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RELIGION MATTERS: QUANTIFYING THE IMPACT OF RELIGIOUS
LEGACIES ON POST-COMMUNIST TRANSITIONAL JUSTICE

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Abstract: While scholars have suggested several explanations to how and why societies deal with an authoritarian past, to date there has been little discussion about religious legacies in postcommunist transitional justice. Building upon emerging qualitative research, this study breaks ground by showing that lustration, a transitional-justice mechanism which limits the political participation of former authoritarian actors, is statistically robustly affected by societies' mainstream religious legacy. Analyzing thirty-four postcommunist states from 1990 to 2012, tobit regression models demonstrate that Catholic and Protestant traditions affect lustration positively, Muslim traditions negatively, while the impact of Orthodox traditions remains statistically insignificant. The findings problematize but support an understanding of religious traditions as potentially corresponding to complicity with the former regime, which in turn affects lustration during postcommunist upheavals.

Key Words: lustration, religious legacies, essentialism, postcommunism, transitional justice, tobit regression analysis

While scholars have suggested several explanations to how and why societies deal with an authoritarian past, to date there has been little discussion about the effect of religious legacies on post-communist transitional justice¹. This absence of religious studies in transitional justice research is puzzling for several reasons. The main post-communist mechanism of transitional justice, lustration², has limited in various degrees the socio-political participation of numerous former authoritarian actors. Its uneven application across the post-communist world has raised important questions about the nature of transition and the role of religion in it. Furthermore, communist regimes massively repressed religious individuals, communities and practice, making religion all the more relevant. Religious hierarchs have memorialized the communist martyrs in the post-communist era. Yet, their position towards transitional justice contains a significant degree of ambiguity³. Finally, there exists extensive variation among the dominant religious institutions across the region in their relationship towards the communist past. While all religious communities acknowledge the high cost they paid during communism, they differ in how they deal with the past.

Despite these variations, relatively few testable theories have explained differences in lustration from a broader comparative perspective and fewer have considered religious legacies and institutions as a plausible argument. Only recently have scholars begun to discuss the impact of religious traditions on transitional justice. Research has shown that historical legacies in general, and religious legacies in particular, constitute the fundamental point for the systematic analysis of lustration⁴. Legacies affect both the elites and the institutional environment that constrains the elites. While, on the one hand, past legacies can be reconstructed in ways that facilitate the mobilization of the pro-lustration elite, on the other, they are bound within specific contexts and enable multiple pathways of institutional change. Building upon emerging qualitative research, this study breaks ground by providing rigorous statistical analysis of the impact of legacies and institutions on lustration. It examines the degree to which religious legacies affect the likelihood for a particular postcommunist country to lustrate and the intensity of various lustrative phenomena.

This article uses a quantitative perspective to test a recent argument that the persistent effects of institutional legacies of religion affect the scope of current actions and account for lustration in contemporary politics. The analysis is based on an original statistical dataset from thirty-four postcommunist states from 1990 to 2012. Using random-effects tobit regression models, the article tests to what extent a number of past structural factors could limit or facilitate elite behavior as political actors make decisions in specific historical and institutional environments.

Religion and other inherited legacies create a framework of relations, which defines the range of possibilities within which individuals act. The

different types of religious heritage affect lustration through democratic practices as well as through the degree of complicity with the former regime. This article follows the “legacies” literature on postcommunism and introduces the analytical importance of overlapping issues of path-dependency on lustration⁵. It shows that the inherited social, capital and institutional legacies from the past affect transitional justice in ways that have not been accounted for⁶. More specifically, Catholic and Protestant legacies facilitate lustration to a much greater extent than Orthodox and Muslim traditions. Finally, the article discusses the theoretical question of how a religious legacy informs decision-making process and it problematizes the essentialist perspective that is used for the understanding of religious legacies in this study.

Defining the Terms

Lustration. As one of the most widely used mechanisms of post-communist transitional justice, lustration limits the political participation of the former elites and their collaborators through specific procedural restrictions. In most of the cases, lustration scrutinizes individuals in publicly important positions for their involvement in the communist leadership, bureaucracy or security services, bearing collective responsibility for past abuses as stipulated by law. It then puts restrictions on acquiring or holding specific positions and/or requires individuals to address their past collaboration under a specified threat such as disqualification or exposure⁷.

Based on this definition, two observed variations emerge. The first is whether postcommunist states limit the participation of the former elites. Out of thirty-four postcommunist countries, fifteen states implemented some variant of lustration between 1990 and 2012⁸. Nineteen implemented none. Secondly, where lustration programs have been adopted, there is significant variation in their application. In postcommunist Germany about tens of thousands of citizens were removed from public office by 1997. Yet, Hungary banned only a few hundred. Poland requires individuals in specific public posts to acknowledge their past collaboration under the threat of removal for lying about their past links. Moreover, there is considerable variance among the negative cases. Some states debated but rejected lustration through a parliamentary vote, while others never considered it seriously.

Lustration is measured according to the original Lustration Index. The lustration index uses a 0-7 ordinal scale, where 0 represents the complete absence of lustration, 1-4 different levels of legislative success of passing a lustration program (yet to be implemented), and 5-7 increasing implementation of lustration programs (See Table 1 and Appendix for additional coding and scoring information of the lustration index)⁹.

Table 1. Operationalizing the Lustration Index

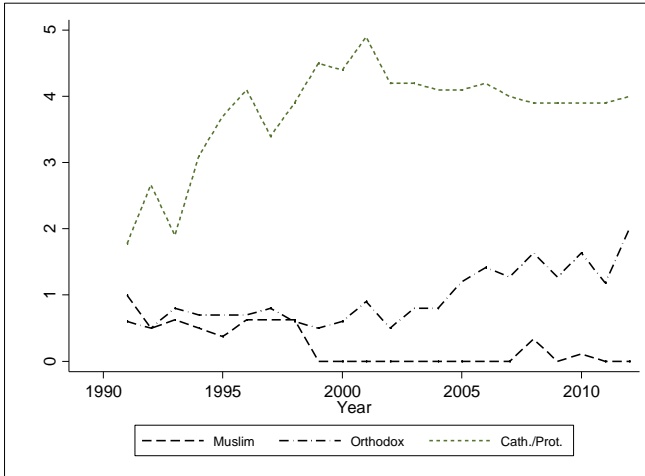
Institutional Adoption	Coding	Variable	Percent of Screened <i>Per Capita</i>		Coding
No Lustration {0}		Binary	Lustration {1}		
LP is Non-Existent	0	Multi-Level	Lenient	0.00005 - 0.059	5
LP is Introduced	1		Intermediate	0.066 - 0.083	6
LP is Voted On	2		Harsh	0.145 - 0.491	7
LP is Adopted, no commission	3				
LP is Implemented, no screening	4				

Source: Peter Rožič. *Lustration and Democracy: The Politics of Transitional Justice in the Post-Communist World*. 2012; Legend: “LP” – lustration program

The substantial range in variation in lustration is noticeable both across the postcommunist world and within states. While the intensity with which postcommunist countries engage in lustration reflects its relevance¹⁰, the question remains as to why these differences exist. Could these differences be related to specific types of religious and cultural heritage?

Religious Legacies. As a historical legacy, religious legacy is a facet of cultural reality that defines opportunity structures and thus affects the actors in direct and indirect ways, as explained in the theoretical model below. The assumption is that at the level of cross-national comparison, there exists a sufficiently high level of differentiation among the post-communist states in terms of religious legacies. In broader terms, religious legacy is one of the encompassing socio-cultural conditions. Specifically, it relates to fundamental conceptions of national history that despite the multi-vocal nature of the interpretation of the main religious tradition allow for cross-nationally identifiable cultural variations¹¹.

