

Weak States, Weak Societies: Comparing New and Old Member States of the European Union

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Abstract:

The transfer of rules, such as in the European Union's recent enlargements, requires well-functioning institutions of government as well as societal actors ready to engage with the new rules. Officials of the European Commission and other practitioners highlighted the need for both in the run-up to enlargement, while critics of the 2004 and 2007 rounds have faulted the state-centric approach employed by the EU for undercutting societal actors in the new member states.

This paper examines data from the World Values Survey and World Bank Governance Indicators and shows that state capacity and organized interests do indeed go hand in hand: Among the 27 EU member states, countries that score high on good governance also have citizens engaged in interest organizations, volunteering for a broad variety of causes, and ready to participate in acts of protest. By the same token, in countries where governments struggle to deliver results, organized interests are insufficiently established and rarely in a position to perform governance functions. The data show systematic and statistically significant differences between old and new member states, with Eastern Europe lagging behind most of the older democracies on both dimensions, i.e. state capacity and civil society. Considerable variation within each block does not negate this basic gap. Rather than rely on nonstate actors to compensate for weak institutions of government, European policy makers need to invest in long-term efforts to strengthen state institutions and bring stakeholders into the processes of policy-making and implementation.

Keywords: Civil society, state capacity, institutional capacity, governance, political participation, associations, European Union enlargement, Central and Eastern Europe, democratization.

Word Count: 8580

Introduction

During the recent accession phases, the European Union presented newly democratizing countries of the postcommunist region with oddly contradictory demands: On the one hand, there was the poorly defined requirement to democratize all levels of domestic government, reinforced by a call for stakeholder involvement in specific policy areas, such as environmental or employment and labor policy. The logic underlying this call was either inherent in the policy requirements (e.g. the Social Dialogue) or a recognition that externally imposed policies need to be actively ‘pulled in’ (Jacoby 1998) by target societies. For its own monitoring of candidate country progress toward accession, the Union relied to a considerable extent on non-state actors for information. On the other hand, the Union pressed the new democracies to streamline their legislative procedures and eliminate veto points in order to ensure the speedy transposition of Community law, thereby cutting down on mechanisms of representation. Often, therefore, accession countries transposed via literal translation, sidestepping stakeholder consultation on questions of implementation for the sake of expedience.

The incongruity of EU pressures for stakeholder consultation and fast-track harmonization exacerbated two widespread accountability problems in the new member states: inadequate performance accountability paired with insufficient policy-making accountability (Rose-Ackerman 2007). The first problem refers to the fact that lags in state transparency leave citizens and the press poorly equipped to hold governments accountable for their actual performance. Insufficient policy-making accountability, meanwhile, is due to the weakness of civil societies, as a consequence of which policies and their implementation are less likely to respond to the actual needs of the population. Thus, the new member states face the challenge of implementing Community law in ways that are meaningful to their own populations. Furthermore, they find their democratic endeavors jeopardized by the complex structure of multilevel and polycentric governance in the EU and weak state institutions at home (Zielonka 2007). Thus far, electoral democracy at the national level has proven insufficient for establishing fully accountable government either nationally or within the EU; instead, organized interests are needed to improve both accountability and performance in the enlarged EU.

In this paper, I explore the connection between weak state capacity and weak civil society in the EU-25, focusing in particular on governance problems within the postcommunist new member states (CEEC10). I use data from the World Bank’s Worldwide Governance Indicators (1996-2006) to document the persistent gap between old and new members on six indicators of the quality of governance. Likewise, I show the striking east-west disparity on three indicators of civil society, culled from the most recent World Values Survey available for the region (2004, data from 1999). Notwithstanding some EU15 outliers (notably Italy and Greece), there is a statistically significant difference between EU15 and CEEC10 countries on both state capacity and civil society. This gap calls into question not only the functioning of representative democracy and EU policy implementation, but also the judicial mode of EU governance, which requires national courts and private actors to invoke Union law explicitly in order to operate effectively. I proceed by examining the debate about the interaction between state capacity and civil society in the context of democracy and European integration. Then I present evidence of the east-west divergence, using multiple indicators for each of the two analytical dimensions. I conclude by reflecting on the implications of this gap for European governance in the near to medium term.

Interdependence of State Capacity and Civil Society

“Nothing cripples civil society development like a weak, lethargic state,” asserted Thomas Carothers in a critique (1999) of the multifarious uses to which the concept of civil society has been put. Contrary to the

reigning wisdom of the 1990s, state socialism left behind weak states that had been captured by the monopoly party (Ganev 2001; Goetz and Wollmann 2001; Grzymala-Busse and Jones Luong 2002). Making matters worse, the early transformation period saw foreign advisors and domestic leaders take apart state structures in the mistaken belief that the state's intrusions into society and the market signaled its strength. International financial institutions lent credence to this misperception and took until the late 1990s to recognize the importance of institutional capacity—secure property relations, macroeconomic stability, tax effectiveness, rule of law, infrastructure, good public administrations—for delivering the promises of the market and promoting economic development (EBRD 1999; World Bank 2000a, 2000b, 2002).

By shifting their stance on the significance of good governance, the international financial institutions began to signal a recognition that state and society need not cancel each other out and that, in fact, capitalist democracies depend on both in order to thrive. This non-zero-sum understanding of state capacity and civil society is consistent with Michael Mann's concept of "infrastructural power," which enables the state effectively to implement political decisions primarily by engaging with, rather than coercing, society. Mann defines infrastructural power as "the capacity of the state to actually penetrate civil society, and to implement logistically political decisions throughout the realm" (Mann 1984, 189). He contrasts infrastructural power with "despotic power," i.e. "the range of actions which the elite is empowered to undertake without routine, institutionalized negotiation with civil society groups," characteristic primarily of premodern societies (1984, 188). A zero-sum view of civil society and state strength is analytically and normatively inadequate for dealing with contemporary industrialized democracies. The state, in order to implement policies, depends both on institutional separation from special interests and on linkages between the organizations of society and the state. Likewise, society derives its influence not merely from being separated from the state, but from engaging with it (Mann 1993, 59; Hobson 2000, 199-200). Evans (1995), writing about less developed countries, expresses a similar idea in his concept of "embedded autonomy"; Weiss (1998) conveys the same linkage between the distinct organizational realms of state and society as "governed interdependence." Tilly (2004, 7), less concerned with the policy output of advanced industrialized democracies than with the role of contentious politics in the development of democracy, goes a step further. He suggests that increases in the state's coercive intrusions into society are liable to provoke contentious action on the part of subjects/citizens that may help to increase the space for protected state-society consultation, a key feature of democracy. By the same token, Tilly argues, expanded consultation tends to raise demands for state intervention and thus for increased government capacity. Democracies, defined by relatively broad and equal citizen access to government agents, binding consultation, and protection from arbitrary government action, therefore are usually associated with high state capacity (Tilly 2004, 35-36).

Democratic governance needs an active and involved citizenry capable of monitoring and opposing government policies through collective mobilization and associational representation (Putnam 1993 and 2000, Warren 2001). Beyond citizens' embrace of attitudes consistent with democracy (Almond and Verba 1965 and 1980, Inglehart et al. 2002, Norris et al. 2002), democracy depends on citizens' active involvement with society and the state (for reviews, see Bernhard and Karakoc, 2007, Howard 2003, Tusalem 2007). Such participation takes several forms beyond the mere casting of a vote, including three that will serve as indicators later in this paper: membership in civic associations, unpaid work in civic associations, and participation in political protest. Nevertheless, the normative role of interactions between civic associations and the state is a source of some controversy. As Fung describes the debate (2003), scholars who see civic associations primarily as vehicles of socialization in the values of tolerance and generalized reciprocity tend to view the activities of the state as separate from the activities of associations (Putnam 2000, Skocpol 2000).

They assume a context of mature representative democracy and see little need for associational involvement in policy making and implementation. Their views contrast with those of scholars who emphasize the value of resistance even in advanced democracies and who favor more direct participation of citizens and associations in the tasks of government (Fung 2001, M.R. Warren 2001). Advocates of direct democracy argue that when associations replicate some of the aspects of representative democracy, such as hierarchical organization and stratified access to decision-making, their contribution to participatory politics is minimal (Fung 2003). But in reality the contrast between participatory and representative functions of associations, between resistance to and collaboration with state agents, need not be as stark. Trade unions are notorious for their ability to bridge disruptive and collaborative politics, but do not always receive credit as associations within the sphere of civil society. Likewise, social movement organizations known for their media-savvy use of direct action increasingly exercise the functions of high-level interest representation and consultation with government; in settings of multilevel governance such as the EU, they adapt their tactics to the strategic opportunities presented in a given political context.¹ More generally, in the EU, the functions of lobbying and direct action are often blended within the same organizations or divided among organizations within the same sector. This fact is poorly addressed by the separate literatures on lobbying, civic associations, and social movements, whose normative understandings of democracy diverge.

For the empirical relationship between state capacity and civil society as observed in the EU-25, a third dimension may be more relevant than either the socialization effects of civil society or the potential for direct democracy. Thus, interest organizations may improve the quality of democratic representation and policy deliberation by adding a functional dimension to an otherwise purely electoral process. Functional representation is not without its problems, of course; among them are hierarchy, self-selection, and narrow interests. But precisely because of their thematic focus, interest organizations may bring a level of expertise to policy deliberation that eschews both elected policy-makers and mass electorates. By emphasizing the contributions of organized interests to policy-making and implementation, I wish to neglect neither political learning at the individual level nor direct action as useful complement to peak-level policy deliberation. My view here is driven by empirical pragmatism rather than a concern with the allegedly conflicting concepts of democracy informing different variants of the claim that civil society strengthens governance. For purposes of policy deliberation and implementation in adapting EU policies to the realities on the ground, interest organizations are indispensable; the potential for direct action in a given society is likely to enhance rather than diminish the role of organizational representation.

Interest organizations mediate among citizens, civil society, and the state. Mass membership grants political weight to such organizations as they lead societal debate on emerging issues and challenges, shape public opinion, and reflect societal preferences. Intermediary organizations also take on functions *for* the state, such as social services, education, and culture. They evaluate policy-relevant information that feeds into legislative processes and assists with implementation (Salamon 1995). Because intermediary associations do not themselves seek political office, they are able to articulate the interests of specific and often marginalized societal groups, in marked contrast to political parties, which must appeal to broader audiences and therefore simplify and flatten policy discourse. Associations can hold state authorities accountable and enhance the transparency of administration (Schmitter 1993). All of these governance-related functions of interest organizations, furthermore, are crucial in the EU, where the “pulling in” (Jacoby 2000, 210-211) of supranational rules requires stakeholders and rule entrepreneurs to actively engage with their content at the national and subnational level. Further, voluntary associations can defuse ethnic tension and decrease political

¹ Examples that come to mind are Greenpeace and Friends of the Earth.

violence (Varshney 2002). At the individual level, participation in voluntary associations assists political learning and conveys skills that facilitate active citizen engagement with institutions of the state. Voluntary associations also serve as resources for protest mobilization (Fernandez and McAdam 1989; Leighley 1996; McAdam and Paulsen 1993; Oberschall 1973), an equally important form of political participation. Because self-reported membership on its own may not be a meaningful indicator of actual participation, I use a second associational indicator, volunteer work. We can expect rates of unpaid associational work (active membership) to be lower than mere dues-paying (i.e. passive) membership.

