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Havel versus Klaus: Public Policy Making in the Czech Republic

MARTIN POTUCEK
Institute of Sociological Studies, Faculty of Social Sciences, Charles University, Celetna 20, 116 36 Prague, Czech Republic

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Abstract

In Central and Eastern Europe, we can observe and analyze an ongoing social experiment euphem-ized as "the process of the transformation of totalitarian countries with centrally planned economies into democratic countries with market economies." This article offers an analysis of what has been happening in the Czech Republic in this regard. Attention is given to the impact of political philosophies (those represented by names of Vaclav Havel and Vaclav Klaus) upon legal and institutional changes. Key terms for better understanding of these processes are the free market, civil society, civic sector, and participation of citizens in public affairs. Channels, developmental threats, and opportunities for public policy formation and implementation are studied as well.

Introduction

The first of the two goals of this article is to analyze the potential impact of political philosophies on overall societal changes. The second goal is to identify developmental threats and opportunities of public policymaking in Central and Eastern Europe. The country selected *pars pro toto* is my home country, the Czech Republic. I will analyze the political philosophies of the two most influential politicians in the country, Vaclav Havel and Vaclav Klaus, and try to evaluate their impact on the process and outcomes of policymaking. I will use the empirical evidence from our long-term research of public policy formation and implementation in the Czech Republic (To Results," 1995, Potucek, Purkrabek, and Hava, 1995/1996; Purkrabek et al., 1996; Potucek, 1999).

The Czech Republic may serve as a good laboratory to show how (and in what sense) political doctrines are influential and able to change the economic, political, institutional, and even moral conditions of everyday life. It is, of course, not very pleasant to be one of the white mice in such a laboratory. On the other hand, one of the major problems of public life in the Czech Republic has been that the populace has behaved predominantly like such mice.

Problem of the "choice of society"

What constitutes a "good society" is an evergreen theme of philosophers as well as politicians; it is, of course, a subject of everyday communication, too. The main problem to be solved in all Central and Eastern European countries— and certainly elsewhere as well—is nothing less than the choice of society. This choice represents coordination of the main regulators of societal life, which influence to a great degree the motivation as well as the behavior of individuals, families, and institutions. In this way, it creates conditions for a particular developmental orientation (Roebroek, 1992). The key function of public policy is to seek proportion, balance, and efficiency in applying the main regulators— market, government, and civic (in other words, nonprofit, nongovernmental, or third) sectors—in order to orient the activities of social actors towards demanded, publicly purposeful, and legitimate goals.

To understand what has been happening in the Czech Republic since 1989, we should begin with an analysis of the most influential political doctrines: the first embodied by Vaclav Havel and the second represented by Vaclav Klaus. Let us reconstruct their visions of a "good society." After this reconstruction, we will analyze to what extent these doctrines have been implemented and with what effects.[1]

It has now been nearly forgotten that the clear-cut intellectual profiles of both thinkers were made public as early as 1969—and by themselves. In mid-1969, the Czech journal *Tvář* was outlawed by Communist authorities (as were all other journals and newspapers not willing to support the new hardline stance of the new, puppet Communist government that was forcefully established in Czechoslovakia after the Soviet occupation of the country in 1968). In one of its last issues (No. 2,1969), two articles were published that represented the quintessence of Havel's and Klaus's spiritual worlds.

The Klaus article, "Economics as a Universal Science?," is much more technical, at least at first glance. It derives the weakness of Marxist political economy due to its eclectic nature. Klaus argues that striving for unity and universality of economic science is false and nonproductive. It is necessary to define economic concepts as nonsocietal, without any anthropologic elements: this enables economics to become much more analytical, which can only make it a true, positive, and "pure" science. Klaus claims that we do not need societal, philosophical, and/or sociological economic science.

The Havel article, The Czech fate?," critiques Milan Kundera's wishful thinking that the "reform policy" of liberals within the Communist party will be able to survive the expected attack of hardliners after the Soviet occupation of Czechoslovakia in August 1968. No, there is no space for the continuation of reform without freedom and the rule of law *(Rechtstaat),* says Havel. He adds that freedom can survive only if it is defended by the everyday actions of concrete individuals and institutions—our fate is dependent on us.