The main religious tradition is related to but conceptually distinct from public theology, which describes how religious beliefs address a society at large, that is, how a particular issue includes human interpretation of what is relevant and to what extent particular religious premises can be experienced in the public arena¹². Religious legacy is rather the prevalent religious aspect of a society’s culture. For example, under this definition, Bosnia and Herzegovina is not a Muslim country but one where the predominant religious tradition is Muslim. While religious legacy as a predominant cultural feature may be dependent on, and interactive with, other legacies, it is a result of particular historical developments of a society, in which a particular religion has traditionally informed a nation’s development. This definition allows following Schimmelfennig and Scholtz’s classification of postcommunist religious legacies: Western Christian (Protestant and Catholic), Orthodox Christian and Muslim¹³.

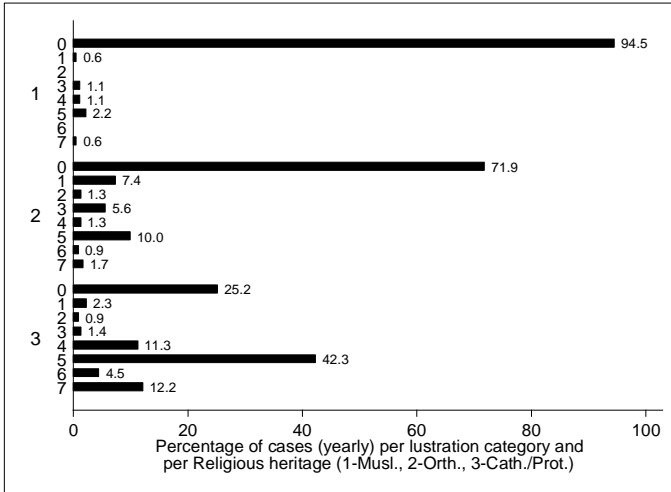


Graph 1. Average score of lustration per year according to the country cases divided into societies of Muslim, Orthodox and Catholic/Protestant mainstream religious traditions.

Source: Author (The ECEFSUM 1990-2012 Dataset).

Religious Legacy and Lustration. As the preliminary empirical assessment shows (See Graph 1), the post-communist countries that inherit Catholicism or Protestantism as predominant legacies not only lead in lustration but have on average also increased the intensity of their lustration practices. The opposite is true of countries with mainly Muslim legacies, as they have received low and decreasing scores on the lustration index. The countries inheriting Orthodox legacies also score low on the lustration index; their lustration scores have remained relatively even over the last two decades.

More specifically, countries of Muslim and Orthodox traditions have an overwhelming percentage of cases where they have not even considered lustration in parliamentary or other debates (score 0). And while countries with Muslim and Orthodox legacies have had some actual lustration screenings (with scores 5-7), the countries of Catholic and Protestant background have been screened more frequently and more intensively (See Graph 2). These trends are also obvious from comparing bivariate correlation coefficients. The Spearman correlation between lustration and Muslim, Orthodox and Catholic/Protestant legacies equals -0.38, -0.21 and 0.62 respectively for 657 observations (at p -value <0.0001). If the three types of legacies are put on the same variable, coded as 1-3 respectively (labelled as “religious heritage”), the Spearman correlation between lustration and “religious heritage” is 0.58.



Graph 2. Plot of Frequencies: Percentage of country cases per year and per religious legacy as measured by Lustration Index, where 0 means no lustration and 7 harsh lustration (See Appendix; Peter Rožič. *Lustration and Democracy: The Politics of Transitional Justice in the Post-Communist World*. 2012).

Source: Author (The ECEFSUM 1990-2012 Dataset).

Historical Framework

The main theoretical argument of this article is that religious traditions define differently political actors as structures, which constrain their perceptions and choices. The institutional legacies of the past in general—and religion in particular—create an environment, which is differentially contributory to lustration. Past institutional contexts have lasting effects on postcommunist socio-political developments. The environment for lustration is not a *tabula rasa*.

The link between legacies and lustration is best explained from a combination of two theoretical perspectives: new institutionalism and platform effects. From the perspective of “new institutionalism,” the past shapes institutions and institutions shape political outcomes. While institutions are malleable, they can have repercussions long after the institutions have vanished and their histories have been forgotten¹⁴. New institutionalism regards the institutionalized legacies as the fundamental conditions of lustration – as deeply rooted historical trends shape subsequent socio-political trajectories¹⁵.

The perspective of “platform effects” assumes that the effects of the past are rarely all or nothing. Historical legacies do not drive lustration as such; instead, they facilitate or impede its effectiveness. Platform effects emphasize how past experiences and predispositions provide the pro-lustration elite an environment in which lustration becomes a convincing and justifiable practice. While the link between past factors and present

elites is indirect, the past provides a platform for a pro-lustration discourse.

The past may often not matter directly for lustration but has persisting effects. Variations in historical legacies explain lustration because the region's overlapping cultural and socioeconomic legacies shape the preferences of political actors. In this view, legacies represent those "patterns of behavior or thought that are transmitted from the past and enacted in the present"¹⁶. The historical model of this article further assumes lustration as affected by manifold institutional legacies that remain stable over time. Pre-communist legacies influenced the communist regime, which has ultimately had an impact on postcommunist politics.¹⁷ Among these legacies, the impact of pre-communist religious legacies will be theorized as the crucial explanatory factor.

Religious Legacy Matters: Theory

Among the historical factors, religious legacies affect lustration most and they affect it in direct and indirect ways. In an indirect way, the premise of the main argument is derived from the empirical observation that democracy, religion and lustration share some of the same guiding principles. Religious legacies are strongly correlated with postcommunist political trajectories¹⁸. First of all, lustration and religion are associated with different levels of democracy. Countries with Protestant and enlightenment traditions are more likely to democratize and those with Muslim traditions have been seen as resistant to democratization¹⁹. Moreover, different religious traditions shape societies in ways that allow them to respond differently to regime transitions and past misdeeds. In contrast to the Orthodox, Muslim and other civilizations, Western Christianity seems to be more characterized by individualism and the rule of law²⁰. As a result, predominantly Western Christian societies have been more likely to develop and sustain liberal democracy in the post-1989 era. Predominantly Orthodox countries show lower levels of democracy on average but are clearly ahead of the Muslim countries. As Western Christianity is more conducive to democracy, which is itself causally related to lustration, religion's role in democracy may indirectly contribute to lustration²¹.

In a direct way, the premise of the main argument is that religious traditions shape the policy preferences of contemporary believers. Through specific cultural heritages, and perhaps even theological emphases, such policy preferences ultimately affect lustration. More precisely, different types of a country's dominant religious heritage shape the degree of the religious officials' complacency and their complicity with the former regime. Complacency leads to a variation in policy pressures. The assumption behind this argument is that in postcommunist

cases, religious tradition and the level of complicity are by and large collinear. Under this hypothesis Protestant and Catholic traditions provide a social context in which lustration is more likely than in Orthodox and Muslim societies. In short, being Catholic or Protestant predicts lower levels of complicity while being Muslim or Orthodox predicts higher level of complicity.

