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Citation

Dimitrova, A., Mazepus, H., Toshkov, D., Chulitskaya, T., Rabava, N., & Ramasheuskaya, I. (2021). The dual role of state capacity in opening socio-political orders: assessment of different elements of state capacity in Belarus and Ukraine. *East European Politics*, 37(1), 19-42.
doi:10.1080/21599165.2020.1756783

Version: Publisher's Version
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Downloaded from: <https://hdl.handle.net/1887/3200751>

Note: To cite this publication please use the final published version (if applicable).



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To cite this article: Antoaneta Dimitrova, Honorata Mazepus, Dimiter Toshkov, Tatsiana Chulitskaya, Natallia Rabava & Ina Ramasheuskaya (2021) The dual role of state capacity in opening socio-political orders: assessment of different elements of state capacity in Belarus and Ukraine, *East European Politics*, 37:1, 19-42, DOI: [10.1080/21599165.2020.1756783](https://doi.org/10.1080/21599165.2020.1756783)

To link to this article: <https://doi.org/10.1080/21599165.2020.1756783>



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The dual role of state capacity in opening socio-political orders: assessment of different elements of state capacity in Belarus and Ukraine¹

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ABSTRACT

State capacity declines with democratization, yet high state capacity supports the stability of both democracies and autocracies. Ukraine has been a paradigmatic example of capacity decline in democratization and Belarus of an authoritarian regime with high capacity. We set out to discover which aspects of state capacity might contribute to opening or stability. Conceptualizing capacity as containing administrative, informational and public service aspects, we compare the two countries to find that capacity appears to be converging. While recent reforms in Ukraine develop aspects with universalizing effects, some aspects with a stabilizing effect – health care – are still better in Belarus.

ARTICLE HISTORY

Received 1 July 2019
Accepted 14 April 2020

KEYWORDS


Social and political orders; administrative reform; state capacity; public; service provision; democratisation

Introduction

The power and capacity of the state play a crucial role in the stability of socio-political orders. Decades of theory building and empirical research have established that some state capacity is crucial for democratisation to succeed while, at the same time, authoritarian regimes are more stable when the state has sufficient capacity (Fortin 2012; Huntington 1968; Lipset 1959; Way 2005). An important, yet unresolved question is, what aspects of state capacity have effects supporting democratic opening and what aspects support the stabilisation of existing social and political orders. This article sets out to address the puzzle of state capacity contributing to both democratisation and authoritarian persistence by investigating how different elements of state capacity have different effects, each contributing to different political and societal dynamics in the cases of Belarus and Ukraine.

The capacity of a state is defined by its ability to set and enforce collectively binding rules (Börzel and Risse 2010; Fritz 2007; Krasner and Risse 2014, 548). This capacity is embedded in the state's monopoly on the means and use of violence on its territory –

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¹ Supplemental data for this article can be accessed at <https://doi.org/10.1080/21599165.2020.1756783>

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the classical condition of statehood defined by Weber (1968), and manifested as infrastructural power – “the capacity to implement logistical decisions within the realm” (Mann 1984, 113), which allows it to provide public services, a major *raison d’être* of modern states.

Between controlling violence and providing public services, different levels and kinds of state capacity enable and constrain the trajectories of political and economic transformations of socio-political orders. The effects of state capacity on transitions from socio-political orders where only privileged elites have access to institutions, services and economic opportunities (limited access orders or LAOs) (North, Wallis, and Weingast 2009) to orders where access is impartial and eventually near universal (open access orders or OAOs) are complex. First, transitions to OAOs typically happen from *mature* LAOs that already features a relatively large set of differentiated organisations. These organisations, however, do not operate independently from the state in LAOs and are not universally accessible. Yet their existence already implies a considerable degree of state capacity. Second, a considerable degree of state capacity is necessary to *manage* a transition towards an OAOs, because new rules need to be created and enforced and the consent of losers from the transition needs to be secured. Third, the degree of state capacity affects the demand for transition. When a state is capable of providing essential public goods and services, including peace and security, the societal pressure for change is lower, which removes incentives for elites to negotiate transitions to OAOs. Four, the “dark” side of state capacity is related to the ability of the state to track dissent and suppress societal protest and demands for opening. All these potential effects play out simultaneously, which makes the total impact of state capacity on the likelihood and trajectories of societal transformations contingent, hard to estimate and impossible to predict.

To contribute to understanding how state capacity can inhibit or support transitions from LAOs to OAOs, we distinguish between *stabilising* and *universalising* effects of state capacity. Stabilising effects of state capacity are those that allow the state to make and enforce its rules and policies (including repressing dissent), acquire and re-distribute resources and provide public services. Universalising effects provide opportunities for broader access for various groups or individuals to state institutions and support societal organisations in monitoring and participating in governing. Starting from a low level, a state can increase its state capacity by strengthening elements that have stabilising effects only, and this might actually inhibit transitions towards OAOs. However, achieving a very high level of state capacity requires the development of capacity elements with universalising effects as well, because they provide the variety of inputs and interactions states needs in order to identify societal problems and develop sustainable solutions. And once these universalising aspects are introduced, they might have the effect of promoting further political and economic opening. Once societal organisations gain a foothold in state institutions and processes of governance, they can use it to secure more equal access to political opportunities and economic resources.

To examine the divergent effects of universalising and stabilising effects of state capacity, we need to revisit the way state capacity is operationalised and measured. Many existing operationalisations focus on a single aspect of state capacity, such as tax collection or, more recently, on the state’s monitoring and collection of information (D’Arcy and Nistotskaya 2017; Brambor et al. 2019). These elements of state capacity are no doubt important, but they have predominantly stabilising effects. We develop a

more comprehensive operationalisation that distinguishes between three broad dimensions: the capacity to administer, to extract and monitor, and to provide goods and services (cf. Mann 1984; Fritz 2007, 30), and we identify whether aspects belonging to these dimensions have mostly universalising, or stabilising effects (or both).

