czech Republic's National Security Authority (Národní bezpečnostní úřad) during the years 1998–2006; institution heads were in direct contact with the Czech gangland bosses.
- 4 The so-called goulash communism of Hungary was based on the principle “who is not against us, is with us”. The Polish situation differed. Reprisals grew after the 1981 imposition of martial law, but from the mid-1980 on, the regime became more inclusive again.
- 5 The communist parties worked under different names in particular countries; nevertheless, they shared the same ideology, hierarchical party structure, and principles of organization (“democratic centralism”).
- 6 All the same, inside official organizations there was some scope for less controlled activities. Outside official organizations there were also activities not “officially organized”, which could be oriented against the regime (dissent) or interpreted as potentially anti-regime only because these activities were not under official communist party control (summer open air music festivals, for instance).
- 7 To gain the post they were screened and approved at some level of the communist hierarchy.
- 8 For a critical analysis of the concept of political capitalism, see Ganey (2009: 658–660).
- 9 This mostly consisted of Communist Party real estate – “youth organizations”, ministries, etc.
- 10 Such a transformation did not principally mean moving former state ownership into the hands of former managers. They could profit by starting their own business using their contacts and going against the interest of the state-owned enterprise they had managed, through managing privatization processes, etc.
- 11 In the Czech Republic's case, Machonin and Tuček (2002) spoke about a “*revolution of deputy directors*”.
- 12 There was a different situation in the post-Soviet republics.

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Summary /

Corruption is a “resilient” phenomenon with a long history. It is present in authoritarian and even totalitarian regimes, as well as in democracies, it can be found both in developed and underdeveloped countries, in centralized and decentralized political systems, and in states with varying levels of economic regulation. All of these as well as additional factors can influence the type and character of corruption. Thus, this research can help to determine the causal links as to how the space for corruption has been formed, how it spreads, and what its impacts are on social, economic, and political life in the post-Communist societies.

The fall of communism initiated the deepest social, economic, and political changes of modern history. These changes installed new regimes which, irrespective of their current character, are infested by corruption. This study raised several questions dealing with the origins of corruption in the new post-communist democracies. Are we witnessing a continuity with the communist past or is it a new phenomenon? Does corruption in post-communist states, regardless of the deep political, social, and economic changes, only follow previous practices? Contrarily, is corruption in the post-communist countries a new phenomenon which has resulted from a unique process of transformation, during which huge state-owned property assets were privatized and placed in the unregulated hands of (new/old) political elites?

There is no doubt that corruption is, besides other things, also a cultural phenomenon which reflects traditional patterns of behaviour. In short, political, legal, and economic cultures matter. History is always present, and sometimes with deeper roots than we would expect. Therefore, it is at least worth mentioning some features of the communist culture which substantially influenced the corruption. The principle of accountability had never been practiced before and even the word was not part of the political vocabulary. The constitution, laws, and rules were intended only as declaratory and, the common ability to bypass those laws or rules was well developed. The communist regimes worked contrary to their own constitutions, and, although the legitimacy of the regime was declared as being based on the people’s support with the masses “organized” in many organizations – from time to time mobilized to present their support and loyalty – there was mostly only low levels of independent public activity (with some exceptions in Poland and Hungary). Private economic activities were by and large only able to operate on the black market, with no legal framework and no regulations.

Regardless of all these factors, the deep causes of systemic corruption in post-communist countries are to be found somewhere else. We argue that the roots of systemic corruption in post-communist countries are to be found in the beginning of the transformation processes. The roots of systemic corruption are to be found in a mutual interaction of elements, both from the past and brought into existence by this radical change, described herein: the social structure of the communist societies, which lacked capitalist structure (capital, “capitalists”); the character of the communist state, which was not substantially rebuilt during the transformation and was taken over by new/old political actors; economic transformation, which enabled those who controlled the state to form an economic society (economic actors, economic

regulations), having at their disposal and using for this goal a huge amount of the state-owned property during the process of privatization. Thus, the key factor which negatively influenced future development was an underestimation of state-building in spite of the fact that a post-communist state had to serve as both a “mover” of the market economy and a “maker” of the capitalist system and capitalists.

As a result, the state did not gain autonomy and was used for the purposes and interests of those who governed. The political parties could build longer-term access to state resources and serve as an organizational unit upon which the traditional interconnection between political, bureaucratic, and economic networks could be reproduced and reconstructed, no matter whether the clientelistic networks from the communist past were used or if new ones were formed (both processes happened, and mostly, they were mutually interconnected). The most important factor was that these networks could influence the formation of an economic society (both economic actors and market regulations).

To sum up, it was the character of the (post)communist state and the social structure of the (post)communist societies which influenced the shaping of the basic institutional settings and the formation of key political and economic actors. Together with the huge resources available through the privatization of state-owned property and the historical cultural approaches regarding the maintenance of social, political, and economic positions, there was almost no chance of avoiding corruption and its systemic metamorphosis. The fall of communism brought radical social and economic changes. These changes and the continuity of the weak state, which was not rebuilt, created unprecedented opportunities and space for corruption.