One of the reasons for this collinearity could be theological differences with regards to forgiveness and justice. For example, Catholics participate in confession and ask the priest a blessing for having sinned and believe to be absolved from sins. On the other hand, the Orthodox theology has long emphasized Noah's rule of covering sins and not exposing one's sins publicly. While the latter assumption may suffer from essentialism, it is important to consider the following claim. Higher levels of complicity with the former regime among Orthodox and Muslim hierarchs—in comparison to Catholic and Protestant ones—assuages the pressure of those religious communities to pressure for lustration. The levels of complicity are affected by different dominant religious legacies, each largely depending on an inherited theology of church-state relations. This argument assumes that, where the dominant religious legacy of a postcommunist country is Protestant or Catholic, its theology relies on the doctrine of two cities, which provides justification for counterbalancing the state. As a result, religious leaders of Western traditions were affected to a lesser extent by collaboration and cooperation with the former regime and thus potentially less complicit. Moreover, as Catholic hierarchs are appointed by a foreign authority, the Holy See, the probability of the communist regime to enforce complicity in states with predominately Catholic traditions is lower.

Among religious hierarchs from countries with predominately Orthodox or Muslim religions, complicity with the former regime is stipulated to be greater—and thus their resistance to lustration. For example, Orthodox societies rely on the Justinian theological tradition of *symphonia*, according to which both Church and state “proceed from the same origin and adorn the life of mankind”²². While church-state relations have never strictly adhered to the symphonic ideal²³, Orthodoxy has often been seen as linked to the emperor. By extension, the Orthodox officials were more strongly linked to the first secretary of the Politburo under a form of a “caesaropapist” regime²⁴. As a highly ranked Orthodox Church official said for this study, “[a]ll the episcopate was [collaborating]. One couldn't become a bishop if the man was not recruited. The bishops had no desire for lustration. [...] They say that by [spying] they saved the Church” (R 24). While numerous Catholic officials in Poland and other countries also collaborated with the communist regime, the number of instances of religious officials pledging loyalty to the communist state was smaller in countries with Western Christian traditions than in those with Orthodox or Muslim traditions.

The argument can be extrapolated to the religion-state condominium in predominately Muslim societies. While jurists and other Muslim writers on politics have long recognized a distinction between state and religion, the distinction does not correspond to the dichotomy expressed in such Western pairs of terms as “spiritual” and “temporal.” In Islam, “there is, from the beginning, an interpenetration, almost an identification, of cult and power, or religion and the state: Mohammed was not only a prophet, but a ruler”²⁵. As a consequence of a close relationship between spiritual and temporal, the hierarchs of Muslim communities may be more complacent with the former regime and thus resistant to lustration. While an important history of resistance to the communist regime exists in Muslim societies, Muslim hierarchs are very likely to influence the discourse on lustration in a way to prevent it due to their interaction with executive or legislative elites, and due their putative links to the past regime.

Before continuing with the argument, it is necessary to recognize the following caveats. First, the argument on religious legacies may appear essentialist, treating practitioners of some religion as sharing some essence with fixed traits, directly determining their behavior. At the expense of generalization and uncovering broader mechanisms in explaining lustration, the argument does not emphasize the variation among members and periods of a specific religious tradition. Religious communities and traditions, *per se*, are not monoliths. There are divisions over politics and forgiveness within hierarchies and between the hierarchy, clergy and organized elements of the laity. Moreover, the argument does not deny the fact that religious hierarchs and other believers are often extraordinarily complicated characters and almost impossible to categorize as entirely for or against the collaboration with the former regime. However, the objective is to point out the contextual background in which dignitaries of one religious tradition may favor lustration to a higher degree than those of a different religious tradition. Secondly, religious heritage must be at least theoretically coupled with other institutional legacy differences. The Orthodox and Muslim societies were largely those where religion was basically suppressed. In some cases, the Soviet regime eliminated religious elites and allowed for religious practices only if the emerging religious hierarchy was totally controlled by the communists. Former collaboration of religious officials with the communist regime and the subsequent opposition to lustration may have been matters of simple practicality, unrelated to religious legacies. These reservations are accounted for under alternative and competing hypotheses.

Alternative Hypotheses

Prior Independence – State Creation. The experience of independent statehood prior to communism puts the pro-lustration elite into a favorable position. Foreign authoritarian influence makes it easier for pro-lustration actors to demand lustration since they can interpret the *ancien régime* as a foreign and occupying system. The fact that the postcommunist dictatorship was for many imposed from the outside is a historically defensible but also comfortable conviction²⁶. The imposition of communism represents a deviation from development towards functioning and independent democratic regimes. These claims help depict certain individuals as betraying the nation to a foreign power and make them easier to lustrate. The settlement of prior statehood has even been found as a prerequisite for postcommunist democratization²⁷. In short, the earlier a state was created the more likely it may lustrate.

Communist Regime Duration and Bureaucratization. Hypotheses related to specific elements of the communist past may provide theoretical insight into postcommunist transitional justice²⁸. While these countries share a common history of one-party rule, they exhibit important institutional differences from the communist period. For example, the experience of a prolonged and systematic condition of communist domination may represent such an embedded condition that the pro-lustration elite will find it difficult to overcome. Prolonged and direct institutional penetration of communism may be inversely related to lustration. A long period of authoritarianism destroys memories and political cultures that existed prior to them. Moreover, the longer a former regime is in power, the more indoctrinated functionaries it will produce, and the harder it will be to replace them. This hypothesis is coupled but distinct from the level of functionality of communist bureaucracy, through which it may be assumed that countries with histories of weak bureaucratic competence will not be able to lustrate the already poor-performing bureaucrats inherited from the previous regime. Finally, former bureaucrats and officials may be valuable since they are often more experienced than the new democratic elites.

Communist Regime Type and Crushed Dissent. Lustration builds on the idea that former elites and their collaborators can be held responsible for the crimes or even the ideology of the past regime. States where the authoritarian regime exerted greater control, acted autocratically and committed more crimes may be more likely to lustrate. As expressions of the unmediated will of the population to work together to create a new political beginning, suppressions are powerful reminders of a regime's oppressive nature and of the people's desire to take control of their government. Public opposition and forms of massive expression of discontent represent some of the pillars of democratic culture. The

advocates of lustration policies have often referred to the examples of crushed hopes for democracy by harsh communist regimes.

The “Politics of the Present” Explanations. Having presented the main and alternative hypothesis that link the past to lustration, a caveat is in order before incorporating the historical theses in one systematic statistical model. The theoretical framework and hypotheses above relate to explanations that are based on past legacies. However, lustration is often not just a tool of transitional justice but also a tool of political exclusion and control. Since the theory here is mostly about the level of complicity, then lustration can become a calculating tactic of power and exclusion. For this reason, some of these present factors may be driving the outcome. As additional control variables, presentist factors are included in the statistical analysis. For example, alternative hypotheses include the level of democracy, diffusion effects, EU membership and others. However, the claim of this article is that despite controlling for these factors, the statistical effect of past legacies will remain significant.

Case Selection and Model Specification

The postcommunist world represents the specific context in which the conditional propositions of this study are formulated. Relevant cases consist of states that had experienced a significant period of the communist regime and its disintegration. The selection of cases for the quantitative analysis thus yields a cohort of 34 countries for the 1990-2012 period²⁹. Since the data used for the lustration index show a large proportion of observations having no lustration, making it zero-inflated, this study uses random-effects tobit models³⁰.

The hypothesis that religious legacies affect lustration is operationalized in two ways. The first is a time-invariant ordinal variable “religious legacy” (based on Pop-Eleches’s work, see Appendix). The value of {1} represents countries of Muslim religious heritage, {2} the Orthodox and {3} Catholic and Protestant³¹. However, as this ordering of values may be disputed, the second way of operationalizing religious legacies relies on dummy variables for each individual religious tradition.

