2. Transitions to democracy

Introduction

The strategic problem of transition is to get to democracy without being either killed by those who have arms or starved by those who control productive resources. As this very formulation suggests, the path to democracy is mined. And the final destination depends on the path. In most countries where democracy has been established, it has turned out to be fragile. And in some countries, transitions have gotten stuck.

The central question concerning transitions is whether they lead to consolidated democracy, that is, a system in which the politically relevant forces subject their values and interests to the uncertain interplay of democratic institutions and comply with the outcomes of the democratic process. Democracy is consolidated when most conflicts are processed through democratic institutions, when nobody can control the outcomes ex post and the results are not predetermined ex ante, they matter within some predictable limits, and they evoke the compliance of the relevant political forces.

Note that a breakdown of an authoritarian regime may be reversed, as it was in Czechoslovakia in 1968, in Brazil in 1974, and in Poland in 1981, or it may lead to a new dictatorship, as in Iran and Romania. And even if the outcome is not the old or a new dictatorship, transitions can get stuck somewhere along the way in regimes that limit contestation or suffer from a threat of military intervention. Finally, even if democracy is established, it need not be consolidated. Under certain conditions, democratic institutions may systematically generate outcomes that cause some politically important forces to opt for authoritarianism. Hence, consolidated democracy is only one among the possible outcomes of breakdowns of authoritarian regimes.

To formulate the question for the analyses that follow, we need to examine the full range of possibilities inherent in different situations of transition

– moments when an authoritarian regime breaks down and democracy appears on the political agenda. Given the goals and resources of the particular political forces and the structure of conflicts they face, five outcomes are conceivable:

1. The structure of conflicts is such that no democratic institutions can last, and political forces end up fighting for a new dictatorship.

Conflicts over the political role of religion, race, or language are least likely to be resolvable by any set of institutions. Iran is perhaps the paradigmatic case here.

2. The structure of conflicts is such that no democratic institutions can last, yet political forces agree to democracy as a transitional solution.

The paradigmatic case of such situations is offered by O'Donnell's (1978b) analysis of Argentina between 1953 and 1976. Given the structure of the Argentine economy, where the main export goods are wage goods, democracy results in Argentina from coalitions between the urban bourgeoisie and the urban masses: the urban–urban alliance. Governments that result from this alliance overvalue the currency in order to direct consumption to the domestic market. After some time, this policy results in balance-of-payment crises and induces the urban bourgeoisie to ally itself with the landowning bourgeoisie, resulting in a bourgeois–bourgeois coalition. This coalition seeks to reduce popular consumption and needs authoritarianism to do so. But after a while the urban bourgeoisie finds itself without a market and shifts alliances again, this time back to democracy.

Examine this cycle at the moment when a dictatorship has just broken down. The pivotal actor – the urban bourgeoisie – faces the following choices: (a) to opt for a new dictatorship immediately; (b) to agree to democracy now and to shift alliances when a balance-of-payment crisis ensues; (c) to agree to democracy now and to continue supporting it in the future. Given the interests of the urban bourgeoisie and the structure of conflicts, the second strategy is optimal. Note that no myopia is involved here; the urban bourgeoisie knows that it will switch at some future moment. Democracy is simply the optimal transitional solution.

3. The structure of conflicts is such that some democratic institutions will be durable if adopted, but the conflicting political forces fight to establish a dictatorship.

This outcome may ensue when political forces have different preferences over the particular institutional frameworks; for example, over a unitary versus a federal system. One part of the country has a strong preference for a unitary system; other parts, for a federal one. What will happen under such conditions is not apparent – I shall return to it several times. Perhaps if any institutional framework is adopted temporarily, it will acquire the force of convention (Hardin 1987) and will last. But one conceivable outcome is open conflict, degenerating into civil war and dictatorship.

4. The structure of conflicts is such that some democratic institutions will be durable if adopted, but the conflicting political forces agree to an institutional framework that cannot last.

This outcome may seem perverse, but there are situations where it is to be expected. To anticipate what follows, imagine that a military regime is negotiating its way out of power. The forces represented by this regime prefer democracy with guarantees for their interests over the perpetuation of the dictatorship, but they fear democracy without guarantees more than the status quo, and they are capable of maintaining the dictatorship if the democratic opposition is not willing to adopt institutions that will constitute such a guarantee. The opposition then knows that unless it agrees to such institutions, the military will clamp down again. The result is democracy with guarantees. But if democratic institutions, once installed, erode the repressive power of the military, these institutions will not last. This situation does involve myopia or lack of knowledge. Recent events in Poland provide the paradigmatic case here.

5. Finally, and hopefully, the structure of conflicts is such that some democratic institutions will be durable if adopted, and they are.

The conditions under which these outcomes emerge and the paths that lead to them are the subject of this chapter. Liberalization of authoritarian regimes provides the prologue to the story and is first analyzed. Then follows a discussion of the way conflicts over the choice of institutions ensue in two different contexts: when the ancien régime extricates itself from power by negotiation, and when it falls apart, so that the problem of constituting the new democratic institutions remains entirely in the hands of proto-democratic forces. The last section is devoted to the interplay of institutions and ideologies.

The approach I use generates hypotheses of a comparative nature: hy-

potheses that specify the consequences of conflicts among actors endowed with particular interests and values operating under conditions independent of their will. These hypotheses should be tested by recourse to comparative evidence. And as the events in Eastern Europe unfold, we are for the first time on the verge of having enough cases to test them systematically, perhaps even statistically. I only suggest, not test, such hypotheses here.

Liberalization

A common feature of dictatorships, whatever mix of inducements and constraints they use, is that they cannot and do not tolerate independent organizations.[1] The reason is that as long as no collective alternatives are available, individual attitudes toward the regime matter little for its stability.[2] Even Weber (1968: I, 214) observed that "people may submit from individual weakness and helplessness because there is no acceptable alternative." What is threatening to authoritarian regimes is not the breakdown of legitimacy but the organization of counterhegemony: collective projects

[1] Obviously, not all dictatorships are the same. Some tolerate no autonomous organizations of any kind; even the Animal Protection Society is organized from above and is a part of the Association of Associations, which is a part of the Front of National Unity, run out of the Ministry of Order. Other dictatorships are more selective; they ban unions and parties but tolerate stamp collectors' societies, churches, or producers' associations. But no dictatorship permits autonomous organization of political forces.

[2] This is why explanations of regime breakdown in terms of legitimacy are either tautological or false. If by a loss of legitimacy we understand the appearance of collectively organized alternatives, they are tautological in that the fact that these alternatives are collectively organized means that the regime has broken down. If we see legitimacy in terms of individual attitudes, in Lamounier's (1979: 13) terms as "acquiescence motivated by subjective agreement with given norms and values," they are false. Some authoritarian regimes have been illegitimate since their inception, and they have been around for forty years.

It is hard to evaluate how much attitude change occurs before and how much as a result of liberalization. In Spain, 35 percent of respondents supported a democratic representative system, as opposed to one-man rule, in 1966; 60 percent in 1974; and 78 percent in May 1976. In 1971, 12 percent thought political parties beneficial; by 1973, 37 percent thought they should exist, and this proportion rose to 56 percent by April 1975, fell to 41 percent by January 1976, and rose again to 67 percent by May 1975 (López-Pintor 1980). In Hungary in 1985, 88 percent of respondents declared confidence in the national leadership (57.3 percent "fully"), 81 percent in the parliament, 66 percent in the party, and 62 percent in trade unions (Bruszt 1988). In Poland, where organized opposition had functioned openly since 1976 and was repressed in 1981, confidence in the Communist (PUWP) party declined slowly from 66.2 percent in June 1985 to 53.1 percent in July 1987 and precipitously to 26.6 percent during the wave of strikes of August 1988; increased again to 38.6 percent by November 1988; and fell again to 26.0 percent on the eve of the Magdalenka talks in January 1989. During the same period, confidence in the opposition increased from 20.5 percent in 1985 to 26.2 percent in August 1988 to 45.9 percent by January 1989 (Ostrowski 1989).

for an alternative future.[3] Only when collective alternatives are available does political choice become available to isolated individuals.[4] This is why authoritarian regimes abhor independent organizations; they either incorporate them under centralized control or repress them by force.[5] This is why they are so afraid of words, even if these words convey what everyone knows anyway, for it is the fact of uttering them, not their content, that has the mobilizing potential.

How does it happen, then, that at some moment a group inside the authoritarian power establishment decides to tolerate an autonomous organization in the civil society? At one point the Spanish regime stopped repressing the Commissiones Obreras; General Pinochet allowed the reemergence of political parties; in July 1986, General Jaruzelski passed an amnesty law for political activities that did not include a recidivism clause, thus signaling a de facto legalization of the opposition; Egon Krenz accepted the existence of the embryonic Nueue Forum. Such moments signal

[3] The Gramscian inspiration of these hypotheses is obvious, but Gramsci's framework, with its duality of coercion and consent, is not sufficiently specific institutionally to serve as a guide to the problem at hand. In particular, Gramsci failed to distinguish concessions given by someone who controls the political system from realizations of interests achieved through open-ended, even if limited, competition.

[4] Demonstration effects play an important role in transitions to democracy. Here is a Brazilian joke, dating to the twilight of the dictatorship: In a crowded Rio bus, a man slaps the face of an officer standing next to him. Another man does the same. From the back of the bus, a *mulatinho* pushes his way through and administers a third slap. The bus stops and is surrounded by the police. The first man is asked, "Why did you hit the officer on the face?" "He offended the honor of my daughter; I had to react" is the answer. The second man is interrogated: "He offended the honor of my niece; I had to react." Finally, the question is directed to the *mulatinho*. "When I saw them hitting the officer, I thought the dictatorship had fallen," he explains.

As someone observed, the breakdown of the communist monopoly of power took ten years in Poland, ten months in Hungary, ten weeks in East Germany, and ten days in Czechoslovakia. The events in Poland and Hungary demonstrated to East Germans the possibility of this breakdown; the spectacle of the crumbling wall signaled to individual Czechs the feasibility of regime transformation.

[5] A Soviet samizdat, *Chronicle-Express* (no. 16, 17 November 1987), made public a document of the Komsomol entitled "To Strengthen the Work in the Autonomous Youth Associations." This document observes that "the recent extension of democracy resulted in the appearance of a growing number of autonomous socio-political youth associations. . . . The range of their interests is extremely broad, from international information, ecology and protection of historical monuments, to a shameful speculation on not yet surpassed difficulties of the reconstruction." The document goes on to distinguish good and bad associations. In the case of the good ones, Komsomol organizations should extend their cooperation and should send their "best militants to play the role of commissars." In the case of the less good ones, their leaders should be bribed, or "should be offered in private concrete ways of realizing their capacities." Finally, the document goes on, if this strategy fails, the Komsomol should be prepared "to create its own alternative association."

fissures in the authoritarian power bloc and suggest to the civil society that at least some forms of autonomous organization will not be repressed. They mark the onset of liberalization.[6]

Explanations of such decisions fall into two categories: from above and from below. To some extent, these explanations reflect real differences. Hungary, for example, is generally viewed as an almost pure case of divisions in the authoritarian power bloc. In the words of Karoly Grosz, "the party was shattered not by its opponents but – paradoxically – by the leadership."[7] East Germany represents the other extreme: There were no indications of a split in the power bloc until hundreds of thousands of people had occupied the streets of Leipzig. Yet a striking aspect of the case-study literature is that often different causes are cited to explain the same event. With regard to Brazil, for example, Cardoso (1979) saw the *distensão* as a result of a long-standing division within the military; Lamounier (1979), as a consequence of popular mobilization. Indeed, the top-down and bottom-up models often compete to explain liberalization.[8]

The reason for these analytical difficulties is that the model that simply distinguishes the two directions is too crude. Short of a real revolution – a mass uprising that leads to the disintegration of the apparatus of repression[9] – decisions to liberalize combine elements from above and from below. For even in those cases where divisions in the authoritarian regime became visible well before any popular mobilization, the question is why the regime cracked at a particular moment. And part of the answer is always that the Liberalizers in the regime saw the possibility of an alliance with some forces that up to then had remained unorganized, which implies

[6] I am using the terminology of O'Donnell (1979: 8), according to whom "liberalization consists of measures which, although entailing a significant opening of the previous bureaucratic authoritarian regime (such as effective judicial guarantees of some individual rights or introduction of parliamentary forms not based on free electoral competition), remain short of what could be called political democracy."

[7] Interview with Karoly Grosz, former first secretary of the Hungarian (Socialist Workers') Communist party, in *Przegląd Tygodniowy*, no. 51 (403), Warsaw, 22 December 1989, p. 15.

[8] Even Hungary and Poland are not exempt from alternative interpretations: Szelenyi (1989) emphasized the from-below aspects of the Hungarian transition, and Comisso (1989) countered that Szelenyi was neglecting the from-above elements. Walicki (1990) went against the standard interpretations of the Polish transition, which assign the crucial role to Solidarity, by arguing that it was an effect of an agreement between two elites. Wiatr (1989), perhaps even more provocatively, described it as a pact between the army and the church.

