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THE USSR AFTER THE SUMMER OF 1991: SOME LESSONS

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The Appomattox of the Cold War / The Link Between Democracy and Federalism / The Problem of Ethnic Nationalism / Where is Soviet "Gun Control"? / Control of Soviet Military Power / Structure of the New USSR / The EC Model — New-Style Confederation / Global Changes in the International State System

The Appomattox of the Cold War

I was in the Soviet Union in July, just before the aborted coup, and was there during the Bush-Gorbachev summit. With the rest of the world I watched the summit on CNN in a hotel of the Soviet Academy of Sciences, whose guest I was, witnessing the Appomattox of the Cold War. There, in living color, Gorbachev formally surrendered to President Bush, and Bush, like Ulysses S. Grant at Appomattox, was very generous in his terms and in his treatment of the former enemy, with an eye toward future joint activities and cooperation (except money). It truly did have the feeling of being at a surrender and it was quite a moment to witness.

The political and economic break-up of the Soviet Union is exactly the reverse of what Marxist-Leninist doctrine predicted for capital-

ism. I do not apologize for the fact that I have always been a Cold Warrior, a follower of the late, great Hubert Humphrey who believed as a result of experience that Communism was a bad thing and that the Communists had the worst in mind for the world. He and his fellow Minnesota liberals learned this in bitter battles to save that state's Democratic-Farmer-Labor party from a Communist takeover in the mid-1940s — probably the only state in the United States that actually had to fight that battle, then far more common in Europe, accompanied by espionage, sabotage, and meetings in the middle of the night. So as a person who had felt that the American policy of containment was right and that Ronald Reagan was on target when he characterized the Soviet Union as the "evil empire," I was very happy to be present at the surrender.

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The surrender came because the Soviet Union could no longer sustain itself, much less a competitive posture with the United States. Most of the people of the Soviet Union function on a ruble economy. The ruble today has been revalued fairly. The official rate of exchange was about 32 rubles to the dollar when I was there (today it is 80), which means that the average Soviet worker earns, in dollar terms, less than \$5 a month, based on an average salary of 300 rubles a month. As long as people stay within the Soviet economy and pay 3 kopeks for a ride on the Soviet metro, they can manage, but to leave the Soviet economy is prohibitive, even to the point of affording a Big Mac at the new MacDonalds in Moscow. This means that any transition to an open market economy would be so terribly wrenching in human terms that it is almost impossible to conceive of it being done without extraordinary upheavals.

The Soviet Union faces the crushing difficulty of economic reform. Reforms in place are much harder to accomplish successfully than reforms where populations move elsewhere and they can start anew. The once-Soviet Union must reform in place with this tremendous heritage of a poorly organized and poorly managed economy.

Another trend of real importance in the Soviet Union is the widespread religious revival. We visited Zagorsk, the "Vatican" of the Russian Orthodox Church, which was crowded not only with tourists and visitors, but with busloads of common people on pilgrimage. Even on the streets in Moscow young people are wearing big crosses around their necks. What the implications or consequences of that revival are going to be cannot be predicted.

Nevertheless, there is a new spirit in Moscow as a result of democratization. It will be severely tested over the next few years but, if it — and democracy — survive, all of the world will be able to learn some important lessons.

The Link Between Democracy and Federalism

Consider the two critical revolutions of the modern epoch — the American and the French Revolutions — which defined the directions that democracy, or what claimed to be democracy, would take. One line of pseudo-democracy, the line adopted and perfected by the Bolsheviks, stemmed from the Jacobins of the French Revolution, who, as the late Jacob Talmon so eloquently demonstrated, were the fathers of totalitarian democracy. The other line of democracy was federal democracy as it developed in the United States, which has not only to do with the federal government and the states but the whole process of individual rights, non-centralization, dispersed powers, and constitutional governments that are directly responsible to their citizenries. Federal democracy is built on the premise that governments are not subordinate one to the other, but subordinate rather to the constitutions which the people through their representatives have established to set out the rules of their existence and powers as governments.

The modern struggle for freedom has been between these two competing theories. For a century or more, the well-developed Jacobin theory and its totalitarian heirs captured the hearts and minds of intellectuals throughout the world, even in the United States. The other theory of democracy, federal democracy, though given a fine founding through the efforts of the statesmen-philosophers of the United States in the early days of American independence, was neglected as a separate theory for 150 years, as though, somehow, a revolution of sober expectations offered only a deficient definition of "real democracy" that robbed real democracy of its most democratic elements by emphasizing individual rights, dispersing power, requiring extraordinary or dispersed majorities to make critical constitutional and other kinds of deci-

sions, and by concentrating on the accommodation of competing interests rather than the search for the general will. Thus, millions of intellectuals and idealists, intoxicated by the pursuit of utopia, were seduced into supporting the darkest totalitarianism in their search for human perfection.

In the end, the Soviets have now come around to try to find their way into a system of federal democracy — in both its federal and democratic aspects. They have come to recognize that there is a direct connection between their possibilities to achieve democratization and their establishment of appropriate federal rules, arrangements, and connections, whether confederal, federal, or consociational, among their respective entities.