Protest mobilization has an important agenda-setting function in democracies, where it often precedes interest articulation in more conventional institutional channels. In authoritarian and totalitarian systems, protest can be a vital catalyst for regime change. Evidence from 67 countries that underwent regime transitions since 1972 has shown that democratic transitions are much more likely to succeed in the long run if they are facilitated by nonviolent civic resistance than if they are elite-brokered (Karatnycky and Ackerman 2005). It has also been argued that protest can be a functional substitute for bargaining between interest organizations and the state. In light of previous findings of the weakness of civic associations in the postcommunist region (note especially Howard 2003), several observers have noted that Eastern European political societies evolved much faster than civil society after 1989 (Bunce 2000, Howard 2003). But even if this is the case, parties lack mass membership (Szczerbiak 2001). In the absence of formal bargaining structures between society and the state such as exist both in pluralist and democratic corporatist systems, Ekiert and Kubik suggest, civil society resorted to sustained protest activities, at least in Poland's early transformation period (1989-1993). Greskovits (1998) has made the opposite claim: Eastern Europeans have neither joined voluntary associations nor engaged in protest mobilization and have restricted their expression of dissent to protest voting.

There are, of course, critics of the argument that civic associations promote democratic governance. First, both the content of civic associations' activities and the structure of organizational networks seem to matter. Berman (1997) has pointed out that Imperial and Weimar Germany were extremely rich in voluntary associations, but faced a weak political society (political parties and other institutions from which society recruits its government).² The combination was fatal for the Weimar democracy: Associations helped fragment German society and further alienated it from political institutions, while at the same time facilitating broad recruitment by the Nazi movement. Thus, it is not simply the presence of voluntary associations that helps promote democratic governance, but rather the linkages between civil and political society, as well as linkages among social cleavages that voluntary associations may forge (see Bermeo 2000 and Bunce 2000). A second and related argument skeptical of the importance of civil society for democratic governance focuses on state institutions as the primary agents. Encarnación (2003) argues that effective institutions of governance are more important than a rich associational life when it comes to sustaining democracy. Similarly, Tarrow (1996) highlights that political participation often arises in response to the state; thus, civil society forms as a result of political party activities. Third, critics who argue that political stability takes precedence over democracy, especially in less developed countries (Huntington 1968, Linz 1978, Valenzuela 2004), point to the destabilizing potential of civil society and the fact that popular preferences may well endorse

² It is useful in this discussion to distinguish civil and political society. Linz and Stepan define civil society as "that arena of the polity where self-organizing groups, movements, and individuals, relatively autonomous from the state, attempt to articulate values, create associations and solidarities, and advance their interests (1996, 7). By contrast, political society consists of "the core institutions... by which society constitutes itself politically to select and monitor democratic government", specifically "political parties, elections, electoral rules, political leadership, interparty alliances, and legislatures (1996, 8).

authoritarianism (Brysk 2000, O'Donnell 1979). Fourth, some critics of associationism as the primary vehicle of civil society caution that many nongovernmental organizations receive foreign funds or are even the exclusive creation of external actors while lacking roots in domestic society; hence, they are vulnerable to cooptation (Mendelson and Glenn 2002). Fifth, associationism as an indicator of civil society has been faulted as Western-centric (e.g. Heinrich 2005); it privileges functional trust networks linking society and state actors and devalues interpersonal trust networks such as those that may have facilitated survival under state socialism (e.g. Gibson 2001, Mungiu-Pippidi 2005, Petrova & Tarrow 2007).

Recent large-n quantitative analyses have come to somewhat conflicting conclusions about civil society's effects on governance. Armony (2004) examined 28 countries from various waves of democratization and concluded that civil associations do not increase government effectiveness. Tusalem (2007) restricts his analysis to third- and fourth-wave countries to ensure comparability of cases, but has a larger sample of 65 countries. He focuses on voluntary associations, leaving aside protest mobilization, and includes both pre- and post-transition indicators. Tusalem's models confirm Putnam's positive link between associations and good governance. Against the perception that civil society is a path-dependent phenomenon, he also shows that for some indicators of governance (rule of law and control of corruption), post-transition associational membership is more important than pre-transition societal activism. Bernhard and Karakoc (2007) examine the opposite causal question: Does previous regime type determine the strength of civil society under democracy? Based on 42 countries and an operationalization of civil society that includes both associationalism and protest mobilization, they show that previous totalitarian (fascist or state socialist) regimes retard organizational membership under democracy more than is the case for previous authoritarian regimes. On the other hand, the longevity of previous dictatorship, not its authoritarian or totalitarian nature, determines protest behavior. They confirm Howard's pessimistic conclusions about post-communist civil societies and reject Ekiert and Kubik's notion that protest substitutes for associationalism in the region. In the empirical section, I offer a descriptive analysis of EU15-CEE10 differences in civil society development that largely confirms the findings from Bernhard and Karakoc's larger sample. But before that, let me clarify why state capacity is so important in the specific EU context.

Why State Capacity Matters in the EU

European integration is distinct from nation-state-making in that it proceeds predominantly through regulation and judicial arbitration, leaving traditional activities of the modern state—resource extraction and redistribution, internal and external security—mostly in the hands of member countries. For implementation and enforcement, the European Union relies on member states and their subnational entities. Thus, the Union's regulatory and judicial capacity contrasts with its relatively slim administrative apparatus. In this sense, the debate over whether European integration strengthens or weakens the state (e.g. Moravcsik 1993) is beside the point and imposes an overly simplistic binary opposition. This debate dominated integration studies up until the 1990s, when the principal question asked about the European project was whether and how member states influenced the Union. Over the last decade, the "Europeanization" debate has turned to the question of how the Union affects its members (Börzel and Risse 2000; Cowles et al. 2001; Dyson 2002; Falkner et al. 2005; Featherstone and Radaelli 2003; Graziano and Vink 2006; Héritier et al. 2001; Menz 2005; Parsons 2007).³ The focus here is on careful empirical and often sector-specific analysis, in contrast to the grand theorizing over constitutional bargains that characterized the intergovernmentalist-supranationalist feuds. Though the overwhelming evidence emerging from the research on the Union's effects on member

³ For studies of the Union's influence specifically on Eastern Europe, see Albi 2005; Andonova 2004; Haughton 2007; Jacoby 2004; Kelley 2006; Schimmelfennig and Sedelmeier 2005; Sissenich 2007.

states points toward cross-national variance rather than convergence, the notion that effective EU policy implementation requires state capacity at the national and subnational levels is no longer controversial.

For their part, the old member states recognized the importance of strong administrative institutions for prospective members, as evident in the European Council decisions of Madrid in 1995 and Luxembourg in 1997. These decisions added the criterion of institutional capacity to the previous three Copenhagen (1993) criteria of democracy, a competitive market economy, and the ability to fulfill the obligations of membership. Though institutional capacity was poorly defined and lacked a basis in Community law, the EU devoted preaccession funds to improving CEEC10 bureaucracies. Without clear benchmarks of good governance defined at the Community level, the Commission enlisted the expertise of member states, which competed for selection by candidate countries to transfer their own models to CEE (Dimitrova 2005; Sissenich 2007). The Commission examined implementation structures in its annual progress reports on the candidate countries with a view toward the specific requirements of Community law. Specific state-building interventions of the EU in the candidate countries included regional devolution consistent with the requirements of the Structural Funds (with very limited success, as Hughes et al. 2005 have shown), the creation of new agencies, inter-agency and intra-agency coordination, and changes in budgetary systems and financial control. Such efforts notwithstanding, a comparison of aggregate indicators of state capacity between old and new member states demonstrates a striking gap, as the next section will show.

Measuring the EU15-CEEC10 Gap in State Capacity

Though state capacity tends to be policy-specific⁴, certain prerequisites, such as the rule of law, are relevant regardless of the policy area in question. As evident from what has become the authoritative set of indicators of state capacity, the World Bank's Worldwide Governance Indicators (WGI), 1996-2006 (on background and methodology, see Kaufmann et al. 2007), CEECs lag behind older member states on all six dimensions of governance. Kaufmann and his colleagues have constructed aggregate measures from 33 sources for 212 countries, based on both elite and mass perceptions of governance, yielding six separate indicators. As the authors warn, such aggregate indicators produce large error margins (which, in contrast to other cross-country data sets, are actually made explicit), lack the transparency of single surveys, and are ill-suited for comparisons across time. Critics have also raised doubts about the undifferentiated nature of each aggregate indicator that makes it impossible to distinguish among different manifestations of a given problem; for instance, corruption may have different meanings in different contexts and policy responses should take these into consideration (Knack 2006; Apaza 2009). Likewise, the WGI have been criticized for bias in favor of business interests and for correlations between economic and political indicators (Kurtz and Shrank 2007; Arpaza 2009). While such warnings highlight the nature of the WGI as work in progress, the aggregate data offer a useful approximation to multi-country comparisons that should be supplemented with more fine-tuned instruments such as small-N studies. The Governance Indicators do allow for comparisons among groups of countries based on a relatively consistent set of measurements.

In figures 1-12, I show the systematic differences between EU15 and CEEC10 in the decade from 1996 to 2006.⁵ I present the data in two formats: (1) a time series that traces EU15 and CEEC10 averages on each of

⁴ See Weiss (1998). Nobody doubts the war-making capacity of, say, the United States, but military prowess does not automatically translate into a heightened ability to create and implement effective public health or environmental policies.

⁵ I omit Cyprus and Malta from the analysis because of their size and because they do not share the postcommunist legacy of the CEEC10. Their inclusion would risk distorting our findings here.

six indicators (figures 1-6); and (2) a country-specific ten-year average for each score that shows the considerable variance within each bloc, especially the consistently low scores of Greece and Italy (EU15) and the relatively consistent high scores of the Czech Republic, Estonia, Hungary, and Slovenia (CEEC10) (figures 7-12). Keep in mind that the time series should not be interpreted as indicative of changes over time (Kaufmann et al. 2007); rather, it concerns us here because it demonstrates that the EU15-CEEC10 *gap* persists throughout the decade in question.