As we will see, the present positions of Klaus and Havel do not differ too much from their stances when they were half as old as they are now.

The Klaus concept: market without adjectives

As a neoliberal economist, Vaclav Klaus

> ... believes in the spontaneity of development, tradition, and values created and accumulated by the long development of history, in the market, in individualism, in individual freedom, in wisdom, and in the ability of man who should be served, not controlled by the state. (...) Freedom, political pluralism, and the market are enough; it is the best that can be done for a just, decent, united society (Klaus, 1996, p. 228).

The state is a priori accused of willingly or unwillingly allowing itself to be influenced by various interest groups, although it ambitiously places itself in the role of champion of more general interests. This subjectivity soon causes it to fall prey to the specters of corruption, inefficiency, and loss of motivation.

> We will either continue today's trend of privatization or return to a system of privileges, preferences, and discrimination and, as a result, to an increasingly powerful state (Klaus, 1996, p. 261).
> ... we were most influenced by Hayek, his thoughts about the dangers of government intervention, constructivism, and social engineering (Klaus, 1996, p. 337).

Klaus is also very explicit when speaking about the concept of "civil society":

> ... one is always searching for something that would be neither a society of "atomized" individuals and at the same time not a bureaucratic state. History has shown again and again that this is neither here nor there, that what is simply sufficient is freedom, political pluralism, and a market, and it is the best that can be done for a fair, proper, and unified society. In this respect, it also continues my own (...) polemic for a market without adjectives, for a standard system of political parties without national fronts and civic movements. Here, a new round of polemic must start (in fact, in its logic the same) about a *society of free citizens,* in contrast to the misleading idea of the *so-called civic society* [italics by V.K.] (...) What is that "civic society" for? I am afraid that it is considered as something more than a society of free citizens, that some collectivism is being attached to the individualistic source of a free society, perceived as a complement and amendment to the initial civic principle (Klaus, 1996, p. 288)

Klaus as a theorist presents himself as an orthodox neoliberal both in economic and political terms. He presents himself as a methodological individualist who is contesting the need for analyzing human forms of collectivism by other means than those based only on analyses of individuals' self-centered intentions and the activities stemming from them. Klaus even has doubts about the

ontological status of human communities and contests that people would be willing to associate due to other than egotistical reasons.

The Havel concept: civil society

Havel's political philosophy may be condensed into a few notions: a civil society, civil participation, and politics led by spiritual and moral values.

In his recapitulation speech in front of the Czech Parliament on December 9,1997, Havel found it indispensable to express and apply this concept to the most severe critique of Klaus's governmental record (although he spoke about the whole body of post-1989 politicians and did not mention Klaus's name explicitly):

> Many believe that—democracy or no democracy—power is again in the hands of untrustworthy figures whose primary concern is their personal advancement instead of the interests of the people (Havel, 1997).

He declared the mutual dependence of legal and moral order—and the urgent need to cultivate both the rule of law and the moral order behind that system of rules:

> Paradoxically, the cloak of liberalism without adjectives, which regarded many things as leftist aberrations, concealed the Marxist conception about a foundation and a superstructure: morality, decency, humility before the order of nature, solidarity, regard for those who will come after us, respect for the law, a culture of human relations, and many other things were relegated to the realm of the superstructure, and slightly derided as a mere "seasoning" of life—until we found there was nothing to season: the foundation has been tunneled (Havel, 1997).

After that, he urged the long-postponed reform of the legal system, reform of public administration (including the system of regional self-government), and institutional and economic support for the development of the civic sector, including corporative structures in the social security system. He lacked a clear-cut economic policy with well-defined structures of ownership rights and transparent institutional conditions for pursuing economic activities. He denounced Czech provincialism, selfishness, and isolationism in politics. He also called attention to problems of defense, ecology, general culture of conduct, and physical environment.