[9] Even Romania does not represent the case of a true revolution. There seems to be much we still do not know about the background of these tragic events, but note that the Romanian army survived the destruction of the Ceausescu regime with its command structure intact.

that there was some force in the civil society with which to ally. Conversely, in the cases in which mass mobilization antedated visible splits in the regime, the question remains why the regime decided not to repress it by force. Again, part of the answer is that the regime was divided between Liberalizers and Hardliners. Liberalization is a result of an interaction between splits in the authoritarian regime and autonomous organization of the civil society. Popular mobilization signals to the potential Liberalizers the possibility of an alliance that could change the relations of forces within the power bloc to their advantage; visible splits in the power bloc indicate to the civil society that political space may have been opened for autonomous organization. Hence, popular mobilization and splits in the regime feed on each other.

Whether a visible split or popular mobilization occurs first, the logic of liberalization is the same. What is different is its pace. Popular mobilization dictates the rhythm of transformation, since it forces the regime to decide whether to repress, coopt, or devolve power. Yet whether liberalization lasts years, months, or days, the regime and the opposition face the same sequence of choices.

Projects of liberalization launched by forces from within the authoritarian power establishment are invariably intended as controlled openings of political space. They typically result from divisions in the authoritarian bloc sparked by various signals that portend an imminent crisis of some sorts, including signs of popular unrest. The project of Liberalizers is to relax social tension and to strengthen their position in the power bloc by broadening the social base of the regime: to allow some autonomous organization of the civil society and to incorporate the new groups into the authoritarian institutions.[10] In the light of this project, liberalization is to be continually contingent on the compatibility of its outcomes with the interests or values of the authoritarian bloc. Thus, liberalization is referred to as an "opening" (*apertura*), "decompression" (*dis-*

[10] According to Carr and Fusi (1979: 179), in Spain "the political class was divided by struggle between *aperturistas* – those who believed that the regime must be 'opened' in order to survive by winning a wider support, usually called 'participation' – and *immobilistas*." The former first secretary of the Polish United Workers' (Communist) party, Edward Gierek, revealed in a recent interview (Rolicki 1990: 146) that in the late seventies he "intended to introduce to the Seym [Parliament] a significant group of 25 percent of Catholic deputies. It would have permitted us . . . ," Gierek continued, "to broaden the political base of the authorities."

tensão), "renewal" (*odnowa*), or "reconstruction" (*perestroika* – "remodeling," as of a house). These are terms with strong connotations of limits to reform.

Yet liberalization is inherently unstable. What normally happens is what Ilya Ehrenburg called in 1954 "the thaw" (*ottepel*): a melting of the iceberg of civil society that overflows the dams of the authoritarian regime. Once repression lessens, for whatever reason, the first reaction is an outburst of autonomous organization in the civil society. Student associations, unions, and proto-parties are formed almost overnight. In Brazil, lawyers, journalists, and students organized first, followed by the *comunidades de base*. In Poland, ten million people joined Solidarność within a few weeks of September 1980. Even organizations founded and controlled by the regime declared themselves independent: not only professional associations but even the Tourism and Sightseeing Society and the Stamp Collectors' Association. According to a story by K. S. Karol (*Le Nouvel Observateur,* no. 1200, Paris, 6 November 1987), the first autonomous group established in Gorbachev's Soviet Union may have been the Spartakists, meaning, obviously, fans of the Moscow soccer club Spartak. By 1987, there were already thirty thousand independent groups and they held a national congress. By the end of 1989, sixty thousand autonomous groups, clubs, associations, circles, and federations were probing the limits of the political space (*Pravda,* 10 December 1989).[11]

The pace of mobilization of the civil society is different in different regimes, depending on whether the authoritarian equilibrium rests mainly on lies, fear, or economic prosperity. The equilibrium of lies is the least stable. In regimes of ritualized speech, where everyone goes through the motions of uttering words they do not believe and do not expect anyone else to believe, fresh words are subversive. Once the king is announced to be naked, the equilibrium is destroyed instantaneously. In Romania, a few people started shouting anti-Ceausescu slogans during the demonstration organized to welcome his return from Iran, and the regime fell a few days later. In regimes based on fear, where words are permitted as long as they do not enter the public sphere – post-Stalinist Poland and post-1982 Mex-

[11] A careful study of popular mobilization in Spain, focusing on unions, is Maravall 1981. One does not know to what extent these estimates can be trusted, but here are some numbers concerning Bulgaria: On 13 November 1989, the subhead in the *New York Times* was "Bulgarians Are Passive"; on 28 December, the independent union Podkrepa was said by the *New York Times* to have 5,000 members; on 16 January 1990, Paris *Liberation* reported that Podkrepa had 100,000 members.

ico provide good cases – dissent can smolder for a long time before it erupts into flames. The crucial factor in breaking individual isolation is the safety of numbers. Poles discovered the strength of the opposition when the Pope's visit in June 1979 brought two million people into the streets; in Bulgaria, the first autonomous demonstration, on 17 November 1989, grew out of one organized by Mladenov's new government in his support; the same occurred in Romania when Ceausescu returned from Iran; in East Germany, the mass movement was released when trains carrying refugees began crossing from Czechoslovakia to West Germany. Finally, regimes based on a tacit exchange of material prosperity for passive acquiescence – the "goulash communism" of Kadar in Hungary, the Gierek period in Poland, or the pre-1982 PRI regime in Mexico – are vulnerable primarily to economic crises. Hence, the time lag between the opening and popular mobilization varies from regime to regime.

At some time the civil society mobilizes, and new organizations form, declare themselves independent of the regime, proclaim their goals, interests, and projects. But the regime has centralized, noncompetitive institutions that incorporate only those groups that accept its direction and that control the outcomes of any political process ex post. Thus, on the one hand, autonomous organizations emerge in the civil society; on the other hand, there are no institutions where these organizations can present their views and negotiate their interests. Because of this *décalage* between the autonomous organization of the civil society and the closed character of state institutions, the only place where the newly organized groups can eventually struggle for their values and interests is the streets. Inevitably, the struggle assumes a mass character.[12]

Once that happens, liberalization can no longer continue. The tear gas

[12] The Brazilian experience does not contradict this general proposition. It is true that in Brazil the struggle for democracy did not reach the streets until the Direitas, ja! campaign of 1984, but the reason, I think, is that the *distencão* of 1974 was immediately transformed into electoral competition. The institutional framework to channel opposition was available. The project of liberalization got into trouble anyway because of the unexpected electoral success of the MDB.

Similarly, liberalization in the Soviet Union did not lead to mass demonstrations in the Russian part of the country, I think for two reasons. First, popular mobilization was in fact encouraged by Gorbachev, who attempted to develop a traditional Russian coalition of the tsar and the people against the bureaucracy. (See explicit statements to this effect in his *Perestroika*.) Second, the Supreme Soviet was transformed overnight into a fairly contestatory institution, which witnessed sharp confrontations and passed laws with small majorities. Hence, the institutional framework was transformed de facto to correspond to its status de jure.

that shrouds the streets stings the eyes of Liberalizers; the eruption of mass movements, the unrest and disorder, constitute evidence that the policy of liberalization has failed. Since liberalization is always intended as a process controlled from above, the emergence of autonomous movements constitutes the proof that liberalization is not, or at least is no longer, a viable project. Street demonstrations are the demonstration that the most sacrosanct of authoritarian values, order itself, has been violated. Mass eruptions undermine the position of Liberalizers in the authoritarian bloc.

In China, student demonstrations forced the Liberalizers to beat a retreat and cost them the leadership of the party. Repression increased again. In South Korea, however, similar demonstrations led to a break in the regime and transformed Liberalizers into democratizers. These indeed are the alternatives: either to incorporate the few groups that can be incorporated and to repress everyone else, returning to the authoritarian stasis, or to open the political agenda to the problem of institutions, that is, of democracy.[13] Liberalizations are either reversed, leading to grim periods euphemistically termed normalization,[14] or continue to democratization.

The perplexing fact is that so many authoritarian politicians believe that they will succeed where others have failed, and they go on to fail. The Brazilian case is classic. As Smith (1987: 207) observed, "The difference between liberalization and democratization was clear for Golbery: If implemented properly, careful doses of liberalization could substitute for genuine democratization, thereby maintaining the political exclusion of subaltern groups and preempting meaningful demands for real reform of the economic model."[15] In Poland, the Jaruzelski regime came as close as one

[13] The Polish events of 1955–7 are a classic case of liberalization that ended up in normalization. After a period of autonomous organization, workers' councils were incorporated into the regime, while the student movement was repressed. In Brazil, the failed liberalization attempt of 1974 was followed during 1975–7 by a mixture of intensified repression and welfare measures. See Andrade 1980. For some reason, several Brazilian writers found it surprising that the liberalization project did not quite work the way it was intended, and they went on to distinguish "the project" from "the process" (Diniz 1986). They must not know Perez's third law of decompression: "Things always get out of hand."

[14] These were best summarized by Milan Kundera: "A man is vomiting in Wenceslaus Square. A passerby approaches. 'Do not worry. I understand you,' he says." (I do not remember from which novel this story comes.)

[15] A fascinating document outlining plans for liberalization is the speech given by General Golbery do Couto e Silva in 1980 (Golbery 1981). Karoly Grosz summarized his earlier stance as follows: "My position was the following: Let us move forward, with courage but also prudence, so that the nation will understand us and follow us. . . . I thought that a single party, having lost its two radical wings, would be able to overcome the difficulties" (see n. 7).

can to squaring the circle. The strategy was to create democratic institutions, such as the Administrative Court, the Constitutional Tribunal, self-management councils and independent unions, the Consultative Council to the Government, and an Office of the Ombudsman – and to retain power.[16] Even in cases in which liberalization occurred only under the intense pressure of mass demonstrations (East Germany and Czechoslovakia), the first project of the liberalizing leadership was to suck the dissent into the authoritarian system: Krenz encouraged "the people" to share their grievances with the party and promised that the "authorities" would listen, Vladyslav Adamec hand-picked some noncommunists for his first cabinet, and both hoped that the mobilization would be diffused by these measures. Yet all erred in their expectations, and all were eventually forced to accept democratization. Why?

Examine the situation from the point of view of proto-Liberalizers at the moment when the choice of opening the regime appears on the horizon. The proto-Liberalizers can maintain their present position in the power bloc, and then the result is the status quo, denoted in Figure 2.1 as SDIC (status quo dictatorship). Or they can decide to issue signals that they are willing to tolerate some autonomous organization outside the power bloc: to open. If the organized forces in the civil society decide to enter into the new organizational forms created by the regime, typically some Front of National Unity, and no further autonomous mobilization occurs, the result is BDIC (broadened dictatorship); and the liberalization strategy is successful. If the civil society continues to organize autonomously, Liberalizers face the choice of going back to the fold and agreeing to repress popular mobilization or of continuing on to TRANSITION to democracy. Repression, however, may be ineffective: If it succeeds, the outcome is NDIC (narrower dictatorship) in which the Liberalizers find themselves at the mercy of the executors of repression; if it fails, the outcome is an INSURRECTION. Assume that Liberalizers attach the probability r to successful repression.

Note immediately that the process of liberalization can be launched only if some groups in the authoritarian regime prefer broader dictatorship to the status quo. Liberalizers prefer BDIC to SDIC because broadening the social

[16] A nice statement of this strategy is an article by Leszek Gontarski entitled "Are We Afraid of Democracy?" ("Czy boimy się demokracji?"), *Życie Warszawy*, no. 291, Warsaw, 12–13 December 1987, p. 3.

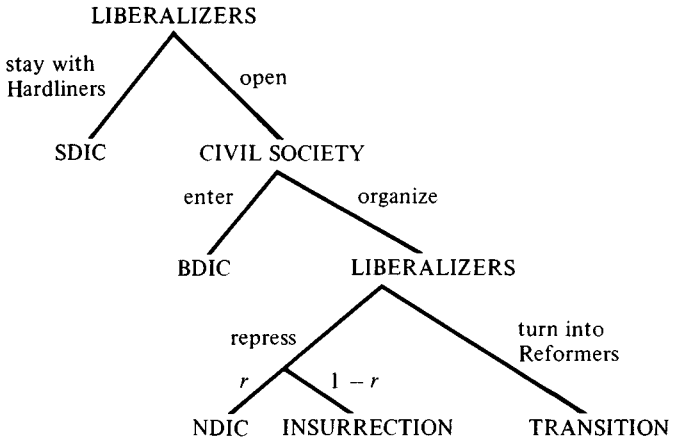

Figure 2.1

base strengthens the regime as a whole and because groups that enter the regime constitute natural allies for Liberalizers vis-à-vis Hardliners. INSURRECTION is the worst outcome for everyone in the regime.

Now, if everyone knows everything and everyone knows the same, then the only possible outcomes of this game are either the status quo or broadened dictatorship; liberalization occurs only when it will be successful. Suppose that the preferences of Liberalizers are BDIC > SDIC > TRANSITION > NDIC > INSURRECTION. Then Liberalizers will know that if the society organizes, they will have to turn into Reformers. So does the civil society. Hence, if Liberalizers open, society organizes. But Liberalizers prefer SDIC to TRANSITION. Hence, they never open. In turn, suppose that the preferences of Liberalizers are BDIC > SDIC > NDIC > TRANSITION > INSURRECTION and that Liberalizers attach a high probability to the success of repression. Then Liberalizers know that they will choose repression if society organizes. So does the civil society. Since for the society BDIC > NDIC, civil society enters knowing that Liberalizers will opt for repression if they organize. And since for Liberalizers BDIC > SDIC, they open. The outcome is thus BDIC.