We apply this conceptualisation to the cases of Belarus and Ukraine for the period 2015–2019. These are paradigmatic cases for the interplay between state capacity and politico-economic opening: Belarus represents post-communist stagnation, but a case preserving high state capacity¹ and Ukraine, a case of pluralistic, but patrimonial state with weak capacity. The two countries sharing similar conditions in the early 1990s, yet followed different trajectories of societal, political, and economic transformations since. While Belarus has remained an authoritarian regime with a state-led economy and limited political freedoms, Ukraine has experienced political opening, but also huge economic, geopolitical and social upheavals. Elite competition over the shape of the state (Grzymala-Busse and Jones Luong 2002) has led to significant variation in emerging state institutions and aspects of state capacity. Studies have pinpointed Belarus as *the ultimate authoritarian regime* deriving legitimacy from maintaining a Soviet-style welfare state (Cook 2007; Fritz 2007, 103; Haiduk, Rakova, and Silitski 2009; Way 2005). Ukraine has, until a couple of years, been a byword for a dysfunctional state facilitating rent extraction, or ineffective governance due to unsuccessful reforms (Fritz 2007, 176). Recent surveys showed citizen trust in the Ukrainian state was some of the lowest in the region: in 2015, a miserly 7% of Ukrainians felt their state fulfils obligations towards citizens and provides them with goods and services (Berenson 2018, 261).

Having applied our novel conceptualisation of state capacity to Belarus and Ukraine, we investigate current levels of state capacity based on a variety of data sources, documents and elite interviews. Then we revisit the possible effects of the different dimensions of state capacity on their politico-economic transformations. We find that Belarus indeed has higher state capacity when it comes to several elements that have stabilising effects, but this does not extend to elements with universalising effects, which impedes administrative coordination and lessens the ability of the administration to implement policies. We also find some evidence that the stabilising effects contribute to the durability of its LAO. At the same time, for Ukraine, the overall decline of state capacity, and the weak elements with stabilising effects in particular, impede progress towards OAOs, despite the launching of recent wave of public administration reforms.

State capacity: theoretical and conceptual issues

The infrastructural capacity of the state

Mann's (1984) distinction between despotic power of oppression: "the range of actions which the elite is empowered to undertake without routine, institutionalised negotiations with civil society groups" (113), and infrastructural power (capacity to enforce rules and policy throughout the territory) has been used by many scholars exploring state capacity. When considering operationalisation, however, the overlap between the despotic and infrastructural aspects is a challenge, as for example, army or police forces may serve for oppression or support rule implementation. Mann's ideal types of state power or, state capacity, are present in a different mix especially in hybrid regimes and

unconsolidated democracies. In other words, distinguishing which aspects of state capacity contribute to oppression and which to stability is not a trivial task.

The analysis that follows focuses on state capacity for policy and services rather than capacity for repression (Mann's despotic power), while recognising they both play a role in regime stability and change. Border control and control of the means of violence within these borders remain, of course, another necessary condition not only of state capacity but of statehood itself.² The choice to empirically assess aspects of state capacity that belong to Mann's infrastructural power domain is linked to our intent to explore the notion that authoritarian regimes with strong state capacity remain stable by delivering good public services.³

Stabilising and universalising effects of different aspects of state capacity

As established by numerous historical analyses and theoretical debates, state development and democracy do not emerge simultaneously. Pathways to equal access to public goods and institutions and democracy are not identical either (Mungiu-Pippidi 2020). One of the implications of this misalignment is that reforms improving state capacity, in the short run, may have *universalising* or *stabilising* effects, which may either enhance (democratic) opening or hinder it.

In our definition, *universalising* effects of state capacity stem from existing rules or specific reforms which provide broader access for various groups or individuals to participating in state institutions and the processes of government. Examples are rule of law supporting measures, merit-based bureaucracy, and transparency. It is important to note that even if a state universalises to some extent access to its institutions and government processes, this does not automatically lead to an OAOs, for the existence of which free political competition and equal access to economic resources remain essential. But once access to government is universalised, this *might* promote further openings in the political and economic spheres.⁴

Rule of law has been understood since the ancient Greeks and Romans as essential for government (Mungiu-Pippidi 2020, 92–93). In North et al.'s perspective (2009, 150–181) rule of law was initially created by competing dominant elites to ensure their rights, but did not immediately create legal systems as we know them in developed Western democracies. However, even partial improvements in applying laws in more impersonal manner would have a universalising effect on the political and social order.

Meritocratic bureaucracy makes a significant difference for limiting corruption and by extension, strengthening the state (Charron et al. 2016). Appointment via open competition is typically an element of administrative reform that builds and supports meritocratic bureaucracy. Other elements are training schools, legally defined and separated political and administrative positions, career systems. The presence of a meritocratic and professional bureaucracy increases both effectiveness and efficiency, but also, in North et al.'s terms, contributes to opening access to institutions and public services.

Another universalising effect of administrative reforms relates to citizen access to information and transparency, two closely related aspects. Access to information laws, open databases, online services and elements of e-government mostly open access to government, allowing citizens to monitor this access themselves. This is not, however, true of all

elements of informational infrastructure, some of which can be used for following citizens and repression and therefore play a stabilising role for authoritarian regimes.

As states mature, they need higher state capacity to handle more complex tasks and a greater range of credible commitments (North, Wallis, and Weingast 2009, 74). Building on this, we propose that aspects of state capacity that increase rulers' ability to handle tasks have mostly stabilising effects. *Stabilising* effects of (aspects of) state capacity can therefore be defined as those increasing the effectiveness of rule-making and enforcement without necessarily opening access to institutions. These aspects can include, among others, extension of public services, improvements in coordination between administrative units, organisational improvements, development of government crisis responses. As discussed in the literature, such reforms improving capacity would also be stabilising for developed democracies and, conversely, their absence could undermine the functioning of the political system (e.g. Fortin 2012).

Efforts to get a handle on their subjects and their environment, have developed with the emergence of states, involving activities as wide ranging as the creation of permanent last names or the establishment of cadastral surveys and population registers (Scott 1998, 2). For centuries, information has been a condition for states to be able to control their territory and citizens, whether for despotic or policy purposes (Scott 1998). Cadasters have emerged as a tool of state monitoring (D'Arcy and Nistotskaya 2017). Information infrastructure can, therefore, be used for opening access to institutions to citizens, but it can also facilitate state control and repression. It is becoming even more important in today's world with new technologies allowing face recognition, biometric data collection, and unified personal data registries. In some cases, the inability of states to maintain informational infrastructure limits citizens' access to other services: without a passport or birth registration, citizens cannot travel, provide evidence of property ownership or receive health services. Informational infrastructure, therefore, can be seen as contributing to both stabilising and universalising state capacity.

Based on this reasoning, our analysis qualifies the different elements of state capacity and its upgrade through reforms, suggesting they might have different potential effects on opening of access to institutions and resources: first, universalising reforms increasing access to all to institutions and services, second, stabilising reforms increasing the efficiency of rule-making, enforcement or service provision.

