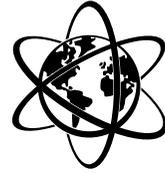


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## Varieties of legacies: a critical review of legacy explanations of public administration reform in East Central Europe

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### Abstract

This article examines the status of historical legacies in debates on the reform of public administration in East Central Europe. It identifies limitations of existing accounts and derives three dimensions for the further development of legacy explanations of administrative reform in East Central Europe. First, legacy arguments tend to zoom in on the negative effects of the communist past. Yet there is not one but many legacies that matter for post-communist reforms and these many legacies have to be carefully distinguished and conceptualized. Second, legacy explanations tend to search for broad similarities between the administrative past and the present set-up of East Central European administrations in order to demonstrate the importance of the legacy. The identification of similarities is, however, not sufficient for the identification of legacy effects. Instead, the article argues in favour of the identification of causal mechanisms of legacification to explain recent administrative developments in East Central Europe. Finally, the article draws attention to the interaction of legacy effects with other determinants of administrative reform such as European integration and political parties.

### Points for practitioners

This article addresses primarily policy-makers who deal with the reform of public administration in Central and Eastern Europe. It addresses the issue of how administrative traditions and, generally, historical legacies affect the design of administrative reforms and the successful implementation of reforms. Conventional wisdom concentrates on the negative effects of the communist-type administration on contemporary reform in Central and Eastern Europe. This article advances a more differentiated perspective on the impact of historical legacies. It argues that

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communist administrations evolved over time and differed considerably across countries. The administrative experience of other historical periods further interacts with the communist legacy of the past. The article also identifies various mechanisms that help to 'transport' the legacy of the past into the contemporary administrative reform context. For administrative policy-makers this approach implies that they cannot take for granted that the effect of the communist legacy is identical across countries and they cannot even assume that the communist administration will be long-lasting after transition. Instead, it is recommended that the specifics of local administrative traditions and the kind of mechanisms that produce legacy effects in the context of contemporary reform efforts be examined more closely.

**Keywords:** administrative reform, causal mechanisms, communism, comparative public administration, East Central Europe, historical legacies, post-communism

## Introduction

This article examines the status of historical legacies in debates on the reform of public administration in East Central Europe. It identifies limitations of existing accounts and derives three dimensions for the further development of legacy explanations of administrative reform in East Central Europe. A quick glance at the debates on public administration in East Central Europe indicates that there is no agreement with regard to the status of the legacy for the explanation of post-communist reform pathways and outcomes. On the one hand, there are a number of arguments that assign a great deal of relevance to the legacy of the past. General discussions on public administration developments in East Central Europe have usually concentrated on the negative effects of the communist legacy for post-communist reform ambitions. Public administration was an essential part of the communist system and the failure of the communist system is often associated with the failure of the communist-type administration. Both academic and non-academic circles have therefore commonly stressed the need to 'overcome' the communist legacy.

Accordingly, the first generation of research typically argued that the legacy of the 'real-existing socialist administration' (König, 1992) largely determined the items on the administrative reform agenda for the first democratically elected governments after the demise of communism (Hesse, 1993). The establishment of constitutional democracy and a market economy meant that the power monopoly of the communist party and its implications for public administration had to be overcome. Privatization and liberalization policies implied a redefinition of the relations between state and market, a fundamental change in the structure and organization of public administration and for the task profile of state officials. The transition to constitutional democracy meant that the relation between politics and public administration had to be re-defined, public administration had to be brought under the rule of law, a sphere of autonomous local self-government had to be carved out and professional, politically neutral civil service systems had to be built on the ruins of the communist nomenclature system.

Perhaps not surprisingly, the second generation of research, which examined the

administrative reform progress in East Central Europe about one decade after the demise of communism, associated the slower than expected speed of the reforms with the legacy of communism (Nunberg, 1999; Verheijen, 2001). Civil service reforms, for instance, were subject to delays in most countries, as the first civil service laws were passed only in the late 1990s or early 2000s. But even when laws had been adopted, they were often not implemented or remained inherently incomplete and contradictory (Nunberg, 1999; Verheijen and Rabrenovic, 2001).

In fact, more recent research also stresses that a number of characteristic features of communist-type administrations have persisted until the present day. The discrepancy between formal rules and administrative practices is commonly argued to remain a hallmark of post-communist administrations. Institutional instability and a preference for personalistic and discretionary governance have remained familiar since the days of the communist regimes (Dimitrov et al., 2006). In particular, the intervention of political parties into personnel management is characteristic of post-communist executive governance as much as it was a central feature of the communist era (Goetz and Wollmann, 2001; Meyer-Sahling, 2008).<sup>1</sup>

The centrality of the communist past for understanding public administration in the post-communist context is also reflected in the assumptions of much of the wider public administration literature. The very term 'post-communist' administration implies that the period of communism is a defining attribute of East Central European administrations. Unsurprisingly, the countries of East Central Europe are usually paired and compared with other post-communist countries of South East Europe and the former Soviet Union but rarely with Western European cases (Ágh, 2002; Verheijen, 1999, 2001). The rationale behind this methodological choice seems to be the assumption that the communist past sets these countries apart from their Western European neighbours.