The first indicator, “voice and accountability,” measures elements of the political process, civil liberties, political rights, and media independence, and thus the quality of democracy (figures 1 and 7). Note that Hungary, Poland, and Slovenia outperform EU15 laggard Greece; Hungary and Slovenia also outperform Italy (fig. 7). Second, “political stability” captures perceptions of the likelihood that the government will be destabilized or overthrown by unconstitutional or violent means, including domestic violence and terrorism. This indicator has seen the greatest convergence between EU15 and CEEC10, such that differences between the blocs have not been statistically significant since 2003 (fig. 2). “Government effectiveness”, i.e. “the quality of public services, the quality of the civil service and the degree of its independence from political pressures, the quality of policy formulation and implementation, and the credibility of the government's commitment to such policies” (Kaufmann et al. 2007), has seen some convergence between EU15 and CEEC10, but differences remain statistically significant (fig. 3). On this indicator, Greece and Italy lag dramatically behind other EU15 countries, as well as behind the Czech Republic, Estonia, Hungary, and Slovenia. All other EU15 countries are far ahead of the CEEC10, however (fig. 9). Fourth, “regulatory quality” measures the government’s ability to “formulate and implement sound policies and regulations that permit and promote private sector development” (Kaufmann et al. 2007). Differences between EU15 and CEEC10 have been statistically significant since 1996 (fig. 4). Estonia is striking as an outlier with a score that outperforms seven EU15 countries (fig. 10). Fifth, “rule of law” is an indicator of confidence in rules and contract enforcement, as well as in the police, the courts; it also captures perceptions of crime and violence. This is the indicator on which EU15-CEEC10 differentials are particularly stark and highly statistically significant (fig. 5), but note again Greece and Italy’s distinction of lagging behind the Czech Republic, Hungary, and Slovenia (fig. 11). Finally, “control of corruption” measures “extent to which public power is exercised for private gain, including both petty and grand forms of corruption, as well as ‘capture’ of the state by elites and private interests” (Kaufmann et al. 2007). Differentials between the two blocs are consistent and highly statistically significant (fig. 6). Greece and Italy are extreme outliers in the EU15 set and are, once again, outperformed by Estonia, Hungary, and Slovenia (fig. 12).

Regrettably, the data set does not go back further than 1996; because of that and the inappropriateness of the dataset for cross-historical comparisons, we are not in a position to trace the progress of formerly authoritarian EU15 countries since their transitions. It is worth noting that Spain and Portugal perform vastly better than Greece and Italy on virtually all indicators presented here. The sole exception is political stability, where Spain suffers from the persistent separatist conflict in the Basque region. Pessimistic determinism about the CEEC10’s potential to strengthen their state institutions over the next couple of decades would therefore be misplaced. On the other hand, whereas the EU15 may have functioned reasonably well with two governance underperformers in its midst, it is less clear how an ever more highly regulated Union can operate when nearly half its members struggle with the tasks of government. One challenge that already surfaced during accession preparation, but is magnified by the much larger transfers post-accession, is the region’s capacity to absorb the considerable amounts of money transferred from EU coffers. Ironically, though all CEEC10 states will benefit from such transfers, it is the economic and administrative leaders within the bloc

that will best be able to put these additional resources to good use, while Romania and Bulgaria are likely to lack the means to fully claim the EU funds. Another problem with weak governance is the full implementation of Community law, which requires not only state institutions, but also active citizens and interest groups willing and able to capitalize on new political opportunity structures and engage with the new rules and institutions. Let us now turn to civil society and its role in democratic governance.

Measuring the EU15-CEEC10 Gap in Civil Society

The World Values Survey is one of the most extensive data sets on mass political attitudes and political behaviors, now in its 4th wave, but unfortunately the relevant country data on civil society and political participation are a decade old. I rely on the 2004 round, with data collected in 1999/2000 (World Values Survey 2004). Like Bernhard and Karakoç (2007), I use associational membership and protest activities as indicators of civil society development, but I add a third indicator, volunteer work, arguably a more meaningful measure of active civic participation than mere organizational membership. I show that CEE lags behind the EU15 region on all three (consistent with Howard 2003 on postcommunist Europe). Though I do not show the results here, the WVS findings on protest mobilization, as captured in 1999/2000, mirror those of a different dataset, the European Social Survey (Jowell et al. 2003, 2005, 2007), which does not cover all EU25 countries but has more recent data than the WVS.⁶

Figure 13 shows cross-country differences in the average number of *organizational memberships* per person. The organizations range widely from churches, labor unions and parties to sports and cultural associations. Several points are worth mentioning:

1. In CEE, there are basically two groups of countries—one made up of seven that score below the CEEC10 average, the other a vanguard of three countries that score higher than a number of EU15 countries. Thus, Slovenia, the Czech Republic, and Slovakia seem fundamentally comparable to the bottom half of EU15 countries. Note that this vanguard includes two countries whose experience with communism was one of a relatively closed system until the very end in 1989 (Czech Republic and Slovakia). By the same token, two countries that experienced considerable mobilization during the communist years—Poland and Hungary—count among the laggards in associational memberships. These findings suggest that we should be careful not to infer too much determinism when discussing communist legacies in the region.
2. Second, among the EU15 we can distinguish three clusters: a bottom cluster with scores similar to the CEEC10, which includes countries with authoritarian or totalitarian legacies (Portugal, Spain, Germany, and Italy), but also the older democracies of France and UK; a middle cluster of seven that scores around the EU15 mean; and a top cluster of two with exceptionally high membership scores (Netherlands and Sweden).
3. Despite some overlap between CEEC10 and EU15 scores, the differences between the two blocs are statistically significant and the EU15 mean is more than double the CEEC10 mean.
4. That said, differences within each country are very high and create large standard deviations.

When it comes to *volunteering*, the differences between CEEC10 and EU15 become weaker, but remain statistically significant. Slovakia, Slovenia and the Czech Republic score at or above the EU25 mean. Portugal, Germany and Spain score below the CEEC10 mean (figure 14).

⁶ The European Social Survey prompts for similar political activities as the WVS, but is not exactly interchangeable in its questions. On seven indicators of political participation (working for a party, working for a non-party organization, wearing a political badge, boycotting a product, contacting a politician, and participating in a legal demonstration), CEEC10 scores are significantly lower than EU15 scores throughout three rounds of interviewing (2002, 2004, 2006).

Moving on to *protest mobilization* as reflected in figure 15, average protest actions per person and country, we can observe similar patterns:

1. Among the CEEC10, we can again distinguish three clusters: Romania as a bottom outlier, Slovenia and the Czech Republic as the top outliers, and seven countries that cluster around the CEEC10 mean.
2. Among the EU15, there is one bottom outlier (Spain) and one top outlier (Sweden). The remaining thirteen countries can be divided into those that score above the EU15 mean (Belgium, Denmark, Greece, Netherlands, and France) and those that score below (the remaining eight).
3. The differences between EU15 and CEEC10 are highly statistically significant at the .0001 level.
4. Finally, the standard deviations are again very high based on large within-country differences.

Documenting the Correlation between State Capacity and Civil Society

Table 1 shows Pearson correlations for civil society and governance scores. Not surprisingly, the governance scores are all highly correlated with one another. The same is true for organizational membership and volunteer work. But two things are worth emphasizing: First, the Pearson coefficients here confirm previous findings in the literature that membership and volunteer work in associations of any stripe makes people more likely to participate in protest events and thus be active and engaged citizens (the correlation between organizational membership and protest is .72 and highly statistically significant). Second, and most importantly, good governance and civil society do indeed go together. Strikingly, the correlations between governance, on the one hand, and protest activity on the other, tend to be as strong as, or stronger than, for mere organizational membership. In other words, not only is protest mobilization not destabilizing, but it is associated with greater political stability, government effectiveness, regulatory quality, rule of law, and corruption control. The correlations do not allow us to speculate about causal direction, of course. But the take-away value of this analysis should be that strong states and strong civil societies go hand in hand.

Figure 16 summarizes the findings on cumulative state capacity and civil society by means of a scatterplot. With a few exceptions, postsocialist countries are located in the lower left quadrant and EU15 states in the upper right quadrant formed by the respective EU25 means. Exceptions are Portugal, Spain, and Germany, which score relatively higher on state capacity than on civil society and thus find themselves in the upper left quadrant, and Greece, the Czech Republic, and Slovakia, which score relatively higher on civil society than on state capacity.

Conclusion

In order to operate effectively, Community law must be implemented by well-functioning institutions at the national and subnational levels of government. Strong systems of national administration are not only perfectly compatible with European integration, but are in fact essential. Just as important, however, is that stakeholders *deal* with the new rules. This is true at the policy-making stage, of course, but I argue it is also true at the transposition and implementation stages. Community law must be the target of citizen deliberation and activism. Regardless of whether citizens come to embrace or battle a particular Community rule as the result of such deliberation, this active engagement is necessary in order to give the law meaning within the national context. I have shown elsewhere that even when Community rules call for stakeholder involvement, as is the case with the Social Dialogue and EU employment policy, they can fall flat if the actors in question do not take possession of such new political opportunities (Sissenich 2007). Even the effectiveness of the

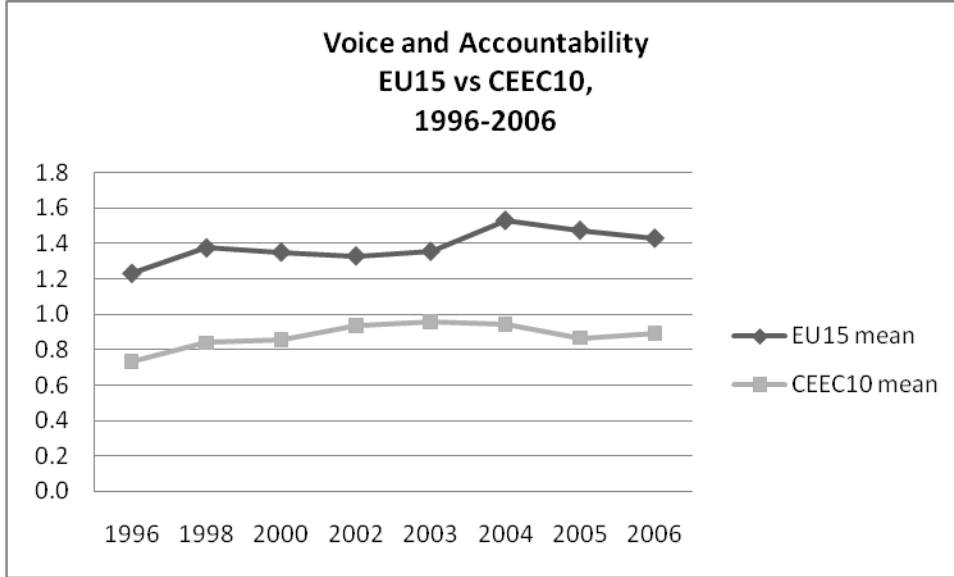
European Court of Justice ultimately depends on stakeholders at the national level who are resourceful enough to invoke Community law, just as it depends on the willingness of national courts to refer cases to the ECJ.