How then can the process ever arrive at TRANSITION? I see two possible ways, both relying on someone's mistaken assumptions.

(1) Suppose Liberalizers are in fact proto-democratizers; that is, their

preferences are BDIC > TRANSITION > SDIC > NDIC > INSURRECTION.[17] Yet Liberalizers have to reveal their preferences strategically, given that Hardliners in the regime would never accede to liberalization if they knew that Liberalizers were prepared to go all the way. Hence, Liberalizers announce that they prefer BDIC > SDIC > NDIC > TRANSITION, and Hardliners believe them.

Now, suppose that the decision to open depends on the consent of Hardliners. If Liberalizers propose to open, Hardliners decide to agree, in which case the rest of the game ensues, or not to permit the opening, in which case the outcome is the status quo. Now, assume that (a) Hardliners prefer NDIC to SDIC and that (b) Hardliners believe that the society mistakenly believes that Liberalizers are in fact proto-democratizers. Then Hardliners analyze the situation as follows: If they agree to open, the society, believing that Liberalizers will not opt for repression, will organize. Yet Liberalizers prefer the outcome expected as a consequence of repression. Hence, Hardliners think the result of opening will be NDIC. They agree to open. But given the true preferences of the Liberalizers, the outcome is TRANSITION.

This explanation assumes that Liberalizers know all along what they are doing and deliberately mislead Hardliners while sending correct signals to the society. It is hard to evaluate the plausibility of this scenario, precisely because under it Liberalizers are forced to reveal their preferences strategically. We have to decide whether Liberalizers are sincere when they claim that they want only to invigorate the regime by broadening its base.[18] Given their public statements, either they are very good liars or this is not a plausible story.

(2) Suppose that the preferences of Liberalizers are BDIC > SDIC > NDIC > TRANSITION > INSURRECTION and their prior estimate of successful repression is high, which implies that the outcome will be BDIC. Hardliners play no role in this story; perhaps the regime is not divided or the Liberalizers control the weapons. Liberalizers open, expecting the society to

[17] Or perhaps Liberalizers are even democratizers in sheep's clothing, with TRANSITION > BDIC > SDIC > NDIC > INSURRECTION.

[18] O'Donnell (1979: 13) noted with regard to the liberalizations initiated by Lanusse (1971–3) in Argentina and by Geisel (1975–9) in Brazil that in each case they threatened that they would "be obliged" to stop the process if things went too far. But they were too committed to stop; a reversal of liberalization would have been a victory for hardliners over the "*blandos*."

enter. But the society has a lower estimate of successful repression and believes that Liberalizers have the same estimate. Hence, society organizes. Once Liberalizers observe that the society is continuing to organize, they downgrade their estimate of successful repression to the point where they prefer TRANSITION to the outcome expected under repression. Hence, civil society organizes, and Liberalizers update their beliefs about the effectiveness of repression as they watch the streets.

These assumptions seem plausible. As the eighty-two-year-old head of the East German security apparatus, Erich Mielke, is alleged to have said to Honecker, "Erich, we can't beat up hundreds of thousands of people" – a statement I interpret as a technical, not a moral, admonition (*New York Times,* 19 November 1989, p. 15). If popular mobilization increases in spite of beatings and jailings, the regime revises downward its beliefs about the effectiveness of shooting. Moreover, at one moment the stakes become enormous. Not enlisting in the repression is an act of treason, for which a Romanian general was forced to "commit suicide" as Ceausescu's last act in power;[19] and joining in repression that fails landed Prague's party secretary in jail just a couple of weeks later. Under such conditions, jumping ship seems as good a way to save one's skin as shooting.[20]

These two explanations assume that preferences are fixed and that actors are rational, even if ill informed. But two more explanations are plausible.

One is sociological. As the organization of the civil society crystallizes, its leadership becomes known, and personal contacts become established, the Liberalizers learn that the opposition is not as threatening as they had thought. Here is General Jaruzelski, interviewed when he had become the elected president, by Adam Michnik, now editor-in-chief of the pro-

[19] From what we know thus far, it appears that the minister of defense, the minister of interior, and the chief of the secret police did not comply with Ceausescu's initial order to arm their forces. When harangued by Ceausescu during the last meeting of the Political Bureau, the last two made a sufficiently convincing show of obeisance and survived, only to try to change sides a few days later. For the minutes of this meeting, see Jean-Paul Mari, "La dernière colère de Ceausescu," *Le Nouvel Observateur,* 11 January 1990, pp. 42–45.

[20] See Przeworski 1986c, for a more formal treatment of such situations.

A comment is needed here on the theory of collective action. The main weakness of Olson's (1965) view is his assumption of a "pre-strategic" status quo: In his theory, individuals have a choice between doing nothing or acting to bring about a public good. But, as Sartre (1960) observed, there are situations in which the choice is only between acting for or acting against. When the royal troops were searching for arms in the houses along the street leading to the Bastille, the inhabitants who were hiding them had only the choice of finding themselves in the Bastille or destroying it. Under these conditions, the "collective action problem" is not a prisoner's dilemma.

Solidarity daily newspaper, on the eighth anniversary of the repression of 1981; "Gradually our view of the world was changing. Today we see it differently. But we had to arrive there, we had to bump our head. All of us had to. In any case, why look far? For several years you passed in my eyes, and not only mine, as a particularly demonic personage."[21] Negotiations show that the opposition is willing to listen and to make concessions; personal contacts bring rapprochement among individuals. Gradually, transition appears as less of a chasm, and repression seems simply uncivilized. Liberalizers change their preferences endogenously as a result of bargaining with the opposition.

The second explanation is psychological. Liberalizers may not be rational. Rational actors form their beliefs based on the information they receive and act upon their desires given these beliefs. Indeed, if they are truly rational, they use beliefs to temper desires. Irrational actors let their desires affect their beliefs and screen out undesirable information. Suppose that the regime has no choice but to open. Foreign pressure, economic and political strangulation, may leave no choice but to liberalize. Nicaragua is a clear case here. Popular mobilization may be uncontainable, as it was in Poland. Under such conditions, the Liberalizers are likely to persuade themselves that the opening will be successful, even that they will win competitive elections if they proceed all the way to democracy.

If any of these hypotheses are true, the spectacle of Liberalizers who venture into an unfeasible project and turn coats in mid course becomes intelligible. Either Liberalizers were in fact ready to proceed to democracy to begin with but had to hide their true intentions, or they discovered in mid course that repression is unlikely to succeed, or they found that they did not have as much to lose as they had thought at the beginning, or they had no choice and were just putting a good face on it.

But liberalization does not always lead to transition, as the tragic events of Tiananmen Square have reminded us. When will the outcome of liberalization be repression and a narrower dictatorship in which Liberalizers are eliminated? We already know that this outcome is not possible if

[21] "Z generałem Jaruzelskim o stanie wojennym," *Gazeta*, Warsaw, 18 December 1989, pp. 5–6. General Kiszczak, in turn, remarked that "agents of the MSW [Ministry of Interior, i.e., the police] were gradually getting used to the perspective of coexistence with the opposition, of the inevitability of the Polish compromise. Had they not been prepared, today there might have been resistance and tension" (Przewrót niewykonywalny," interview with General Czesław Kiszczak, *Gazeta*, Warsaw, 11 September 1989, p. 4).

everyone knows everything and all know the same. Suppose that (1) Liberalizers want only to broaden the regime, (2) Liberalizers believe that the society knows that they prefer BDIC to TRANSITION and that they are ready to repress if need be, and (3) the society mistakenly believes that Liberalizers are in fact democratizers or that they will not opt for repression because they believe it to be ineffective. Then Liberalizers open, expecting the society to enter; the society believes that if it continues to organize, Liberalizers will opt for transition, but Liberalizers opt for repression.

Hence, liberalization – an opening that results in the broadening of the social base of the regime without changing its structure – is not a feasible project unless everyone has full and accurate knowledge about everybody else's preferences and the probability of successful repression. Some misperceptions lead liberalization to transition; others, to repression. The perennial tragedy of Liberalizers was described by Marx as early as 1851: They want democracy that will keep them in power, and they are stung when it turns against them. They try to hold on as long as they can, but at some point they must decide whether to go backward to authoritarian restoration or forward to democratic emancipation.

Democratization

Introduction

The problem that thrusts itself to the center of the political agenda once a dictatorship breaks down is whether any institutions that will allow open-ended, even if limited, contestation will be accepted by the relevant political forces. And as soon as these institutions are in place, the question arises whether they will evoke spontaneous compliance; that is, whether, willing to subject their interests to the uncertainty of competition and to comply with its outcomes, they will absorb the relevant political forces as participants.

To organize the analysis, note that the conflicts inherent in transitions to democracy often occur on two fronts: between the opponents and defenders of the authoritarian regime about democracy and among the protodemocratic actors against one another for the best chance under democracy. The image of the campaign for democracy as a struggle of the society against the state is a useful fiction during the first period of transition, as a unifying slogan of the forces opposed to the current authoritarian regime.

But societies are divided in many ways, and the very essence of democracy is the competition among political forces with conflicting interests. This situation creates a dilemma: to bring about democracy, anti-authoritarian forces must unite against authoritarianism, but to be victorious under democracy, they must compete with each other. Hence, the struggle for democracy always takes place on two fronts: against the authoritarian regime for democracy and against one's allies for the best place under democracy.

Thus, even if they sometimes coincide temporally, it is useful to focus separately on the two different aspects of democratization: extrication from the authoritarian regime and the constitution of a democratic one. The relative importance of extrication and constitution depends on the place within the authoritarian regime of those political forces that control the apparatus of repression, most often the armed forces.[22] Wherever the military remains cohesive in defense of the regime, elements of extrication dominate the process of transition. Chile and Poland are the paradigmatic cases of extrication, but extrication also overshadowed the transitions in Spain, Brazil, Uruguay, South Korea, and Bulgaria. In contrast, wherever military cohesion disintegrated because of a failed foreign adventure – Greece, Portugal, and Argentina – and in regimes where the military were effectively subjected to civilian control – all the other Eastern European countries – the process of constituting a new regime was less affected by elements of extrication.

Extrication

Since extrication has been extensively studied, I proceed schematically. First, let me follow O'Donnell (1979) and O'Donnell and Schmitter (1986) in distinguishing four political actors: Hardliners and Reformers (who may or may not have been Liberalizers) inside the authoritarian bloc and Moderates and Radicals in the opposition. Hardliners tend to be found in the repressive cores of the authoritarian bloc: the police, the legal bureaucracy, censors, among journalists, and so on. Reformers tend to be recruited from among politicians of the regime and from some groups outside the state

[22] These need not be monolithic. Note that, as a legacy of the Stalin era, in Eastern Europe there have been two organized forces of repression: the armed forces for external defense under the control of the Ministry of Defense, and the army for internal order under the control of the Ministry of Interior. The autonomy of the secret police varied from country to country and period to period.

apparatus: sectors of the bourgeoisie under capitalism, and some economic managers under socialism.[23] Moderates and Radicals may but need not represent different interests. They may be distinguished only by risk aversion. Moderates may be those who fear Hardliners, not necessarily those who have less radical goals.[24]

Extrication can result only from understandings between Reformers and Moderates. Extrication is possible if (1) an agreement can be reached between Reformers and Moderates to establish institutions under which the social forces they represent would have a significant political presence in the democratic system, (2) Reformers can deliver the consent of Hardliners or neutralize them, and (3) Moderates can control Radicals.

The last two conditions are logically prior, since they determine the set of possible solutions for Reformers and Moderates. Whatever agreement they reach, it must induce Hardliners to go along with Reformers and dissuade Radicals from mobilizing for a more profound transformation. When can these conditions be satisfied?

If the armed forces control extrication, they must either opt for reforms or be cajoled into cooperation, or at least passivity, by Reformers. Moderates must pay the price. But if Reformers are a viable interlocutor for Moderates only when they can control or deliver the armed forces, Moder-

[23] The attitudes of the bourgeoisie toward authoritarian regimes belie facile generalizations. The reason is the following. The bourgeoisie has three ways of defending its interests: (1) Under democracy, it can organize itself as a party and compete; (2) under any regime, it can organize itself as a pressure group and use privileged channels of access to the state; (3) under any regime, decentralized pursuit of profit constitutes a constraint on the actions of the state directed against its interests ("structural dependence of the state on capital" – see Przeworski and Wallerstein 1988). Now, contrary to Marx, the last constraint may turn out to be insufficient to protect the bourgeoisie from the state. In fact, several military regimes in Latin America did enormous damage to some sectors of the bourgeoisie: Martínez de Hoz destroyed one-half of Argentine firms, and the Brazilian military built a state sector that competed with private firms. This is why by 1978 the leading sectors of the Paulista bourgeoisie saw the military regime as a threat. Thus, at least in Brazil, the anti-authoritarian posture arose from economic liberalism. (For interpretations of this posture, see Bresser Pereira 1978 and Cardoso 1983.) In turn, in countries where popular mobilization is feeble, the bourgeoisie can compete quite well under democratic conditions. This seems to be the case in Ecuador, where the autonomy of the technobureaucrats – the style rather than the substance of economic policy making, according to Conaghan (1983) – turned the bourgeoisie against the military government and where the bourgeoisie did not fear electoral competition.