In short, for debates on public administration in East Central Europe, the legacy of the past is, first, largely seen as synonymous with the communist legacy and, second, the communist administration is a critical determinant of the most recent administrative reform developments in the region. In general, this conclusion resonates well with debates in related fields of studies such as research on democratization in post-communist East Central Europe (Ekiert and Hanson, 2003; Kitschelt et al., 1999; Linz and Stepan, 1996) and explanations of public management reform in Western democracies (Painter and Peters 2009; Pollitt, 2008; Pollitt and Boukaert, 2004). It would therefore be counterintuitive if we discounted the impact of history for public administration in today's East Central Europe.

On the other side of the debate, there are, however, many reasons for the argument that the legacy of the past does not matter much for our understanding of public administration in contemporary East Central Europe. This is reflected in the large number of accounts that talk little about the legacy of the past but concentrate on temporally more proximate determinants of reform such as the role of the European Union and the impact of political parties. The expectation of much of the first generation of research was that East Central European administrations would pass through different stages of 'transformation', 'consolidation', 'modernization', and 'adaptation towards the state of the art of public sector performances as observed in Western environments' (Hesse, 1998: 170–1). Hence, the legacy of communism defined the

reform tasks as outlined above but this would matter only for a short time. As a result, the impact of the communist legacy would be a transitional phenomenon.

By contrast, debates surrounding the Europeanization of East Central Europe highlight the pressures for the adaptation of public administration that come from the European Union (Goetz, 2005; Schimmelfennig and Sedelmeier, 2005). In the run-up to accession, East Central European countries had to adopt the famous 80,000 pages of the *acquis communautaire*, they had to establish coordination mechanisms to manage the accession negotiations, they had to train their civil servants and they were required to reform their civil service systems for the sake of developing adequate administrative capacities (Dimitrova, 2002, 2005; Grabbe 2002). With the accession to the EU, East Central European states are no longer subject to EU conditionality but it is a conventional assumption that the external pressures before accession have been sufficient to break the power of the communist past (Johannsen and Norgaard, 2004).

However, external influence on East Central European administrations need not follow the coercive script of Europeanization by conditionality (Jacoby, 2004). Rather, it was common for administrative reformers to go policy-shopping in Western Europe. In most countries, policy inspiration from abroad was actively sought during the transition period and influenced constitutional designs and administrative reforms. Over time, the domestic demand and international supply in administrative reform advice and support has surely increased, even if the ambitions and promises have not always matched the outcomes.

Moreover, studies of party–state relations stress the role of post-communist politics rather than the communist past in order to explain the politicization of the administration in East Central Europe (Grzymala-Busse, 2007; Meyer-Sahling, 2006; O'Dwyer, 2006). This strand in the debate emphasizes that political parties have the incentive to offer jobs in the civil service in exchange for support during electoral campaigns or for party membership. It is argued that the ability of parties to resort to patronage strategies depends on the structure of party competition and the patterns of government formation. For instance, the presence of 'robust competition' between parties can lead to the presence of 'responsible governments' as well as 'critical oppositions', which increase the threshold for governing parties to exploit the state for their own gain. These arguments imply that the variation in state politicization in East Central Europe is better explained by focusing on 'post'-communist political determinants.

What, then, is the status of the legacy of the past for contemporary public administration developments in East Central Europe? Is an understanding of the legacy of the past critical for an understanding of today's administrative set-up? Or is the legacy no more than a background noise that can be largely discounted when studying public administration in East Central Europe today? This article takes issue with these questions. The article shows that it is problematic to reduce the legacy of the past to a 'one-size-fits-all-legacy' that is largely equivalent to an ideal communist-type administration. Because if we do so, it is indeed difficult to find support for the argument that the legacy of the past explains recent administrative reform trajectories in East Central Europe.

This article therefore calls for a reopening of the 'legacy case', that is, it calls for a more thorough conceptualization of legacy explanations of public administration

reform in East Central Europe. It concentrates on three dimensions for the further development of legacy explanations in East Central Europe. First, the administrative history of East Central Europe cannot be reduced to some ideal-type communist administration that has generally inhibited post-communist administrative reforms. Instead, this article argues that there are many different legacies of the past, which can be expected to have different effects on administrative reforms in East Central Europe. The notion of multiple legacies takes into account that 'real-existing socialist administrations' (König, 1992) differed across countries, pre-communist legacies varied considerably and the exits from communist rule differed from one country to another. As a result, the legacy-picture for East Central Europe is far more diverse than the one-size-fits-all assumption that has so far dominated legacy explanations of public administration reform in the region.

Second, the article argues that it is not sufficient to identify broad similarities between elements of the administrative past and elements of today's public administration in order to infer a causal effect of the legacy. Instead, this article argues that it is necessary to specify the causal mechanisms that reproduce the legacy of the past in the present set-up of East Central European public administrations and to identify the actors that pass on elements of the past to the present day.

Third, the article argues that legacies can be expected to be only one among many determinants of administrative reforms in East Central Europe. Denying the impact of the European Union and political parties as well as the impact of short-term factors such as economic crises is likely to miss an important part of contemporary administrative reform stories in the region. Consequently, this article argues that, for legacy explanations of public administration reform to be complete, they need to address the interaction of the legacy of the past with other, alternative determinants of reform.

The remainder of this article develops these arguments in more detail. The first three sections discuss the legacy of the ideal communist administration, the cross-national differences between real-existing socialist administrations and the pre-communist administrative history of East Central Europe. The fourth section turns to the role of causal mechanisms in the context of legacy explanations. The conclusions of the article discuss the importance of alternative explanations of administrative reform and the contribution that more thoroughly developed legacy explanations of public administration reform in East Central Europe can make for historical approaches to the study of public administration in general.