Political power of both leaders

Havel acted as the Chairman of the Civic Forum, a body of political activists that represented the political counterpart of the Communist Party during the

Velvet Revolution in 1989 and 1990, during its first weeks of existence before he was elected as the President of Czechoslovakia in December 1989. At the same time, Klaus became Finance Minister of the new government. The Civic Forum won an election victory in June 1990. Klaus, acting continuously as Finance Minister, challenged the leadership of the Civic Forum in October 1990 and won an unexpected victory against one of Havel's followers. As early as February 1991, he decided to lead a breakaway faction out of the Civic Forum. The newly created Civic Democratic Party

> proved better at grass-roots political organization than the other Civic Forum fragments, constructing an electoral party based on Klaus's neoliberal message that won a landslide election victory in 1992 (Orenstein, 1998, p. 49)

The general election in 1992 was a crucial event in the political development of the country. Before the election, Klaus had to take into account the views of and compromise with Havel and other politicians who adhered more to social-liberal or even social-democratic ideas. After the election, Klaus became the Prime Minister, with a safe coalition majority in the Parliament.

in the formal institutional hierarchy, Vaclav Havel as President holds the highest political position. However, the real political power of the President as defined by the Czech constitution is very limited. The President is a nonexecutive. One of his main functions is to represent the country abroad, and another is to serve as a uniting, cohesive force acting above everyday political battles. The second function becomes more important in politically turbulent times.

Nevertheless, Havel has the ambition to be a spiritual leader of the country as well as an advisor and an arbitrator in the political game. No doubt he could accomplish this mostly indirectly: delivering speeches and interviews, publishing books, trying to negotiate between various politicians, etc.

Vaclav Klaus had a much stronger position. After June 1992, he acted as the Prime Minister and, at the same time, as the Chairman of the strongest Czech political party, which won the elections in both 1992 and 1996: the Civic Democratic Party. With this privileged position, he acquired extraordinary decision-making power both in legislation and in the executive branch of government. At the same time, he was very active as an author he published many newspaper articles and several books when holding his office. His theoretic platform has been significantly reflected in the practical steps taken by the Czech government over which he presided.

Developments in the country since 1992

The secret of Vaclav Klaus's great political victory at the beginning of the transformation in Czechoslovakia originated in the three very simple messages he was able to deliver the population:

In addition, since 1992 the government in power has not supported the development of an independent civic sector able to mediate between individuals and central authorities. Once again, the necessary legislation has been delayed. The law on nonprofit associations was enacted as late as 1996 and the law on foundations only in 1997.

The only partners of the government with apparent negotiation power have been the unions participating in the Council of Economic and Social Agreement, a tripartite institution created in October 1990 on the basis of a voluntary agreement among three social partners: the government, trade unions, and associations of employers. The activities of the council have been characterized from the very beginning by a fragile compromise and constant tension between the neoliberal government and the unions that supported social programs. For various reasons, however, both these parties' interests converged on bringing about social reconciliation. The government has not opposed the corporative, branching system of collective negotiation (on a central, branching, and business level). In exchange, the government has expected the unions to respect the tripartite structure, not to mobilize their members, and to come to terms with their inferior position in negotiations on fundamental issues of salaries and social policy (Orenstein, 1994). The unions' bargaining position has been continually on the wane. To give at least one example: general agreements for 1995 and 1996 were not signed by the social partners due to unresolvable controversies.

However, some analysts have pointed to the fact that between 1992 to 1996 the Czech government, oriented to the right of the political spectrum, tended to bide its time and introduce reforms only in those areas where potential institutional changes would not have harmed the interests of large sections of the population.

In 1995, the first signs occurred of problematic long-term consequences of governmental policy. The balance of payment in international trade deteriorated; at least 13 newly established private banks went bankrupt, mostly due to inefficient governmental control; there were perpetual tensions in the health services caused by fast and poorly regulated privatization in a sector whose economy was dependent on limited parafiscal funds; poorly managed public railways begun slowly collapsing; many investment funds created during the voucher privatization failed to keep their promises to their shareholders; and the stock market, operating mostly behind the scenes without clear rules, inhibited the interest of foreign investors. A modest estimate speaks about more than 100 billion Czech crowns (more than $3 billion US) lost from public funds due to careless regulation and open fraud. The situation did not improve in following years.