In light of these arguments, the findings presented here should cause us to reflect on the medium-term prospects of governance within the EU. No doubt the democratic and capitalist transformation processes were accelerated thanks to EU pressure (Vachudova 2005). But the cases of Italy and Greece, both of which score consistently low on governance, raise the question of the EU's ability to streamline institutional capacity among its members. The findings of EU15-CEEC10 differences that this paper presents add to a growing chorus on the long-term effects of communist and other dictatorial legacies (see Bernhard and Karakoç 2007 and Howard 2003 for examples). The existence of high achievers among the CEEC10 and low achievers among the EU15 cannot disguise the persistent east-west gap on both governance and civil society.

Despite the high correlations between governance and civil society score, one question that this paper has left unexplored is the relative importance of each for purposes of EU governance. In this context, what are we to make of cases that score high on one dimension but low on the other? Italians and Greeks are a contentious bunch, as the protest data reveal, but struggle with ineffective state institutions. Hungarians and Estonians appear as relatively unengaged in civil society, but feature impressive institutional capacity. For ensuring the effectiveness of Community law, the latter two cases seem more promising than the former, suggesting that what ultimately counts is good governance. But the data presented here also indicate that citizen activism might improve institutional capacity.

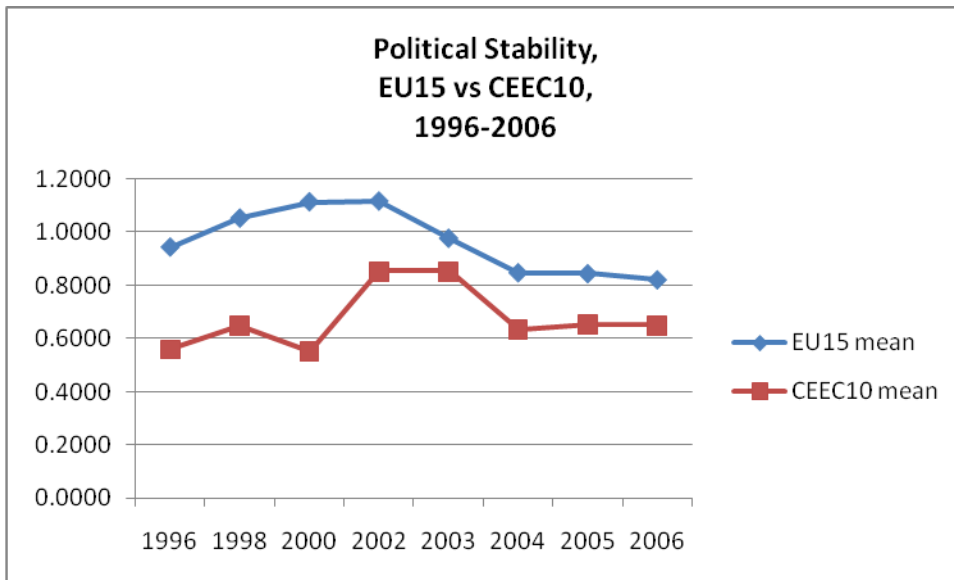
Figures 1-6: WGI differences between EU15 and CEEC10 *Note that the WGI data are not fit for cross-historical comparison; instead, the graphs illustrate the persistent east-west gap in governance.*

Figure 1: Voice and Accountability, EU15 vs CEEC10, 1996-2006



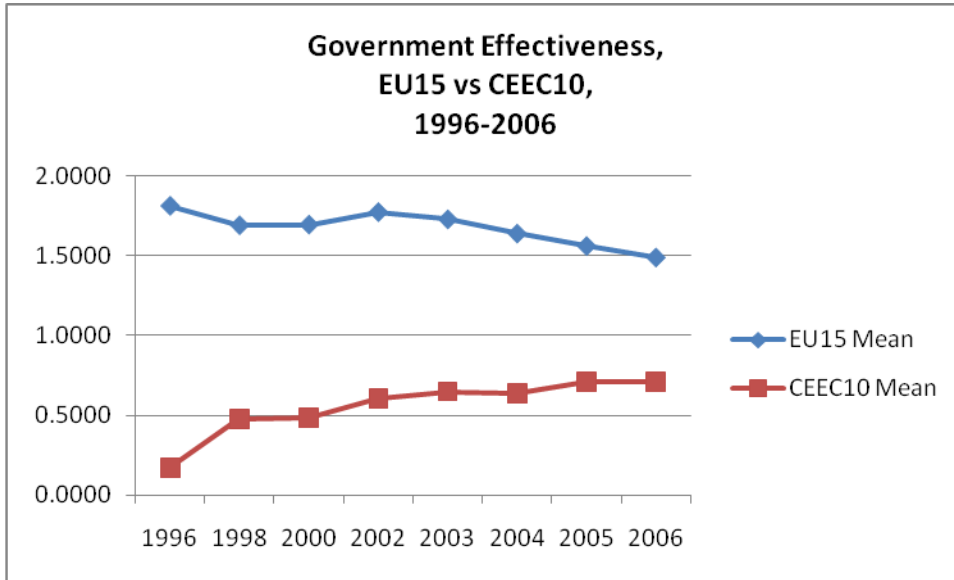
Source: Worldwide Governance Indicators (World Bank). All indicators range from -2.5 to 2.5, with higher values indicating better outcomes. All EU15-CEE10 differences are statistically significant (2-tailed t-test) at the .0001 level.

Figure 2: Political Stability, EU15 vs CEEC10, 1996-2006



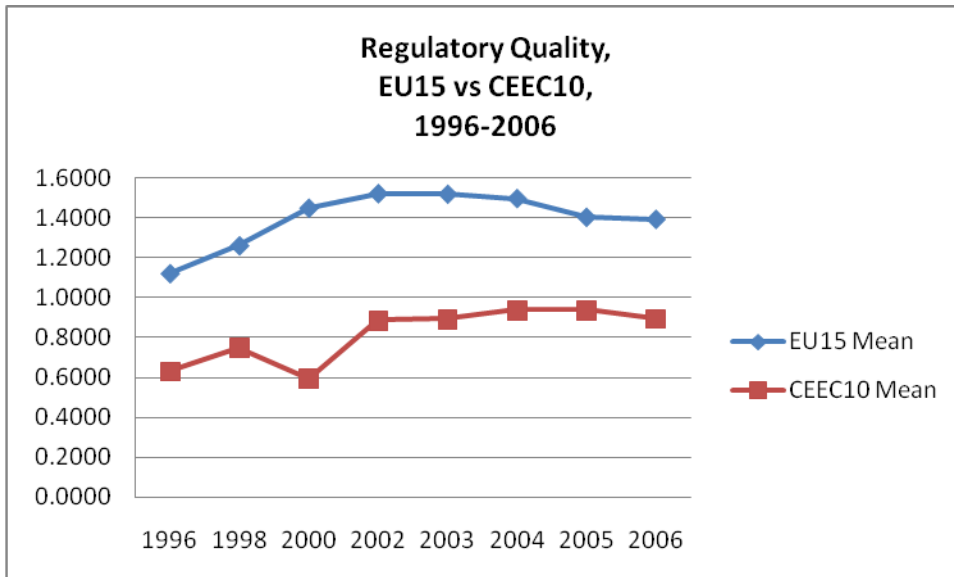
Source: Worldwide Governance Indicators (World Bank). Since 2003, EU15-CEE10 differentials have not been statistically significant (2-tailed t-test). Prior to that, there were statistically significant differences in 1996 (.01 level), 1998 (.01 level), 2000 (.0001 level), and 2002 (.05 level).

Figure 3: Government Effectiveness, EU15 vs CEEC10, 1996-2006



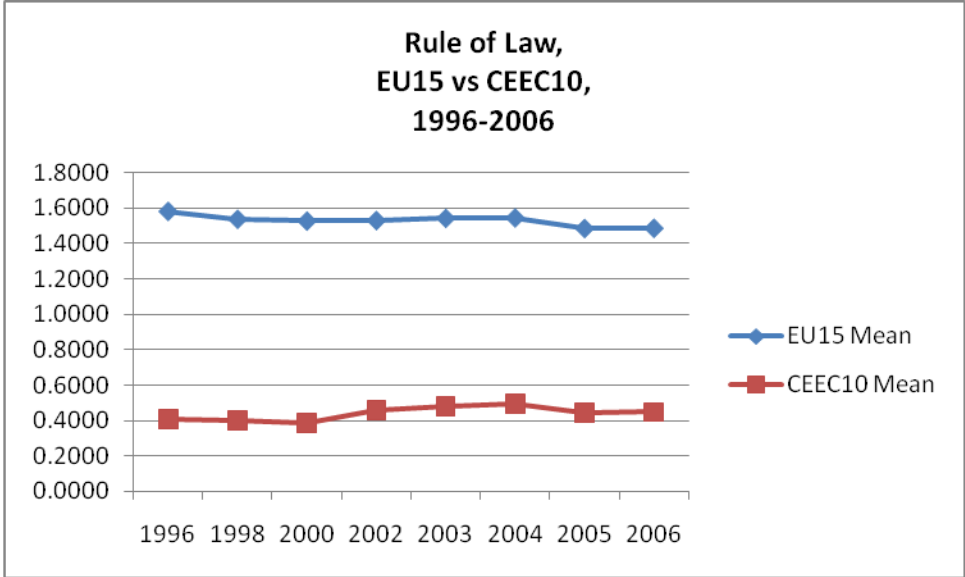
Source: Worldwide Governance Indicators (World Bank). All EU15-CEEC10 differentials are statistically significant at the .0001 level, except for 2006, which is statistically significant at the .001 level (2-tailed t-test).