### **The limited effect of the communist legacy?**

To the extent that studies of public administration in East Central Europe address the impact of the legacy of the past, they tend to zoom in on the negative effect of the communist legacy for post-communist reforms. In these debates, the communist legacy is commonly conceptualized as an ideal type communist administration. Accordingly, the organization and functioning of public administration largely follows from the leading role of the communist party in state and society (König, 1992). This implied that there was basically no distinction between state and market and that there was no space for private property. It means that there was no distinction

between state and society and thus no space for a private sphere that is beyond the reach of politics (Bunce, 1999). The leading role of the party implied the subordination of the rule of law to the political and ideological goals of the communist party. Consequently, the behaviour of state officials was not based on the principle of rule-orientation. Administrative rules were subordinated to political goals and the 'bending and breaking of rules' for the sake of political goal achievement was characteristic of the communist-type administration (Pakulski, 1986).

The communist-type administration also did away with the separation between the party and state and thus between politics and administration. The communist state is often characterized by two parallel party and state hierarchies (Csanádi, 1997). The fusion of party and state was further embodied in the nomenclature system as the main principle of personnel organization. The party selected and/or approved the appointment of officials to key positions in the state bureaucracy and to a wide range of other institutions such as the army, the media, youth and sports organizations. Career progression in the communist administration took place on the basis of political and ideological reliability, while technical, procedural and managerial competences were secondary. Personnel policy of the communist administration was thus inherently 'over-politicised' (Goetz and Wollmann, 2001).<sup>2</sup>

Against this background, it is not surprising that debates on public administration in East Central Europe identify the communist legacy as an obstacle for successful administrative reform since the transition to capitalist democracy. Administrative reformers in post-communist East Central Europe as well as at international organizations tended to favour the rational-legal Weberian bureaucracy as the template for reform rather than the new public management, which dominated the debates at the time in Western Europe (Goetz, 2001; Verheijen and Coombes, 1998). The ideal communist-type administration, however, is distinctively non-Weberian. Only the feature of 'centralized hierarchical authority' can be seen as compatible with Weber's model of bureaucracy. Pakulski (1986) therefore defines communist-type administrations as 'partocracies', which are classified as polar opposites of rational-legal bureaucracies.

The classification of communist-type and Weberian-type administrations as extreme opposites supports the argument that the communist legacy of the past hampers the prospects of reaching the goals of administrative transformation. Yet the general belonging to the 'Soviet bloc' (Brzezinski, 1967) at some point in the past and thus the presence of some general features of communist-type administrations is not a good predictor for post-communist administrative reform outcomes in East Central Europe. A brief look at the government effectiveness indicator as one of the governance indicators of the World Bank suffices to show that the variation within the world of post-communist countries is very high.

The numbers reported in Table 1 and Figure 1 suggest, first, that the variation among all 'post-communist' countries is more than twice as high as the variation among Western European countries and, second, that the level of variation among the post-communist countries declined only slightly between the mid-1990s and 2007. The world of 'post-communist' countries includes here the East Central European countries, the successor states of former Yugoslavia and the former Soviet Union.

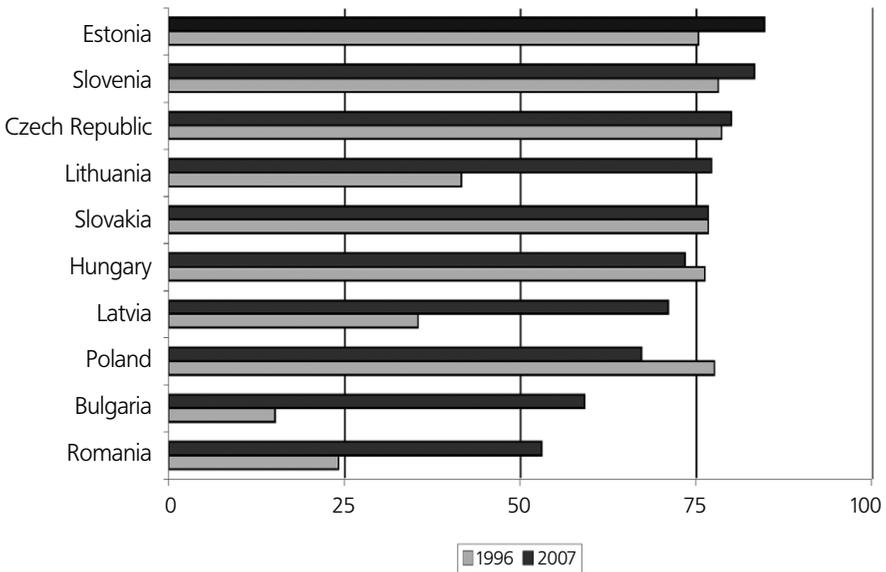
**Table 1** Government effectiveness: regional comparison

	Year	Post-communist 29 <sup>a</sup>	East Central Europe 10	Old EU-15
Variance <sup>b</sup>	1996	26.1	25.7	6.0
	2007	23.6	10.3	10.2
Average (min. 0, max. 100)	1996	37.8	58.0	92.2
	2007	47.6	72.7	88.5

<sup>a</sup> In addition to the 10 East Central European countries, the post-communist 29 category includes Turkmenistan, Belarus, Tajikistan, Moldova, Bosnia-Herzegovina, Kyrgyzstan, Uzbekistan, Azerbaijan, Ukraine, Kazakhstan, Russia, Albania, Kosovo, Serbia, Armenia, Macedonia, Montenegro, Georgia, and Croatia. For Kosovo and Montenegro, we have data for only 2007.