Similarly, in the socialist countries some factory managers saw relatively early the possibility of converting their political power into economic power (Hankiss 1989) and supported democratization.

[24] In fact, in Poland in 1981 moderates were those who perceived Soviet intervention as imminent; radicals, those who saw it as unlikely.

Table 2.1

		Moderates ally with	
		Radicals	Reformers
Reformers ally with	Hardliners	Authoritarian regime survives in old form: 2,1	Authoritarian regime holds, with concessions: 4,2
	Moderates	Democracy without guarantees: 1,4	Democracy with guarantees: 3,3

ates have no political importance unless they can restrain Radicals. Moderate gentlemen in cravats may lead civilized negotiations in government palaces, but if streets are filled with crowds or factories are occupied by workers calling for the necks of their interlocutors, their moderation is irrelevant. Hence, Moderates must either deliver terms tolerable to Radicals or, if they cannot obtain such terms from Reformers, they must leave enough power in the hands of the apparatus of repression to intimidate Radicals. On the one hand, Moderates need Radicals to be able to put pressure on Reformers; on the other, Moderates fear that Radicals will not consent to the deal they work out with Reformers. No wonder the feasible set is often empty.

When can an agreement that satisfies all these constraints be reached? Reformers face a strategic choice of remaining in an authoritarian alliance with Hardliners or seeking a democratic alliance with Moderates. Moderates, in turn, can seek all-out destruction of the political forces organized under the authoritarian regime by allying with Radicals, or they can seek an accommodation by negotiating with Reformers. Suppose the structure of the situation is as in Table 2.1.[25]

If Reformers ally with Hardliners and Moderates with Radicals, two opposing coalitions are formed, and they fight it out. If Reformers ally with Moderates and Moderates with Reformers, the outcome is democracy with guarantees. The off-diagonal outcomes should be read as follows: When Moderates ally with Radicals and Reformers with Moderates, Re-

[25] The first number in each cell represents the value of this outcome to Reformers; the second number, to Moderates (4 is better than 3, and so on). These numbers are not interpersonally comparable; they only rank the alternatives. Hence, Moderates may be miserable under their second-worst option, while Reformers may be quite happy with theirs.

formers are accepting the democracy without guarantees that results from the Radical–Moderate coalition. When Reformers ally with Hardliners and Moderates with Reformers, Moderates are accepting liberalization. They are entering in the sense used above.

Under such conditions, Reformers have a dominant strategy, namely, always to ally with Hardliners. If Moderates ally with Radicals, the opposition is defeated and the authoritarian bloc survives intact, which is better for Reformers than democracy brought about by a coalition of Moderates and Radicals that offers no guarantees. If Moderates seek an alliance with Reformers, some concessions are made, to the cost of Hardliners. These concessions are better for Reformers than democracy even with guarantees. Hence, potential Reformers are always better off defending the authoritarian regime in alliance with Hardliners.

The defining feature of this situation is that Reformers have no political strength of their own and thus no prospect of being politically successful under democracy. Without special guarantees, they will do very badly under democracy, and even with guarantees they are still better off under the protection of their authoritarian allies. This was the case of Poland in 1980–1.[26] Any solution had to satisfy two conditions: (1) The opposition insisted on the principle of open electoral competition, and (2) the party wanted to have a guarantee that it could win the electoral competition. The opposition was willing to have the party win; it did not demand a chance to win but only to compete. The party did not object to elections but wanted to have a good chance of winning.[27] But in clandestine polls, the party was running at about 3 percent in voting intentions. No way was found to overcome this impediment. If the party had been getting 35 percent, it would have been child's play to invent an electoral system that would be competitive and give it a good chance of winning. But not at 3 percent. No

[26] The Polish situation was analyzed in game theoretic terms by Stefan Nowak in *Polityka*, Warsaw, September 1981.

[27] This general posture was put forth rather directly by Jakub Berman, number-two man in Poland during the Stalinist period, in a 1981 interview. Referring to the postwar election, Berman said: "To whom were we supposed to yield power? Perhaps Mikołajczyk [leader of the Peasant party]? Or perhaps those standing even farther to the right of Mikołajczyk? Or who the hell knows who else? You will tell me immediately that this would represent respect for democracy. So what? Who needs such democracy! Now, by the way, we cannot have free elections either, even less now than ten or twenty years ago, because we would lose. There is no doubt about this. So what is the sense of such elections? Unless we would want to show ourselves to be such super-democrats, such gentlemen, that we would take top hats off our heads, bow down and say: 'Be welcome, we are retiring, take power for yourself' " (interview in Torańska 1985: 290).

Table 2.2

		Moderates ally with	
		Radicals	Reformers
Reformers ally with	Hardliners	Authoritarian regime survives in old form: 2,1	Authoritarian regime holds, with concessions: 3,2
	Moderates	Democracy without guarantees: 1,4	Democracy with guarantees: 4,3

institutions existed to satisfy the constraints imposed by the interests and outside opportunities of the conflicting political forces.[28] Under such conditions, Reformers could not venture into a democratic alliance with Moderates.

Suppose that Reformers do have sufficient political strength to be able to compete under democratic conditions if they are given institutional guarantees. Is this sufficient for them to opt for democracy? Consider Table 2.2. Here Reformers have political weight independent of Hardliners: They can get some support under competitive conditions, and they prefer democracy with guarantees over other alternatives. Yet the outcome for Reformers depends on the actions of Moderates. If Moderates opt for guarantees, Reformers are better off under democracy, but if Moderates ally with Radicals, Reformers lose.[29] And Moderates prefer democracy without guarantees. Examine this structure of conflict in the extensive form; that is, assume that first Reformers decide what to do, anticipating the reaction of Moderates (see Figure 2.2). Reformers analyze the situation as follows: If they ally with Hardliners, the result will be the status quo, which is the second-best outcome. They would be better off under democracy with guarantees. But if they decide to negotiate with Moderates, the latter will opt for an alliance with Radicals, which will result in the worst outcome for Reformers. Hence, Reformers stay with the regime.

[28] The same strategic situation was solved in March 1989 by a stroke of genius. Someone suggested creating an upper chamber of the parliament and having completely free elections to this chamber while guaranteeing the Communist party and its allies a majority in the lower house and hence the right to form the government.

[29] In this game there is no equilibrium in pure strategies.

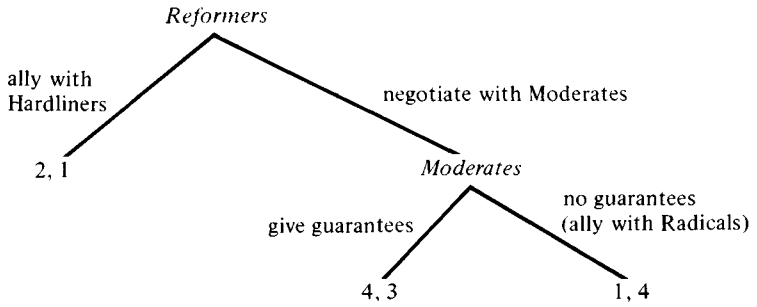

Figure 2.2

Will not democracy come about nevertheless, as a result of repetitions of this situation?[30] Imagine everyone knows that this strategic situation is almost certain to be repeated forever. Moderates know that if they respond to the opening by embracing the demands of Radicals, Reformers will ally with Hardliners next time around. Hence, the payoff to Moderates from defecting on the first round will be {4, 1, 1, . . . } or another mixture of 4s and 1s, depending on the punishment strategy chosen by Reformers.[31] But if Moderates decide to give guarantees on the first round, Reformers will respond in kind, and the payoff to Moderates will be {3,3,3, . . . }. It is easy to see that there are many Reformers' punishment strategies that should persuade Moderates to cooperate. Hence, if the original situation is to be repeated, democracy can evolve spontaneously.

But I do not think that situations in which regime change is at stake are repeatable. These are unique situations; something cracks in the authoritarian power apparatus; a group begins to feel that perhaps it would prefer to share power with consent rather than monopolize it by force, decides to make a move, and turns to eventual partners outside the regime in quest of assurances about its role under democracy. Once Reformers decide to make a move, *alea iacta est* – they cannot go back to the status quo. Payoffs for the future change as a result of actions chosen now. To go back is to admit the failure of the strategy of democratic opening and to

[30] The paragraphs that follow result from a heated discussion with Jon Elster, who, as always, forced me to decide what I really think.

[31] Tit for tat, the strategy people tend to choose in experimental situations, does maximize overtime payoff, but it is not a strategy for perfect equilibrium. In turn, there are a very large number of strategies that support the cooperative outcome. On this and many other technicalities involved here, see the excellent textbook by Rasmusen 1989.

meet with the wrath of Hardliners. Reformers who decide to go back almost never survive their failure; they are playing for broke.[32] This does not mean that an opening may not be tried again in the future by new Reformers; this is what did happen in South Korea and in Poland. But these are new forces, facing new circumstances. And if the Reformers' strategy is successful and democracy is institutionalized, the payoffs change as well. The devolution of power to democratic institutions is irreversible even if democracy can be subverted anew.[33]

Does this argument imply that democracy is never established as an equilibrium but can only result from a normative commitment to democracy? No; it is sufficient to tinker with the payoffs to see that there can exist unique situations in which the equilibrium outcome is democracy. There are two possibilities. One is that Radicals will accept democracy with guarantees; the other, that Moderates will continue to be protected by the existence of autonomous armed forces.

The first possibility – that Radicals will cease being radical – is not so farfetched as it may first appear. Until democracy is established, forces that seek profound political or economic transformation have no alternative to channeling their actions into streets and factories; there are no political institutions where their demands will not meet with violent repression. Yet once a competitive democratic framework is established because of an agreement between Moderates and Reformers, Radicals find that they too can play the game, participate. They tend to be wary of democratic institutions, distrustful of their chances, and skeptical that their victories will ever be tolerated. Yet the attraction of an open-ended democratic interplay is irresistible, and Radicals find that to abstain is to forsake popular support. As the history of Socialist parties in Western Europe demonstrates, all

[32] I say "almost" because of Brazil, where the architects of the failed "decompression" of 1974 succeeded in regrouping and trying again.

[33] This is why I do not think that evolutionary theories of institutions (Schotter 1981, 1986) can explain transitions to democracy.

Some technical issues are involved here. The results concerning the emergence of cooperation in repeated games govern only those situations that are repeated exactly; specifically, with the same payoffs. To the best of my knowledge, we know little about games in which component subgames change somewhat from one round to the next. Benhabib and Radner (1988) analyzed a labor–capital game in which payoffs change and discovered that if they change greatly from one subgame to the next, the equilibrium is noncooperative; if they change somewhat, the path of the equilibria moves monotonically to cooperative equilibrium, which reigns once the game becomes stationary. This result makes intuitive sense, so the relevant question is how much payoffs change from one situation to the next. My argument is that, at least for the Reformers, they change drastically.

political forces face the alternatives of joining or vanishing, and, except for the Anarchists, who persevered in resisting "the siren song of elections," they all joined (see Przeworski 1985: ch. 1).

If Radicals refuse to participate in the institutions forged by Moderates and Reformers, Moderates' interests may still be such that they prefer a democracy in which the forces in the civil society represented by Reformers have a significant presence to one that is dominated by Radicals.[34] Under such conditions, the payoffs in the game tree above will be interchanged: Moderates will prefer democracy with guarantees for Reformers to an alliance with Radicals. What this often means is that some sectors associated with the authoritarian regime continue to enjoy the protection of the armed forces. If Reformers have some political strength of their own and if Moderates prefer an institutional arrangement in which the armed forces remain autonomous as a counterbalance to the demands of Radicals, then Reformers have little to fear from democracy. Under such conditions, the equilibrium outcome will be democracy, but a democracy in which the armed forces will remain free of civilian control and will exercise tutelage over the democratic process.[35]

But why would Moderates tolerate military autonomy? Why would they consent to military tutelage that restricts the possible range of democratic outcomes, at times humiliates civilian politicians, and introduces a source of instability into the democratic system?[36]

Except in Poland, the communist systems of Eastern Europe produced civilian regimes. The military and most of the forces of order were subject to minute political control, which extended even to operational matters.[37] Hence, it should not be surprising that in conflicts over the leading role of

[34] In Figure 2.2, let the payoff to Moderates in a democracy with guarantees be 4, with no 3.

[35] I realize that the game is in fact more complicated than my analysis suggests, since I take the behavior of Hardliners as parametric. Yet Hardliners may, for example, provoke Radicals in order to undermine the agreement between Moderates and Reformers. In many cases of transition, there emerge shadowy groups that appear to be Radicals but may be Provocateurs: GRAPO in Spain provides one illustration; the Tablada affair in Argentina another.