Figure 4: Regulatory Quality, EU15 vs CEEC10, 1996-2006



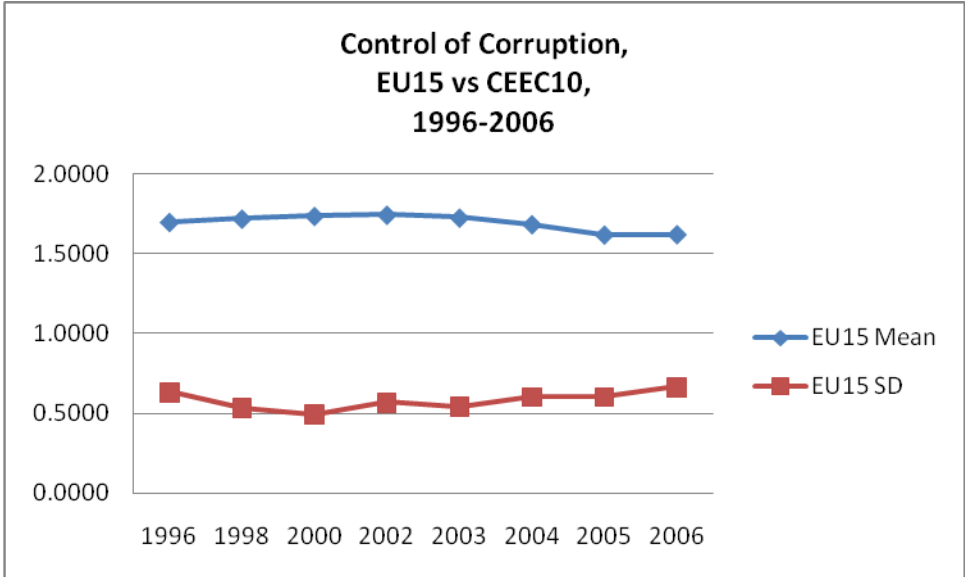
Source: Worldwide Governance Indicators (World Bank). All EU15-CEEC10 differentials are statistically significant (2-tailed t-test) at the .01 level (1996, 1998, 2005, 2006) or the .001 level (2000, 2002, 2003, 2004).

Figure 5: Rule of Law, EU15 vs CEEC10, 1996-2006



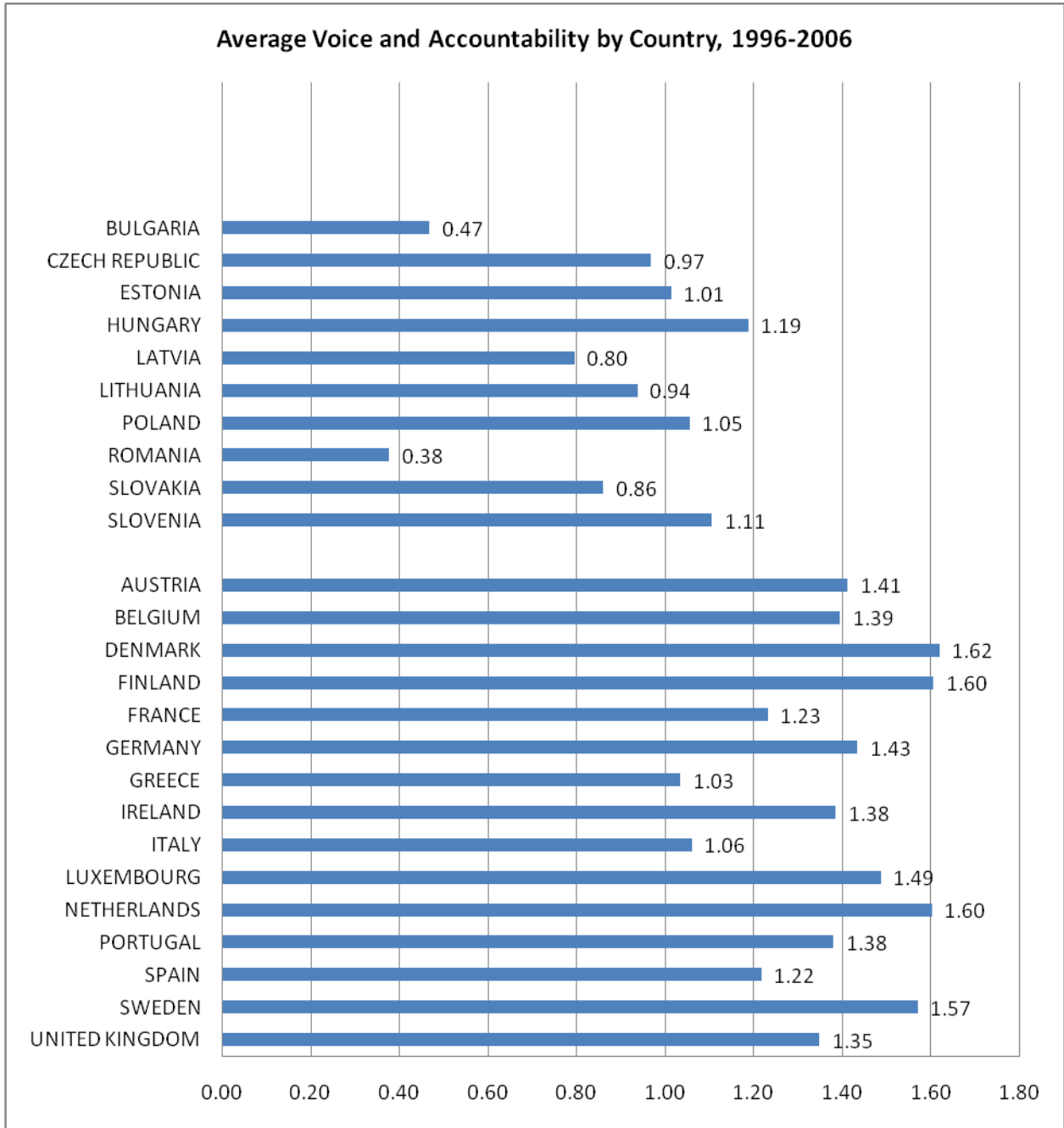
Source: Worldwide Governance Indicators (World Bank). All EU15-CEE10 differentials are highly statistically significant (2-tailed t-test) at the .0001 level.

Figure 6: Control of Corruption, EU15 vs CEE10, 1996-2006



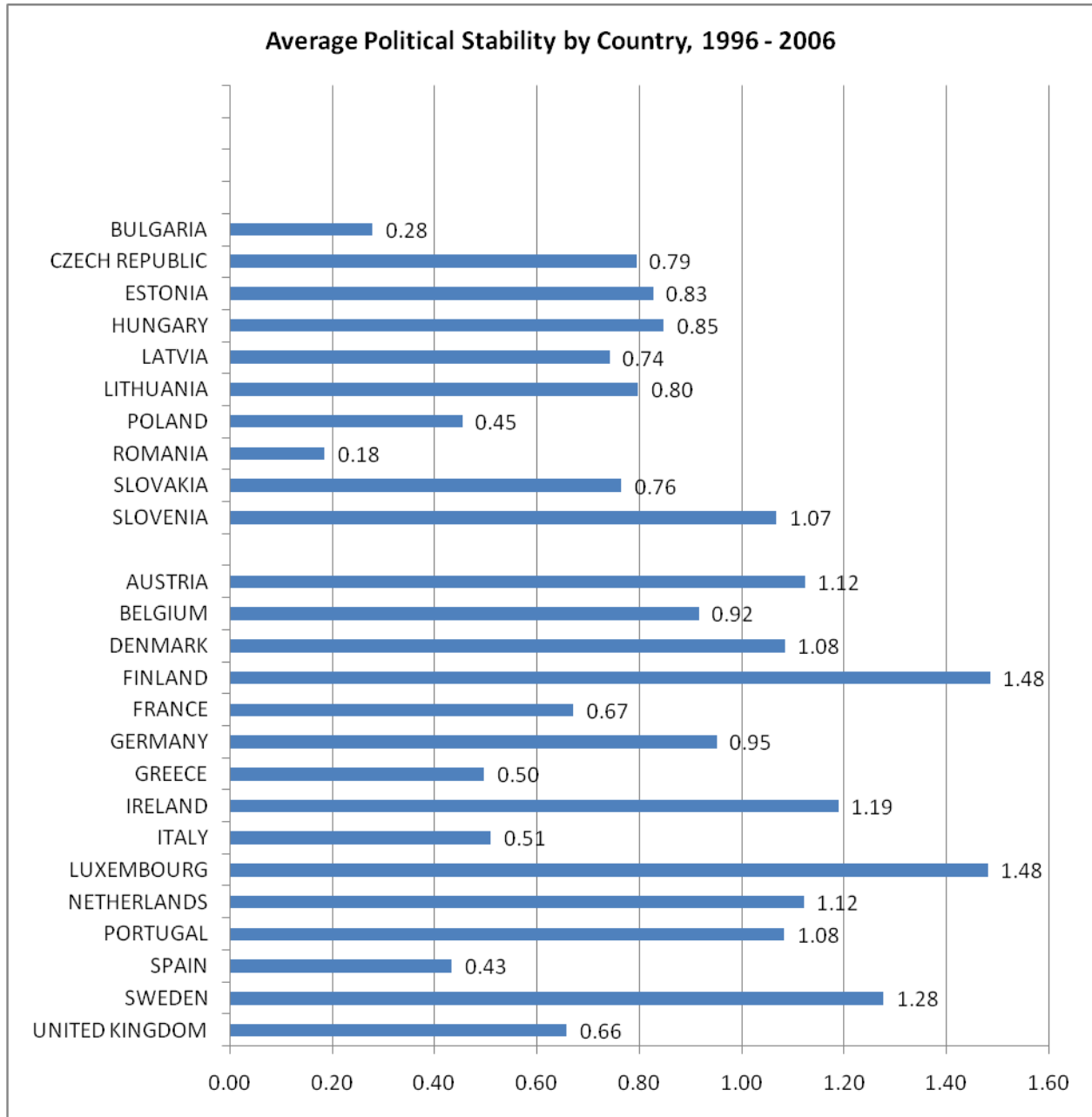
Source: Worldwide Governance Indicators (World Bank). All EU15-CEE10 differentials are highly statistically significant at the .0001 level (2-tailed t-test).