<sup>b</sup> Measured as the standard deviation of government effectiveness scores.

**Figure 1** Government effectiveness in East Central Europe



Percentile ranks, 0–100

Source: World Bank.

Third, if we restrict ourselves to the 10 East Central European countries that have recently joined the European Union and that are of main interest here, the data suggest that the degree of variation is almost identical to the variation among the Western European countries of the old EU-15. Yet debates on patterns of public administration in Western Europe emphasize typological diversity rather than singularity for the old EU-15 (Page and Wright, 1999; Peters and Pierre, 2004), which suggests that we can and should also assume typological diversity for the region of East Central Europe.

In other words, even a general picture that is based on the government effectiveness scores of the World Bank suggests that it is misleading to speak about one model of public administration for all of East Central Europe. But if diversity has become a feature of East Central European administrations, then we have to either dismiss the importance of the legacy of the past as an explanatory variable for post-communist administrative reform outcomes or we have to look for variation within the broad category that we have so far labelled 'legacy of the past'. The following sections follow the latter strategy. They disentangle the communist legacy of the past and then turn to legacies before the establishment of communist systems in East Central Europe and after the end of communist rule in 1989/90.

### **One communist legacy or many communist legacies?**

Public administration research has surprisingly little to say about the differences between administrations of East Central European countries during the communist era. Classifications usually suggest broad regional differences between East Central Europe, former Yugoslavia and the former Soviet Union (Ágh, 2002; Verheijen and Rabrenovic, 2001). By contrast, debates in comparative politics have directed particular attention to the presence of different types of communist regimes (Janos, 1996; Kitschelt et al., 1999; Linz and Stepan, 1996). For instance, Kitschelt et al. (1999) distinguish communist regimes along two dimensions, the repressiveness of the regime vis-a-vis its citizens and the degree of formal professional bureaucratization and corruption, which is of particular interest for the present article. Kitschelt et al. (1999) distinguish three types of communist regimes — bureaucratic-authoritarian, national-accommodative, and patrimonial communism — which are characterized by high, intermediate and low levels of formal professional bureaucratization, respectively. Kitschelt et al. (1999) classify the legacy of the Czech Republic as bureaucratic-authoritarian communism, Hungary and Poland as cases of national-accommodative communism and Romania and Bulgaria as representatives of patrimonial communism. The newly independent states of Slovakia, Slovenia and the three Baltic States are located between the national-accommodative and patrimonial types of communist rule.

If we assume that the degree of formal professional bureaucratization during the communist period influences the progress of administrative reforms during the post-communist period, then we could hypothesize that a higher degree of formal professional bureaucratization during the communist regime also leads to a higher degree of 'Weberianness' (Evans and Rauch, 1999) today. If we further assume that the government effectiveness indicator of the World Bank is largely equivalent to the degree of Weberianness of post-communist administrations, then we would expect the Czech Republic to do best, Hungary and Poland to come in second, the Baltic States, Slovakia and Slovenia to come in third and Romania and Bulgaria to be at the bottom of the table.

Returning to Figure 1, the ranking of the countries suggests only a weak relation between the variation in the degree of formal professional bureaucratization during the communist period and the administrative reform outcomes 15 years after the exit from communism. In fact, Estonia and Slovenia are at the top of the table, while the Czech Republic, Poland and Hungary show an intermediate progress. Only Bulgaria,

Romania and to a lesser extent Latvia take the place that we would expect because the conditions for a rapid Weberianization were less favourable than in the other countries.

It would be premature to conclude from this brief analysis that the broad variation in communist regime types cannot account for variation among East Central European administrations in the present day and that, as a result, the legacy of the communist past does again, as in the previous section, have to be discounted as an explanatory factor for post-communist administrative developments.

First, Figure 1 indicates that the Czech Republic, Poland and Hungary were much closer to the top of the list after the first six years of the transformation process (see the values for 1996).<sup>3</sup> This suggests that the legacy of the communist past had a short-term effect on administrative reform outcomes after the change of regime. By contrast, since the late 1990s the communist legacy has become less relevant, while other factors such as the domestic politics of the day and the European Union, both of which were addressed in the Introduction, have started to develop greater influence on the development of government effectiveness in East Central Europe. In particular, the role of the European Union is relevant here, as the publication of the 'Commission Opinions' on the accession tasks for individual East Central European candidate countries implied the establishment of administrative capacity-building as a condition for EU membership (Bugarcic, 2006; Dimitrova, 2002; Reinhold, 2004).<sup>4</sup>

Second, while the World Bank governance indicator is sufficient to identify general levels of variation between administrative systems, we may doubt their ability to accurately capture the outcomes of administrative reforms in East Central Europe and thus to determine rankings between countries. The government effectiveness indicator seeks to capture the quality of the civil service as it is perceived by societal actors, mainly business elites. It therefore shares mainly problems of measurement validity with other perception-based indicators such as corruption perception indices (Rose-Ackerman, 2006). If we turn to other evaluations of public administration in East Central Europe, we find an even larger degree of diversity within the region. Moreover, variation in the communist legacy of the past as conceptualized by Kitschelt et al. (1999) does usually not correlate with the variation in administrative reform pathways and outcomes in East Central Europe.