Key dimensions of state capacity: extraction, administration, monitoring, and services

The broad literature measuring state capacity has already identified a number of its key dimensions: capacity to extract, capacity to administer and capacity to deliver basic public services. Given the discussions above on the role of informational infrastructure, we add informational infrastructure – information gathering and processing as an essential aspect of state capacity (Brambor et al. 2019; Lee and Zhang 2017) as a separate dimension. Each of the dimensions that we discuss below can have universalising or stabilising effects, or both.

Extractive capacity, the ability to collect taxes over a territory is seen by many as a key component of state capacity (Fukuyama 2013; Berenson 2018; Lee, Walter-Drop and Wiesel 2014, among others). Studies of state capacity often use extractive capacity as a

key indicator for state capacity (cf. Fortin 2012; Lee, Walter-Drop and Wiesel 2014). However, extractive potential and actual extraction rates usually differ. In addition, high levels of extraction do not necessarily translate into actual efficient use of tax revenues, as corruption, inefficient transfers or inefficient administration may intervene (Fukuyama 2013). Furthermore, taxes collected are not always equivalent to all finances available as some may also come from exploitation of natural resources, external actors or private donors (e.g. the EU, businesses). Nevertheless, without some level of resources and the capacity to extract them, few aspects of statehood can be realised.

Another key aspect of state capacity is related to public administration. While influential studies such as Bäck and Hadenius (2008) and Charron and Lapuente (2010) use Quality of Government indicators such as “bureaucratic quality” and “corruption control”, we find it useful to disaggregate these indicators and look specifically at public administration. For one, the independence and impartiality of civil servants (merit-based hiring or independence in the functioning of civil servants) is a key condition for the quality and effective functioning of governments (Rothstein 2013; Rothstein and Teorell 2008). Hiring according to merit is the opposite of patronage systems where personal and political criteria determine entry into the administration (Schuster 2017). It has been found to have a generally positive effect on state capacity and reduce corruption (Charron et al. 2016). It is a measure that makes access to important organisational resources more universal and impersonal. The introduction of laws or other measures ensuring independence of administrative or judicial institutions has *universalising* effects through the broadening of the groups and individuals that can work for the state.

The existence of an administration organisationally capable of planning, coordinating and implementing policies is a condition *sine qua non* for state capacity. The design of administrative structures, together with human and technological resources are among the main factors affecting public policy outcomes (e.g. Berenson 2018, 256–257). Coordination between government units and the availability of coordination procedures is crucial for the implementation of policies (Dimitrova and Toshkov 2009). Improvement of coordination has stabilising effects as it does not require openness, but increases effectiveness.

Arguing for a separation of state capacity from the quality of administrations and from other aspects of political regimes, Fukuyama (2013:, 8) suggested that we could also measure state capacity via public services related to some functions common for all states. In line with his reasoning, we choose to include basic public services in our assessment of state capacity, as the level and scope of service provision is important for citizen perceptions of the state and for its stability. Providing public services at a good level clearly has *stabilising* effects for both democracies and autocracies. At the same time, when a larger share of the population gains access to resources through the provision of public services by the state, this also has *universalising* effects, although of a kind that differ from universalising access to government processes and institution.

It is important to remember that while we separate politics and state capacity for the purposes of understanding levels of state capacity, the levels of public service provision obviously depend on political choices how to distribute available resources. Even within the same regime type, political programmes of governments in power make a difference for the levels of public service provision.⁵

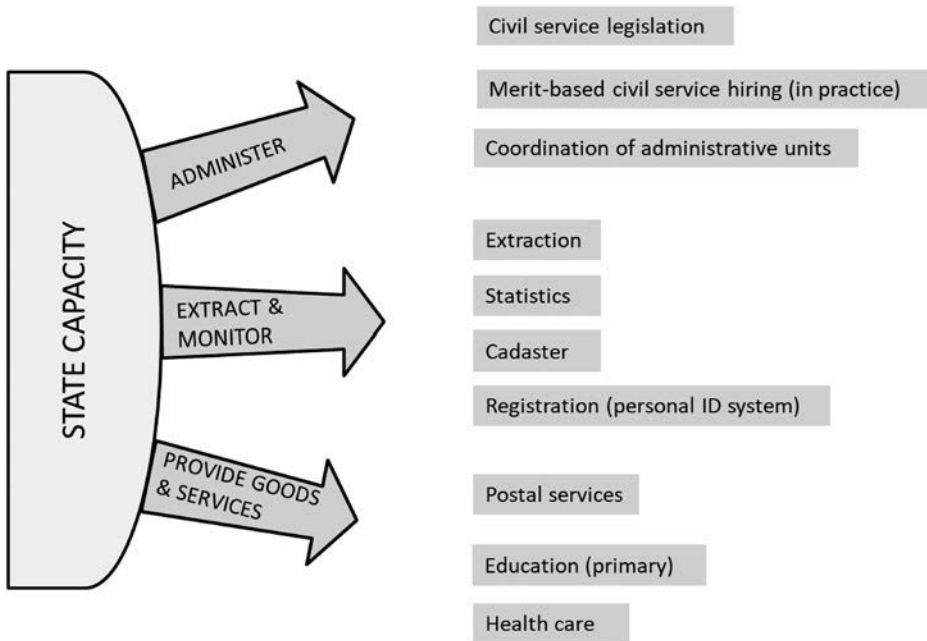


Figure 1 Aspects and components of state capacity.

Another caveat is that the provision of public goods and services does not depend only on administrative capacity, but on other context-dependent conditions and on the input of stakeholders and society at large. While non-state actors may contribute to public service delivery, they might also diminish it, by using state organisational resources to extract rents and maintain power. Figure 1 represents the dimensions of state capacity that we investigate.

State capacity's interplay with democracy

Among the huge literature on the relationship between political regimes and state capacity, a stream of work has emerged empirically testing and confirming Huntington's sequencing argument suggesting that building strong states has to precede democratisation. The opposite sequencing (first democracy, then strong state) is problematic because democracy cannot survive when collective goods and services are not provided (Huntington 1968). This argumentation fits with North, Wallis, and Weingast's (2009) ideas of the transition to open access order taking place only in the presence of a mature state able to sustain a variety of organisations. When transitions to open access order (more universal access to public institutions and services) takes place, public organisations multiply, as they can develop based on impersonal rights. In other words, state capacity can be viewed as increasing further when societal organisations grow. This fits with the insights developed across different academic disciplines.

Migdal's (1988, 9) work on developing countries showed that state penetration of society (to make rules) does not bring about goal oriented social changes when state

development is driven only by powerful elites and civil society remains underdeveloped. Economists Acemoglu and Robinson (2019) similarly argue that “both state and society must be strong” (xv) to achieve a fine balance between protection of rights and freedom from despotism. They propose the metaphor of a “narrow corridor” designating the path towards liberty, wherein societies avoid oppression by strong, but despotic state and at the same time do not fall victim to the violence and lawlessness prevailing in places with weak states (xvi).