We are moving into an era in which the definition of democracy is going to take on a whole new dimension as a result of the focus being shifted away from Jacobinism and its spawn, totalitarian democracy — against the overconcentration of power in single individuals or bodies — including nominally democratic parliaments dominated by their cabinets. It will view the kinds of political arrangements that Charles De Gaulle introduced in France in the 1950s and have since been introduced by others in many other countries not as devices to curb democracy but as devices to make democracy work by assuring a separation of powers and some kind of tension between the executive and the legislature.

There is a clear link between democratization and federalism that now is being illustrated by what is happening in the (ex-) Soviet Union. The union republics, or what were the union republics, want independence and confederation, to link each to the others. Within the Russian Federation and the others with minorities, they want to establish a meaningful federation. In actuality, an interlaced system of federations and confederations is the structure likely to emerge. Those with whom I spoke are all convinced that the ethnic problem can only be accommodated by some kind of federalism.

The Problem of Ethnic Nationalism

The continuing hard reality of ethnic nationalism remains an intractable problem. It has affected the smallest groups, even those groups that had perhaps forgotten their ethnicity — Volga Germans, Tartars, Ossetians, Chechens and Ingush, tribal peoples in Siberia — there is no end to it and it seems to be multiplying. There are over 200 identified ethnic groups in the Soviet Union and every one of them seems to be making its claim.

My hosts at the Supreme Soviet of the Russian Federation took the stance that while the former USSR should become a confederation, nothing should change in the Russian Federation. Yet, by July 1991, every "autonomous republic" (a formal category designating those larger ethnic regions within the union republics) in the Russian Federation had already declared itself to be equal to the union republics. It was clear that the Russians were going to face the same problem internally that the once-Soviet Union is facing as a whole.

Where is Soviet "Gun Control"?

The danger for everyone is that the Soviet Union today is a popularly armed camp. There is probably no group that wants weapons which does not have them. They have tanks, literally stolen from the army, if not smuggled across the border from Iran into the Muslim republics. They have weapons enough for everybody to start shooting at everybody else without hesitating for a moment. The reason they do hesitate is that they do not want to start shooting at each other yet, except in a few selected places.

Will there be civil war? It is clear that some fighting will occur. The Georgians and the Ossetians are in open conflict, and within Georgia they are starting to shoot at each other. There have been major clashes between the Azeris and the Armenians as well. While we may witness some violent regional conflicts, one cannot predict whether there is going to be a general conflagra-

tion. We are talking about peoples who have not dissimilar histories. We could expect the worst and would not be too likely disappointed. On the other hand, we could expect better too since there does seem to be an honest desire, at least on the part of the leadership of the various groups, to reach some kind of accommodation. They are certainly not going to make any economic progress if they fight. The visitor hopes they understand that.

Control of Soviet Military Power

They are also sufficiently terrified of what is going to happen with nuclear weapons. The leadership has been quite responsible when it comes to that and they are particularly afraid of the Islamic republics getting control of any nuclear weapons. The Soviet army has insisted throughout that it has kept careful control over nuclear weaponry.

The Soviet army right now could best be described as self-governing. It still has loyalty to something it probably sees as "mother Russia," which it hopes will reemerge in some form. It is like the French army during the period of the Revolution which was not loyal to the revolutionaries (until Napoleon came along) but to "France." The officer corps preserved the army and itself by being loyal to *la patri*. Right now the Soviet army is loyal to *la patri* and feels itself increasingly the custodian of the survival of that country and the preservation of the world to the extent that nuclear weapons are a danger to world peace.

Structure of the New USSR

The constitutional restructuring of the once-Soviet Union appears to be leading to a confederation of about ten or twelve of the fifteen republics. Basically speaking, the Soviet Union has been ruled for the last six months to a year in a manner similar to the way Canada is ruled by its Premiers Conference, by a collective presidency consisting of Gorbachev as president of the USSR and the

presidents of the union republics. In Canada, the Premiers Conference is an extra-constitutional device that has emerged in the last thirty years, whereby the men who command control over the governments in their respective territories sit down as often as necessary to work out the critical policy decisions that then shape the workings of the polity. So, too, in the once-Soviet Union.

In July it had already been decided that the taxing power would be in the hands of the republics. Gorbachev had been holding out for some powers of taxation for the federal government, but the republics seem to have won that point. The powers that were to be retained by the USSR government included defense, foreign affairs, and some share in economic planning, though most of the economic controls and planning would also be passed to the republics. All of that has gone by the boards as a result of the abortive August coup. Today the most that the union can expect is shared powers in those fields.

The whole notion of a comprehensive Union Treaty, whose scheduled signing was blocked by the coup and which was to have led to a comprehensive constitution, also seems to have gone by the board. Now what appears to be forming is a new-style confederation.