A popular indicator for the success of public administration reform has been the presence of a civil service law (Grzymala-Busse, 2007; O'Dwyer, 2006). From this point of view, Hungary stands out as a frontrunner, in that it embarked on civil service reform right after the change of regime and passed its first Act in 1992. By contrast, the Czech Republic has to be classified as the laggard among the East Central European countries because it passed a civil service law in 2002 but has not as yet implemented the law. Moreover, Estonia, Latvia and Lithuania all adopted their first civil service laws between 1994 and 1995 but the typology of communist regimes by Kitschelt et al. (1999) would suggest a much more protracted process for these three countries in comparison to countries such as the Czech Republic.

The passage of a civil service law is of course only a first step towards the professionalization and de-politicization of public administration. More recent research by the author (Meyer-Sahling, 2009) examines the fit of civil service systems with the European principles of administration in the eight countries that joined the EU in

2004.<sup>5</sup> When looking at the quality of the formal-legal basis and the actual practice of personnel policy, the research finds that, by 2008, only Lithuania and to a lesser extent Latvia and Estonia had reached a relatively high degree of fit with European principles of administration.<sup>6</sup> By contrast, the goodness of fit with European principles of administration is low in Slovakia, Poland and especially in the Czech Republic.<sup>7</sup>

The large differences between the three Baltic States and the four Central European states and to a lesser extent Slovenia are particularly obvious when looking at the politicization of the civil service. The three Baltic States have more or less succeeded in de-politicizing the senior ranks of the bureaucracy. By contrast, in the other countries, political appointments reach two, three and more (especially Poland) levels down the hierarchy, there is a high degree of personnel turnover after changes of government, and ministerial cabinets may be large in size and influential in policy-making and coordination (especially Hungary).

Apart from the diversity, it is especially puzzling in the context of the present discussion that countries with an apparently 'favourable' legacy of the past such as Hungary, Poland and especially the Czech Republic share a relatively poor civil service reform record and a relatively high degree of civil service politicization. By contrast, countries with relatively 'unfavourable' historical legacies such as the three Baltic States have been more successful in professionalizing their administrations. In fact, only Slovakia takes the place that one would expect when hypothesizing civil service reform trajectories on the basis of Kitschelt et al.'s (1999) typology of communist regimes.<sup>8</sup>

Rather than again dismissing the explanatory power of legacy arguments, we might this time question Kitschelt et al.'s (1999) typology of communist regimes insofar as the professionalization of the bureaucracy under communism is concerned. In particular, we might question the ranking of the Czech Republic by Kitschelt et al. (1999) as the country with the most favourable conditions for a rapid professionalization and de-politicization of its administration. In fact, Kitschelt et al. (1999: 25–6) argue that the bureaucratic-authoritarian communism that prevailed in Czechoslovakia 'came closest to the totalitarian model of a party state', in which the party has fully penetrated the public administration, and public administration has largely lost its ability to influence the political agenda. This differs from the authoritarian model of the state in which public administration tends to have kept some limited autonomy vis-a-vis the party and the political leadership (Linz and Stepan, 1996). As a result, the Czechoslovak administration was also closer to the ideal 'partocracy' (Pakulski, 1986) discussed above than the public administration of the other East Central European states. This suggests that the conditions for a rapid Weberianization after transition could be considered to be less favourable than inferred by directly applying Kitschelt et al.'s (1999) typology of communist regime types.

By contrast, the late-communist state bureaucracy of Hungary is often praised for its relatively high level of professional skill compared to other East Central European bureaucracies and the emergence of a bureaucratic career system before transition that looked familiar from the perspective of Western bureaucracies (Balázs, 1993).<sup>9</sup> This would suggest that the legacy of the communist administration provided better conditions for the rapid transformation of the administration in post-communist Hungary than in the Czech Republic. This hypothesis is attractive when considering administrative reforms in the early post-communist period. However, when looking

at the more recent developments the discussion above indicates that Hungary has clearly lost its status as a regional frontrunner in the area of administrative reform.

Instead of concluding that the legacy of the past can be discounted as an explanatory variable, the main conclusion that emerges from the discussion here is surely an invitation for public administration scholars to study 'patterns of communist administrations' in East Central Europe. This agenda would allow us to better capture similarities and differences between communist administrations and then to develop new hypotheses for the relation between the communist past and post-communist reform pathways.

The reference to the properties of the 'late'-communist administration in Hungary above suggests that a re-conceptualization of the communist legacy of the past is also well advised to take into account the inter-temporal dynamics of communist rule. The ideal-typical understanding of communist administrations that, as I argued above, has received most attention in public administration debates, is most closely associated with the period of fully fledged Stalinism. Yet 40 years of communist rule can be easily distinguished as three, four and more intervals such as the period of communist takeovers, the heyday of Stalinist rule in the 1950s and the long period of de-Stalinization that includes phases of reform and subsequent decay until the breakdown of communist regimes in 1989/90 (Schöpflin, 1994). By focusing on only one kind of communist legacy, much of the public administration debate reduces the legacy picture to a level that can no longer capture the diversity that existed before the regime change and that, in addition, no longer explains much post-communist development.