Political science analyses of the role of the state in regime change – both comparative (Linz and Stepan 1996; Fritz 2007) and large-n studies (Fortin 2012) – have found that state capacity is crucially important for democratisation. In general, high levels of state capacity, when available, help democratising countries to become more democratic. However, the relationship between state capacity and regime change is curvilinear: in early stages of democratisation, transformation leads to a drop of state capacity and quality of government in general (Fortin 2012; Bäck and Hadenius 2008; Charron and Lapuente 2010).

This does not mean that all autocracies have high state capacity to begin with. For example, there is evidence that after the USSR’s disintegration consolidated regimes – both authoritarian and democratic – tended to spend a larger share of GDP on health and education than unconsolidated regimes (Fritz 2007, 103).

Furthermore, state capacity cannot be assessed only in terms of spending on public services. Melville and Mironuyk challenge the notion that autocratic regimes have high state capacity (2016, 133–134). Investigating countries of the post-Soviet region, they argue that high levels of state capacity and quality of institutions are, in fact, rarely seen among them. Instead, they propose a curvilinear relationship between quality of institutions and rent extraction. If revenues are not sufficient and depending on the size of the available economic rents (for example from natural resources), an autocrat might be moved to improve institutions (2016, 136–137). Yet in regimes where an autocrat is a monopolist on rent extraction, bad institutions will serve to maintain this monopoly, ensuring there is “bad enough governance” (2016, 138–139; see also Gel’man 2017). Furthermore, there is growing body of evidence showing that, in general, higher level of democracy increases state capacity (Carbone and Memoli 2015; Grassi and Memoli 2016).

D’Arcy and Nistotskaya challenge the notion of high state capacity autocracies from a different perspective. Starting from the rational choice theoretical insight that the state is a key solution for collective action problems (Ostrom, 1998, 1), they emphasise that democracy is *the* solution to the problem of (too much) monitoring powers of the state (D’Arcy and Nistotskaya 2017, 194–195). Using cadastral data on land and land ownership, they explore the relationship between state capacity and democracy. They find that state capacity (monitoring and enforcement) historically preceded democracy and facilitated it (2017, 198–200). The reverse is also true: if low capacity democratic states cannot override free-rider tendencies, then democracy becomes stuck with a low level of public goods provision, creating a vicious circle (D’Arcy and Nistotskaya 2017, 204–205).

From these varied studies we can conclude that (high levels of) state capacity supports regime stability regardless of the regime type. Nevertheless, we do not know whether all aspects of state capacity support authoritarian regimes. Based on the above arguments, we expect that some aspects of state capacity – in particular, the ones related to surveillance and control of society – might hinder opening, while others – for example related to the rule of law – can promote it. As this article aims to distinguish between universalising

and stabilising effects of state capacity, in the next section we offer a detailed discussion of state capacity components.

Research design

The theoretical and conceptual discussion above makes several major points. First, state capacity has multiple dimensions that cannot be captured by single indicators that focus on particular elements such as tax extraction or data collection by the state, the importance of these individual elements notwithstanding. Second, each of the dimensions or elements of state capacity can have stabilising or universalising effects (or both). The introduction of rule of law and merit-based bureaucracies tend to universalising effects, while strengthening extractive and monitoring capacities tends to have stabilising ones. Broad provision of public services can have both types of effects. Third, these effects of state capacity might work to promote or hinder transformations from (mature) LAOs to OAOs, but they remain analytically separate from the definition of the orders themselves. Based on the ideas of Melville and Mironuyk (2016), that rent seeking elites strive to achieve “bad enough governance” to allow them to extract rents, we can expect that when specific state capacity elements develop to a point where they create systematic possibilities for opening access to hitherto closed institutions, rent seeking elites would resist and sabotage reforms.

To study these possible effects of state capacity we need a new, more comprehensive operationalisation strategy that goes beyond the use of a small number of indicators. In this article we develop such a strategy (see below) and apply it to provide new, qualitative assessment of the different dimensions of state capacity in Belarus and Ukraine. We then proceed to examine, inductively, the possible effects of the different dimensions of state capacity on the transformation trajectories of the two socio-political regimes. The choice to focus on Belarus and Ukraine is driven, first, by the divergent transformation paths they have experienced, despite similar starting conditions and, second, by the important place of these cases in the literatures on democratic transitions and state capacity.

Our discussion of the possible effects of state capacity on socio-political transformations is illustrative rather than theory-testing, which is appropriate given the highly contingent nature of the effects we anticipate. To establish such effects, we seek both direct evidence from interviews and document analysis, and we examine covariational patterns between state capacity and the stability of regimes in the two countries over the past years. In the next section we outline in more detail our data collection and operationalisation strategies.

Operationalisation and data sources

The creation of laws on public administration and the civil service has been a starting point for the reform of the administrations in many post-communist states (Dimitrova 2002).⁶ Legislation affects provisions for hiring and firing, career systems, level of coordination and civil service involvement in policy development (Verheijen and Rabrenovic 2000, 410–418). During the EU’s last enlargement, the key principles and baseline criteria for public administration reform were defined by the OECD (SIGMA 2016). Coordination, as

discussed above, is a key aspect of state capacity as is informational infrastructure including statistics, registration (citizens, demographics, companies) and cadaster.

Using a set of questions guiding the gathering of quantitative and qualitative data, we assess the aspects of administrative, extractive, informational capacity and public services. The questions have guided our country experts in drawing on various national and international sources of data such as existing assessments by international organisations, national statistics and surveys, and expert interviews in Belarus and Ukraine. We used a combination of standard sources to assess state capacity (e.g. World Bank, UNDP, National Statistical Offices) and interviews to be able to place the statistics in appropriate context and understand the reforms and policies better. More information about data sources and list of interviews is available in the Supplementary material online.

On the administrative capacity side, we seek to identify levels of state capacity by focusing on: (1) the availability of a strategy for administrative reform and plans for its implementation; (2) legislation on the administration and on the civil service, defining their neutrality and political independence; (3) coordination of government at the central level, (4) merit based, transparent recruitment and dismissal procedures. Regarding informational infrastructure, we investigate to what extent states perform basic functions regarding citizen registration, issuing of personal documents and the creation of identification databases for identity documents, cadaster and property transactions, we examine:⁷ (1) statistics; (2) issuing of personal documents; (3) land registry (cadaster);⁸ Last but not least, we select some key public goods and services and assess:⁹ (1) postal services; (2) health care; (3) (primary and secondary) education.