Before moving to the regression analyses, the main assumptions behind the tobit model need to be addressed. In the standard tobit model, the error term is assumed to be normal and homoscedastic (constant variance). If it turns out that the disturbance term is either heteroskedastic or non-normal, then the maximum likelihood estimate will be inconsistent. For example, assuming that more democratic countries are more likely to have more lustration, the variance of the error term (sigma-squared) may be high, and conversely, positively related to democracy. Potentially disproportionate censoring of the zero values for highly democratic countries will increase their apparent tendency to lustrate more and bias the estimated slope of the relationship

for uncensored observations upward³². However, since the lustration data are not censored artificially at zero, the usage of the tobit model is warranted. Moreover, in order to avoid potential heteroskedasticity, the values of explanatory variables are restricted to their subsets. This study employs the marginal effects approach as well as the strategy of breaking down the data into time periods and regions.

Quantitative Testing

Table 2 presents a random-effects tobit regression analysis, investigating which historical factors are more likely to be significant and relevant. Looking at the estimates, several variables emerge as consistently significant, while some display a particularly strong effect. The estimates for the religious legacies variable (taken as a whole) show the highest and most consistent effects. The countries with Western Christian tradition (level 3) are much more likely to lustrate than those with mostly Orthodox or Muslim traditions (level 2 and 1 respectively).

These results hold separately for the entire postcommunist world since 1990, as well as for East-Central Europe since 1990 and for the postcommunist world in the first and second decades after 1990. The finding is consistent even when controlling for previous regime type and repression, as well as using dummy variables for each individual religious tradition. Furthermore, the test confirms for some but not all models that the longer a country experienced communist rule, the less likely it is to lustrate. Also, the earlier the country became independent, the more likely it is to lustrate. Finally, the less authoritarian the communist regime was, the more likely its successor regime lustrates its former elite. Despite these controls, and among several factors tested, the most substantial predictor remains religious legacy. The coefficient size of religious legacy is noticeably larger than the coefficient of state creation, communist regime type and the level of bureaucratization.

Table 2. Influence of the Past on Lustration

MODELS	Model (1)	Model (2)	Model (3)	Model (4)
VARIABLES	ECEFSUM	ECE	1990-2000	2001-2012
Religious legacy	3.02*** (0.82)	2.48+ (1.46)	3.08* (1.49)	1.65+ (0.96)
State creation (inv.)	-0.77* (0.39)	-0.78 (0.59)	-1.32* (0.64)	-0.34 (0.41)
Interwar regime ³²		-0.19 (0.18)	-0.09 (0.19)	-0.40* (0.16)
Comm. annexed		-1.92 (3.38)	-0.10 (1.65)	1.72 (1.17)
Warsaw Pact		4.11 (2.68)	0.55 (1.51)	3.10* (1.26)
Comm. bureaucracy	-0.57 (0.73)	-1.24 (0.86)	-1.10 (1.07)	-1.71* (0.79)
Years under Comm.	-0.12** (0.04)	0.43 (0.66)	-0.18* (0.07)	-0.23*** (0.07)
Post-war regime	-1.65* (0.72)	-1.46+ (0.85)	-2.54** (0.96)	0.03 (0.72)
Crushing dissent	-1.28 (1.81)	-2.05 (2.10)	-1.64 (2.54)	-2.93 (1.88)
Observations	657	369	296	332
Left-censored obs.	416	147	202	197
Uncensored obs.	241	222	94	135
Rho	0.401	0.384	0.365	0.669

Standard errors in parentheses; **** p<0.0001, *** p<0.001, ** p<0.01, * p<0.05, + p<0.10

Random-effects tobit regression, Gaussian (normal) distribution

A related but slightly different picture emerges when controlling for present factors and when unpacking the religious legacy variable (Tables 3.1-3.3). Taking into account the theoretically most significant explanation, regime type, as measured by Freedom House, some of the effect of the “religious legacy” variable goes away (Model 6, Table 3.1). Moreover, disaggregating the “religious legacy” variable into separate dummies, additional findings emerge. Muslim legacies are strongly and negatively related to lustration (Model 3). The term for Orthodox legacies is insignificant, while the term for Catholic/Protestant legacies is positive but significant only at the 0.10 level (Models 4 and 5, respectively). Finally, the pairing of dummies (Models 1 and 2) shows in particular the significant and strongly positive association between the terms for Western religious legacy and lustration.

Table 3.1. Influence of Religious and Other Legacies with Regime Type on Lustration

VARIABLES	(1)	(2)	(3)	(4)	(5)	(6)
	ECEFSUM	ECEFSUM	ECEFSUM	ECEFSUM	ECEFSUM	ECEFSUM
Religious legacy						2.05** (0.64)
Cath./Prot.	4.34** (1.44)				1.88+ (1.07)	
Orthodox	3.36** (1.30)	-0.00 (1.03)		0.80 (0.97)		
Muslim		-2.98+ (1.54)	-2.98* (1.44)			
State creation (inv.)	-0.32 (0.38)	-0.10 (0.40)	-0.10 (0.38)	-0.22 (0.40)	-0.55 (0.38)	-0.54 (0.35)
Years under Comm.	-0.11** (0.04)	-0.15*** (0.04)	-0.15**** (0.04)	-0.16**** (0.04)	-0.11* (0.04)	-0.09* (0.04)
Post-war regime	-1.79** (0.68)	-1.78* (0.75)	-1.78* (0.74)	-1.36+ (0.73)	-1.12+ (0.67)	-1.49* (0.62)
FH democracy	0.97**** (0.19)	1.00**** (0.20)	1.00**** (0.19)	1.14**** (0.19)	1.02**** (0.19)	0.96**** (0.19)
Observations	651	651	651	651	651	651
Left-censored obs.	411	411	411	411	411	411
Uncensored obs.	240	240	240	240	240	240
Rho	0.359	0.404	0.404	0.418	0.406	0.355

Standard errors in parentheses; **** p<0.0001, *** p<0.001, ** p<0.01, * p<0.05, + p<0.10

Random-effects tobit regression, Gaussian (normal) distribution
 Due to the panel nature of tobit regression, the coefficients provided in Tables 2 and 3.1 give only the direction of the effect. Table 3.2 provides detailed findings based on marginal effects, reporting a positive and significant effect of Catholic/Protestant legacies on lustration for the entire region since 1990, and for the 2001-12 period.

Table 3.2. Average Marginal Effects or Derivatives (dy/dx) of Explanatory Variables on E[Y]

VARIABLES	(1) ECEFSUM	(2) ECE	(3) 90-00	(4) 01-12
Cath./Prot.	0.80+ (0.45)	1.30 (0.81)	0.45 (0.49)	1.27* (0.60)
State creation (inv.)	-0.23 (0.16)	-0.57 (0.35)	-0.22 (0.18)	-0.25 (0.21)
Years under Comm.	-0.05* (0.02)	-0.05 (0.16)	-0.06** (0.02)	-0.04 (0.02)
Post-war regime	-0.48+ (0.29)	-0.72 (0.47)	-0.71** (0.24)	-0.14 (0.39)
FH democracy	0.43**** (0.09)	0.79**** (0.17)	0.55**** (0.12)	0.31* (0.14)
Observations	651	365	295	356
Left-censored obs.	411	144	201	210
Uncensored obs.	240	221	94	146
rho	0.406	0.406	0.288	0.717

Standard errors in parentheses; **** p<0.0001, *** p<0.001, ** p<0.01, * p<0.05, + p<0.10

Random-effects tobit regression, Gaussian (normal) distribution
dy/dx for factor levels is the discrete change from the base level

The *Average Marginal Effect* (AME) of “Cath./Prot.” on the probability of lustration is 0.80 for the expectation of observed lustration ($E[lustration^* | lustration > 0]$). In other words, since the AMEs compute the level of change in lustration that is produced by a 1-unit change in the legacy terms, the probability of lustration changes on average by 0.80 as the Catholic/Protestant legacy term changes from {0} to {1} (Table 3.2, Model 1). What the analysis also reveals is that religious legacies mattered more a decade after the regime change, rather than in the decade immediately after regime change. This may be attributed to the fact that religious traditions shaped the policy preferences more strongly once the societies were temporally more distant from the communist era.