[36] In October 1987, the Brazilian government raised military pay by more than 100 percent overnight in reaction to a takeover of a city hall by a small military unit stationed in a provincial town – this after the minister of finance had publicly committed himself not to do it.

[37] The secret police are a different matter. Conflicts between the secret police and Communist parties have punctuated much of the political life of communist regimes. The secret police are the group that had the most to lose from the dismantling of communism, and they were the target of popular ire in several countries.

the Communist parties, the armed forces in all Eastern European countries placed themselves squarely on the side of those who wanted to abolish the communist monopoly on power. "The army wants to serve not a party but the nation" – this has been the generals' paradigmatic declaration. From a Latin American perspective, this noble sentiment sounds ominous: not a pledge to democratic values but an assertion of independence.

In most Latin American countries, the military have preserved their autonomy and have continued to exercise tutelage over the political system, not only in countries where the transition to democracy was a result of negotiations, but even in Argentina, where the armed forces suffered a humiliating external defeat. The specter of military intervention is a permanent constraint on the political process, and the eventual reaction of the military is a consideration that permeates everyday political life in the new democracies. The Argentine experience is particularly poignant, since the impunity enjoyed by kidnappers, torturers, and murderers has a profoundly demoralizing effect on all political life. Among the recent transitions to democracy, Spain and Greece are the only countries where democratic governments succeeded in establishing effective civilian control over the military and freed themselves from this tutelage.

One obvious answer is that Moderates fear that any attempt to impose civilian control will immediately provoke exactly what it is intended to eliminate: military intervention. The strategic calculus involved must be the following. First, the probability of an immediate coup after any attempt to establish civilian control must be seen as higher than when the military are left alone. Hence, even if civilian control, once established, would greatly reduce the likelihood of military intervention, the probability that the coup will ever occur is lower without civilian control. Consider Table 2.3. The probability that the military will step in now or in the future if they continue to exercise tutelage over the political system is 68 percent, while the probability that they will undertake a coup if the government seeks to impose civilian control is 80.2 percent.[38]

This is not the end of the difficulty, for not all coups are the same. One argument for punishing violations of human rights is that the effect of

[38] Let p be the probability of an immediate coup under tutelage, and t the probability of an eventual coup in the same case. Let q be the probability of an immediate coup if the government imposes civilian control, and c the probability of an eventual coup. Then the total probability of a coup under tutelage is $p + (1 - p)t$, and under attempted civilian control it is $q + (1 - q)c$.

Table 2.3

	Probability that a coup will occur	
	Immediately	Eventually but not now
With tutelage	0.20	0.60
With civilian control	0.80	0.01

punishment is dissuasive: The military will think twice before stepping in again because they know that once out of power they will be punished. That may be true, but if this argument is valid, it also implies that if the military are not deterred by the threat of punishment from stepping in, it will be less likely to give up power because of this threat. Thus, imposition of civilian control may lower the probability of a coup but increase the conditional probability that, once it occurs, the coup will be highly repressive, a *golpe duro*.

Thus, if a government is intent on not provoking a coup and not risking repression, it may swallow its moral outrage and its democratic ideals and accept the limits set by military tutelage.[39] But I suspect that this reasoning is not sufficient to explain the behavior of civilian politicians vis-à-vis the military. There are two reasons why democratic politicians may not want to dismantle the threat from the military even if they could.

First, Fontana (1984: 121) observed that in 1981 the Argentine political parties feared that if the threat from the military was removed, a new wave of popular mobilization would push them, as in 1973, farther to the left than they wanted: They feared radicals. To paraphrase an expression Ernest Bevin once used about the Labour party, they "did not want to be put in the position of having to listen to their own people." If the military can be counted on to repress popular mobilizations, their tutelage is a bulwark for established political parties.

Second, the problem in many countries with a long tradition of military

[39] In an 1987 article entitled "La política militar del gobierno constitucional argentino," Fontana stresses that in 1983 the government did not have a good picture of the situation in the armed forces, that it believed erroneously that the military would purify itself if given a chance, and that it repeatedly underestimated the solidarity among military generations. All of this may be true, but what strikes me is that the article fails to demonstrate that the government had any military policy.

intervention is the absence of institutional models through which civilian control over the military can be exercised.[40] Through the chain of command, the military are responsible directly to the president rather than to parliamentary committees and civilian bureaus that supervise particular aspects of their conduct. Without such an apparatus of civilian control, the choice faced by democratic governments may be one of either tolerating military autonomy or destroying the military altogether.[41] And here, I suspect, nationalism plays a role: No president can afford to commit himself or herself to actions that will undermine the ability of the nation to defend itself. Perhaps when the choice of strategy vis-à-vis the military appears to be one of leaving it intact or dismantling it altogether, the perpetuation of military domination turns out to be a lesser evil for nationalistic politicians.

The issue of civilian control over the military is thus not only whether it is prudent to attempt it but also who wants to have it.[42] Military tutelage may be preferred by some civilian political forces as a protection from demands for greater representation, to ward off pressure from those who seek a social as well as a political revolution.[43]

[40] This observation is due to José Murilo de Carvalho.

[41] For example, Delich (1984: 135) presents as follows the choice available to the Argentine democratic government. Since the atrocities committed by the military constituted acts sanctioned by the military as an institution, under written orders and under control by the military command, the democratic government could only either condemn the armed forces as a whole or forget the whole matter.

[42] This is how in October 1987 José Murilo de Carvalho (1987: 18) characterized the attitudes of the Brazilian political forces in the Constituent Assembly: "It is more difficult to visualize a surge of solid political will to construct the hegemony of civil power. As we have seen, such a will certainly does not exist in the political action of the actual occupant of the presidency of the Republic, and it does not manifest itself in an unambivalent way in the majority party, the PMDB. It is not even necessary to say that there are no traces of such will in the PFL, the PTB, etc. Whoever observes the political scene in the new Republic has the impression that military tutelage is something normal and that it should continue to be exercised."

It should not be surprising, therefore, that the *Latin American Weekly Report* of 15 September 1988 (WR–88–36) could report, under the title "Brazil's Military Gain Quietly What Pinochet Demands Loudly," that "as some Brazilian military men have readily admitted in private, whereas elsewhere civilians have worried how much autonomy they could or should grant the military, in Brazil the military have carefully dosed [prescribed] the autonomy of the civilians."

[43] José Antonio Cheibub (personal communication) offered the following criticism of this hypothesis. "The explanation based on the elite's fear of popular mobilization is not good for two reasons. First, because leaders of countries that face a problem of civilian control over the military learned (or should have learned) that the protection the military offers (from one perspective) is also a threat (from another perspective). In other words, their job as politicians is also threatened by the very tutelage they want to maintain to protect them from popular

Extrications thus leave institutional traces. Just note the price extorted by Pinochet for his consent to free elections: (1) permanent office for the current commanders in chief of the armed forces and the police, (2) protection of the "prestige of members of the military and the police," (3) an "energetic struggle against terrorism," (4) respect for the opinions of a national security council to be formed of four military representatives and four civilians, (5) maintenance of the amnesty covering political crimes committed between 1973 and 1978, (6) abstention by the political authorities from intervening in the definition and application of defense policies, including not modifying the powers of military courts, the command structure, and the military budget and not interfering in the promotion of generals (normally a presidential prerogative), (7) the right to name nine members to the Senate, (8) autonomy of the central bank, the president of which was chosen by the military, (9) acceptance of privatizations conducted during the last months of the military regime without investigation of how they were conducted, and (10) automatic allocation of 20 percent of copper revenues to the military budget. When the armed forces themselves are the Reformers and the resistance comes from bureaucrats, the situation is simpler, even if at moments dramatic.[44] Yet note that in Poland, where the impetus for reforms came from the head of the armed forces, the regime also succeeded in exacting several guarantees: (1) The Communist party was guaranteed 35 percent of the seats in the more important house of the parliament (Sejm), and its then allies were given another 30 percent: in principle, ample support to form a government; (2) it was understood that the opposition would not block the election of General Jaruzelski as president; and (3) matters of external defense and internal order were left under the control of communists.

Hence, the optimal strategy of extrication is inconsistent. The forces pushing for democracy must be prudent ex ante, and they would like to be resolute ex post. But decisions made ex ante create conditions that are hard to reverse ex post, since they preserve the power of forces associated with

mobilization. . . . Second, it seems to me that this explanation may be . . . transformed into an argument that assumes the political elite in those countries to be inherently conservative; that it always prefers the risk of a military coup to a greater representativeness of the regime."

[44] The program of political reforms proposed by General Jaruzelski at the party plenum in January 1989 failed to win a majority. At that moment, the general (who was the commander in chief), the minister of defense, and the minister of interior (both also generals) offered their resignations and walked out of the meeting. Only then did the Central Committee deem desirable the turn toward negotiations with the opposition.

the ancien régime. Ex post the democratic forces regret their prudence, but ex ante they have no choice but to be prudent.[45]

Yet the conditions created by transitions negotiated with the ancien régime are not irreversible. The essential feature of democracy is that nothing is decided definitively. If sovereignty resides with the people, the people can decide to undermine all the guarantees reached by politicians around a negotiating table. Even the most institutionalized guarantees give at best a high degree of assurance, never certainty.[46] True, in Chile, South Korea, and Pakistan attempts to modify the constitutions left as the authoritarian legacy have thus far been abortive, and in Uruguay a referendum failed to reverse the auto-amnesty declared by the military. In Poland, the initial agreement concluded in April 1989 unraveled immediately as a result of the elections of June 1989, and its remains were gradually destroyed. Transition by extrication generates incentives for the democratic forces to remove the guarantees left as the authoritarian legacy. Hence, it leaves an institutional legacy that is inherently unstable.

Constitution

Suppose the aspect of extrication is absent: The armed forces have fallen apart, as in Greece and East Germany, or they support the transition to democracy, as they did in a number of Eastern European countries. A self-

[45] Since democracy has been consolidated in a number of countries, some North American intellectuals now advise us that the protagonists in the struggles against authoritarianism should have been more radical in pushing for social and economic transformation. For a fantasy of this kind, see Cumings 1989.

[46] Moreover, this entire analysis assumes more knowledge than the protagonists normally have or can have. In Poland, everyone miscalculated at several points: The party got so little electoral support in the first round of elections in June 1989 that the legitimacy of the negotiated deal was undermined, the heretofore loyal allies of the communists decided to venture out on their own, and the whole carefully designed plan of transition unraveled. The opposition had to make last-minute additional concessions to keep the reformers in the game. I suspect that if the party had known what would happen, it would not have agreed to elections; if the opposition had anticipated what happened, it would not have made the concessions.

Party strategists cited all kinds of reasons why Solidarity would do badly in the elections of June 1989. An eminent reformer assured me that party candidates would win a majority in the elections to the Senate. (In fact, they received 15.8 percent of the vote; see Ostrowski 1989.) But the other side was equally surprised. When asked whether political developments followed his plan, Wałęsa responded: "My project was different from what happened. With regard to politics, I wanted to stop at the conquests of the round table: make a pause and occupy ourselves with the economy and the society. But, by a stroke of bad luck, we won the elections" (interview in *Le Figaro*, Paris, 26 September 1989, p. 4).

enforcing democracy will be established if the conflicting political forces agree to an institutional framework that permits open, albeit limited, contestation and when this framework engenders continued compliance. The question is thus twofold: (1) What institutions will be selected? (2) Will they be self-enforcing?

Note first that all transitions to democracy are negotiated: some with representatives of the old regime and some only among the pro-democratic forces seeking to form a new system. Negotiations are not always needed to extricate the society from the authoritarian regime, but they are necessary to constitute democratic institutions. Democracy cannot be dictated; it emerges from bargaining.

A model of such bargaining can easily be constructed in the same vein in which we analyzed extrication. It has the following structure: Conflicts concern institutions. Each political force opts for the institutional framework that will best further its values, projects, or interests. Depending on the relation of forces, including the ability of the particular actors to impose nondemocratic solutions, either some democratic institutional framework is established or the struggle for a dictatorship ensues. This model implies hypotheses that relate the relations of force and objective conditions to the institutional results. In particular, different institutional frameworks are explained in terms of the conditions under which transitions occur.

Before developing this model, let me first flesh out the issues involved in institutional choice. Groups in conflict over the choice of democratic institutions confront three generic problems: substance versus procedure, agreement versus competition, and majoritarianism versus constitutionalism. To what extent should social and economic outcomes be left open-ended, and to what extent should some of them be guaranteed and protected regardless of the outcomes of the competitive interplay?[47] Which decisions should be made by agreement, and which should be subject to competition? Must some institutions, such as constitutional tribunals, armed forces, or heads of state, stand as arbiters above the competitive process, or should they all be subject to periodic electoral verdicts? Finally,

[47] On the tension between procedural and substantive aspects of constitutions, see Casper 1989. Among recent experiences, the Spanish constitution of 1977 came nearest to a classic liberal constitution that specifies only the rules of the game and says almost nothing about outcomes (except in the matter of private property), while the Brazilian constitution of 1988 went to the other extreme and listed detailed social and economic rights.

to what extent and by what means should the society bind itself to prevent some future transformations?[48] These are the central issues inherent in conflicts about institutions.

