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Author(s): Stanley Vanagunas

Source: *Public Productivity & Management Review*, Vol. 15, No. 3 (Spring, 1992), pp. 281-288

Published by: M.E. Sharpe, Inc.

Stable URL: <http://www.jstor.org/stable/3380610>

Accessed: 13-05-2015 11:18 UTC

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The USSR: Some Thoughts on the Decline of the Ultimate Administrative State

Stanley Vanagunas

An administration that is excessively bound to politics and ideology is no less inimical to public interest than one that is excessively detached from them.

The Union of Soviet Socialist Republics is coming apart. Since the failed August coup d' état, the unraveling has been particularly rapid and so pronounced it can truly be said that the USSR is no longer "Socialist," in that a conscious effort at market economy building is in progress; nor "Soviet," in that the Communist Party is out of power and in disgrace; nor even a "Union," in that it has lost a number of constituent republics, such as the Baltics, and is apparently at best a loose federation of ever more autonomous states. Since the USSR represented the edifice of an ideology that has captivated the imagination of mankind like no other for centuries, post mortems will undoubtedly be many as there are profound lessons in economics and in governance to be learned from the Soviet experience. This paper falls within such a genre but with a particular pertinence to public administration.

The decline of the USSR, as of the other Eastern Bloc states, should be appreciated in the context of the complex systemic problems characterizing a Marxist-Leninist political economy. The purpose here is much more narrow. It is to examine the salient causes for failure in Soviet public administration, which, in the absence of the countervailing influence of a private sector, has been unusually dominant over the society and economy of the USSR. Because of the centrality of public administration in the life of the Soviet Union, its failure undoubtedly contributed substantially to the USSR's overall decline. It is also appropriate to speculate that even if a "good" public administration had been possible in the USSR, it may have postponed the decline of this socialist political economy but not prevented it, for the anomalies of centralized socialism are deep and profound.

The perspectives that serve as a basis for this commentary come pri-

marily from the author's observations of Soviet government and society while he was a Fulbright lecturer in public administration in Lithuania in 1989. At that time Lithuania was, albeit reluctantly, fully integrated in the Soviet system. *Perestroika* and *glasnost* were in full stride. Newfound openness and criticism abounded.

It has been estimated that in the late 1980s there were nearly thirty-three million positions in the USSR classified as administrative. This means, roughly, that about one in every four workers in the Soviet state was some type of "manager." The bureaucracy of this socialist government was big, and its upper echelons were conspicuously privileged, but it was notoriously inefficient. Batygin (1989) estimated that more than one third of work time in the Soviet Union was lost to absenteeism, idleness, or personal affairs. Whereas, as pointed out earlier, complex systemic factors account for the failure of the political economy, it is also clear that bad administration substantially accelerated it. Among the most conspicuous causes for administrative failure were the absence of a rational, formal, and, therefore, predictable legal environment for administrative decision making; improper and excessive political interference in administration; and endemic corruption of Soviet bureaucracy.

Soviet Law

In late 1988, at the beginning of Gorbachev-inspired *perestroika*, a group of eminent Soviets were called together to consider what legal reform was necessary "to complete the creation of a socialist law-governed state" ("What Should . . .," 1989, p. 5). At the outset of this conference, one of its participants made a comment that succinctly encapsulates one of the main reasons Soviet administration became mired in inefficiency: "What kind of completion can we be talking about," said Mr. A. Vaksberg, "when our state has never been law-governed in the true sense of the word for a single day in its entire history of existence?" O. P. Teushkin, department chief of the Supreme Court of the USSR agreed: "Yes, of course, we will be realists: we must not complete the creation of a legal state, but begin it" (p. 5). These comments illustrate that the rule of law as it is understood in the West—that is, an abstract, formally rational legality whose principal interpreters are law professionals—was absent in the Soviet Union. A formal, rational legal system is fundamental for delineating the rights and obligations of, for example, parties to any contract, agents and principals, and, of course, individuals and the state. Modern governmental administration is a complex, difficult business under the best of circumstances. Without a predictable rule of law, efficiency becomes impossible. The Soviet public administration, much larger and more complex because it was a socialist one, operated in an inordinately ambiguous legal environment. It therefore could not be efficient.