Table 3.3. Average Marginal Effects or Derivatives (dy/dx) of Explanatory Variables on E[Y]

VARIABLES	(1) ECEFSUM	(2) ECEFSU	(3) ECEFSU	(4) ECEFSU
Religious legacy	0.85* (0.35)			
Cath./Prot.		0.75+ (0.45)		
Orthodox			-0.02 (0.41)	
Muslim				-1.46* (0.70)
State creation (inv.)	-0.24 (0.15)	-0.32* (0.16)	-0.27 (0.17)	-0.10 (0.17)
Years under Comm.	-0.05* (0.02)	-0.03 (0.02)	-0.04 (0.03)	-0.07* (0.03)
Post-war regime	-0.61* (0.27)	-0.41 (0.26)	-0.42 (0.29)	-0.76* (0.31)
FH democracy	0.43**** (0.09)	0.46**** (0.09)	0.49**** (0.09)	0.46**** (0.09)
Distance to Brussels	0.55 (0.63)	0.04 (0.57)	-0.32 (0.55)	0.47 (0.65)
EU membership	0.30* (0.14)	0.31* (0.14)	0.33* (0.15)	0.32* (0.15)
Observations	628	628	628	628
Left-censored obs.	388	388	388	388
Uncensored obs	240	240	240	240
rho	0.332	0.343	0.354	0.339

Standard errors in parentheses; **** p<0.0001, *** p<0.001, ** p<0.01, * p<0.05, + p<0.10

Random-effects tobit regression, Gaussian (normal) distribution
dy/dx for factor levels is the discrete change from the base level

The marginal effects analysis for the whole postcommunist region (Table 3.3) also points to the fact that the coefficients for the combined and disaggregated term for religious legacies prove to be the highest. While the factor of current regime type (FH democracy) is the most robust and the most significant among all, the religious legacy factor carries most weight.

The AME of religious legacy on the probability of lustration is 0.85 (Model 1, Table 3.3), that of Catholic/Protestant legacy 0.75 and that of Muslim legacy -1.46, while the term for Orthodoxy is not significant. In short, the analysis shows that among the legacies postcommunist regimes inherit, the religious legacy represents a crucial explanatory factor. Moreover, even after controlling for other plausible factors, such as

diffusion effect (distance from the West) or EU membership, the statistical effect of religious legacies remains.

For scholars of religion and of transitional justice these findings may appear problematic at the very least. First of all, while this article's main hypothesis theorizes the direct and indirect ways in which religious legacies affect lustration, how exactly do they influence political behavior? More importantly, does not the main hypothesis exonerate essentialism, an approach that the literature has been trying to move away from in the last decades?

Problematizing Religious Legacies and Essentialism in Lustration Research

This study paints a broad picture, using correlations and statistics to connect religious legacies with lustration policies. As the distance between these two social phenomena may be large, the ways in which religious legacies presumably affect lustration are arguable and require a clear causal mechanism between the two. After all, during communism, members of religious communities were harshly persecuted, particularly in the former Soviet Union. Religions were disestablished and religious knowledge shrunk greatly. The churches, mosques and other infrastructure of religious communities were badly damaged if not entirely destroyed. After this destruction, how can religious legacy inform the policy making processes? These concerns may be especially valid as some argue that postcommunist elites may possess a very limited education about religion or even notion of it.

Responses to this objection are manifold. This study benefits from a macro-level analysis, amplifying the scope to the comparisons of all the postcommunist countries between 1990 and 2012. Unlike micro approaches, macro-level analyses provide information on how larger social forces, such as religious legacies, influence political behavior. While macrosociology risks seeing these trends as abstract entities that exist outside the individuals, who vote on lustration, meta-analysis allows observation of large scale patterns and widespread social processes. In this sense, religious legacies provide a broader socio-political context, in which the decisions about lustration are made. This study has pointed to several theoretical ways in which particular ideas within the religious traditions influence policy through deliberative processes. However, there may be several other steps between cognitive processes and policies on lustration, which are produced as the result of political battles. This study has attempted to present them through alternative explanations, while relying on previously published research. Moreover, the study argued that religious legacy affects lustration both indirectly and directly. Religious leaders in authority have since 1990 often contacted political decision makers in regards to the opening of the archives and lustration. For

example, Patriarch of the Russian Orthodox Church, Alexei II, the Catholicos-Patriarch of the Georgian Orthodox Church or the Azerbaijani Grand Mufti in the mid-1990s insisted that their respective political leaders stop the investigation of the secret KGB files, let alone initiate lustration³³. While leaders of the largest religious communities in Protestant and Catholic countries too have occasionally disapproved of lustration, the examples of Czech Bishops Cardinal František Tomášek and Vaclav Malý, and several others point to the contrary³⁴. Through the impact of religious legacies, a religious leader of a country-dominant tradition is connected to lustration. This is true despite the continuity of leading religious elites from the communist into the post-communist era. In short, the extent to which religious leaders support the dealings with the past affects postcommunist transitional justice.

The second major objection to the findings concerns the essentialist nature of the main hypothesis. Essentialism remains a controversial theoretical approach. While this article does not make of Bosnia and Herzegovina a Muslim country and Croatia a Catholic one, it does claim that the legacy of a country's predominant religious tradition affects lustration. That fact that the dominant religious tradition matters may be first shown from the point of view of political elites. It is no secret that political regimes often attempt to coopt national symbols and demands. For example, since the fall of communism, there has emerged a renewed symbiosis between church and state in Russia. According to Philipp Casula, the Russian state not only favors the ROC but also plays its part as guarantor and protector of the church and the nation³⁵. Moreover, Dmitry Trenin has shown that the conservative version of Russian politics and nationalism is closely related to orthodox Christianity: "Religion is being upgraded to a centrepiece of Russia's national identity"³⁶. In this sense, the state itself may have been essentializing religion and privileging in one over the other not only after 1991 but also during communism – in terms of support or persecution.

Seeing lustration through religious legacies may suffer from overgeneralizations, if not essentialism. However, the correlation between the two variables remains. This is true despite the inclusion of several statistical variables that control for other explanations. How should then the problem of essentialism be reconciled with this research? The argument corresponds to a macro-level approach. It tests the effect of a dominant religious legacy. This, however, does not indicate false universalism of essentialism, according to which the characteristics of the dominant subset of a society are attributed to the entire society, reducing all other identities³⁷. Neither does the argument deny the reality of a multiplicity of distinct and potentially contradictory entities within not only states but also specific religious traditions. Finally, the argument does not attempt to favor one religious tradition over the other but merely points to the effect of mainstream religion. Yet, if this argument continues

to be perceived essentialist despite these caveats introduced, then one has to accept the premise that “the theories that tend to essentialise religious identities ... certainly constitute a valid object of scholarly study”³⁸. Not only are cultural identities often constructed in essentialistic terms by the political and religious leadership of a community. There also are functional similarities between different countries. For example, Russian Orthodoxy has often been seen as representing the spiritual values of the cultural tradition in the Russian Federation quite similarly to the way public Lutheranism operates in the Estonian national community³⁹. Nevertheless, what matters for the purposes of this research is the impact of respective traditions on lustration, regardless of the level of essentialism in the argument.