The importance of specifying the historical period that matters for post-communist developments is well illustrated by debates on the emerging state–market relations in East Central Europe. Focusing on the late-communist period, Stark and Bruszt (1998) found that networks between the state administration and state-owned enterprises that formed in the 1980s in some countries such as Hungary facilitated the formation and implementation of economic policy in the post-communist period. Similarly, Jenei (2008) argues that the relatively more autonomous and more professional administration of the late-communist era in Poland and Hungary facilitated the transformation of the state in these two countries after the transition to democracy. By contrast, Staniszki (1991, 2000) sees the persistence of late-communist networks in a less positive light. She argues that the networks that made it into the post-communist period were initially dominated by former political and economic nomenclature elites. These distinctively 'red networks' formed the nucleus for the emergence of 'political capitalism' in East Central Europe, which assumes a strong role for the state and networks of political elites and parties in governing the economy. As a first conclusion, rather than dismissing the impact of the legacy of the past on recent developments in East Central Europe, there are good reasons to expect that a more differentiated perspective on communist administrations will contribute to our understanding of post-communist developments. Yet it will also be worth including the historical experience beyond communism into the East Central European legacy picture.

## Legacies beyond communism?

For the immediate period after the end of communist rule, we can turn to the period of transition and early post-communism. Following Schmitter and O'Donnell (1986), the period of transition is not part of the communist regime, as it begins when the old regime breaks down and it ends with the first democratic elections under the new regime. At the other end of the timescale, we have the legacy of the inter-war period and the period before the end of the First World War when most countries were part of the Habsburg, Russian, German or Ottoman Empires. Both the period of transition and the long and varied pre-communist times are part of the legacy of the past that can develop their own effects on post-communist administrative developments. Yet as in the case of the communist legacy, the kind of effect that can be traced to these periods has so far remained ambiguous and largely undefined.

First, the period of transition is often identified as a 'critical juncture' (Thelen, 1999), in that the decisions and events during 'hour zero' have fundamentally shaped the subsequent pathways of post-communist countries. Modes of transition range from 'pacted transitions' in Hungary and Poland to imposed transitions that were controlled by the former communist parties in Romania and Bulgaria and the outright collapse and implosion of the communist regime in countries such as Czechoslovakia and the former German Democratic Republic (Linz and Stepan, 1996). The mode of transition and the outcome of the first elections mattered for public administration, in that it determined, for instance, which kind of officials stayed in the administration after the first democratic elections. Where communist parties stayed on after a regime-controlled transition, the turnover in the administration was much lower than in the countries where, after a regime collapse, the first elections brought parties of the former democratic opposition to government. The pacted transition in Hungary and Poland falls in between these extremes. Parties of the former regime opposition formed the first government but the round table talks of the pacted transition reduced the incentive to initiate large-scale purges from the administration of officials that had already served under the communist regime (Meyer-Sahling, 2004).

It is a matter of debate whether the mode of transition and the resulting policy towards officials of the former communist regime had long-term effects on administrative reform developments. Ganev (2001, 2007) suggests that the outcome of the first democratic elections did indeed have long-term consequences for the development of state capacity in post-communist Europe. In his study of state-building in Bulgaria, Ganev (2001) focuses on the separation of party and state after the exit from communism. He argues that the departing nomenclature elite had an incentive to extricate as many resources as possible from the state, to weaken mechanisms of political and administrative control and to de-institutionalize and destroy information that could be used for effective governing and enforcement. Ganev (2001) suggests that where the communist successor party wins the first democratic elections the state is severely weakened in the long term because the party can itself set the terms of the party-state separation and consolidate its power position for the future. By contrast, if the parties of the democratic opposition win the first elections, the 'devolution of state power' will be less severe (Ganev, 2001, 2007).

In contrast, the potential impact of the pre-communist legacy of the past on

post-communist legacies is far more ambiguous. Because of its temporal distance, the question arises whether the pre-communist period matters at all for administrative reforms in the post-communist context or whether it can be largely discounted. During the early days of post-communism, administrative reformers as well as politicians often idealized the pre-communist administrative history as a holy land of Weberianness. Accordingly, they tended to advocate a re-connection to the national administrative past. Nunberg (1999) argues that the pre-communist inter-war period therefore often worked as an 'inspiration' for post-communist reforms.

As with the discussion of variation across communist regimes, it is again doubtful whether the quality of the inter-war administrations in our East Central Europe countries can easily be put into one large class of cases. Yet there is not much attention paid by public administration research to the kind of differences and similarities that existed between administrations in the region during the inter-war period. It is usually only Czechoslovakia that is attested a 'well-functioning administration with a considerable autonomy of the law' (Schöpflin, 1994). By contrast, the administrations of the other countries of East Central Europe tend to be characterized as 'politicized' and dominated by the gentry class that uses the state to extricate resources for its own good (Schöpflin, 1994: 19–21; Verheijen and Rabrenovic, 2001). The distinction between Czechoslovakia and 'all the others' is arguably too broad to contribute much to the explanation of post-communist reform pathways. Moreover, it is unlikely to do justice to the level of cross-national variation that existed during the inter-war years. However, even if we accept the broad classification, the discrepancy between Czechoslovakia's status as the country with the most professional bureaucracy during the inter-war period and the status of the Czech Republic as the reform laggard under post-communism does not lend support to the argument that the inter-war period could have much of an impact on post-communist reforms.

The question whether history still matters also applies to the pre-First World War legacies in East Central Europe. In fact, if the relevance of the inter-war period for post-communist reforms is already called into question, then we should expect that the imperial legacies are even less consequential for present-day reforms in East Central Europe. If we assume for a moment that the imperial legacy still matters for post-communist administrative developments, there are question marks with respect to the direction of the impact. Both the Russian and the Ottoman administrative traditions include strong patrimonial elements (Verheijen, 1999). They do not therefore provide particularly favourable conditions for a rapid Weberianization of post-communist administrations. Among the countries covered in this article, the German administrative tradition and the related Habsburg tradition dominated only in the Czech Republic, Slovakia, Hungary and Slovenia. These countries should have had a more favourable basis for the re-connection of their reform efforts to the domestic administrative tradition. Yet it does not need further elaboration here that the correlation between these traditions and post-communist administrative developments is rather small.