Assessing state capacity

In this section, we present the assessment of state capacity in Belarus and Ukraine based on sources covering the period 2015-2019. We first discuss each of the two countries separately, and then we compare their trajectories.

Belarus

Capacity to administer

Belarus adopted a Law on the Civil Service in 2013, frequently revised since that time (Belta 2017). The Presidential Administration is *de facto* in charge of personnel management in the civil service. However, in the absence of clearly defined scope and principles of public administration, public bodies are overwhelmed by *ad hoc* orders and requests from above (Ramasheuskaya, Filippov, and Mordosevich 2018).

Belarus has a presidential political system and the Council of Ministers is the “executive arm” of the President, subordinated to the Presidential Administration, from where all policy initiatives and directions originate. There are a relatively large number of ministries (24) and state committees (7). The functionally weak Council of Ministers cannot act as a strong executive centre of government and coordinate the ministries.

Political interference permeates the public administration in Belarus. The Council of Ministers is *de facto* deprived of any independent policy-making role. All appointments in the civil service in Belarus are *de facto* political. While merit-based recruitment is possible based on the relevant provisions in the law, in practice the hiring process is left to

hiring managers, mostly the heads of individual organisational units. Most positions within the civil service are filled through direct appointments rather than open competition. Advertising open positions is the exception rather than the rule. Civil servants work on the basis of limited-term contracts.

Capacity to extract

While retaining much of the otherwise unreformed state apparatus, Belarus has succeeded in developing an effective fiscal system (Fritz 2007). Taxes form 25% of GDP, or 83.2% of the consolidated budget. The level of professionalism and reputation of the Ministry of Taxes and Duties and its offices is perceived as adequate (Research Centre IPM 2018). The World Bank's Doing business indicator puts Belarus in 99th position for the "Paying Taxes" criterion. In comparison with the rating's leaders, taxes in Belarus are quite high, and paying them takes more time than in the other countries of the region (World Bank 2019). It has recently become possible to submit tax returns online.

Informational infrastructure

The National Statistical Committee is responsible for national *statistics* collection which is regulated by a special law (adopted 1997, amended in 2004, 2008, 2009 and 2016). The National Statistics Committee has data exchange agreements with other government agencies. The system of data collection is partially digitalised and centralised into a Unified Information System of State Statistics. The move towards adopting international standards for data collection is ongoing: since 2016, Belarus employs the most recent internationally used System of National Accounts (n.d, SNA). In 2017, however, Eurostat reported limited national resources to ensure the quality of disseminated NA data, certain problems with users and statistical discrepancies in GDP data (EC, Eurostat 2017). By contrast, the World Bank assesses the statistical capacity of Belarus as quite good, scoring at 87.8 out of 100 (World Bank 2019).

Belarus has no general integrated personal identification system. Various ministries maintain different databases, some of which are digitalised and most appear to be up to date. Issuing personal documents is relatively efficient. Depending on the type of document, it takes from one to 30 days. Applicants are required to provide an expanded set of additional documents from different institutions.

Belarus has a well-functioning land cadastre administered by a state agency. It is reliable and accessible through a mobile application. It should be noted, however, that only 7% of the total land in Belarus is in commercial circulation. In terms of D'Arcy and Nis-totskaya's conceptualisation (2017), the cadaster system can be given a high score, meaning "a cartographic cadaster, covering more than 75% of the territory of the modern state".

Provision of public services

Belarus commits to a wide range of public services, many of which are mentioned in the Constitution, and as such is a textbook example of a shallow, but broad state based on the Soviet model. The delivery of some key public services: health care and education, however, is at a relatively high level.

The Belarusian state guarantees the right of *education*, in general, and provides free secondary education to all citizens in the Constitution. Despite the country's relatively high

scores in literacy and secondary education, experts note the secondary school system is outdated and supplemented by private tutoring for secondary school graduates.

In 2018 Belarus participated in OECD's Programme for International Student Assessment (PISA) for the first time. The results showed that "students in Belarus scored lower than the OECD average in reading, mathematics and science" and "a smaller proportion of students performed at the highest levels of proficiency (Level 5 or 6) in at least one subject" (OECD 2019).

Access to *health services* is universal and free of charge. All primary care facilities are owned by the state. However, experts suggest that despite officially public healthcare, in practice citizens increasingly pay for services (Vitushka and Вітушка 2017). This option is officially sanctioned, allowing citizens to cut waiting times or get treatment outside of the territorially assigned healthcare provider. Significant co-payments exist predominantly in pharmaceuticals, dental and optical care.

From an organisational point of view, the national system of health care is heavily centralised and hierarchical. Priority setting and policy development take place through a centralised process in which the Ministry of Health is the key actor, with no societal stakeholders involved (Richardson et al. 2013). A World Bank commissioned audit of hospital treatment in Belarus concluded that there is a significant potential in increasing the effectiveness of public money spending on health care. For example, Belarusians spend more time in hospitals in comparison with OECD countries, and call more often for emergency services because of a less developed ambulatory system. In 2016, Belarus spent 6,32% of GDP on health care, compared to 6,67% in Lithuania and 6,73% in Ukraine (WHO).¹⁰

Postal services in Belarus are generally in a satisfactory condition, as attested in a positive assessment from the Universal Postal Union, although there are some problems, for example, with parcels from abroad, time spent by consumers in the post office and lines, closure of post offices in the rural area.

Summary

Fortin (2010, 667) has described Belarus as an "*archetypical example of inconsistency*": in some areas such as taxing capacity it gets top scores, yet offers inadequate protection of property rights and has not implemented infrastructural reforms. Yarashevich (2014) has labelled Belarus's political and social order as "distributional authoritarianism", while Wilson (2016) stresses "*the regime is spending on social goods to maintain baseline popularity and keep the level of coercion lower than it would be otherwise*".

The summary presented here confirms this view but also supports our idea that different aspects of state capacity have different effects. Based on the distinction we introduced between *universalising* and *stabilising* aspects of state capacity, we find that aspects such as education and health care, fare well and provide stability and some level of citizen satisfaction. According to a nation-wide opinion poll in 2018, more people were satisfied than dissatisfied with health care and education (NAS 2018) (Figure 2).