Conclusion

This article looked at the position of the dominant religion in each society by examining the statistical impact of the dominant religious tradition on lustration. Seeking to explain the variation in lustration through the lens of religion, this study first presented lustration and discussed the main theoretical argument based on the “legacies approach” in general and “religious legacies” in particular. It claimed that religious traditions and their respective theologies impact political actors as structures differently, which constrains their perceptions and choices. The institutional legacies of the past in general—and religion in particular—create an environment, which is differentially contributory to lustration.

While recent qualitative research points to the causality between the past and lustration⁴⁰, the robust statistical analysis above confirms that institutionalized historical legacies have shown long-term effects on lustration. The impact of the past on postcommunist politics has often been stronger than the ability of the pro-lustration elite to legislate for lustration. This study has shown that variations in cross-national patterns of lustration tend to relate systematically to cross-national patterns of confessional cultures.

Religious traditions influence the postcommunist regimes in their attempts to break with the past. Indirectly, religious traditions affect the development of political regimes. Directly, they induce the religious elite to different degrees of compliance with the former regime, limiting the potential attempts at lustration. More specifically, Catholic and Protestant legacies facilitate lustration to a much greater extent than Orthodox and Muslim traditions. While the impact of Orthodox legacy did not prove to be significant, the effect of Muslim traditions turns out to be highly negative.

History often matters more than is usually recognized and points out the significant role of religious legacies in lustration. They shape both the behavior of the elites and the constraints on their choices and positions

towards the troubled past. It remains to be seen if the logic of this theory can be extrapolated to a subnational level. For instance, if the level of complicity is the factor which mediates the religious tradition effect, perhaps that factor actually varies *within* religious traditions as well in ways that could be tracked when better data become available. While large-scale data collection is necessary for a research of this kind, such an implication would exonerate the general impact of generalized religious traditions. It would also point to more nuanced religious factors that determine the outcomes of postcommunist transitional justice and lustration.

Appendix: Coding of the Variables and Summary Statistics

Table A.1. Overview of Variables, Definitions, Coding and Data Sources

Variable	Definition, Coding and Measurement	Data Source
Lustration	A 0-7 scale based on the number of screened persons <i>per capita</i> , coded as: 0-4 no lustration, 5-7 lustration. I.e., 0= LP non-existent; 1 = LP introduced; 2 = LP attempted, 3 = adopted, 4 = implemented w/o screening; 5 = 1StD from median (0) of screened <i>per capita</i> ; 6 = Between 1st and 2nd StD from median; 7 = Above 2nd StD from median	Author (2012)
Religious legacy	Religious/cultural heritage: 3 = Western, 2 = Orthodox, 1 = Muslim; Time invariant	Author's modification of: Schimmelfennig and Scholtz 2010; Pop-Eleches 2007
Catholic/Protestant legacy	Dummy variable for the dominant religious/cultural heritage of the country: Catholicism/Protestantism	See above
Orthodox legacy	See above; Orthodoxy	See above
Muslim legacy	See above; Islam	See above
State creation period	The period in which a state is created (regardless of potential subsequent occupation): 4 = post-1989, 3 = post-1945, 2 = post-1918, 1 = pre-1918; Time invariant	Author's calculations based on: Schimmelfennig and Scholtz 2010
Occupation, annexation	Independence crushed by a communist state: 1 = yes, 0 = no; Time invariant	Author
Interwar regime type	Average Polity II Regime score 1919-1939; Time invariant	Author's calculations based on: Polity, Pop-Eleches 2007, 908-926; Marshall, Jagers, and Gurr 2006

Variable	Definition, Coding and Measurement	Data Source
Warsaw Pact membership	Membership in the Warsaw Pact until 1989/90: 1 = yes; 0 = no; Time invariant	Author
Duration of communism	Number of years under the communist rule; Time invariant	Author
Communist bureaucracy	Levels of formal communist bureaucratization: 1 = high (bureaucratic-authoritarian), 2 = mix, 3 = intermediate (national-accommodative), 4 mix, 5 low (patrimonial); Time invariant	Kitschelt and others 1999
Post-war regime type	Average Polity 2 regime scores for a country's post-war communist period; Time invariant	Author's calculations based on Polity: Marshall, Jaggers, and Gurr 2006
Crushing mass dissent	A country's experience of violent crush of massive organized dissent: 1 = yes, 0 = no; Time invariant	Author
Distance to Brussels, diffusion	Distance between Brussels and a country's capital (in kilometers; natural log); Time invariant	Author
EU membership year	Dummy variable coded 1 for all the years of a country being a EU member, 0 otherwise	Author
Political rights (FH democracy)	Each pair of political rights (PR) ratings is averaged to determine an overall status of "Free" (7.0-5.5), "Partly Free" (5.0-3.0), or "Not Free" (2.5-1.0); FH scale reversed	FH 2012

Table A.2. Summary Statistics of the Variables and Bivariate Correlation with Lustration

VARIABLE	SUMMARY STATISTICS					
	Mean	St.D.	Min	Max	Obs	Corr.
Lustration	1.69	2.42	0	7	657	1.00*
Religious legacy	1.99	0.87	0	3	657	0.59*
Catholic/Protestant legacy	0.34	0.47	0	1	657	0.61*
Orthodox legacy	0.35	0.48	0	1	657	-0.24*
Muslim legacy	0.28	0.45	0	1	657	-0.39*
State creation period	2.59	1.18	1	4	657	-0.31*
Occupation, annexation	0.27	0.44	0	1	657	0.04

VARIABLE	SUMMARY STATISTICS					
	Mean	St.D.	Min	Max	Obs	Corr.
Interwar regime type	-4.28	4.73	-8.11	7	657	0.61*
Warsaw Pact membership	0.71	0.45	0	1	657	0.17*
Duration of communism	56.66	13.20	41	72	657	-0.60*
Communist bureaucracy	4.19	1.19	1	5	657	-0.61*
Post-war regime type	-7.14	0.55	-8.91	-6.43	657	-0.08
Crushing mass dissent	0.18	0.39	0	1	657	0.43*
Distance to Brussels, diffusion	7.52	0.59	6.48	8.56	634	-0.56*
EU membership year	0.17	0.37	0	1	634	0.55*
Political rights (FH democracy)	4.63	2.05	1	7	651	0.68*

Note: * - correlations are statistically significant at 0.001 level

Notes

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² Other mechanisms of post-communist transitional justice have included measures of justice on perpetrators (e.g., criminal prosecution), measures of justice for victims (property restitution, reparations), fact finding (truth commissions, access to secret files), and memorialization. While in some cases these programs have affected larger numbers of people than lustration, lustration remains the most prevalent post-communist tool of lustration. See Tricia D. Olsen, Leigh A. Payne and Andrew G. Reiter, "Transitional Justice in the World, 1970-2007: Insights from a New Dataset", *Journal of Peace Research* 47, 6 (2010): 803-809.