In our research of Klaus's style of governmental policymaking, we have identified at least four structural affinities that resembled the political priorities and ways of policy implementation known from the Communist past:

- the priority given to the economy at the expense of other spheres, especially the public sector and public spending;
- the reliance on the centralized power of the state, and an unwillingness to share power with other social and political actors;
- the underestimation of the importance of professional expertise and consul tancy in policy formation and implementation; and
- the neglect of moral, ethic fundaments of social life (Potudek, 1999).

The general elections in June 1996 represented the first major blow to Klaus's position. It resulted in the formation of a minority coalition government made up of the Civic Democratic Party, the Civic Democratic Alliance, and the Christian Democratic Union—Czechoslovak People's Party. However, this government had to rely on the silent support of the Czech Social Democratic Party *(Česká strana socialně demokratická* – ČSSD), which gained significant strength in the election. In fact, it became the second most powerful Czech political party after the Civic Democratic Party.

The economic situation of the country deteriorated in 1997, forcing Klaus's government to introduce two urgent austerity packages, which further deteriorated budgets for education, social security, and public investments.

After an open crisis within the Civic Democratic Party, the second Klaus government also collapsed at the end of 1997. Before that, Vaclav Klaus had to face another blow: he lost the support of an influential circle of his close collaborators, who were very unhappy with the way he faced the serious corruption scandal within his own party. As a result of this crisis, he was forced to resign from his Prime Ministerial post. He was able to preserve his position at the top of his party, but only at the expense of its split. Six out of eight election leaders defected from the Civic Democratic Party and created a new party, called the Union of Freedom.

The second right-wing political party, Civic Democratic Alliance, has also experienced a series of internal crises. The consequence is a mess on the right wing of the Czech political spectrum: several other tiny parties are being established; the old ones are trying to cope with new circumstances.

Attitudes of the population as an influential factor in the political game

The attitudes of the Czech population have consistently mirrored this economic and political development. Moreover, in representative democracy, the people eventually influenced the real political power of both leaders.

We can identify four groups of problems as identified by the Czech population in 1995:

1. Very urgent problems are associated with the weakened repressive power of the state apparatus, along with the unstable value system of the post-Communist society. Rising levels of both crime and corruption belong to this category.

2. Urgent problems are caused by the priority of economic reform and the introduction of free market institutions, which are not counterbalanced to a sufficient level by cautious measures of social and environmental policy (social policy reform, environmental care, child care support, housing prob lem, health care, and education).
3. Problems not in the center of public attention, but not neglected, are associ ated with the level of unemployment and the situation of minorities (which is mostly the problem of the relationship between the majority, "white" popu lation and the Romany minority). The development of a democratic political system and economic reform were not understood as major problems by the
   Czech population in 1995.
4. At the bottom of the "urgency ladder," we can see national defense policy and promotion of the Czech culture, as well as items understood by Havel and other advocates of civil society to be crucial for further development of the civil society: informing citizens about public affairs, municipal development support, and promotion of nongovernmental organizations.

The Czech people were more concerned with problems that might threaten or enrich their everyday life; the development and fine-tuning of instruments of political democracy, market economy, and civil society did not belong to their priorities.

Since 1995, the general satisfaction with economic development, political development, the political system, and the institutions of representative democracy in general and with political parties in particular deteriorated further. Only the President enjoys the overwhelming support of the public—unlike Parliament and government. The Klaus government was supported by more than 50% of adults as late as 1995 but only by a bit more than 20% at its very end. The trust in Parliament has been very low, fluctuating over the years between 25% and 20%.