Figure 7: Average Voice and Accountability by Country, 1996-2006



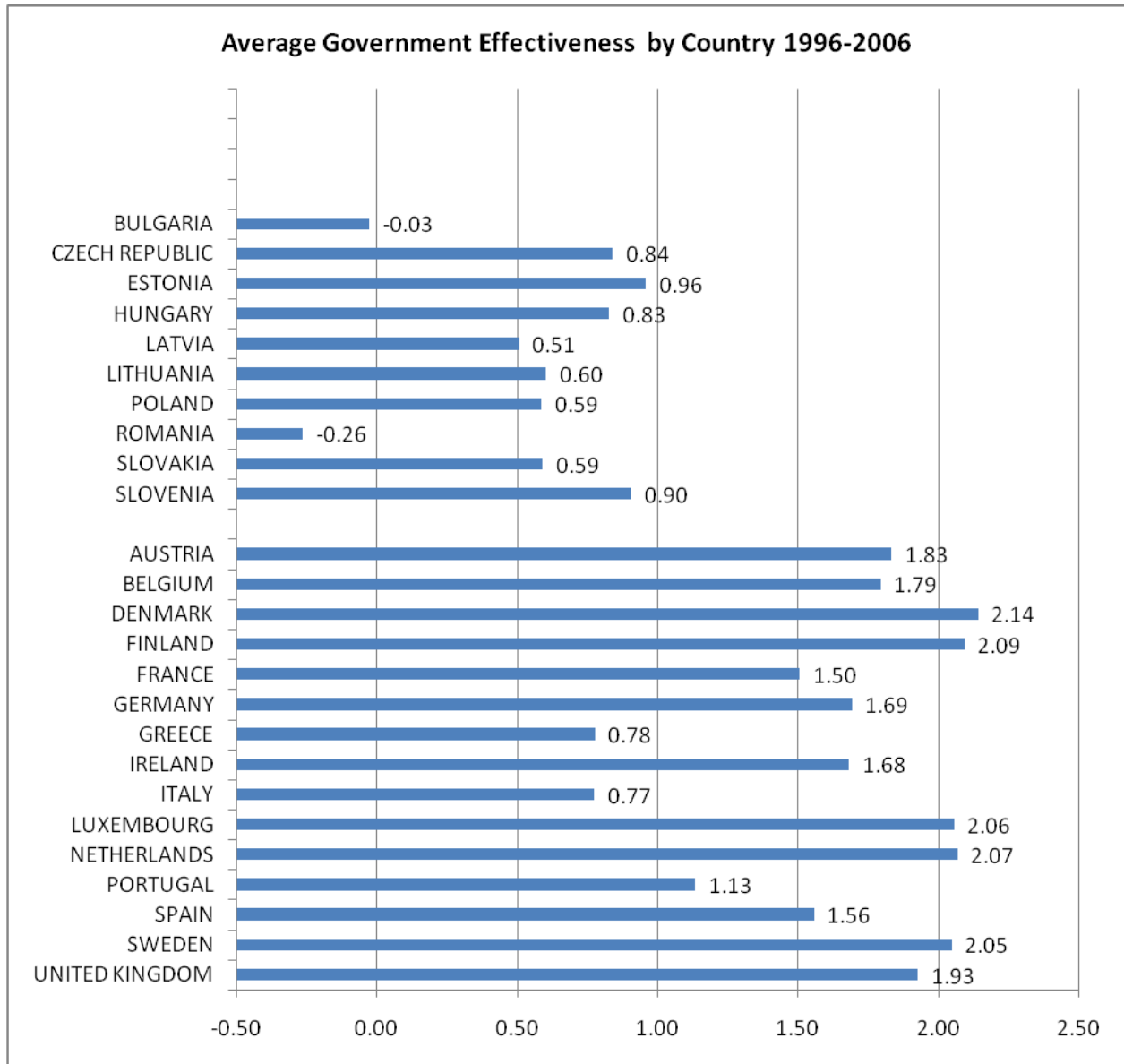
Source: Worldwide Governance Indicators (World Bank).

Figure 8: Average Political Stability by Country, 1996 - 2006



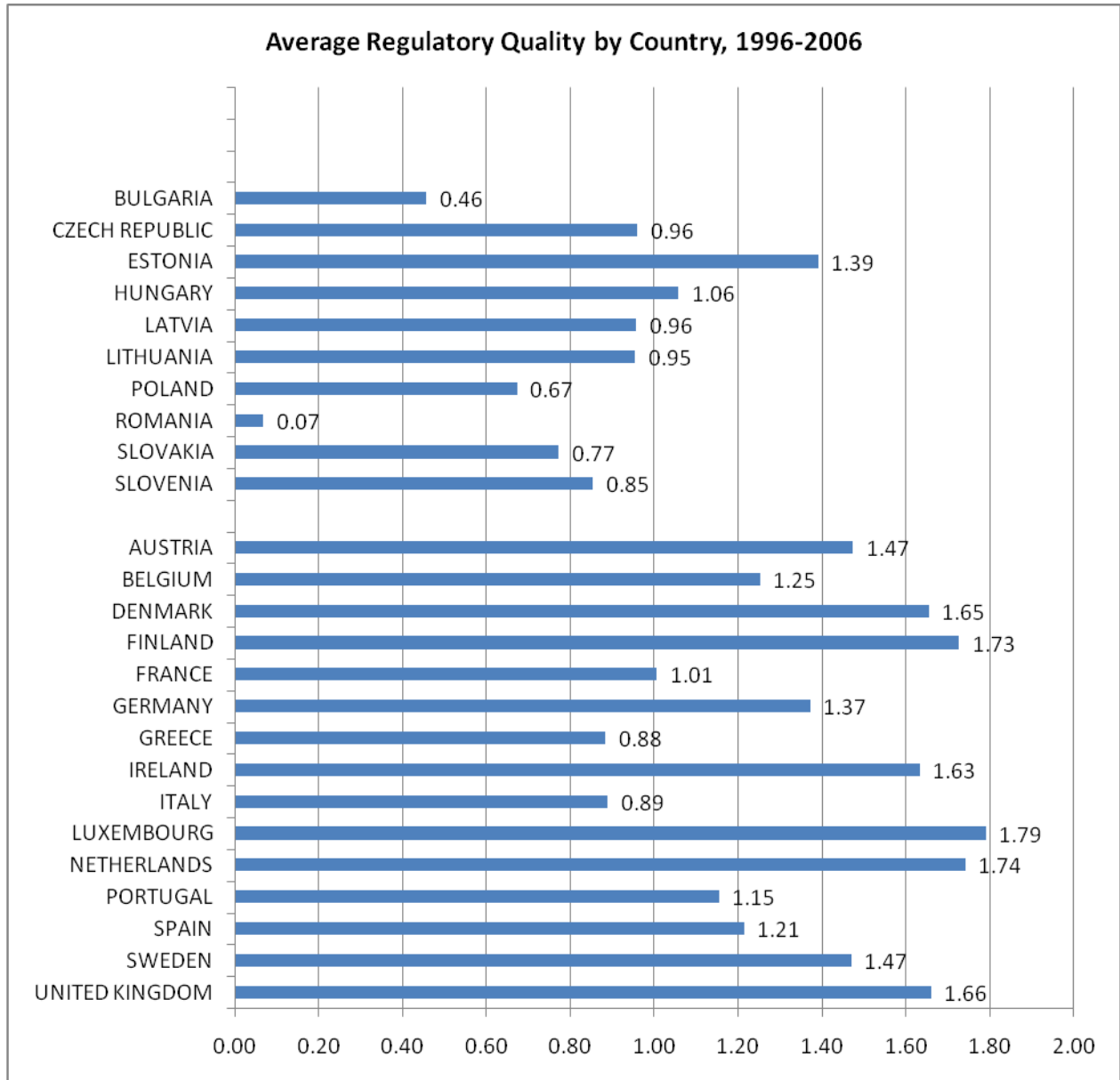
Source: Worldwide Governance Indicators (World Bank).

Figure 9: Average Government Effectiveness by Country 1996-2006



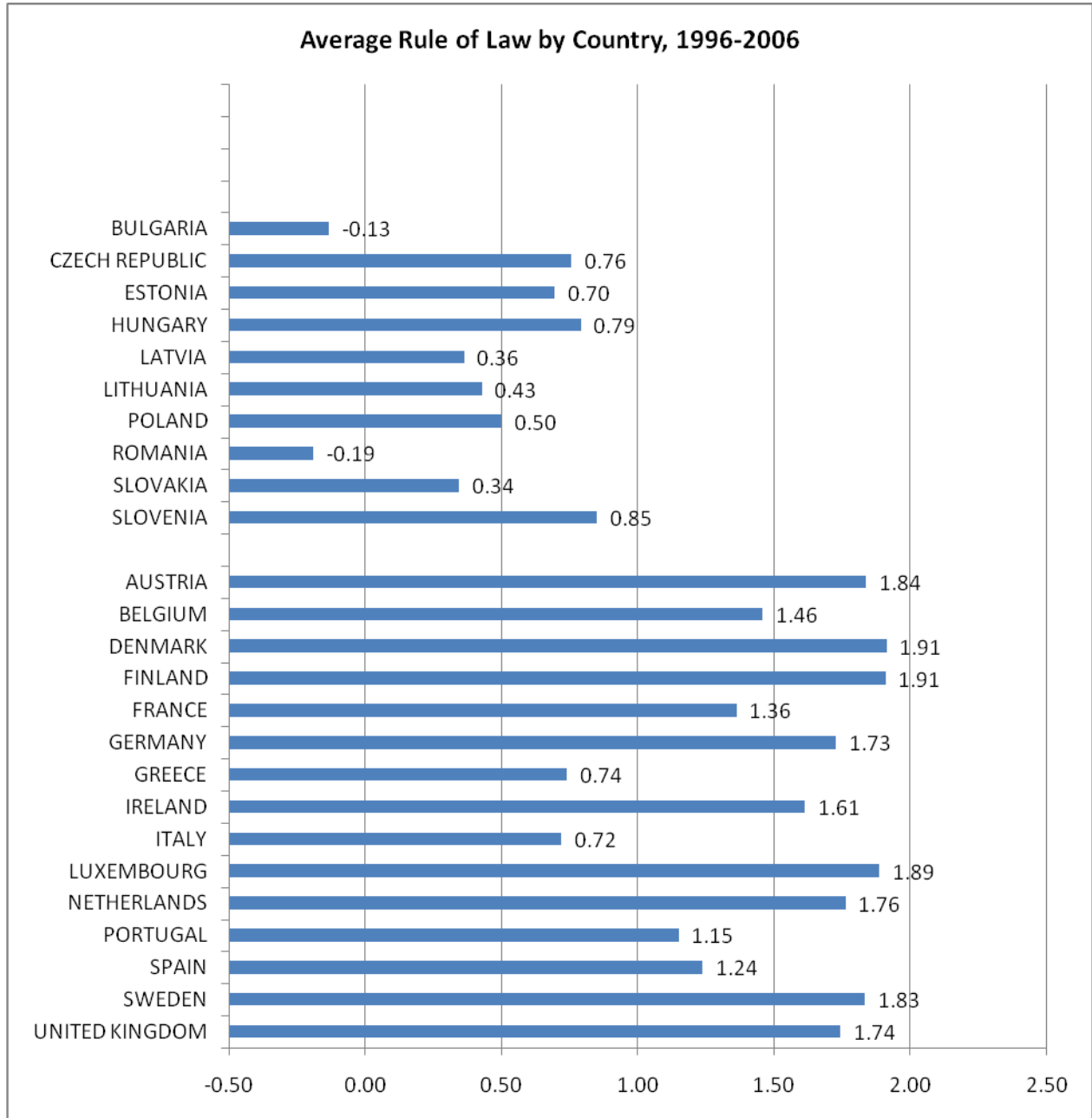
Source: Worldwide Governance Indicators (World Bank).