³ The role of religious hierarchs in post-communist transitional justice has been ambiguous. For instance, since 1991 the hierarchs of the Russian Orthodox Church (ROC) glorified many “New Martyrs” who suffered during the communist rule, the ROC adhered to a policy of tolerance to the Soviet past. The Catholic Church in the Czech Republic has broadly supported lustration, but in countries, such as Poland and Croatia, the Catholic Church had often demanded lustration until it discovered that not only common believers but also top Church dignitaries were collaborators with the communist secret police. See Zsolt Enyedi and Joan O'Mahony, "Churches and the Consolidation of Democratic Culture: Difference and Convergence in the Czech Republic and Hungary", *Democratization* 11, 4 (2004): 171-191 and Ivan Markešić, "The Catholic Church in Croatia: From Tending to Lustration to Lustration Crisis", in *Lustration and Consolidation of Democracy and the Rule of Law in Central and Eastern Europe*, eds. Vladimira Dvořáková and Anđelko Milardović (Zagreb: Political Science Research Centre, 2007), 111-126.

⁴ For recent scholarly contribution on historical legacies in general, see Peter Rožič and Peter J. Verovšek. “Historical Legacies and Political Accountability:

lustration in Postcommunist Europe.” *Czech Sociological Review - Sociologický časopis*, (2014, forthcoming), and for religious legacies in particular, see Peter Rožič. “Religious Legacies and Post-Communist Transitional Justice.” Paper presented at ASU Post-Atheism Symposium, 2013, Phoenix, AZ, http://melikian.asu.edu/docs/Post_Atheism_Schedule_2013_02_06.pdf (2014).

⁵ See, for example, Michael McFaul, *Post-Communist Politics: Democratic Prospects in Russia and Eastern Europe* (Washington, DC: Center for Strategic and International Studies, 1993); M. Steven Fish, "Democratization's Requisites: The Postcommunist Experience", *Post-Soviet Affairs* 14, 3 (1998): 212-247; Grzegorz Ekiert, *Do Legacies Matter?: Patterns of Postcommunist Transitions in Eastern Europe* (Washington, DC: Woodrow Wilson International Center for Scholars, 1999).

⁶ See Peter Rožič. *Lustration and Democracy: The Politics of Transitional Justice in the Post-Communist World*. Washington, DC: Georgetown University, ProQuest Dissertations and Theses, 2012,

<https://repository.library.georgetown.edu/handle/10822/557612?show=full>.

⁷ While lustration encompasses a multiplicity of meanings and practices, the common denominator is the “implementation” of a “lustration program.” A “lustration program,” includes three characteristics: suspected past involvement, protected present or future public positions and a specific procedure of lustration (such as screening), which includes a potential threat (such as removal or public exposure). A lustration program is “implemented” if a person’s proven or alleged links to the previous regime have been reviewed pursuant to a lustrative provision of a defined consequence. The implementation describes the degree to which the provisions of lustration programs have been acted upon. For a more detailed debate, see Peter Rožič, “Roman David: Lustration and transitional justice: personnel systems in the Czech Republic, Hungary, and Poland : Philadelphia, PA, 2011: University of Pennsylvania Press, 328 pp. *Sociologický časopis*, 2013, vol. 49, no. 3, str. 471-474.

⁸ This means that in a particular year, a given country verified at least one lustrable position, i.e., it screened the background of an applicant to, or a holder of, a lustrable position.

⁹ The variation in the Lustration Index (see Peter Rožič. *Lustration and Democracy: The Politics of Transitional Justice in the Post-Communist World*. Washington, DC: Georgetown University, ProQuest Dissertations and Theses, 2012, <https://repository.library.georgetown.edu/handle/10822/557612?show=full>) may raise theoretical and methodological concerns, particularly with regards to the combination of the adoption and screening parts of the variable. While an isolated use of the screening per capita variable would be beneficial for statistical analyses, the rich variation among the negative cases in the adoption level would be lost. Furthermore, the processes of adopting lustration programs are different from screening procedures and statistical models should differ accordingly. In order to prove the index as internally consistent, we provide three different level of statistical models, using separately the Lustration Index (as above) as well as the adoption portion and the implementation portion (See Appendix 2). Moreover, the combination of the two portions is empirically justifiable. Once lustration starts being debated and potentially adopted, it is usually enforced. Finally, there is a high correlation between the three conceptual understandings of lustration.

¹⁰ Roger Duthie, "Introduction", in *Justice as Prevention: Vetting Public Employees in Transitional Societies*, eds. Alexander Mayer-Rieckh and Pablo De Greiff (New York: Social Science Research Council, 2007), 19.

¹¹ See Michael Minkenberg, "Democracy and Religion: Theoretical and Empirical Observations on the Relationship between Christianity, Islam and Liberal Democracy", *Journal of Ethnic and Migration Studies* 33, 6 (2007): 887-909.

¹² See Nukhet Ahu Sandal, "The Clash of Public Theologies? Rethinking the Concept of Religion in Global Politics", *Alternatives: Global, Local, Political* 37, 1 (2012): 66-83.

¹³ Following and expanding Frank Schimmelfennig and Hanno Scholtz, "Legacies and Leverage: EU Political Conditionality and Democracy Promotion in Historical Perspective", *Europe-Asia Studies* 62, 3 (2010): 443-460's classification of religious legacies, post-communist countries with predominately Protestant or Catholic heritage are Croatia, the Czech Republic, (Czechoslovakia until 1993) Estonia, Hungary, Latvia, Lithuania, Poland, Slovakia, and Slovenia; countries with predominately Orthodox heritage are Armenia, Belarus, Georgia, Macedonia, Moldova, Monte Negro, Romania, Russia, Serbia, Ukraine, Yugoslavia (until 2006); and the countries with predominately Muslim legacy are Albania, Azerbaijan, Kazakhstan, Kirghizstan, Kosovo (since 2008), Turkmenistan and Uzbekistan.

¹⁴ See Abhijit Banerjee and Lakshmi Iyer, "History, Institutions and Economic Performance: The Legacy of Colonial Land Tenure Systems in India" (MIT Department of Economics Working Paper No. 02-27, 2002).

¹⁵ See Schimmelfennig and Scholtz, *Legacies and Leverage: EU Political Conditionality and Democracy Promotion in Historical Perspective*, 447.

¹⁶ Jan Kubik, "Cultural Legacies of State Socialism: History-Making and Cultural-Political Entrepreneurship in Post-Communist Poland and Russia", in *Capitalism and Democracy in Central and Eastern Europe: Assessing the Legacy of Communist Rule*, eds. Grzegorz Ekiert and Stephen E. Hanson (Cambridge and New York: Cambridge University Press, 2003), 318.

¹⁷ This view of historical legacies—as rather stable, homogenous and singular—may resemble “unproblematic” realist theories. However, as this and other essays show, legacies are less monolithic and more frangible as societal and political actors are often affected by multiple legacies, as laid out under various hypotheses below.

¹⁸ Grigore Pop-Eleches, "Historical Legacies and Post-Communist Regime Change", *Journal of Politics* 69, 4 (2007): 913.

¹⁹ See, for example Seymour M. Lipset, *Political Man: The Social Bases of Politics* (Garden City, NY: Doubleday, 1959) and Samuel P. Huntington, *The Third Wave: Democratization in the Late Twentieth Century* (Norman, OK: University of Oklahoma Press, 1991).