The identification of the pre-First World War legacies does, however, connect legacy explanations of post-communist administrative reforms most closely to the debate on the impact of administrative traditions in Western democracies (Painter and Peters, 2009). The comparison between East and West suggests a major difference

between the administrative history of East Central Europe and that of most Western democracies. While administrative traditions in Western democracies demonstrate broad continuities since the 19th century, East Central Europe's tradition is characterized by several fundamental ruptures. Until the end of the First World War, most East Central European countries were part of one of the major European Empires. After the end of the First World War, they embarked on a process of belated state- and nation-building and most countries developed some form of authoritarian or semi-democratic rule. After the end of the Second World War, the inter-war regimes gave way to the communist regimes, and after 1989 the regimes underwent the transition from communism to capitalist democracy.

Every rupture had major consequences for the organization and functioning of public administration and, after every rupture, there was a desire to overcome the most recent legacy of the past. This has implications for the development of legacy explanations of administrative reform in East Central Europe. The 'rupturedness' of the administrative history can be seen as a structural feature of the legacy of the past in East Central Europe and it can be expected to have consequences for post-communist reforms. Rupturedness can imply a shorter half-life of administrative traditions that are associated with particular periods of East Central European history. Rupturedness also implies greater receptiveness to change and thus to the potential impact of new and alternative influences, for instance, from abroad. In fact, East Central European states and societies have historically been subject to important influences from abroad, though the sources and the mechanisms of the external influences have changed from one rupture to the next (Janos, 2000).

The consequence of this reasoning may be that the substantial effect of the legacy of the past is indeed more short-term and transitional, while other factors such as international ones soon take over as dominant determinants of domestic administrative reform. This would imply an important difference between the administrative developments in East Central Europe and in most Western democracies where long-standing administrative traditions are usually seen as important reform factors. Yet the arguments on the potentially short-term effect of the legacy of the past in East Central Europe will have to be made subject to empirical investigation. Instead, the main conclusion that should be drawn from the discussion in this section and the previous section surely concerns the challenge and the invitation for public administration research to re-conceptualize the legacy of the past for East Central Europe in order to better accommodate the diversity — both in cross-national and cross-temporal terms — of the administrative history in the region.

### **From legacy effects to mechanisms of legacification?**

An additional challenge for the development of legacy explanations of public administration reform in East Central Europe concerns the strategies to infer the causal effect of the legacy of the past. Studies of administrative development tend to assume that similarities between administrative traditions and present administrative reform outcomes indicate the presence of a legacy effect. These arguments are based on the understanding that legacies inhibit, delay and slow down reform and change of administrative institutions and practices (Painter and Peters, 2009). Yet identifying

broad similarities and correlations between past configurations and present administrative reform outcomes is not sufficient in order to identify legacy effects because some kind of mechanism of reproduction must be present for the legacy to have a long-term effect.<sup>10</sup> This is also recognized by historical institutionalist research. Historical institutionalists tend to emphasize the 'resilience' of institutions but they also allow for processes that enable institutional change (Pierson, 2000, 2004; Thelen, 1999).

Kitschelt (2003), who examines the impact of the legacy of the past on political regime diversity in the post-communist world, therefore argues that legacy explanations are incomplete if they do not specify the causal mechanisms that link the legacies of the past and the outcomes of the present. Kitschelt (2003: 62) distinguishes two types of mechanism. First, 'cognitive processes' assume that individuals can preserve and pass on their knowledge, skills and experience from one generation to another, which in turn shape political outcomes in the post-communist period. Second, mechanisms can identify 'political practices and institutional arrangements', which disaggregate potentially longer periods of time into smaller steps in the causal chain between the legacy of the past and the outcome to be explained.

In addition, Kitschelt (2003: 59–60) argues that all causal mechanisms require the identification of the actors that are assumed to connect past and present, their preferences and identities as well as the levels of social knowledge that they possess in a particular decision-making context. Causal mechanisms as conceptualized here do therefore assume a micro-logic of individual-level behaviour. The mechanisms do not presuppose a rational choice approach of actors and institutions, as they are also compatible with social constructivist assumptions. In fact, the distinction between two types of 'rationalist' and 'constructivist' mechanisms of reproduction or 'legacification' is close to Hall and Taylor's (1996) distinction of two strands of historical institutionalism. On the one hand, a 'cultural logic' of historical institutionalism emphasizes cognitive mechanisms of legacification. On the other hand, a 'calculus logic' of historical institutionalism concentrates on the path dependent, often long-term institutional and policy developments that result from actors' identities and interests, their resource endowments and actor constellations at a particular point in time (Pierson, 2000).

What is missing then in much of the debate surrounding the impact of the legacy of the past on post-communist administrative development is not merely a specification of the legacy of the past and a lack of attention to cross-national differences in legacies of the past but also a specification of the causal mechanisms that link the legacy of the past to post-communist administrative outcomes. Some positive exceptions that can be drawn from the literature on state–market and on party–state relations in East Central Europe were included in the discussion above. Stark and Bruszt's (1998) argument that late-communist networks between the state bureaucracy and state-owned enterprises shaped the early economic policy reforms and outcomes after the change of regime indicates processes of path dependence and thus would be classified in this article as a 'rationalist mechanism of legacification'. Ganev's (2007) focus on the effect of the first democratic elections on the development of state capacity in East Central Europe follows a similar logic.