The institutional solutions required are specific and elaborate. A classic case of successful negotiations is the Swedish reforms of 1905–7.[49] The following issues were negotiated and resolved: (1) whether to extend the franchise and to whom, (2) whether the suffrage reform should include the upper or only the lower house, (3)whether seats should be allocated to single-member districts or multimember constituencies with proportional representation, (4) if single-member districts were to be retained, whether the victor should be the first past the post or the winner of a run-off election, and (5) whether the executive should continue to be responsible to the Crown rather than to the Rikstag.[50]

The reason agreement is problematic is that institutions have distributional consequences. If the choice of institutions were just a matter of efficiency, it would evoke no controversy; no one would have reason to fear a system that makes someone better off at no cost to anyone else. But given the distribution of economic, political and ideological resources, institutions do affect the degree and manner in which particular interests and values can be advanced. Hence, preferences concerning institutions differ.

What, then, can we expect to happen under different conditions? Two conditions are salient: whether the relation of forces is known to the participants when the institutional framework is being adopted and, if yes, whether this relation is uneven or balanced. These conditions determine what kinds of institutions are adopted and whether these institutions will be stable. Three hypotheses emerge from this reasoning: (1) If the relation of

[48] On this topic, see essays in Elster and Slagstad 1988.

[49] See Rustow 1955 and Verney 1959.

[50] The list of institutional issues that were the subject of discussion during the American and French constitutional processes two hundred years ago includes (1) universal versus restricted suffrage, (2) direct versus indirect elections, (3) integral versus phased renewal of deputies, (4) unicameralism versus bicameralism, (5) secret versus public voting, (6) parliamentarism versus presidentialism, (7) fixed-calendar elections versus governmental discretion about the timing of elections, (8) a reeligible versus a nonreeligible executive, (9) inviolability of deputies, (10) executive veto, (11) a responsible executive, liable to dismissal, (12) the right of dissolution, (13) legislative power to initiate and repeal laws, (14) legislative monopoly over the power of the purse, (15) an independent judiciary, (16) trial by jury, open to the public, (17) a ban on retroactive laws, (18) absolute freedom of the press, (19) freedom of religion, (20) institutional barriers between the army and the police, and (21) territorial decentralization of decision-making power. This list is Stephen Holmes's. See Hardin, Holmes, and Przeworski 1988.

forces is known ex ante to be uneven, the institutions ratify this relation and are stable only as long as the original conditions prevail; (2) if the relation of forces is known ex ante to be balanced, anything can happen: prolonged civil war, agreement to institutions that cannot work, or agreement to an institutional framework that eventually assumes the force of convention; (3) if the relation of forces is unknown ex ante, the institutions will comprise extensive checks and balances and will last in the face of a variety of conditions. These hypotheses are discussed in turn.

The relation of forces is known and uneven. When the relation of forces is known and uneven, the institutions are custom-made for a particular person, party, or alliance. Geddes (1990) has shown that new constitutions have been adopted in Latin America whenever a new party system has emerged from the authoritarian period. The features of the new institutions she analyzed were designed to consolidate the new relations of forces.

The origins and role of such institutions were best described by Hayward (1983: 1), writing, not accidentally, about France: "Because Frenchmen expected regimes to be short-lived – indeed their Constitutions were often dismissed as periodical literature – little authority was attached to the Constitution itself at any one time. The current document was regarded as a treaty provisionally settling the allocation of power to suit the victors in a political struggle. Far from being a basic and neutral document, it was seen as only a partisan procedural device setting out the formal conditions according to which the government was entitled to rule."

In Poland, the constitution of 1921 designed a weak presidency because Marshal Piłsudski's opponents knew he would be elected president. Piłsudski refused to run under these conditions and assumed power as the result of a coup d'état in May 1926. Nine years later, a new constitution was crafted to ratify his effective power. He died a year later, and it turned out that there was no one able to step into his shoes. In France, the constitution of the Fifth Republic was crafted specifically for General de Gaulle, but it survived the test of *cohabitation* when a Socialist president coexisted with a parliamentary majority of the Right.

It is reasonable to expect that constitutions that ratify present relations of forces will be only as durable as these relations. The case of the Chilean constitution of 1925 provides an excellent illustration (the following is based on Stanton 1990). This constitution was not generally accepted until 1932, when a side agreement was made to leave in the hands of landlords

control over the votes of peasants and to maintain indefinitely the overrepresentation of rural districts. In effect, therefore, the constitution that had emerged by 1932 was a cartel of the urban sectors and the *latifundistas,* designed to keep the prices of agricultural products low by allowing landowners to depress rural wages. The barriers to entry created by this pact eroded only during the 1960s when Christian Democrats came to office and sought the support of the peasants. By 1968, the system had collapsed, and democracy was subverted in 1973. Note that the institutions in question did last for forty-one years. But from the beginning they were designed in such a way that they could not survive one specific change of conditions: the effective enfranchisement of the rural masses.

The relation of forces is known and balanced. This is by far the most complex set of circumstances. Suppose that the conflicting political forces have strong preferences over alternative ways of organizing the political life of the society. One part of a country may strongly prefer a unitary form of government, while another has a strong preference for a federal system. Some groups may think that their interests will be best protected under a parliamentary system, and others insist on a presidential one.[51] One alliance of forces insists on the separation of church and state; another calls for a state religion. Imagine generically that one alliance of forces, called Row, would find democracy more advantageous under institutional system A, while the other, Column, feels threatened by this system and prefers B. They do not agree. (Table 2.4.)

This situation has no equilibrium in pure strategies, and one possible outcome is civil war. This was the case in Argentina between 1810 and 1862; two attempts to write the constitution failed, and a stable situation was reached only after the province of Buenos Aires was defeated in a war (Saguir 1990). This may very well be the current situation in the Soviet Union, where nationalist, federalist, and unitary forces conflict without any apparent solution.

Yet prospects of a prolonged conflict, of a civil war lasting perhaps for generations, are forbidding. Hence, political forces may be led to adopt some institutional framework, any framework, just as a temporizing solu-

[51] In a recent survey of 418 members of Brazil's elite, 71 percent of respondents wanted to see a parliamentary system adopted, among them 80 percent of politicians and journalists, 60 percent of union leaders, and 45 percent of the military (*Latin American Weekly Report,* 90–26, 12 July 1990, p. 5).

Table 2.4

		Column	
		A	B
Row	A	Best, So-so	Terrible, Terrible
	B	Terrible, Terrible	So-so, Best

tion.[52] As Rustow (1970) observed, when none of the parties can impose its solution unilaterally, "this prolonged standoff leads the parties concerned to seek a suboptimal compromise solution."

Indeed, this is what did occur in several countries: Conflicts about institutions were quickly terminated. In Brazil, a new constitution was adopted, with full knowledge that it could not be observed, explicitly to reduce the intensity of conflict by promising to satisfy all kinds of demands in the future. In Argentina, the constitution of 1853 was reinstated, though this constitution had never worked before and there was no reason to think it would work now.[53]

Why are such temporizing solutions attractive? One reason is the belief of the political actors that institutions matter little, not enough to be worth the risk of continuing conflict. Indeed, trust in the causal power of institutions seems to be a distinctive feature of the political culture of the United States, where politicians and scholars alike believe that institutions cause people to behave differently than they would otherwise and where they attribute political stability to the genius of the founders. Outside the Anglo-Saxon world, institutions are seen as much less effective; a renowned Brazilian scholar and politician once remarked that "one does not stop a coup d'état by an article of the constitution."[54] In Hungary, a referendum

[52] Kavka (1986: 185) describes the choice of constitutions as a case of "impure coordination": No agreement is disastrous for both parties, but each party prefers a different one. He argues that under such conditions the parties will first agree to agree and then decide on what. I am not sure, however, how this is to be done.

[53] Between 1854 and 1983, the average proportion of the constitutional term served by Argentine presidents was 52 percent: 72 percent up to 1930, and 37 percent during the recent period (see de Pablo 1990: 113). The constitution of 1853 provided for a nine-month period between the election and the inauguration. The reason was that electors needed time to travel to Buenos Aires, and this is how long it took. This provision remained when the constitution was reinstated, and the first democratic transfer of power, between Raúl Alfonsín and Carlos Menem, was already unconstitutional: They agreed that the country could not tolerate a lame-duck government for such a long period and transferred power early.

[54] Fernando Henrique Cardoso, interviewed in *Veja*, 9 September 1987.

on the mode of electing the president brought to the polls only 14 percent of the electorate. Hence, while some institutional framework is required to coordinate political strategies, it matters little what this framework happens to be, for it will not be binding anyway.

Moreover, even if politicians do suspect that institutions matter, they know that they cannot accurately predict the consequences of alternative institutional frameworks. European conservatives called for compulsory voting, thinking that it was their own electorate that was abstaining, and they fought against female suffrage, expecting that this vote would benefit their adversaries; and they were wrong in both cases.

Neither skepticism about the importance nor lack of knowledge about the effects of institutions should be exaggerated. Politicians do know that and know how electoral systems influence the distribution of seats; they know that it matters who supervises the intelligence services; they are sensitive to regulations concerning the financing of political parties. History is replete with evidence of conflicts over institutions: conflicts in which protagonists acted on their belief about the importance of minute institutional arrangements. Hence, it is important to specify the hypothesis implied by the arguments above precisely: In my view, protagonists agree to terminate conflicts over institutions because they fear that a continuation of conflict may lead to a civil war that will be both collectively and individually threatening. The pressure to stabilize the situation is tremendous, since governance must somehow continue. Chaos is the worst alternative for all. And under such conditions, political actors calculate that whatever difference in their welfare could result from a more favorable institutional framework is not worth the risk inherent in continued conflict.

But how can they terminate conflict? They must establish some institutional framework, but which framework can they adopt if no institutions constitute an equilibrium solution? The only way out is to look for what Schelling called the focal points: solutions that are readily available and are not seen as self-serving. And the search for foci naturally leads to national traditions if these are available, or to foreign examples if they are not. This is why Argentines went back to the constitution of 1853, and Spaniards relied to a large extent on the West German system.[55] Indeed, several voices in Poland suggested that the country should just take any old West-

[55] Herrero de Miñon (1979) argues that the Spanish constitution was not "a servile copy" of one or several foreign models. He does provide evidence, however, that foreign examples, particularly the West German, loomed large in a number of key provisions.

ern European constitution and be done with it.[56] Since any order is better than disorder, any order is established.

This brings us to the question whether these institutional solutions are likely to last. In the light of game theory, coordination solutions are unstable when the situation involves conflict. But the question is not a simple one. Hardin (1987) argued that coordination points acquire causal power once they are adopted: Some institutions are around because they have been around for a long time. Change is costly.[57]

Hardin's theory finds strong support in the observation made by Dahl (1990) that, except in Uruguay, democracy has never been internally subverted in any country in which it has survived for twenty years.[58] Yet the theory of "contract by convention" is too strong: It may explain why the U.S. constitution has held, but it offers no understanding of why a constitution would ever fail or why so many have proved to be short-lived or irrelevant.

The reason temporizing solutions may not survive for twenty years is the following. Suppose that when the original confrontation occurs, any arrangement is superior for the relevant political forces to continued conflicts. Yet the system adopted as a temporary expedient favors the chances of some groups over others. Two mechanisms now set in. First, the losing alliance knows that its chances of winning under this system are lower than under an alternative system. This expectation is fulfilled, and this alliance loses one or more consecutive times. Hence, the ex post situation is not the same as the ex ante: If it had happened to win, in spite of its smaller chance, the calculus would have been different. Second, actors learn about their future chances when they observe current outcomes. The losers update downward their expectations concerning the system of institutions and may find the risk of reopening the conflict about institutions less forbidding than before.[59]

[56] This proposal has a tradition of its own. As early as the end of the eighteenth century, Poles turned to Rousseau to draft a constitution for the country.

[57] In Hardin's (1987: 17) words, "once we have settled on a constitutional arrangement, it is not likely to be in the interest of some of us then to try to renege on the arrangement. Our interests will be better served by living with the arrangement." And "The Constitution of 1787 worked in the end because enough of the relevant people worked within its confines long enough to get it established in everyone's expectations that there was no point in not working within its confines" (p. 23). Kavka (1986) makes a similar point.

[58] Democracy is defined here as a system in which there are free elections, the government is responsible to the elected parliament or president, and – a condition that strongly restricts the number of cases – a majority of the population has the right to vote.

[59] The difference between my views and those of Hardin (1987) and Kavka (1986) probably stems from our respective understandings of payoffs under democracy, which they treat as

If this argument is valid, then temporizing solutions may turn out to be exactly that. They were adopted because continued struggle was seen as too dangerous. But if they generate outcomes that hurt, the affected political forces will naturally be tempted to try to avoid the costs involved in competing under democratic rules or at least to improve their future chances in this competition. Hence, political forces that can pursue alternatives will do so.