²⁰ For a broader debate, see Ivan Katchanovski, "Divergence in Growth in Post-Communist Countries", *Journal of Public Policy* 20, 1 (2000): 55-81. Christian cultures may be less family-oriented, emphasizing individual responsibility and having higher regard for the state, as claimed in Leslie Holmes, *Rotten States?: Corruption, Post-Communism, and Neoliberalism* (Durham, NC: Duke University Press Books, 2006). Other research also claims that while Muslim traditions tend to foster greater loyalty, the Western ones are symptomatic of exaggerated independence and rugged individualism. See David W. Augsburg, *Conflict Mediation Across*

Cultures: Pathways and Patterns (Louisville and London: Westminster John Knox Press, 1992).

²¹ These claims have largely been tested in Schimmelfennig and Scholtz, *Legacies and Leverage: EU Political Conditionality and Democracy Promotion in Historical Perspective*, 457 as well as in Peter Rožič. *Lustration and Democracy: The Politics of Transitional Justice in the Post-Communist World*. Washington, DC: Georgetown University, ProQuest Dissertations and Theses, 2012

<https://repository.library.georgetown.edu/handle/10822/557612?show=full>. In addition, scholars of reconciliation have claimed that in a negative reaction to the past, Muslim societies tend to respond to wrongdoing by retaliation, the societies inspired by Greek and Orthodox-Christian traditions by punishment, and Western Christian societies by avoidance. See Augsburg, *Conflict Mediation Across Cultures: Pathways and Patterns*, 263. Following this logic, Christian societies would be more likely to lustrate. Lustration does not represent a mechanism of criminally punitive nature or retaliation but rather resembles avoiding the past wrongdoing by applying collective guilt. While the "tainted" elite may be ostracized by scandalous revelations, they can still obtain positions in various areas of employment. In short, lustration more nearly resembles the Western Christian attitude of avoiding the "tainted" elite than that of punishing them.

²² Zoe Knox, *Russian Society and the Orthodox Church: Religion in Russia After Communism*, Vol. 13 (New York, NY: RoutledgeCurzon, 2005), 106.

²³ See Adam A. J. DeVille, "Orthodox Engagement of Social and Political Issues", *Journal of Orthodox Christianity* 4, 2 (2009): 87-104.

²⁴ Sabrina Ramet, "Foreword", in *Eastern Orthodoxy in a Global Age: Tradition Faces the Twenty-First Century*, eds. Victor Roudometof, Alexander Agadjanian and Jerry Pankhurst (Walnut Creek, CA: Alta Mira Press, 2005), vii-xii; Lavinia Stan and Lucian Turcescu, "Politics, National Symbols and the Romanian Orthodox Cathedral", *Europe-Asia Studies* 58, 7 (2006): 1119-1139.

²⁵ Bernard Lewis, "Islam and Liberal Democracy: A Historical Overview", *Journal of Democracy* 7, 2 (1996): 61, 61.

²⁶ See Timothy Garton Ash, "The Truth about Dictatorship", *New York Review of Books*, 45, 3, 1998, 35-40.

²⁷ See Pop-Eleches, *Historical Legacies and Post-Communist Regime Change*, 912; Schimmelfennig and Scholtz, *Legacies and Leverage: EU Political Conditionality and Democracy Promotion in Historical Perspective*, 448.

²⁸ See Luc Huyse, "Justice After Transition: On the Choices Successor Elites make in Dealing with the Past", *Law & Social Inquiry* 20, 1 (1995): 51-78.

²⁹ The cross-national time-series dataset created for this study, also labelled the ECEFSUM 1990-2012 Dataset, covers the countries of East-Central Europe, the former Soviet Union and Mongolia. Statistical modelling allows for weighing the strength of the main argument against other explanations. Over 600 observations increase the degrees of freedom and guarantee a minimization of biases due to aggregation effects.

³⁰ See, David Roodman, "Estimating Fully Observed Recursive Mixed-Process Models with Cmp" (Working Paper 168, Center for Global Development, 2009), 6. Considering the nature of the Lustration Index, the choice of the tobit model is superior to the ordered probit alternative despite the fact that the dependent variable of lustration is categorical. The tobit model is mathematically proven to take account of both continuous and interval censored data (See William Greene,

"Fixed Effects and Bias due to the Incidental Parameters Problem in the Tobit Model", *Econometric Reviews* 23, 2 (2004): 125-147). An alternative is to use an ordered tobit approach (see Marc F. Bellemare and Christopher B. Barrett, "An Ordered Tobit Model of Market Participation: Evidence from Kenya and Ethiopia", *American Journal of Agricultural Economics* 88, 2 (2006): 324-337). However, the usage of ordered probit has yet to be justified for panel data. More importantly, in the tobit model, the value of $[y^*]$ is known when $[y^* > 0]$, while in the probit model we only know if $[y^* > 0]$. Since there is more information in the tobit model, the estimates of the BETAs should be more efficient. These benefits also outweigh the concern that the Lustration Index is a categorical variable while tobit models treat it as if it were a continuous one.

³¹ In certain regressions, the category of {0} is added for the Buddhist legacy (as in some models the data for Mongolia are available).

³² The standard random effects panel data Tobit model (as used in the STATA statistical package, *xttobit* command) assumes no correlation between the individual specific effect and the explanatory variable. Because of this condition mean independence assumption, some authors regard this model as misspecified (see Adriaan S. Kalwij, "A Two-Step First-Difference Estimator for a Panel Data Tobit Model Under Conditional Mean Independence Assumptions" (Discussion Paper No. 2004-67, Tilburg University, Center for Economic Research, 2004).

³³ See, for example, Peter Rožič. *Lustration and Democracy: The Politics of Transitional Justice in the Post-Communist World*. Washington, DC: Georgetown University, ProQuest Dissertations and Theses, 2012,

<https://repository.library.georgetown.edu/handle/10822/557612?show=full> and Peter Rožič. "Religious Legacies and Post-Communist Transitional Justice." Paper presented at ASU Post-Atheism Symposium, 2013, Phoenix, AZ, http://melikian.asu.edu/docs/Post_Atheism_Schedule_2013_02_06.pdf

³⁴ See Peter Rožič, Václav Malý. "Bil bi lažnivec, če bi molčal : pogovor s praškim pomožnim škofom Vaclavom Malyjem". *Družina*, ISSN 1580-3686. 15. jan. 2012. <http://druzina.si/icd/spletnastran.nsf/all/5DF9E6EA3AD7FD54C1257983002D108B?OpenDocument>".

³⁵ See Philipp Casula, "Sovereign Democracy, Populism, and Depoliticization in Russia: Power and Discourse during Putin's First Presidency", *Problems of Post-Communism* 60, 3 (2013): 9.

³⁶ Dmitrii Trenin, *The Mythical Alliance: Russia's Syria Policy* (Moscow: Carnegie Moscow Center, 2013), 13.

³⁷ See Touraj Atabaki, *Beyond Essentialism: Who Writes Whose Past in the Middle East and Central Asia?* (Amsterdam: Aksant Academic Publishers, 2003).

³⁸ Jerry G. Pankhurst and Alar Kilp, "Religion, the Russian Nation and the State: Domestic and International Dimensions: An Introduction", *Religion, State and Society* 41, 3 (2013): 234.

³⁹ See Alar Kilp, "Lutheran and Russian Orthodox Church Buildings as Symbols of Cultural Identity in the Estonian Parliamentary Elections of 2011", *Religion, State and Society* 41, 3 (2013): 312-329.

⁴⁰ See Peter Rožič. "Religious Legacies and Post-Communist Transitional Justice." Paper presented at ASU Post-Atheism Symposium, 2013, Phoenix, AZ, http://melikian.asu.edu/docs/Post_Atheism_Schedule_2013_02_06.pdf.

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