Other *stabilising* aspects have undergone upgrades: services such as land registry (cadastre) or statistics are linked to electronic systems that lessen openings for corruption. Aspects which have a *universalising* effect such as merit-based hiring in the civil service score less well. Administrative capacity is strongly affected by extreme politicisation linked to the authoritarian features of the political system. Impartiality of civil service is

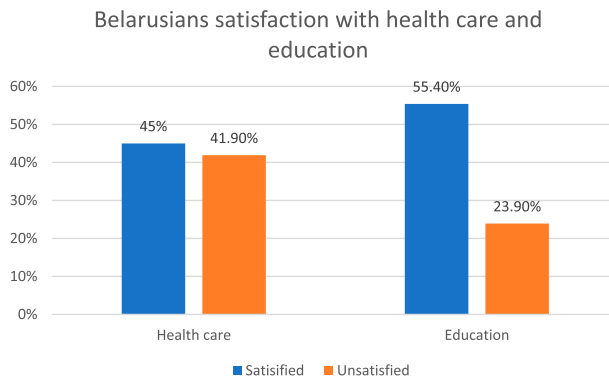


Figure 2. Satisfaction with health care and education in Belarus, 2018. *Data source:* National Academy of Science (NAS) of Belarus, national opinion poll 2018.

low. Policy-making is *de facto* in the hands of the President and his administration. Policy coordination is also weak and is worsened by the – sometimes inconsistent – interventions by the presidential administration on specific policy issues.

Ukraine

Capacity to administer

In line with the analyses of state capacity weakening in democratisation, Ukraine's state capacity had dramatically declined in the last decades. State structures had become colonised by and incorporated into informal networks of political, administrative and business elites (Leich 2016, 21). Rent seeking, patronage and large-scale corruption¹¹ limit the ability of the administration to plan, implement and enforce much-needed reforms (Kudelia 2012).¹² In the last few years, however, new reforms have been initiated, aiming to increase the access of new actors on the political stage. These reforms have received a crucial impetus through EU guidance and assistance. The EU engaged in "state-building" driven initially by the necessity to create capacity for implementing Ukraine's Association agreement, but soon the general purpose of securing and strengthening the Ukrainian state became a goal in itself.¹³

Decentralisation, an extremely important set of reforms of territorial organisation and powers, has been set in motion, providing an impetus for regions to cooperate, merge and even compete. While the first steps of the decentralisation reform package have been successful and promising, further steps are slow and not all regions are participating in the restructuring (Jarabik and Yesmukhanova 2017; NISPAcee 2016, 5–6).

After several false starts, Ukraine adopted a law on the civil service in 2016. A comprehensive Strategy for administrative reform was launched in 2017. In addition, a broad range of sectoral reforms has been initiated, as well as ministerial restructuring in 10 pilot ministries.¹⁴

EU support and expertise provided a key impetus for the launching of a pilot scheme for the reorganisation of ministries. The scheme involved creating new structural units – general directorates – and new positions: state secretaries (De Groot et al. 2019). This re-structuring aims to both differentiate *political and administrative positions* and to

optimise functions. However, the weak coordinating role of the Council of Ministers and the Prime minister's office in relation to the line ministers hinders the implementation of the pilot scheme.¹⁵ There is still considerable duplication of functions within ministries and on the local and regional level.

Further EU-supported reforms have aimed to increase the motivation and professionalism of civil servants. The EU has created a unique model of integrated internal and external reform architecture by encouraging the hire of new experts in a competitive procedure and supporting salaries in the so-called Reform Staff Positions (RSP). More than 600 civil servants have been already appointed under this scheme, 30% of these from outside the administration via open competitive procedures (De Groot et al. 2019). In 2018, a new performance assessment model for assessing the results of the work of civil servants was developed.

If sustained, these reforms clearly belong to the category of *universalising* measures. However, it is too early to assess the effectiveness of the changes. Informal competition between political forces and their representatives within the ministries hinders the proposed restructuring and the functioning of the newly appointed state secretaries. Despite the potential for increased efficiency, universalising reforms are resisted, in line with Melville and Mironuyk's reasoning that certain types of dominant elites prefer "bad enough governance" (2016, 138).

Capacity to extract

Until a few years ago, Ukraine had a large shadow economy, comprising 30-50% of its GDP (Dubrovskiy 2015). Ukraine's score for tax in the World Bank's Doing Business indicator is relatively low at 65.

Berenson's (2018) study of tax collection in Ukraine similarly found low levels of tax collection in Ukraine, lagging behind not only Poland, but Russia as well. According to Berenson's framework, Ukrainian capacity to extract taxes is unsupported by either coercion or trust.

However, there have been changes: through a very recent set of measures the EU and the IMF have monitored and supported tax collection improvement. In 2017, tax revenue consisted of 27.8% of the country's GDP, which is comparable to that of some EU countries (CASE Ukraine 2019).

In 2018, an assessment of the State Fiscal Service (SFS) conducted on the initiative of the EU's Support Group for Ukraine (SGEU), found progress in several areas. The EU assessment noted that "an increase in tax collection helped the authorities reach a consolidated government deficit of 2.3 percent of GDP in 2016 compared with a 3.7 percent deficit target agreed under the IMF program". Taxpayers file more than 90 percent of declarations on time for all core taxes, except "pay as you earn" (PAYE) and they make more than 90% of their payments on time (EU Performance Assessment Report).

Informational infrastructure

The activities of Ukraine's State Statistics Service are guided by the Council of Ministers and the Ministry of Economic Development and Trade of Ukraine. The overall quality of the national statistics is considered moderate, but improving (Laux et al. 2017). Some experts claim, however, that data published by the State Statistics Service does not reflect the real situation in some areas (i.e. agriculture) (Zhuk, Melnychuk, and Bezdushna

2016). Regarding harmonisation of the Ukrainian statistical system with international standards, the assessment is that Ukraine has made progress, but there are still some outstanding issues, including legal harmonisation.

A new personal identification system was introduced in 2012. The issuing of new personal documents is considered relatively well-organised, although there are occasional reports about bribes paid for speeding up service delivery.

There is a recently updated, comprehensive and reliable land cadastre in Ukraine, evaluated by the World Bank as one of the best in the world (Landlord 2017).

Provision of public services

A recent innovation which directly affects citizens' lives is the creation of a network of 778 administrative *Unified Service Centers* (USC) (one-stop shops). In 2018 the number of operational centres has grown and the range of services they provide has been increased, with some services digitalised. Still the provision of e-services is not wide-spread or increasing fast (Liah 2018).

The main provider of *postal services* in Ukraine, the state postal service *UkrPoshta* has been described as unprofessional, beset by overregulation and low salaries. There have been complaints of unfriendly personnel and constant queues (Rosik 2016). Recently, service improvement has been introduced via competition: a number of private postal services have started operating: *Nova Poshta*, *InTime*, *Meest Express*, *Autolux*, *Delivery*, *Night Express*.