Max Weber (1966) traces the evolution of law through three stages. Law begins as revelation by charismatic authority figures. After the death of such charismatic leaders, their law is safeguarded and interpreted by the community of followers. It exacts conformity because the law becomes clothed in traditional authority. While the law of charismatic leaders can be totally irrational, in that it may exact obedience purely on the leader's whimsy, tradition-based law has as its object the advancement of ethical norms and values of the community. Thus, for example, in medieval Europe there prevailed the practice of legislating "just" prices and wages—that is, wages and prices based on communal norms defining a subsistence standard. The third and final form of legality is a system of formally rational law, which law professionals (that is, lawyers and judges) interpret with particular attention to the logical consistency of its principles. Under a formally rational legal system, for example, the finding of guilt is viewed as one possible outcome of a process where legal principles are consistently and carefully applied, and where the moral guilt of the defendant may or may not coincide. Full efficiency of administration can be obtained only under the rational form of law. It is such legality that underlies the famous phrase that the United States "is a nation of laws and not of men."

The USSR never developed a formally rational law. Its initial laws were "revelations" of Communism as expounded by its charismatic leaders, Marx, Engels, Lenin, and Stalin. Later in Soviet history, and under the tutelage of the Communist Party, the professed social theories of its dead heroes gave shape to a traditional socialist legality; one, however, that was not grounded in ethical norms from antiquity but on the as yet unsettled values of Communism.

Therefore, even in its pure form, Soviet law had the character of an instrument for the attainment of the ideological objectives of a Communist-ordained state. In its common, everyday format, the law in the USSR was nothing more than a set of rapidly changing, often arbitrary decrees intended to expedite a vast variety of Party-directed policies and programs. A Soviet jurist, Galperin, stated, "Many laws were drafted behind closed doors without being subjected to the expert evaluation of scientists, a democratic procedure which is simply mandatory in a state of law. I am referring to the procedure of debates and pluralism of opinion. Until recently we were not even familiar with an institution such as an alternate draft" (cited in Orland, 1989, p. 516).

The subordination of law to party interests resulted in great ambiguities of legal structure and process. The Soviet Union's legal morass is most apparent in the complex entanglement of law-making and law-implementing authority. Until the present reforms, several types of state organs had the power to adopt acts that acquired the force of law. For instance, at the union level, the Supreme Soviet ("parliament") of the USSR, its Presidium ("executive committee"), the Council of Ministers, the various ministries,

and the various special state committees all made “law.” The practice under which law and administrative rule-making are clearly distinguishable in a superior-subordinate relationship, such as in the United States, was absent in the Soviet Union. For example, the Presidium of the Supreme Soviet, packed by the highest category of Party-vetted officials, would summarily issue decrees (*ukazy*) that would, at a convenient opportunity, be unanimously ratified (rubber stamped) by a pliant Supreme Soviet and, subsequently, assume the form of a statute (*zakony*). This practice was mimicked at the republican and local—that is, at municipal and regional—levels of government.

The profligacy of often arbitrary, redundant, and contradictory “laws” was encouraged by the absence of an authoritative juridical body, such as a constitutional court, that could interpret the law and give it consistency. Such a court would have also represented the ethical and professional apex of a well-established legal community. Throughout Soviet history, lawyers and judges have been kept as functionaries of modest status with a salary comparable to that of a skilled factory worker. The interpreter of fundamental Soviet laws, such as the constitution of the USSR, has been the Communist Party acting through the Procurator General, an executive branch office charged with the responsibility to uphold the law and investigate its violations. This was an arrangement clearly at odds with Western legal practice. There has never been an independent judiciary—as defined, for example, by the United States—in the Soviet Union.

