



Secession and hybrid regime politics in transnistria

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ABSTRACT

Post-Soviet de facto states are presented in the social science literature, first of all, as a by-product of research on secession, nationalism, and conflict resolution. The paper focuses instead on issues of institution-building and governance in de facto states. It examines the construction of a hybrid political regime in the most populous of post-Soviet de facto states, Transnistria. The paper analyzes secessionist elites' strategies of maintaining power and sources of domestic pressures to democratize political institutions of the de facto state. The evolution of the Transnistrian regime, it is argued, provides interesting ground for exploring the mechanisms of democratization under an unfavorable choice of institutions and problematic external environment.

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A key challenge of unrecognized or “de facto” states is, by definition, a lack of international acceptance or recognition. Non-recognized states, however, face many other challenges which are similar to those experienced by newly independent states. Constructing a political system is one of these challenges. How the context of non-recognition interacts with the domestic characteristics of a given society and how they jointly shape the evolution of the political regime in Transnistria is the focus of the investigation in this paper. Transnistria is the largest and allegedly the most internally sophisticated unrecognized entity out of those that emerged from the ruins of the former Soviet empire. Learning more about the Transnistrian case can help improve our understanding of the internal dynamics in other post-Soviet unrecognized entities and provide some useful insights into the general processes of state-construction and democratization in the post-Soviet space.

Post-Soviet de facto states are present in the social science literature, first of all, as a by-product of research on secession, nationalism, and conflict resolution (Roeder, 2007; Coppieters, 2004; Kolsto, 2002; Cornell, 2002). Nothing, however, prevents scholars interested in other traditional comparative politics questions such as governance, institution-building, or democratic consolidation from investigating these important issues in the context of de facto states. In fact, a number of recent studies dealing with the topic of unrecognized states address these matters (King, 2001; Kolsto, 2006; Kolsto and Blackkisrud, 2008).

This paper contributes to this emerging literature by focusing explicitly on the institutional framework and political practices of Transnistria's unrecognized state. It also tries to relate the Transnistrian experience to general debates about models of rule in the post-Soviet space (Anderson et al., 2001; Hale, 2005; Way, 2005). Transnistria's political regime is conceptualized in this paper as a case of a hybrid political regime (Diamond, 2002; Carothers, 2002). Hybrid regimes can be thought of as situated in-between on the imagined autocracy–democracy continuum. They are defined by the constrained nature of political contestation and participation. Political competition does exist but it does not lead to clear patterns of alteration of power among various groups of elite through the mechanism of free and fair elections. Hybrid regimes lack effective formal separation of powers and are dominated by the executive branch of government. These regimes share a set of common practices intended to skew the results of competition in the electoral arena, as well as other arenas of public life

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(Schedler, 2002; Helmke and Levitsky, 2004). The politicization of the bureaucracy, control of mass media, and selective law enforcement are among the most frequent examples of such practices.

How this regime came about in Transnistria and how it evolved to the point where the sustainability of this model of political relations is seriously challenged is addressed here in some detail. The lack of international recognition and threats to the survival of Transnistria as an independent entity are described here as key background conditions that shaped the institutional setup and the functioning of the political system. Real and perceived threats to de facto independence have been an especially important justification for the successionist leadership's efforts to construct a hybrid regime and to prevent further democratization. The impact of the other background condition, the lack of international recognition, on the prospects of democratic consolidation has also been, overall, negative. As some contributors to this volume point out (Kolsto & Blakkisrud), the lack of international recognition can generate mixed motives for the rulers of de facto states – they might aspire either to meeting international norms of democratic governance in order to 'earn' recognition or to exploiting their states non-membership in human rights regimes in order to preserve their rule. In the Transnistrian case, the evidence suggests that the latter strategy was a dominant one in the behavior of the region's long term rulers. Pressures to democratize the regime, which are discussed at a later stage in the article, have little to do with these two background conditions; they originate from internal contradictions in the functioning of the hybrid regime.

The paper is organized in the following manner. First, the paper defines Transnistria's political institutions and explains the causes and consequences of institutional choices made at the start of transition. Second, it attempts to describe societal actors and examine how they use political institutions to convert their preferences and interests into public policies. Third, it identifies tensions and problems that undermine the hybrid regime's stability and analyzes some of the very recent manifestations of the internally-generated (and supported externally) pressures to open and democratize the political process. The conclusion discusses some lessons from the Transnistrian experience for the way we think about hybrid regimes and why they cannot be reduced to regimes which are commonly described by such alternative terms as 'electoral authoritarianism' or 'competitive authoritarianism' (Schedler, 2006; Levitsky and Way, 2002).

Institutional design and its consequences

The choice of key political institutions in Transnistria at the start of the region's post-communist transition was not conducive to consolidating a democratic system of governance. Key institutional decisions had to do with the choice of a constitutional form of government (presidential or parliamentary republic), electoral system, and political party regulations. The Transnistrian elites opted for a presidential form of government with a constitutionally strong president. They combined this constitutional choice with an electoral system for parliamentary elections based on single member districts (SMD). Parliamentary representatives were thus to be elected in territorial districts on the first-past-the post principle. Neither electoral laws nor legislation regulating the activity of political parties included any provisions that could stimulate party growth and institutionalization such as, for example, budget funding or public subsidies for political parties (Beril et al., 2005).

This initial choice of institutions proved to be rather stable over the last twenty years, which is the entire period of the existence of the unrecognized Transnistrian state. The durability of these institutions testifies to their equilibrium character – until very recently there was no actor in the Transnistrian polity who had interest and power to alter this institutional design. The stability of the institutional design makes it easier to analyze its long term effects. These effects are generally in line with what the comparative literature tells us about the consequences of opting for this particular combination of institutional characteristics in the particular context of post-Soviet transition (Birch, 2005; Protsyk, 2011).

A brief summary of these effects in the Transnistrian case can be presented as follows. A strong presidency encouraged the concentration of power and led to the dominance of the executive government in Transnistria's political system. Presidential control of strong legislative and non-legislative powers under conditions of a weak system of checks and balances encouraged the proliferation of authoritarian practices intended to protect the president's close-to-monopoly hold on power. The SMD electoral system led to the persistence of candidate rather than party-based competition. The majority of these candidates run as independents – candidate nomination rules made it easy for a non-partisan candidate to register. For most of the post-communist period, independent candidates dominated both electoral campaigns and legislatures constructed in the aftermath of these elections, leaving political parties on the margins of the electoral and legislative process. This system provided politicians with little incentive to invest in the construction of organizationally strong and programmatically coherent political parties capable of counter-balancing the dominance of the formally non-partisan leadership of the executive government.

Was Transnistria's choice of institutional framework pre-determined? Providing some indications for how this question can be answered is important, because accepting that this particular institutional combination was unavoidable implies a degree of structural determinism, which is to say that some underlying societal characteristics lead to the selection of problematic institutions. Structural characteristics, which define who the actors deciding over the choice of institutions are and what resources they control, do not easily translate into a single set of preferences over institutional design. A stark difference between the set of institutions adopted by Transnistria and its parent state, Moldova, illustrates well a point about the non-deterministic effects of structural characteristics. Both entities share the same communist legacies, have comparable levels of socio-economic development (although Transnistria has been more industrialized – which, in theoretic terms, generates an even greater demand for programmatically oriented party-based politics), and a somewhat similar pattern of ethno-linguistic fragmentation. Yet Moldova opted at the start of its post-communist transition for a semi-presidential design

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