Figure 10: Average Regulatory Quality by Country, 1996-2006



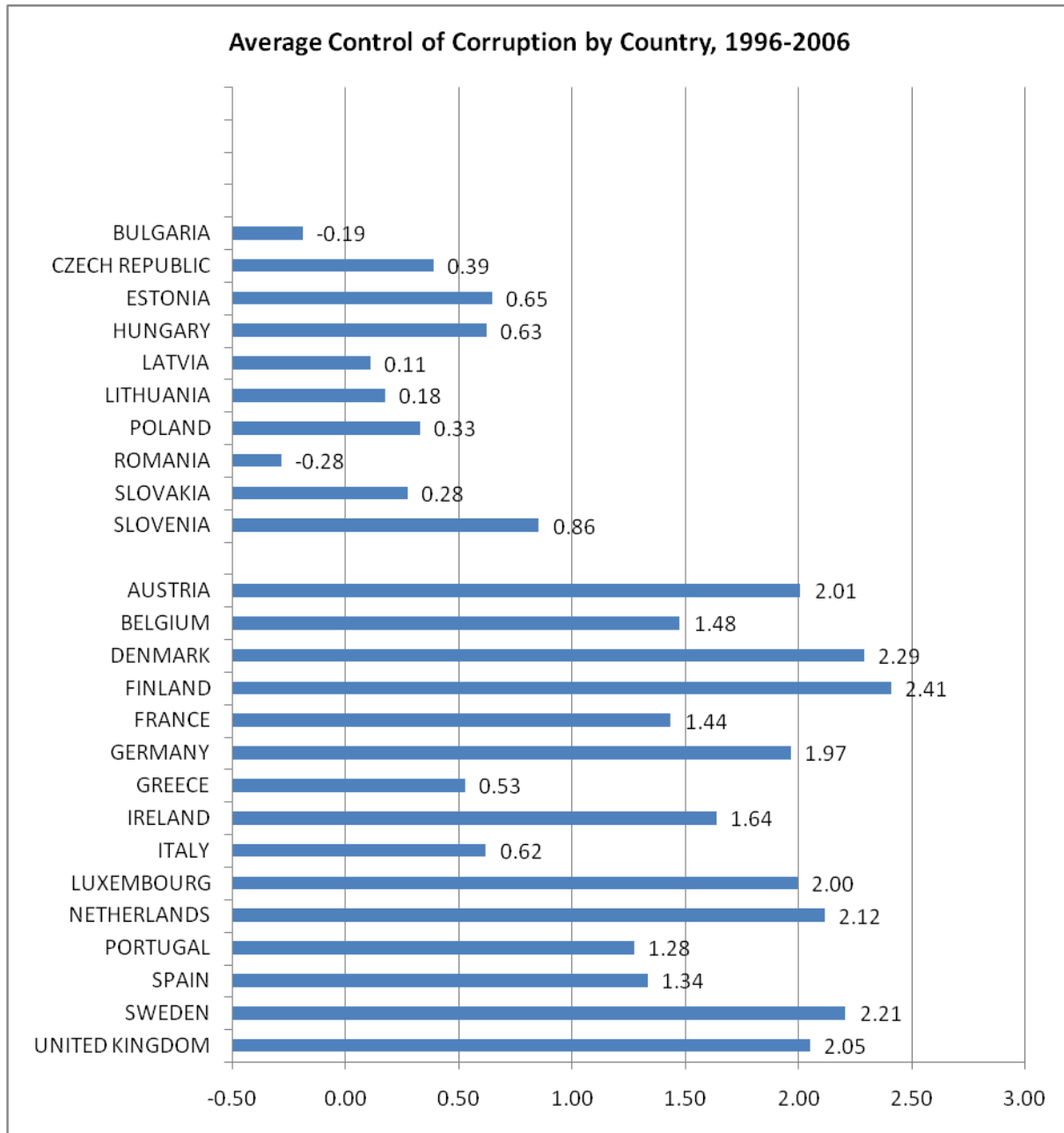
Source: Worldwide Governance Indicators (World Bank).

Figure 11: Average Rule of Law by Country, 1996-2006



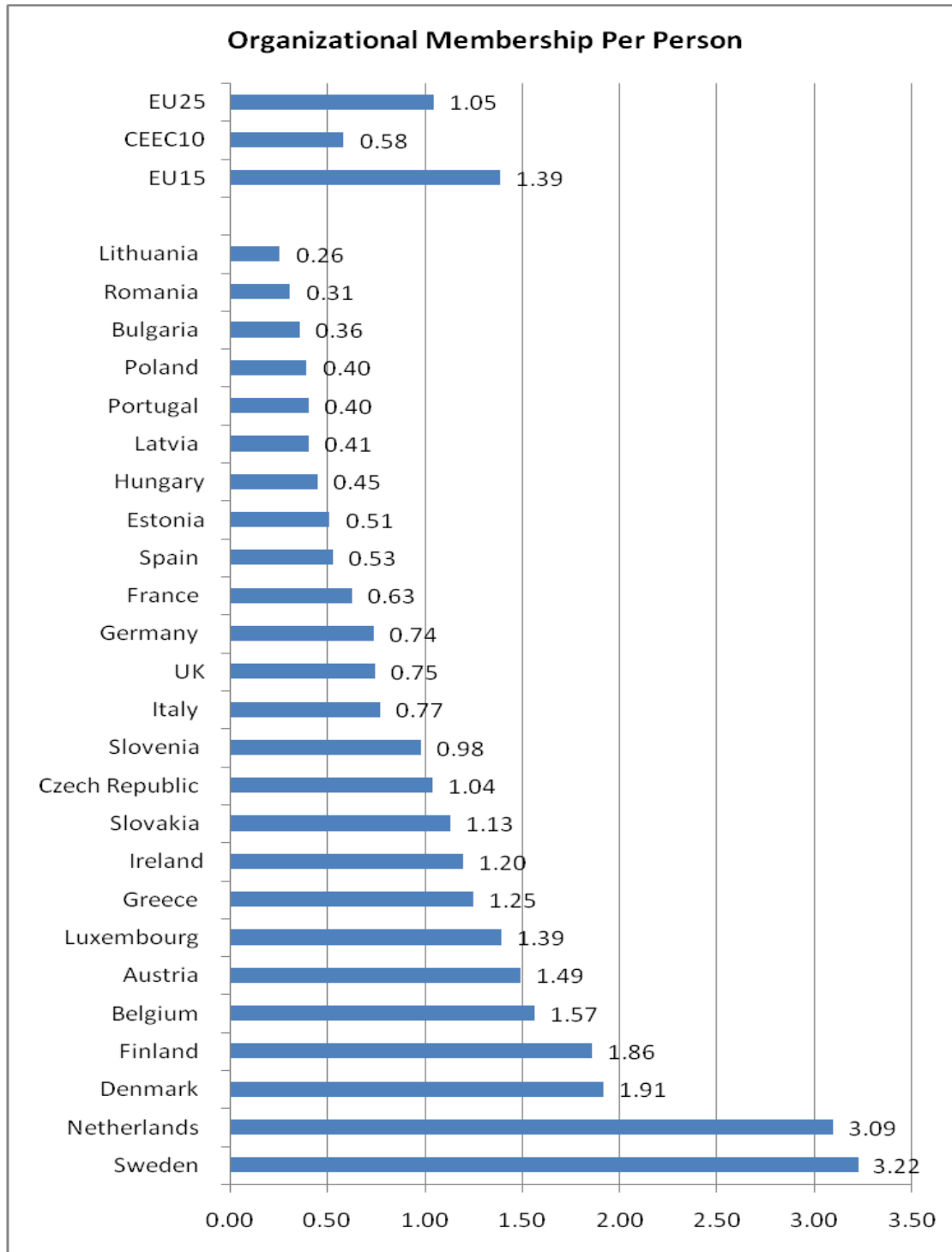
Source: Worldwide Governance Indicators (World Bank).

Figure 12: Average Control of Corruption by Country, 1996-2006



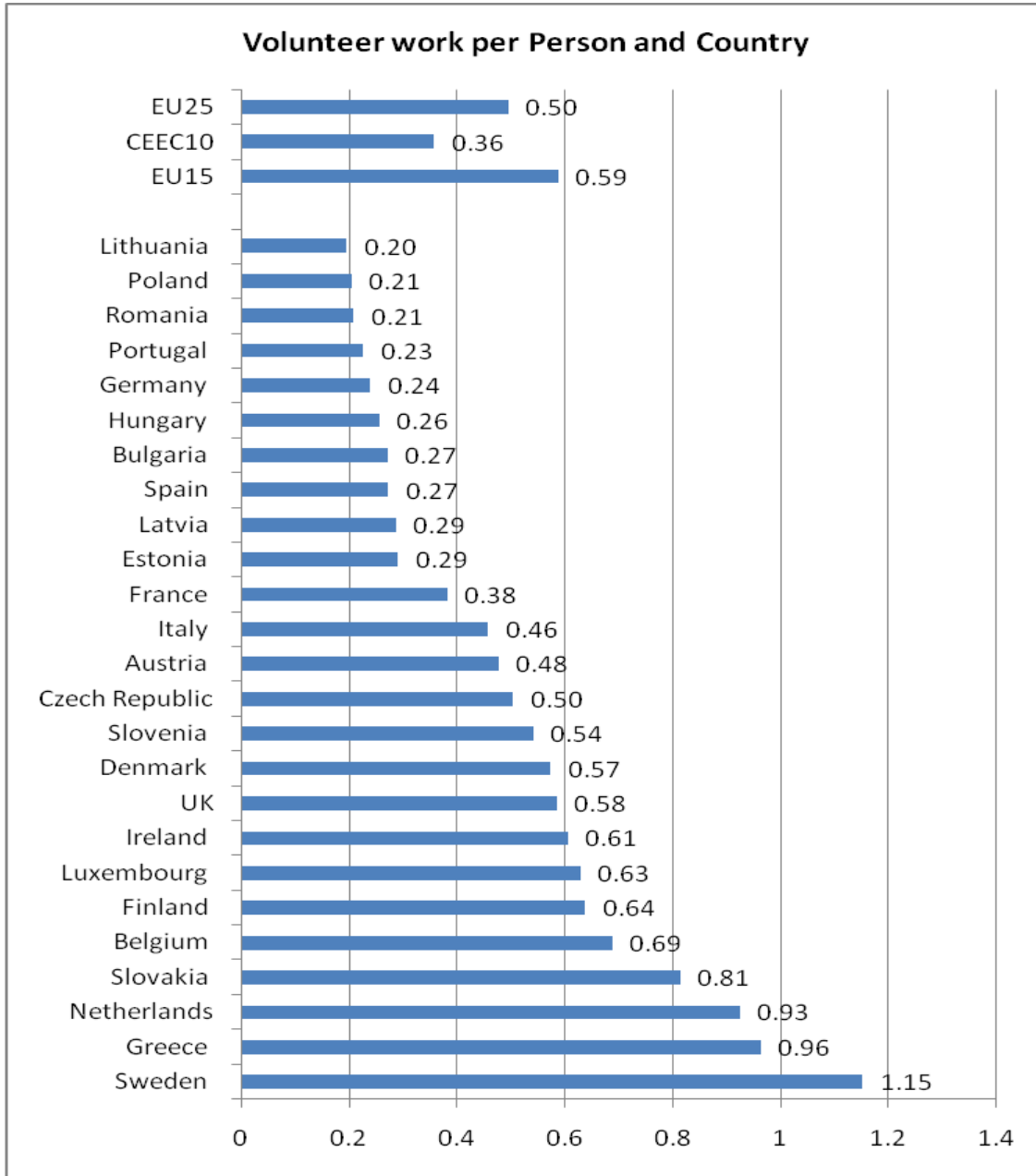
Source: Worldwide Governance Indicators (World Bank).