The impact on Soviet administration of an ideology-permeated law was devastating. Administration became indecisive, prone to inertness. The legal environment of the Soviet Union made it extraordinarily risky to act because the legal consequences were unpredictable. Under the best of circumstances, the bureaucratic ethic rewards conservatism and caution. Under the Soviet circumstances, to wait, to procrastinate, or to take absolutely no initiative was the most rational path for bureaucratic survival. Soviet public administration crawled and never walked.

Political Interference in Administration

The classic statement on the relationship of politics and administration was made 100 years ago by Woodrow Wilson ([1887] 1987). In his famous essay, “The Study of Administration,” he pointed out the differences between administration and “constitution making.” He clearly saw the benefits of separating the value- and interest-directed world of politics and the more rational and impersonal world of administration. Modern public administration theory in the United States neither conceives of nor recommends the degree of separateness between politics and administration envisioned by Wilson. However, the Soviet experience unequivocally reconfirms the principle that an administration excessively bound to ideology

and politics is no less inimical to public interest than one that is detached and responsible only to its own bureaucratic values.

The most famous, or infamous, method of political interference in Soviet administrative processes was through the *nomenklatura* system of making appointments to high administrative office. Until very recently, in 1989, administrative posts carrying a significant measure of responsibility were filled exclusively by individuals vetted by the Party. Such posts were known as being reserved for *nomenklatura*-qualified personnel. Thus throughout the seven decades of Soviet rule, administrative talent was subordinated to Party loyalty. Success in improving the quality and quantity of public goods or services was always a secondary consideration of Soviet administration. It was never permitted to have efficiency as a focal concern.

The *nomenklatura* appointments system is the most important example of improper and excessive political interference in administration. Other practices were also designed to maintain tight political controls on governmental management. The armed forces' command structure was shadowed from the lowest to the highest units by a system of political commissars, ideologists whose function was to prevent deviations from the Party line. Moreover, the entire state apparatus was insidiously infiltrated by a vast network of KGB informers.

In sum, prudent administrative discretion, critical for allowing any governmental bureaucracy to function with a modicum of efficiency and effectiveness, was virtually absent in Soviet administration. It was intimidated into a passive role. Soviet management's attitude can be described as having been sluggishly reactive. A proactive attitude to administration was never permitted to develop.

Endemic Administrative Corruption

Paradoxically, the Communist Party's monopolization of the best and most important administrative posts through the *nomenklatura* system contributed very substantially to the "delegitimation" of the Party—that is, to the diminution of its ideological zeal, discipline, and, consequently, its standing as the leader of Soviet society. In a socialist political economy avenues for the gratification of ambition are limited. Without private sector alternatives, high administrative posts in the governmental bureaucracy are particularly desired. In a Communist state the government is about the only route to privilege and power.

One of the premises behind the *nomenklatura* system was the belief that, by reserving top governmental posts for Party members, it would attract the best and the brightest of Soviet society to the Party and, in turn, to the government dominated by it. It worked, perhaps, in the very beginning when the ideals of the October Revolution were unjaded, and during World War II when the Party, in the name of the motherland, led Soviets to

victory over the Nazis. However, after the purges of the 1930s, and certainly after Khrushchev's 1956 revelations of Stalinist excesses, most Soviet men and women with talent, or just ambition, no longer gave much credence to Party ideology and principle. Nevertheless, they recognized the Party's monopolistic grip on access to power and privilege and understood that such were only attainable through Party membership and adherence to its formal and informal rules.