One of the most serious problems has been that, due to ongoing economic troubles and perpetual political scandals and crises, the legitimacy of the post-November 1989 political regime has been considerably weakened, too. Apparently, the social contract between Vaclav Klaus and the Czech population that was "signed" in the beginning of the 1990s—namely, "I with my party will manage the necessary reforms, and you will not interfere with that business and will take care of yourselves"—was no longer valid.

The Civic Democratic Party won the 1996 general election with 29% of the vote. The main opposition party at the time, the Social Democrats, received 26% of votes in 1996. With all the subsequent political scandals and economic troubles, electoral support for both parties shifted in the extraordinary general election held in June 1998: the Civic Democratic Party received 27% of votes, whereas the Czech Social Democratic Party won with 32% of votes. After difficult party negotiations, the Social Democrats created a minority government backed by a curious "opposition treaty" signed between them and the Civic Democratic Party.

An open-ended story: developmental threats and opportunities

The real drama of the birth of public policy as a social practice is being played out before our very eyes. Why drama? If we follow Lord Ralf Dahrendorf's hypothesis of the transition from an authoritarian regime with a centrally planned economy to a democratic society with a market economy, one can assume that political institutions can be changed in six months and economic relations in six years, but that peoples' habits, attitudes, behavior, and values need 60 years to be transformed. This discrepancy creates perpetual tensions and developmental crises of varying magnitude. If we want to understand the character of these crises, then the disparate pieces of information comprising public policy theory that have been assembled in the course of the contemporary capitalist society's relatively peaceful evolution will not suffice. We are forced to look for approaches appropriate to the specific situation of Central and East European countries.

It is incontestable that nearly a decade after, the fall of Communism, the situation in the Czech Republic is characterized by skewed relations, tensions, and imbalance between the market, government, and the civic sector. Private ownership and market principles have been introduced in an environment where the government and its agencies have been functioning as before, with much of the power concentrated on the very top. Government has been uneven in its dealings with the citizenry and unable to adapt in time to its changing roles and purpose. After a 50-year deterioration of the value of citizenship and of the institutions of the civil society, the civil sector (which had been left more or less to itself, unless the government was throwing obstacles in its way) did not find sufficient self-reliance to be able to assert itself in the areas to which it is more suited than the market or government. During this era, an inherited deep erosion of community values and civic awareness continued. Insufficient legislation, excessive lenience, and incompetence on the part of public administration led to the opening of an unreasonably large space for sociopathological forces, among them corruption of civil servants and political parties and the pandemic of Mafia activities (Potudek, 1999).

Does civil society exist in the Czech Republic? Alternatively, is Havel only a dreamer, and is Klaus right with his theoretical universalism of individual rent-seeking behavior?

During first years of the societal transformation after the fall of Communism in the country in 1989, the Czech population has behaved in a quite passive way—nearly as much so as those white mice in a laboratory. There are not many indications that the worlds of *those up and those down,* the powerful and the powerless, are inclined towards higher penetration and integration. This is a bit paradoxical because "those down" indisputably have many more chances now to check and influence the deeds of "those up": almost two thirds of Czech inhabitants (62%) supported in 1995 the opinion that nothing prevented them from influencing the decision-making process in public affairs.

The reasons for the indisputable deficit of citizenship, of active participation in community life, are manifold. One of them lies in behavioral stereotypes; for long decades of the Communist regime, people were weaned off being actively involved in public affairs. Another follows from the economic stresses of transformation that forced people to concentrate on the protection of their livelihood. A third reason, not at all less important, stems from the fact that traditional channels of social control, in the form of representative democracy mechanisms, did not respond quickly enough and effectively enough to the needs of both the people and the greater communities. The last but not least cause is that the Czech government, in its orientation toward the economic aspects of transformation and toward a neoliberal dogma of belief, was incapable of admitting how important it is to build purposefully—even if starting from scratch—the institutional infrastructure of the civil society, i.e., the civic sector.

Nevertheless, the potential for civic participation in the Czech Republic is much greater than many would expect (see Table 1).

This situation can be perceived by both politicians and political scientists as an urgent challenge: many people are ready to enter public life, to take part in

Table 1. Willingness to participate personally in activities of the following organizations (% of total answers).