Confederation as a form of governmental organization essentially disappeared in the early nineteenth century, after the Articles of Confederation in the United States were replaced by the federal constitution in 1787-89, and federation became the dominant form of federal organization. It seemed more suited to the age of the nation-state, a better way to combine federal democracy with national independence. There was a final effort among the Germanic states, first through the Germanic Confederation and then the North German Confederation, to make some use of confederal principles in the old, medieval style, but it did not work and both confederations disappeared by the 1860s, leading to the unification of Germany under a Prussian-dominated federation in 1871.

The EC Model — New-Style Confederation

Since the end of World War II, however, new-style confederations have emerged, principally, but not exclusively, the European Community. Beginning in the 1950s, the European Community built its confederation on the basis of single purpose, multilateral treaties, the so-called functional solution, embracing a series of separate treaties on coal and steel, or on other industries, or on customs duties, each with its own operating "authority." Subsequently they created certain limited common multipurpose institutions to serve the EC as a whole. Most recently, they have adopted "The Single European Act" to take the process of piecemeal confederation a giant step forward, and negotiated an agreement with the European Free Trade Association (EFTA) to form a secondary economic confederation with it. That seems to have worked very well for Europe, giving Europe a basis for federalism without threatening the governments of the separate states, even though the separate states have actually transferred very substantial powers to the Community. In some fields such as labor law or human rights law, the separate states have become almost totally subordinate to Community law. While some Europeans seek to transform this confederation into a federation, there seems to be even more support for retaining a strengthened confederation.

The once-Soviet Union seems to be going about its reintegration in the same way, beginning with an economic agreement. They will next work out a defense agreement of some kind, and will then decide about other spheres of activity where they have a consensus for linkage. That is the way new-style confederations are built. It is actually wise of them to do so because it will enable them to accomplish these needed tasks without becoming too threatening to the newly-won liberties of the republics.

The movement to a new-style confederation is the central feature of the reconstitution of the USSR, and the fact that all the republics have declared independence is a critical step toward that.

In other words, all want to start from the point of being independent states before they are willing to negotiate limitations on their sovereignty for purposes of harmony and of preserving whatever they feel they should preserve jointly.

Inside the republics, however, they are going to insist upon federation to accommodate minorities. This will be more difficult to achieve; the "smaller" ethnic-national minorities may not be willing to settle for that.

The fact is that almost all of the Soviet republics could be as viable as most existing politically-sovereign states. The Ukraine has 50 million people, which makes it one of the largest states in Europe. Armenia is the smallest republic, but the Armenians have human resources both in terms of their own ability to maintain an economy and their diaspora which will surely rally behind it. The Islamic republics do not demand all that much; they have strong leadership and they can easily become independent the way Islamic states are independent. Nevertheless, they have come to the conclusion that it would be better for them to at least try the notion of a common market and some common defense arrangements.

They do not know where they want to go. They only know what they have had and want no more of it. They want peace, prosperity and democracy. There are many groups that have organized political parties in each of the republics. Some of them even have people in the various Soviets or Peoples Councils who identify with them. Yet they have certainly not developed, nor are they anywhere near developing, a European-style multi-party political culture, that is to say, where parties are organized and caucus and direct the votes of their members. At most, representatives identify with a party and with some kind of broad platform, but when they come into the chamber their instincts are still to vote 95 to 5 on behalf of some proposal. In other words, they still go for a kind of Communist-style, consensus decision-making, but it is not really based on consensus, it is based upon all voting in one way. Unavoid-

ably, for the next many years most of the available leadership will be those people who came up through the Communist Party apparatus.

Global Changes in the International State System

We should look at events in the Soviet Union in the context of the global changes that are taking place in the international state system. The state system as we have known it through the modern epoch is rapidly disappearing. The difference, for example, between constituent states of federations and "politically sovereign" states that are members of the United Nations has diminished in the economic realm and has in many respects almost disappeared. Even in the United States the development of foreign economic markets is now almost exclusively a preserve of the constituent states of the United States. In Europe, constituent states have been dealing with bordering politically sovereign states as equals on transborder problems since the end of World War II.

As these two state systems converge, there is going to develop a distinction between micro foreign policy and macro foreign policy. When it comes to relations with Czechoslovakia, Poland, Bulgaria or Hungary, the Ukraine, Byelorussia and Moldavia are going to conduct more and more of their own relations and the general government, such as it will be, is going to find some way to live with it. When it comes to larger policies such

as relations with the United States, there may be more of an agreement that these should be handled by some kind of common foreign ministry. In any case, the once-Soviet republics are just being catapulted more quickly into a change that is taking place in the world as a whole. One of the problems the European Community now faces is to provide room for the German *lander*, Scotland, and the autonomous regions in Spain, among others, all of which are going to insist on recognition.

The once-Soviet republics face a large and difficult agenda: economic reform, a new relationship between religion, state and society, political reconstitution. If they succeed in forming a new-style confederation, while asserting an appropriate degree of independence, they will become world leaders in a way they probably never expected. As such, they will take the post-modern world another step toward what may prove to be a peaceful way to build institutions capable of sustaining peace.

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