In 2016 Ukraine spent 5.7% of GDP on *education* of all types (Ruda and Repko 2017). Primary and secondary education are compulsory and free. Adult literacy rate (age 15 and above) is high (99.8% according to the CIA Factbook 2018 and 100% according to HDI). The poor condition of school buildings, lack of textbooks and educational materials are reported as the most serious problems of education in Ukraine. Access to school education in rural areas has also become an issue, as some schools have closed as a part of an optimisation process (Government Courier 2017).

Ukraine's *healthcare* system is still to a large extent inherited from Soviet times. It remains one of the most corrupt sectors in the country (CSI 2017). According to the agency *Rating* poll, almost 70% of Ukrainians were dissatisfied with medical services and 55% said that the quality of medical services has been worsening in the last two years (Rating 2016). In addition, while there are no problems with access to primary care in the capital and big cities, people living in rural areas cannot easily access care, also due to the deterioration of public transport and roads (Grytsenko and Smirnova 2017).

Summary

Ukraine's state capacity is being upgraded with EU's assistance and emphasis on universalising reforms. Steps towards impartial public administration have been formally taken from 2016 on. Improvement of coordination and de-politicisation is sought with the creation of state secretary positions. Resistance to some of these reforms, however, suggests that political interference by elites interested in preserving their dominant position remains high and may render *universalising* reforms ineffective.

The relationship with the EU and the need to implement the Association Agreement are providing the main impetus for reform, including the creation of reform teams and

supporting service delivery reforms in several areas such as e-government, registrations and open data.

Administrative capacity needs some improvement in the area of statistics, but the land register has been successfully modernised and provides a very good service. Other services and sectors vary: while healthcare is perceived as drastically in need of reform, postal services are well-developed through a combination of private services and *UkrPoshta*.

The annexation of the Crimea and ongoing conflicts in the Luhansk and Donetsk regions remain, however, an open wound of limited statehood and a major challenge for the functioning of the Ukrainian state.

Comparing state capacity in Belarus and Ukraine

Viewing the snapshots of state capacity in Belarus and Ukraine through a comparative lens we gain some unexpected insights. Several broad similarities and differences become apparent.

A key similarity is expectation of broad service provision by citizens, rooted in past legacies and commitments enshrined in constitutional provisions. Despite the expectation that the level of resources directed at public services in Belarus and Ukraine would be very different, some areas show remarkable similarities. For example, neither country differs very much from EU member states in the percentage of resources devoted to education. Literacy rates are also very similar (see the overview in [Table 1](#)).

Looking at the 2018 PISA results, however, Belarusian students demonstrated higher achievements in all three evaluated spheres compared to their Ukrainian counterparts, although the difference in science scores was small.

Land registry and personal document services are in good shape in both countries, contributing to stabilisation as both service provision aspects fall in our *stabilising* category. The situation with personal documents is also comparable, except for the serious problems with missing personal data from the occupied territories in Ukraine (Solodko 2017), the latter another symptom of limited statehood in the separatist controlled areas.

The most significant differences among the aspects we explored were in health care. While expenditure for health care has become more comparable in recent years, (measured in % of GDP), life expectancy and especially (lower) infant mortality are still much better in Belarus, suggesting better health care provision.

Table 1. Education and health related statistics.

	Belarus	Ukraine	Europe and Central Asia
Population with at least some secondary education (%)	91.9%	95.1%	81.2%
Expected years of schooling (years)	15.5	15.0	14.1
Government expenditure on education (%GDP)	5.0%	5.9%	4.3%
Literacy rate, adult (% ages 15 and older)	99.6%	100%	98.2%
Mean score reading	474	466	487
Mean score mathematics	472	453	489
Mean score in science	471	469	489
Life expectancy at birth (years)	73.1	72.1	73.4
Current health expenditure (% GDP)	6.1%	6.1%	4.9%
Mortality rate, infant (per 1000 life birth)	2.9	7.8	15.7
Adult mortality rate (years) (per 1000 people)	Female 90 Male 261	NA	Female 85 Male 128

Data sources: UNDP, HDI 2018 and OECD PISA Belarus and Ukraine country profiles.

Some similarities in health care systems remain: both countries report a two-track system in which private care compensates for inadequacies of public health care. In both countries there are remnants of the old, parallel health services for special groups that provide services for (high level) state employees.

Based on the areas we selected, administrative capacity and public service provision in our two countries of interest appear to be converging. While just some years ago, Belarus appeared to perform better than Ukraine, differences seem to have become less significant. The slight convergence between public services in the two countries is not only due to improvements in Ukraine but possibly also due to some deterioration in services in Belarus. For example, rising dissatisfaction has been reported with the quality of education in Belarus. Demands from the public are rising, but the education system is slow to respond (Katlyarou in MinskNews 2017).

Ukraine attempts to recover from the dramatic decline of service provision resulting from the political transition and the new equilibrium with dominant coalitions engaging in high levels of corruption. Ukrainian authorities, assisted and guided by the EU institutions, have embarked on a major drive of reform. So far, the (partial) opening of the Ukrainian administration to new, competitively hired personnel, has not yet led to substantial improvements. The reason is that with political opening there has also been pushback from bureaucratic and oligarchic circles, resisting the opening of the administration and the reformers themselves (BTI Ukraine country report 2018).

Services can be provided by the state or by the market and in both cases adequately. The development of the postal services, which are quite different in Belarus and Ukraine, illustrates this well. While both Belarus and Ukraine report having good postal services, in Belarus this is attributed to the good service of state owned *Belpochta*, while in Ukraine, just the opposite is true: private operators are considered faster and more reliable.

In general terms, Belarus is still better capable of providing services and implementing rules across society, but its capacity has mostly *stabilising* effects in terms of the categories we introduced above. There are no reforms that introduce elements of state capacity that have *universalising* effects. By contrast, the administration in Ukraine is changing in terms of its day-to-day functioning, increasing policy-making capacity and potentially benefiting from reforms that would have *universalising* effects. The continuity of key reforms creating universal access is, however, uncertain, given resistance by rent seeking elites.

Conclusion: state capacity and transition towards OAOs

The key differences between the two countries still owe the most to past choices regarding reform and opening. In the early post-communist period, Ukraine started reforms but quickly got stuck reaching Hellmann's partial reform equilibrium (1998). In contrast, Belarus persisted with the "tried-and-trusted" Soviet style governance and experienced less of a loss of capacity due to limited reforms.

Empirically, juxtaposing the different elements and types of state capacity delivers complex findings. First, until a few years ago, most sources reported substantially better state capacity in Belarus than in Ukraine. In areas where most recent data and qualitative assessments are available, however, we find a certain convergence which may be due to Ukraine's starting substantial reforms in 2016. Current differences in the areas we examined such as health care spending, statistical capacity, or PISA scores, are quite small.