The relation of forces is not known. Suppose a country emerges from a long period of authoritarian rule and no one knows what the relation of forces will be. The timing of constitution writing is then important. If the constitution is put off until elections and other events clarify this relation, we are back to the situations discussed above: The focus may turn out to be unequal and institutions will be designed to ratify the current advantage, or they may turn out to be balanced, with all the possibilities this situation implies. The relative timing of presidential elections, parliamentary elections, and constitution writing was the subject of intense conflict in Poland, and the decision was to hold presidential elections before the constitution was written. Yet suppose that the constitution is written first, as it was in Greece, or that elections are held and are highly uninstructive, as they were in Spain.

If everyone is behind the Rawlsian veil, that is, if they know little about their political strength under the eventual democratic institutions, all opt for a maximin solution: institutions that introduce checks and balances and maximize the political influence of minorities, or, equivalently, make policy highly insensitive to fluctuations in public opinion. Each of the conflicting political forces will seek institutions that provide guarantees against temporary political adversity, against unfavorable tides of opinion, against contrary shifts of alliances.[60] In Sweden, Liberals and Social Dem-

certain once a particular set of institutions is adopted and I consider as uncertain with known probabilities. Even in the simple model developed in the preceding chapter, the probability required to stay in the game after losing once, $p^*(1)$, is higher than the probability required ex ante to opt for democracy, $p^*(0)$; in fact, $p^*(1) = p^*(0)/r$, where $r < 1$. In addition, if actors update their beliefs on observing outcomes, then there is another reason why $p^*|L > p^*(0)$. Hence, there may be an actor that accepts democracy ex ante but seeks to subvert it having lost on one round, two rounds, etc.

[60] Several instances of veil-of-ignorance reasoning can be found in the Constitutional Convention of 1789. According to Madison's notes, for instance, George Mason made the following argument: "We ought to attend to the right of every class of people. He had often wondered at the indifference of the superior classes of society to this dictate of humanity & policy, considering that however affluent their circumstances, or elevated their situations, might be, the course of a few years, not only might but certainly would distribute their

ocrats were willing to provide the guarantees required by Conservatives; as the Conservative spokesman, Bishop Gottfrid Billing, put it, he would rather have "stronger guarantees and a further extension of the suffrage than weaker guarantees and a lesser extension" (cited in Rustow 1955: 59).

Hence, constitutions that are written when the relation of forces are still unclear are likely to counteract increasing returns to power, provide insurance to the eventual losers, and reduce the stakes of competition. They are more likely to induce the losers to comply with the outcomes and more likely to induce them to participate. They are more likely, therefore, to be stable across a wide range of historical conditions.

The tentative conclusions, to be tested against systematic evidence, are thus the following. Institutions adopted when the relation of forces is unknown or unclear are most likely to last across a variety of conditions. Institutions adopted as temporizing solutions when the relation of forces is known to be balanced and different groups have strong preferences over alternative solutions may acquire the force of convention if they happen to survive for a sufficient period, but they are not likely to last long enough. Finally, institutions that ratify a transitory advantage are likely to be as durable as the conditions that generate them.

Contestation

There is one additional aspect to consider. Following O'Donnell and Schmitter, we need to make a distinction between democratization of the state and of the regime. The first process concerns institutions; the second, the relations between state institutions and the civil society.[61]

Each of the forces struggling against authoritarianism must also consider its future position under democracy. They must all stand united against dictatorship, but they must divide against each other.[62] If they divide too

posteriority through the lowest classes of Society. Every selfish motive therefore, every family attachment, ought to recommend such a system of policy as would provide no less carefully for the rights and happiness of the lowest than that of the highest orders of Citizens" (Farrand 1966: I, 49). I owe this quotation to Jon Elster.

[61] According to O'Donnell and Schmitter (1986: IV, 73), a regime is "the ensemble of patterns, explicit or not, that determines the forms and channels of access to principal government positions, the characteristics of the actors who are admitted and excluded from such access, and the resources and strategies that they can use to gain access."

[62] Thus, negotiations about the shape of the negotiating table are not just petty squabbling. The regime in place has good reason to fear a two-sided division, since this arrangement unites the opposition. The Polish solution was to make the table round. The Hungarian way was to make it triangular, but octagonal solutions were entertained.

early, the outcome is likely to repeat the experience of South Korea, where the rivalry between two anti-authoritarian presidential candidates – rivalry that was personal but also regional and economic – permitted electoral victory for the candidate associated with dictatorship.[63] If they do not divide at all, the new regime will be a mirror image of the old one: not representative, not competitive. This is the danger facing several Eastern European countries: that the revolution will end up being only anticommunist, not democratic.[64]

The same dilemma appears in modified form after democratic institutions are in place. The classic problem of any opposition under democracy is how much to oppose and by what means. If the opposition does not oppose – does not present alternatives and struggle energetically for them – then the representative power of political institutions – their capacity to mobilize and to incorporate – is weak.[65] Democracy is anemic. But if the opposition does oppose vigorously, democracy may be threatened. Particularly under difficult economic conditions, intransigent opposition may create an ungovernable situation. If every time a party loses an election or every time a government adopts an unpopular policy, the opposition

[63] Note that the democratic opposition could not unite in Spain until the death of Franco. The main issue was the participation of communists (see Carr and Fusi 1979). The Chilean opposition experienced the same difficulty.

[64] The situation in several Eastern European countries is particularly complicated, because any new party of the Left would have to include some former communists, but an alliance with them would be the kiss of death. In Poland, some groups in the anticommunist coalition deliberately tried to provoke a Left–Right split precisely because they knew the electoral consequences for any group that was cast as the Left. (See the editorial in *Tygodnik Solidarność*, Warsaw, 22 December 1989.) In turn, those painted as the Left were forced to respond that there were no real divisions within the coalition and no reason to split and form multiple political parties.

Note that in Brazil it took five years before the PMDB divided into its ideological currents. Established originally to provide window dressing for the authoritarian regime, the MDB was the only cover for legal opposition activity, and as such it became an umbrella for all kinds of political forces. Everyone was certain that this artificial creature would break up into its natural parts the day political parties could legally exist, and it briefly did when the right wing broke off as the Partido Popular. But the separation did not last long, and in its new incarnation the PMDB turned into the largest party in the country, developed local machines, and continued to win elections until 1989.

[65] Since a particular view of representation underlies the argument that follows, let me recall how I see a representative regime. A representative system is one in which (1) there exist autonomous organizations, (2) they are stratified internally into leaders and followers, (3) leaders have the capacity to (a) invoke collective identities, (b) control the strategic behavior of followers, and (c) sanction defections, (4) leaders are representatives, that is, participate in representative institutions, and (5) representation makes a difference for the well-being of their followers. Organized political forces participate in democratic institutions if they believe that actions channeled through these institutions affect their welfare.

launches a general strike, democratic institutions may be weakened and the conditions created for the military to step in.

Perhaps the clearest place to observe this dilemma is in the Peronist movement in Argentina. The "Renovadores" wanted to become an electoral party and to reduce their tactics to electoral and parliamentary struggle, while the orthodox wing wanted to remain a "movement" and to struggle for "social justice" by all possible means. Thus, Ubaldini did not think that losing elections should prevent the CGT from undertaking general strikes, while Peronist deputies in the Congress absented themselves whenever they thought they would lose, thus undermining the quorum.

One solution to this dilemma is political pacts: agreements among leaders of political parties (or proto-parties) to (1) divide government offices among themselves independent of election results, (2) fix basic policy orientations, and (3) exclude and, if need be, repress outsiders.[66] Such pacts have a long tradition in Italy, Spain, and Uruguay of what used to be called *transformismo*. The 1958 Venezuelan pact of Punto Fijo is the model for such agreements. According to this pact, three parties would divide government posts, pursuing policies committed to development goals under private property and excluding communists from the political system. This pact has been highly successful in organizing democratic alterations in office.

The ostensible purpose of such pacts is to protect embryonic democratic institutions by reducing the level of conflict about policies and personnel. Whereas institutional pacts establish the rules of the game and leave the rest to competition, these are substantive pacts intended to remove major policy issues from the competitive process. Such pacts are offered as necessary to protect the democratic institutions from pressures to which they cannot respond. But note that such pacts are feasible only if the partners extract private benefits from democracy; and note that they can extract such rents only by excluding outsiders from the competition.[67] The danger inherent in such substantive pacts is that they will become cartels of incumbents against contenders, cartels that restrict competition, bar access, and distribute the benefits of political power among the insiders.

[66] Wiatr (1983, 1989) proposed a similar arrangement for Poland under the name of contractual democracy.

[67] In the language of the preceding chapter, such pacts cannot be bargains, since there is no third party to enforce them. If they are to be stable, they must constitute equilibria. But an agreement to limit competition is an equilibrium only if it effectively dissuades outsiders from entry. The source of rents is monopoly.

Democracy would then turn into a private project of leaders of some political parties and corporatist associations, an oligopoly in which leaders of some organizations collude to prevent outsiders from entering.

Entrepreneurial profits may be an inevitable private reward to those who undertake the democratic project. Moreover, democratic institutions may be unable to process all the important conflicts that divide a society; vide the deliberate exclusion of religious issues from the United States constitutional process. All democratic systems create some barriers to entry – electoral politics is perhaps the most protected industry in the United States. Yet if democracy is to be consolidated, the role of competition should be to dissipate such profits rather than to turn them into permanent rents. One should not forget that the success of the Pacto de Punto Fijo cost Venezuela the largest guerrilla movement in Latin America. Exclusion requires coercion and destabilizes democratic institutions.[68]

This analysis of political pacts has been couched in the economist's language of rents to be derived from collusion. Yet fear of divisions is motivated not only by the specter of authoritarian restoration and not only by the self-interested behavior of politicians. It is inherent in democracy for ideological reasons.

One reason stems from the rationalist origins of the democratic theory. The theory of democracy that developed during the eighteenth century saw the democratic process as one of rational deliberation that leads to unanimity and converges to a presumed general interest. If the citizenry is homogeneous or if its interests are harmonious, then there is one and only one interest that is both general and rational. In this view of the world, all divisions are divisions of opinion; there is no room for conflicts that cannot be reconciled by rational discussion. The role of the political process is epistemological: It constitutes a search for truth. And the status of consensus is moral: It represents an embodiment of the general interest. The

[68] The main difficulty with this hypothesis comes from the United States, where the barriers to entry have been formidable, where the representative power of political parties is minimal, and where economic inequality is high by comparative standards – all that in the face of relatively low levels of political repression. One might be tempted to make sense of this anomaly by making the claim some Brazilians (Andrade 1980; Moisés 1986) make with regard to their country, namely, that their civil society is weak, which I take to mean unable to organize to push its way into the representative system. But the civil society in the United States appears extremely strong, at least if we believe various measures of political participation other than voting. My hunch is that the role of repression in the United States has been historically greater than standard interpretations allow for, but I know no systematic evidence to that effect.

superiority of democracy consists precisely in its rationality. Hence, both Rousseau and Madison feared interests, passions, and the "factions" to which they give rise; both saw democracy as a mechanism to reach an agreement, to discover the common good.

Given these ideological origins, persistent differences of opinion, passionate conflicts of interest, procedural wranglings are often seen as obstacles to rationality. "If we could only agree" is the perennial dream of those appalled by the clamor of party politics, even if most politicians mean "If you would only agree with me" when they call for rational discussion. Consensus has a higher moral status than decisions by numbers or by rules. Hence, the striving to resolve conflicts by agreement, by ceremoniously celebrated pacts, is ubiquitous whenever political conflicts seem to get out of hand, whenever they appear to threaten democratic institutions.

An even more powerful impetus to unanimity is present in countries that have entrenched traditions of organicist views of the nation, often inspired by Catholicism.[69] If the nation is organism, it is not a body that can breed divisions and conflicts. Its unity is organic, that is, given by existing ties. The nation is "a live social organism, having a spiritual specificity derived from racial and historical bases" (Dmowski 1989: 71).[70] Those who do not partake in the national spirit can only be those who do not belong: alien to the body of the nation. And if the nation is an organism, it is not a body that can tolerate alien elements.[71] Individualism and dissent are manifestations of not belonging.

As O'Donnell (1989) has shown, the notion of an organic unity of interests leads each of the political forces to strive for a monopoly in representing the "national interest." Political forces do not see themselves as parties representing particular interests and particular views against representatives of other interests and projects. Since the nation is one body with one will, each of the political forces aspires to become the one and

[69] The paragraphs that follow result from several conversations with Guillermo O'Donnell about our native countries, Argentina and Poland.

[70] Roman Dmowski was the spiritual and political leader of Polish National Democrats before 1939. The eighth edition of Dmowski's seminal essay, *Myśli nowoczesnego polaka*, written originally in 1903, was published in Poland in 1989.

[71] This organicist language is notorious in Argentina; see several examples in O'Donnell 1989. I remember a speech by the head of the army under Alfonsín in 1988: "We are the immunological system which protects the nation from the virus of subversion" (*Pagina 12*, Buenos Aires, September 1988). In the recent abortion debate in the Polish parliament, Senator Kaczyński, the leader of the pro-Wałęsa party, declared that "all good Poles are against abortion" and those who support it "are a bad part of the nation" (*Libération*, 1 October 1990, p. 19).

only representative of the nation, to cloak itself in the mantle of *el movimiento nacional*. And since there are no conflicts to be resolved by competition under rules, democracy serves only as an opportunity to struggle for a monopoly in representing the national interest.