Organization	I participate	I would like to participate	I would like to participate but I cannot	I do not want to participate
Voluntary cultural, physical training, and other organizations for pastime	20	14	23	43
Voluntary organizations providing services for the public	6	16	29	49
Environmental movements	4	18	28	50
Human rights movements	2	18	23	57
Interest profession associations	13	11	16	60
Trade unions	13	7	13	67
Local self-government	5	9	19	67
State administration, e.g., in commissions	5	6	16	73
Church, religious organizations	7	5	7	81
Protest movements or single protest actions, e.g., petitions, strikes, etc.	5	9	4	82
The right-wing political party	3	4	8	85
The centrist political party	2	5	8	85
The left-wing political party	3	3	5	89
Nationalist political movement	1	1	2	96

Source: *To results* (1995).

one or another form of involvement in public affairs; for the time being, they do not do so because they dislike the disposable forms of institutional mediation of such participation. They can still clearly see the rigidity of political parties, the impolite way handling offices, and the problems accompanying the formation and work of nonprofit organizations.

A real developmental threat exists. I see it in the continuing disintegration of institutions of representative democracy, especially political parties and the Parliament. Associated with this disintegration is the further discrediting of the new political elite and the democratic political regime. This would inevitably give birth to state solutions for many problems of public life, not to mention the threat of the rebirth of an authoritarian regime.

A developmental opportunity is at hand, too. I see it in creating more space for open public discourse about various problems of public life; in the implementation of a more balanced political doctrine by the Czech government, which should make use of the good experiences of other European countries and take into account with the value orientation of the Czech population; and in opening the political arena to various actors, not only those that use the mechanisms of representative democracy. In this sense, participatory democracy, in the present situation of the country, is an inevitable complement of representative democracy.

A change for the better will not come automatically: its prerequisite, for now, is some change in the highly reserved attitude of state representatives towards the stimulation of civic sector development. Without resolute political support from the center, the significant potential for civic participation in the Czech Republic will remain unused in the future.

Conclusion

In this article, the Czech Republic was taken as pars pro *toto* in studying recent political developments in Central and Eastern Europe. In this case, the battle between different concepts of what constitutes a "good society" has been embodied by two charismatic political philosophers and leaders, namely, President Havel and Prime Minister Klaus. Though their real political power differed, both their concepts of the "good society" were given a chance to influence the political discourse. Practical decision-making was nevertheless firmly in the hands of the Prime Minister. The fall of Klaus's orthodox neoliberal policy became inevitable when ordinary people experienced in full its bad consequences for their everyday lives. Even immature institutions of representative democracy were able to translate their attitudes into the electoral victory of the opposition party. Havel's way of policymaking was indirect, relying more on negotiating, persuading, and operating behind the scene, but it enabled him not only to make the overall situation of political discourse more balanced but also to become more active and influential at the turning points of recent political history—for example, when Klaus's second government had to resign at the end of 1997 and was replaced by the temporary government of Josef Tošovský.

Orenstein (1998, p. 46) quotes some theoreticians (Jeffrey Sachs, Joan M. Nelson, and Kenneth Jowitt) who argue that freeing executives from parliamentary control may facilitate the transition to a market economy in Central and Eastern Europe. Evidence from the Czech Republic (and also from Poland and Hungary, which was not discussed here) does not support of these arguments. Quite the opposite: especially in the long run, strong executive power associated with lack of democratic control could cause enormous damage to countries undergoing reform. The Russian crisis of 1998 is a vivid example of the bad consequences of such a strategy.

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Notes

1. This type of analysis is more specific than the comparisons offered by Ash (1995) and Dietz (1996). Both Ash and Dietz try to interpret the differences between Havel and Klaus in their understanding of the relationship between politics and morality. Ash concentrates more on the role of ideas and vision in politics, whereas Dietz is more concerned with problems of partisanship in policymaking.
2. Our research also revealed many instances of excessive influence of individual political parties' interests on the formation and implementation of public policies at the central level of govern ment, especially at the ministerial level.

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