Figure 13: Average Number of Organizational Memberships per Person and Country



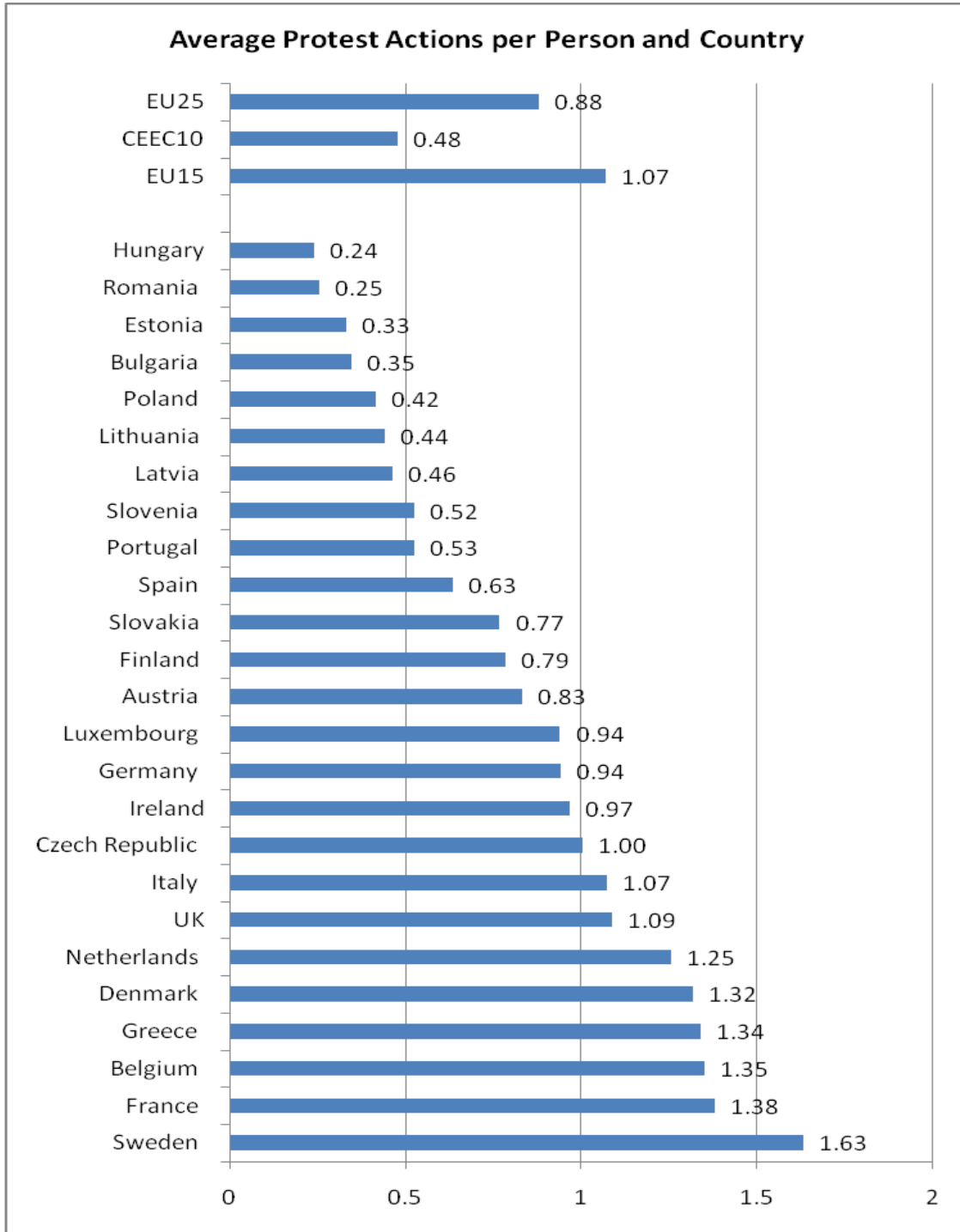
Source: EVS/WVS 2004. Year of survey: 1999 (Finland: 2000). N=32251. Question: "Please look carefully at the following list of voluntary organizations and activities and say which, if any, do you belong to?" Organizations included: welfare, religious, education and cultural, labor, political parties, local political actions, human rights, environment, professional associations, youth work, sports and recreation, women's groups, peace movement, health, consumer rights, other. Coded as 1 = "belong", 0 = other. Cumulative score computed by summing binary scores across all sixteen categories of organizational membership. The differences between EU15 and CEEC10 are statistically significant (.01 level, 2-tailed t-test).

Figure 14: Volunteer Work per Person and Country



Source: EVS/WVS 2004. N=32251. Question: “And for which [organizations], if any, are you currently doing unpaid voluntary work?” Organizations included: welfare, religious, education and cultural, labor, political parties, local political actions, human rights, environment, professional associations, youth work, sports and recreation, women's groups, peace movement, health, consumer rights, other. Coded as 1 = “belong”, 0 = other. Cumulative score computed by summing binary scores across all sixteen categories of volunteer work. The differences between EU15 and CEEC10 are statistically significant (.05 level, 2-tailed t-test).

Figure 15: Average Protest Actions per Person and Country



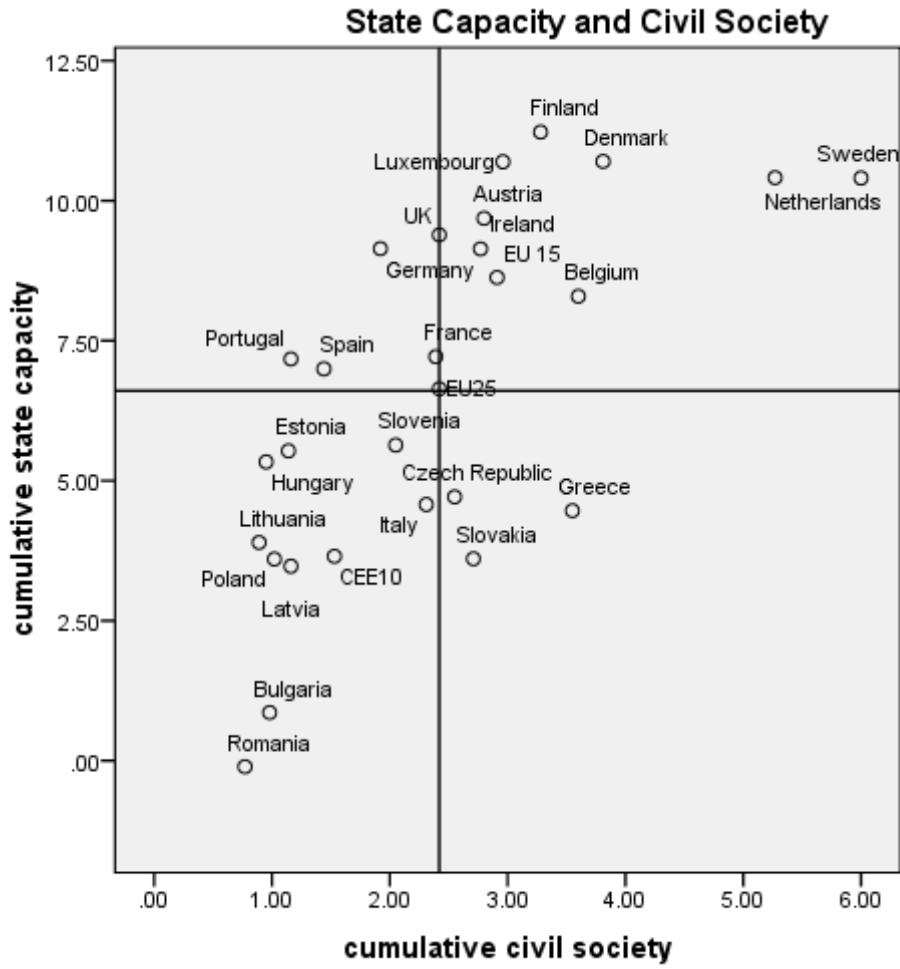
Source: EVS/WVS 2004. N=3 2251. Question: “Now I’d like you to look at this card. I’m going to read out some different forms of political action that people can take, and I’d like you to tell me, for each one, whether you have actually done any of these things, whether you might do it or would never under any circumstances do it.” The data were recoded as follows: 1 = have done; 0 = other. Cumulative score calculated by adding the binary values of five forms of protest action (petitions, boycotts, lawful demonstrations, unlawful strikes, building occupations). The differences between EU15 and CEEC10 are statistically significant (.0001 level, 2-tailed t-test).

Table 1: Correlations among and between State Capacity and Civil Society Indicators

	Political Action	Volunteer Work	Organizational Membership	Voice & Accountability	Political Stability	Government Effectiveness	Regulatory Quality	Rule of Law	Control of Corruption
Political Action									
Volunteer Work	.757**								
Organizational Membership	.717**	.859**							
Voice and Accountability	.609**	.453*	.653**						
Political Stability	.339	.435*	.621**	.788**					
Government Effectiveness	.668**	.490*	.674**	.954**	.744**				
Regulatory Quality	.497*	.419*	.588**	.897**	.794**	.930**			
Rule of law	.653**	.454*	.644**	.959**	.756**	.988**	.913**		
Control of Corruption	.628**	.457*	.668**	.941**	.738**	.977**	.893**	.987**	

N = 25. ** Correlation is significant at the 0.01 level (2-tailed). * Correlation is significant at the 0.05 level (2-tailed).

Figure 16: Scatterplot of Cumulative State Capacity and Cumulative Civil Society



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