Catholic–nationalist ideology is alive in many countries; indeed, this is the ideology that motivated many, though by no means all, Eastern European dissidents in their struggle against communism. Many were caught between their opposition to communism and their opposition to the nationalist–religious ideology that was the only effective political force against communism.[72] In spite of Vaclav Havel's eloquent eulogies to the subversive power of truth, the spiritual force that provided the lasting source of opposition to communism was not a yearning for liberty (as distinguished from independence from the Soviet Union), but religion and nationalism; indeed, the historically specific amalgam of the two.[73] The resurgence of the political power of the church,[74] the flare-up of nationalist ideologies and of ethnic conflicts, and a burst of antisemitism constitute symptoms of the vitality of organicist ideologies in Eastern Europe.

Hence, the striving for consensus is motivated not only by considerations of self-interest. Democracy calls for a particular form of suspension of belief: the certainty that one outcome is best for all, rational. Decisions by numbers or by rules do not have prima facie rationality. The everyday life of democratic politics is not a spectacle that inspires awe: an endless

[72] The most revealing, and most poignant, document of the tension this dilemma engendered is the memoirs of Jacek Kuroń, *Wiara i Wina: Do i od komunizmu* (1990).

[73] Havel, in my view, confuses the subversive role of truth in regimes of ritualized speech with the commitment to free speech by those who uttered their truths in the struggle against these regimes. To say "We are a nation, with our own culture" under communism was to speak against Soviet domination; to say it in a democracy may mean that those who reject this culture have no right to speak. One should not forget that, except in Bohemia, the political culture that was suppressed by communists in the aftermath of World War II was a nationalist–religious–authoritarian amalgam that gave rise to several dictatorships during the interwar period. This culture was frozen under communist rule; it had no chance to evolve in the direction of democracy, as it did in France, Italy, and Finland. And this is to a large extent the culture that was defrosted in the autumn of 1989.

[74] It is a commonplace to emphasize the power of the Catholic Church in Poland. Yet this is a puzzling phenomenon. While the church is indeed politically most influential, as a moral force it is ineffective. Birth control is practiced in Poland, abortions are exceedingly frequent, divorce rates are high, alcoholism is rampant, crime has been growing alarmingly – the impact of the church on everyday moral behavior is hard to detect. And situations in which the church has political but not moral power naturally lead it to an authoritarian posture: What it cannot do by persuasion, it does by compulsion. Divorce was made more difficult by causing divorce proceedings to take place in higher courts; religious instruction in preschools, elementary schools, and high schools was introduced by a decree issued during the summer vacation by the minister of education; and abortion was criminalized.

squabble among petty ambitions, rhetoric designed to hide and mislead, shady connections between power and money, laws that make no pretense of justice, policies that reinforce privilege. This experience is particularly painful for people who had to idealize democracy in the struggle against authoritarian oppression, people for whom democracy was the paradise forbidden. When paradise turns into everyday life, disenchantment sets in. Hence the temptation to make everything transparent in one swoop, to stop the bickering, to replace politics with administration, anarchy with discipline, to do the rational – the authoritarian temptation.

Conclusions

This entire analysis is less conclusive than one might wish. Let me just summarize the major hypotheses.

First, whenever the ancien régime negotiates its way out of power, the optimal strategy of democratization is inconsistent: It requires compromises ex ante, resolution ex post. Transitions by extrication leave institutional traces: most important, the autonomy of the armed forces. These traces can be effaced, but transitions are more problematic and longer in countries where they result from negotiated agreements with the old regime. The transition was longer in Brazil than in Argentina; longer in Poland than in Czechoslovakia. And wherever the armed forces have remained independent of civilian control, the military question is a permanent source of instability for democratic institutions.

Second, it seems that the choice of institutions during recent cases of transition has been to a large extent haphazard, dominated by the understandable desire to terminate fundamental conflicts as quickly as possible. And there are reasons to believe that institutions adopted as temporizing solutions will turn out to be precisely that. Hence, the new democracies are likely to experience continued conflict over the basic institutions; the political forces that suffer defeat as a result of the interplay of these institutions will repeatedly bring the institutional framework back to the political agenda.

Finally, we should not be seduced by the democratic rhetoric of some forces that successfully joined in opposition to particular authoritarian regimes. Not all anti-authoritarian movements are pro-democratic; some join under the slogan of democracy only as a step toward devouring both

their authoritarian opponents[75] and their allies in the struggle against the old authoritarian regime. The search for consensus is often not more than a guise for a new authoritarian temptation. For many, democracy represents disorder, chaos, anarchy. As Marx noted almost 150 years ago, the party that defends dictatorship is the Party of Order.[76] And fear of the unknown is not limited to the forces associated with the ancien régime.

Democracy is the realm of the indeterminate; the future is not written. Conflicts of values and of interests are inherent in all societies. Democracy is needed precisely because we cannot agree. Democracy is only a system for processing conflicts without killing one another; it is a system in which there are differences, conflicts, winners and losers. Conflicts are absent only in authoritarian systems. No country in which a party wins 60 percent of the vote twice in a row is a democracy.

As everyone agrees, the eventual survival of the new democracies will depend to a large extent on their economic performance. And since many among them emerged in the midst of an unprecedented economic crisis, economic factors work against their survival. But before we can analyze the interplay of political and economic conditions, we need to examine the choices inherent in the economic systems.

Appendix: Approaches to the study of transitions

The approach used above is one among several possible. And since methods do affect conclusions, it may be helpful to place it among alternative perspectives. My intent is not to review the different bodies of literature employing the particular approaches, but simply to highlight the central logic of the alternatives.

The final question in studies of transitions to democracy concerns the

[75] Should former members of the nomenklatura be deprived of political rights without individual due process? Should they be purged from the bureaucracy? In all Eastern European countries, calls for a purge enjoy widespread popular support. Yet are such purges consistent with the rule of law? As Adam Michnik recently put it in a speech with an almost Dantonesque tone, "When we deprive others of political rights, we are taking them away from ourselves" (Vienna Seminar on Democratization in Eastern Europe, June 1990). The best treatment of this issue I have found is Bence 1990.

[76] To cite our contemporaries, Milos Jakes, the hardline first secretary of the Czechoslovak Communist party, accused the organizers of the demonstrations in Prague of "seeking to create chaos and anarchy" (*New York Times*, 21 November 1989). So did Erich Honecker. So did several of Gorbachev's opponents at the February 1990 Plenum of the Soviet Central Committee.

modalities of the system that emerges as the end state. Does the process end in a democracy or in a dictatorship, new or old? Is the new democracy a stable one? Which institutions constitute it? Is the new system effective in generating substantive outcomes? Is it conducive to individual freedom and social justice? These are the kinds of questions we seek to answer in studying transitions.

To stylize the analysis, let me refer to the system that emerges as the end state of transition by its Brazilian term, *Nova República,* the "new republic." Studies of transition attempt to explain the features of the new republic.

The point of departure is the authoritarian status quo that precedes it, *l'ancien régime, and perhaps even the social conditions that gave rise to this authoritarian system, l'ancienne société.*[77] Hence, transition proceeds from the ancien régime to the new republic.

Now, one approach, probably dominant until the late 1970s, was to correlate the features of the point of departure and the point of arrival. This approach is generally known as macrohistorical comparative sociology, and the seminal works include Moore (1965) and Lipset and Rokkan (1967). The method characteristic of this approach is to associate inductively outcomes, such as democracy or fascism, with initial conditions, such as an agrarian class structure. In this formulation the outcome is uniquely determined by conditions, and history goes on without anyone ever doing anything.

This approach lost much of its popularity when the possibility of democratization appeared on the historical horizon, first in Southern Europe and then in the Southern Cone of Latin America. The reason was, I believe, primarily political. The perspective was simply too deterministic to orient the activities of political actors who could not help believing that the success of democratization might depend on their strategies and those of their opponents rather than being given once and for all by past conditions.[78] It made little sense to Brazilians to believe that all their efforts were for naught because of the agrarian class structure of their country; it appeared ludicrous to Spanish democrats in 1975 that the future of their country had been decided once and for all by the relative timing of industrialization and universal male suffrage. The macrohistorical approach was

[77] Philippe Schmitter drew my attention to these social factors.

[78] I remember how struck I was that Barrington Moore's work was not even mentioned during the first meeting of the O'Donnell–Schmitter democratization project in 1979.

unappealing even to those scholar-activists who resisted the intellectual assumptions of the micro perspective because it condemned them to political impotence.

As events developed, so did scholarly reflection about them. The first set of questions concerned the impact of various features of the ancien régime on the modalities of transition. Transitions were variously classified into "modes." In particular, the collapse of the authoritarian regime was distinguished from – the term was Spanish for good reasons – a "*ruptura pactada*," a negotiated break. A perusal of the voluminous literature on this topic demonstrates, in my view, that these studies bore little fruit: It turned out to be hard to find common factors that triggered liberalization in different countries. Some authoritarian regimes collapsed after long periods of economic prosperity; some, after they experienced acute economic crises.[79] Some regimes were vulnerable to foreign pressure; others used such pressure successfully to close ranks under nationalistic slogans. The problem these studies encounter – and the rush of writings on Eastern Europe provides new illustrations – is that it is easier to explain ex post why a particular regime "had to" fall than to predict when it would fall. Social science is just not very good at sorting out underlying structural causes and precipitating conditions. And while explanations in terms of structural conditions are satisfying ex post, they are useless ex ante, since even a small mistake about the timing of collapse often costs human lives. The Franco regime was still executing people in 1975, one year before it was all over.

The O'Donnell–Schmitter (1986) approach was to focus on the strategies of different actors and explain the outcomes as a result of these strategies. Perhaps the reason for adopting this approach was that many participants in their project were protagonists in the struggles for democracy and needed to understand the consequences of alternative courses of action. Yet while this approach focused on strategic analysis, it shied away from adopting a formalistic, ahistorical approach inherent in the abstract theory of games. Given that the macrolanguage of classes, their alliances, and "pacts of domination" was the dominant vocabulary of the time, the result was an intuitive micro approach often couched in macro language.

The main conclusion of the O'Donnell–Schmitter approach was that

[79] My intuition is that finer analysis may still show that economic factors operate in a uniform way: Liberalization occurs when an economic crisis follows a long period of growth. Perhaps there were just not enough cases to substantiate results derived inductively.

modalities of transition determine the features of the new regime; specifically, that unless the armed forces collapse, successful transition can be brought about only as a result of negotiations, of pacts. The political implication was that pro-democratic forces must be prudent; they must be prepared to offer concessions in exchange for democracy. And the corollary was that the democracy that results from the *ruptura pactada* is inevitably conservative economically and socially.

Once democracy had been established in several countries, these conclusions drew the accusation that they were unduly conservative. Such retrospective evaluations are easy to support, particularly for observers tucked safely away within the walls of North American academia. Indeed, for many protagonists, the central political issue at the time was whether their struggle should be simultaneously for political and economic transformation or only be about political issues. Should it be for democracy and socialism simultaneously, or should democracy be striven for as a goal in itself? And the answer given in their political practice by most of the forces that turned out to be historically relevant was resolutely that democracy was an autonomous value, worth the economic and social compromises that successful strategies to bring it about engendered. This was the simple lesson drawn from the bestiality of the military regimes in Argentina, Chile, and Uruguay; anything was better than the mass murder and torture that these regimes perpetuated.

Indeed, the relevant question in retrospect seems not political but empirical: Is it true that modalities of transition determine the final outcome? As my analysis indicates, transition by extrication does leave institutional traces, specifically when it places democracy under the tutelage of an autonomous military. Yet, first, these traces can be gradually wiped away. In Spain, successive democratic governments were effective in gradually removing the remnants of Francismo and in placing the military under civilian control; in Poland, the evolving relations of forces eliminated most of the relics of the Magdalenka pact. Second, I find surprisingly little evidence that the features of the "new republic" do in fact correspond either to traits of the ancien régime or to modalities of transition. This is perhaps an inadequacy of my analysis – we are only now beginning to have enough cases to engage in systematic empirical studies. Yet I can think of at least two reasons why the new democracies should be more alike than the conditions that brought them about.

First, timing matters. The fact that recent transitions to democracy oc-

curred as a wave also means that they happened under the same ideological and political conditions in the world. Moreover, contagion plays a role. Co-temporality induces homogeneity: The new democracies learn from the established ones and from one another.

Second, our cultural repertoire of political institutions is limited. In spite of minute variations, the institutional models of democracy are very few. Democracies are systems that have presidential, parliamentary, or mixed governments; recourse to periodic elections that ratify agreements among politicians; vertical organization of interests; and almost no institutional mechanisms for direct control over the bureaucracy by citizens. Certainly, there are important differences among types of democracy, but there are not as many types as the variety of conditions under which transitions occur.

Thus, where one is going matters as much as where one is coming from. The transitions we analyze are from authoritarianism, and the features of the anciens régimes do shape their modalities and their directions. But the transitions are also to democracy, and the destination makes the paths converge.