On the side of the social constructivist mechanisms of legacification, we can refer to the evaluations of the communist and the pre-communist administrative past in the discourse surrounding the first reforms after transition. Here, the communist

legacy was depicted in negative terms as the model that had to be overcome. By contrast, the inter-war period was evaluated in positive terms as (one of) the models to identify with, to emulate and to return to. But arguments that refer to the relevance of the pre-communist administrative traditions should not be taken lightly (Nunberg, 1999; Verheijen, 1999). They tend to imply that there have been enough officials inside the administration, academics and other experts outside the administration or potentially other actors such as émigrés and even the off-spring of the inter-war elite who have been able to preserve the memory of the inter-war period despite 50 years of communism that often tried everything possible to destroy or falsify this memory. Yet even if the challenge of identifying relevant actors has been addressed, it can surely be expected that the opportunities to reactivate the legacy of the past differs from one country to another. In short, legacy explanations of administrative reform are compatible with different theoretical assumptions and different kinds of causal mechanisms. Yet they are incomplete as long as they do not specify the mechanisms that connect past and present. This then is indeed an agenda for research on public administration in East Central Europe.

### **Conclusion: legacy explanations and beyond**

This article has discussed the role of the legacy of the past for the explanation of administrative reform pathways in post-communist East Central Europe. The article has criticized the focus in much of the debate on the negative effect of a general communist legacy on post-communist administrative developments. Instead, it has been argued that there are many, quite different legacies that can affect post-communist administrative developments. Legacy explanations of administrative reform in East Central Europe have to carefully distinguish different kinds of communist legacies as well as pre- and early post-communist legacies. In addition, the article has argued that legacy explanations of administrative reform need to specify the kind of causal mechanisms that connect the past and the outcomes of the present. This article has advanced two mechanisms, one of which is closer to the rationalist strand of historical institutionalist research, while the second mechanism is closer to a social constructivist reading of historical institutionalism.

In short, the article calls for further development of legacy explanations of administrative reform in East Central Europe. A re-conceptualization of the legacy of the past in a way that accommodates the diversity in the region provides a fresh perspective on the study of legacy effects in East Central Europe. This can provide new insights with regard to the kind of historical period that has been more or less important, and opens new possibilities for the explanation of variation between administrative developments in East Central Europe, which is, for the time being, the domain of explanations that concentrate on factors such as the European Union and political parties. In addition, with a more nuanced type of legacy explanation, studies of post-communist administration can contribute to general debates in the area of comparative public administration that concentrate on the role of administrative traditions in Western democracies, as post-communist administrations increase the range of legacies and the number of cases in which mechanisms of legacification can be studied.

All of these arguments come, however, with one important qualification. As dis-

cussed in the Introduction for this article, other determinants of administrative reform such as the EU, the diffusion of ideas, lesson drawing from abroad, political parties, and domestic crises cannot be ignored when investigating East Central European administrations. As a consequence, any legacy explanation of administrative reform in East Central Europe needs to incorporate one more element, which is the interaction of the legacy of the past with other, third factors that are temporally closer to recent reform developments. In the end, this kind of combined approach may well allow us to better understand which aspects of public administration in East Central Europe are more responsive to international factors or to domestic day-to-day politics and which aspects are in the realm of legacy effects.

## Notes

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- 1 It has been argued for the Hungarian case that persistent politicization does not necessarily go at the expense of the professional capacity of public administration (Gajdushek, 2007).
- 2 The legacy of the communist past is largely conceptualized here with regard to the institutional features of the politico-administrative system. The understanding of the legacy could be broadened to include cultural and economic aspects of the communist past.
- 3 In 1996, the Czech Republic came first, followed by Slovenia, Poland, Slovakia and Hungary. Estonia ranked sixth but was not far below Hungary. By contrast, the scores for Lithuania, Latvia, Romania and Bulgaria were much lower than for the other six countries.
- 4 This is not to say that there was no international influence on public administration reform before the publication of the Opinions of the European Commission in 1997. For instance, already during the transition period, it was common for administrative policy makers to 'import' reform models from Western countries. Yet these forms of policy transfer were much less imposed from outside but they tended to be initiated by policy-makers in East Central Europe.
- 5 The European principles were developed by SIGMA in the context of the preparation of East Central European candidate states for accession to the European Union. The establishment of professional, impartial, and politically neutral civil service systems was the key element of the European principles and the EU approach to administrative reform in the then candidate states (SIGMA, 1999; Dimitrova, 2002; Meyer-Sahling, 2009).
- 6 Lithuania is also among the current frontrunners in order areas of administrative reform such as government performance management (see Nakrosis, 2008).
- 7 The World Bank (2007) reaches relatively similar results, in that the three Baltic States are considered as more successful than the other new member states.
- 8 For a discussion of administrative reform and especially the relationship between politics and administration, see Staroňová and Malíková (2005).
- 9 In addition to Hungary, the Polish administration is usually classified as relatively professional and hence different from the administration of ideal typical totalitarian states (Jenei, 2008; Raciborski and Wiatr, 2005).
- 10 This implies that the identification of broad correlations between the administrative configurations of certain historical periods and post-communist reform outcomes as done in the previous sections can only serve as hypotheses for empirical investigation.

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