With the advent of the Brezhnev ("stagnationist") era, most of those entering the Party paid mere lip service to its ideals. These entrants were indeed often the most highly talented men and women of Soviet society, yet they were also cynical and saw Party membership as the only route available to gratify ambition and obtain its perquisites—a large apartment, a trip abroad, a car, perhaps even a country dacha. By the 1970s, the USSR, like its client states in the socialist block of Eastern Europe, was a refined model of a gigantic "good-ole-boy" government. It is therefore not surprising, especially when one keeps in mind that in a socialist political economy the government is the source of virtually all goods and services, that many in Soviet administration were not content with the perks accompanying their jobs, but turned to graft. Such corruption, of course, was made that much easier by peculiarities of the Soviet state, such as lack of political opposition, absence of a free press, and the general secretiveness of its processes.

A fine case in point is the story of Nikolai Anisimovich Shehelokov, the minister of internal affairs under Brezhnev. Shehelokov's post was a very important one, both in fact and symbolically. He was the chief law enforcement officer of the Soviet Union, in charge of the national police force, the *militia*. His job was comparable to that of the U.S. FBI director, except that the Soviet minister of internal affairs controlled much more police power. When Gorbachev took office in the mid 1980s, he had Shehelokov fired, stripped of his rank as general, and dismissed from the Party.

The minister lost his job because the extent of his corruption was commensurate with his high position. When, for example, the ministry was assigned nine new foreign cars, one Mercedes went to the general; others went to his son and daughter; the BMW went to his wife, and the hand-me-down, the previous year's Mercedes, went to his daughter-in-law. When the Ministry confiscated seventy-three objects of art from an embezzler and a black marketer, Shehelokov kept the best for himself and sent the remaining twenty pieces to various museums. The general kept numerous apartments for which the ministry paid, and he had various goods imported for him from the West and even kept a personal staff on the ministry payroll: a masseur listed as a laboratory assistant, his daughter's maid (repair worker), and a family messenger (deputy chief with the rank of major). The general also made his father-in-law, a nickel plater at a Krasnodar furniture factory, a responsible official in the ministry with perks such as an apartment decorated with imported furniture (Vaksberg, 1989).

This is an example of corruption at the highest Soviet administrative levels. But it was not an aberration. On the contrary, the minister was doing what many, if not most, were doing in his ministry and throughout the nation's administrative hierarchy. Generally, Soviet citizens considered their bureaucracy as easily bought. Since Gorbachevian reforms, such as "openness" or *glasnost*, evidence has accumulated to substantiate such an attitude on the part of the populace. By the mid 1980s, corruption appears to have become endemic to Soviet administrative life. It has been estimated that about half of all consumer items never got to governmental store shelves because employees sold such items through "the back door"—that is, to relatives, friends, or those who needed a favor reciprocated, or simply to those who were prepared to pay a good price. By the 1980s, it had become common practice to take some jobs, not for the nominal salary, but for what could be made on the side by selling government goods, services, or influence. For example, in one Soviet republic, 70 percent of all imported cars (a rare and valuable item of luxury) were owned by individuals working in the government's commodity distribution system (Belikova and Shokin, 1989). In a study sampling the entire Soviet Union, the authors found that those involved in distribution spent about 60 percent more than they officially earned.

Corruption of public officials is a bad enough problem in the West. It was worse, however, in the USSR because of the overwhelming dominance of its government over the economy and society. It was, until very recently, virtually "the only action in town." Consequently, there remained little hope for establishing and maintaining a good quality of life. The effects of administrative corruption in the USSR were pernicious: corrupt officials ceased to be interested in their jobs, and required duties were performed perfunctorily as the venal bureaucrats increasingly devoted talents and energy to the identification and exploitation of every opportunity for gain. Moreover, for the officials' corruption to succeed, they ordinarily had to tolerate it in subordinates. Hierarchical relationships in an organization then broke down, and the organization became a cabal of mistrustful cronies caught up in a conspiracy of silence.

Administrative efficiency and administrative corruption are mutually exclusive. Soviet governmental management, already severely crippled because of an unpredictable legal environment and excessive and improper political interference, was brought to total ineffectiveness by corruption.

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Stanley Vanagunas is professor of public administration at Arkansas State University.