We can conclude that in Belarus a relatively high level of state capacity and public service delivery may be contributing to the stability of the limited access order. A sufficient level of basic service provision¹⁶ in areas such as education, healthcare and social services buys off the consent of citizens as illustrated by public satisfaction with health care, for example. These *stabilising* effects of state capacity reduce demand for reforms. At the same time, the capacity of the state to suppress protest and even make political opponents “disappear” (e.g. Weslowsky 2019) breaks up the potential for collective action. Weak coordination in policy-making affects the quality of policy-making, but not repression capacity or centralised stabilising capacity.

In Ukraine, reforms have started empowering some new actors, but have not yet created the conditions for universal access to administrative institutions or services. Vital public services such as health care lag behind. Nevertheless, the *universalising* reforms launched with the support of the EU aim to change the existing equilibrium. The opening the administration to new staff and introduction of new organisational forms aims to increase capacity and improve access. Much will depend on whether political elites will support the emergence of a critical mass of merit recruited civil servants working for further reforms and better service delivery. A coalition of EU experts and Ukrainian reformers have aimed for several quick improvements in service provision to convince politicians and citizens that administrative reform is worth supporting, for example e-services handling registration of new-borns via a one-stop-shop system and the Unified Service Centers.

This leads us to one of this article’s key findings adding an external dimension to state capacity dynamics: for both countries, external actors and their assistance play a major role in supporting and strengthening state capacity: in Belarus via (energy) subsidies from Russia and in Ukraine via assistance from EU, US and others. Given the long-standing budgetary deficit in Belarus, external support is crucial for the stability of the existing limited access order. In Ukraine, external support from a variety of actors stabilises the economy, but may, by helping upgrade service provision, also stabilise the existing limited access order.

Through the inductive assessment of state capacity we can distinguish aspects which mostly have effects towards opening of social and political orders and aspects with effects enhancing stability. We find recent administrative reforms have, so far, universalising effects through depoliticisation, similarly to regulations that allow multiple operators to provide services. Merit-based hiring, which has been strengthened in Ukraine, can affect positively the quality of governance, if sustained. Yet the Ukrainian case also shows that rent seeking elites resist merit-based hiring beyond a certain level, in terms of both scope of positions involved and their significance in the administrative hierarchy.

Limited access order elites in Belarus resist reforms that enhance administrative neutrality and depoliticisation, suggesting that these are, again state capacity aspects that can have a universalising effect. We also identify cadasters and various forms of using informational technology as having potentially both stabilising and universalising effects, depending on their coverage and accessibility.

In terms of stability, our comparison between Belarus and Ukraine shows investing in health care is, perhaps not surprisingly, the most important stabilising aspect of state capacity emerging from our comparative analysis.

Future studies should explore the role of universalising reforms that open the field for more citizen participation in governance versus those that actually strengthen the ability

of a mature state to maintain the limited access order. This is an interesting direction for further research given that many modernisation programmes focus on education or road infrastructure instead. Another avenue for future research would be to investigate interactions between coercive and infrastructural capacity and see how they play out in terms of opening or limiting access in different social-orders.

Notes

1. Based on, for example, the portion of GDP dedicated to public services (Fritz 2007).
2. With regard to border control and security aspects, we find the concept of 'limited statehood' (Krasner and Risse 2014, 549) particularly useful. It illustrates the problem of governance in the separatist controlled areas in Ukraine. Due to research limitations, we do not, however, specifically investigate the situation in the areas of limited statehood in Ukraine, but we recognise it drains capacity in these regions and has profound effects for society.
3. The idea of autocracy providing good public services is quite popular, yet in such regimes the control of information and suppression of evidence of repression make it difficult to establish the share of public services versus repression in keeping the regime stable. Recent revelations of the alleged murder by death squad of key public figures in Belarus are a case in point (Weslowsky 2019).
4. While universalised access to government processes and institutions is not *sufficient* for a socio-political order to be classified as an OAO, it is interesting to consider whether it is a *necessary* element of an OAO; in other words, whether free political and economic competition can exist in a state that is *not* built on rule of law, merit-based recruitment and promotion of bureaucrats, transparency and other institutions that universalise access to government.
5. Social welfare, health services or transport may differ considerably depending on the political priorities and funding targeting them: for example, some governments may choose to invest in infrastructure to facilitate economic transactions while others may invest more in health care services based on their ideological commitment.
6. Merit-based recruitment is usually introduced via legislation, although recent research has shown the legal route is not the only one (Schuster 2017).
7. We consider the possibility that non-state actors provide some services where the state cannot do so, but we have not been able to map services provided by others systematically. It should be noted, however, that non-state actors such as businesses, civil society and volunteers have been instrumental in filling the gaps in administrative capacity and public services in Ukraine.
8. A cadaster is a comprehensive public record of the real estate (land and buildings) within a territory of a country. It is based on a map of the territory and usually describes the location, size, ownership, type, value, and applicable tax of each real estate unit.
9. The list of key services and sectors we examine is not exhaustive, but rather indicative, missing water and energy, among others.
10. WHO latest year available, at: <https://apps.who.int/nha/database/ViewData/Indicators/en>. Accessed 2 December 2019.
11. For example, even the war in Eastern Donbass has been used by officials in the Ministry of Defence for embezzlement practices in purchases of equipment for the Ukrainian army.
12. Reforms in the healthcare sector have been hampered by opposition from politicians and citizens, due to lack of clear communication about their objectives and rationale (Gorban 2017). The difficulties in enforcing the new regulations of the civil service are another case in point.
13. This section draws on documents as well as on five interviews with EU officials and experts conducted in January–March 2019.
14. For example, reforms have strengthened and restructured community policing.
15. Until 2013, the Cabinet of Ministers of Ukraine was a technocratic body rather than a political one and it still plays a subordinate role to the presidency.

16. It should also be noted that energy profits from import from Russia have facilitated the survival of the Belarusian economic system without, until recently, the need to for difficult and painful economic reforms (Balmaceda 2014).

Acknowledgement

We would like to thank Maxim Boroda and Oleg Grytsenko for support with data collection in Ukraine. We would also like to thank Tanja Boerzel, Adam Fagan, Katarina Wolczuk and Klaudijus Maniakas as well as the anonymous reviewers of the article for their helpful comments and suggestions that have helped us to improve this paper.

Disclosure statement

No potential conflict of interest was reported by the author(s).

Funding

This work was supported by European Commission [grant number 693382].

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