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## Institutional Legacies and Systemic Transformation in Eastern Europe: Ukraine, Russia, and the European Union

Elites invariably believe that systemic transformation depends exclusively on their choice of policies, but the reality is usually more complex. How much and how quickly a country can change is always also a function of the institutions that define a system at the point it embarks on change. As I argue in this article, these institutional starting points shaped post-communist transformations – precluding, constraining, permitting, and facilitating the adoption of those institutions associated with democracy, the market, rule of law, and civil society. In 1989-1991, three different institutional starting points – involving different combinations of totalitarian and imperial institutional legacies – generated three distinct clusters of reform-oriented countries: those that had been least totalitarian and imperial, those that had been most totalitarian and imperial, and those that had been more or less totalitarian and imperial. The first group could make the transition to democracy, the market, rule of law, and civil society because it was relatively easy, institutionally, for them to do so. The second group lacked the institutional preconditions to embark on such a transition. The third inherited a mixed institutional legacy that produced institutionally incoherent hybrid regimes prone to medium-term change and decay. The rapid transformation of this group was impossible, for the simple reason that institutions, as regularized patterns of behavior, by definition cannot be built overnight. I suggest that Ukraine's Orange Revolution on the one hand and Russia's turn to authoritarianism on the other provide convincing evidence of the validity of this proposition. I conclude this article with an assessment of the challenges these transformations pose for the European Union.

## A Model of Change

I propose a simple explanation of the different reform trajectories that the post-communist states have taken. The approach is institutional, and the focus is on the institutional legacies of totalitarianism and empire. All communist states were totalitarian<sup>1</sup> and the Soviet bloc was an empire, with Moscow as the metropole and the non-Russian republics and East Central European satellites as peripheries.<sup>2</sup> As totalitarian controls were lifted and imperial ties burst in 1989-1991, communist countries emerged from the rubble with varying degrees of totalitarian and imperial institutions in place. The extent of totalitarianism in a country determined the ease with which non-totalitarian institutions, such as democracy, the market, rule of law, and civil society, could emerge in post-totalitarian circumstances. In turn, the extent of imperial control of a country by Moscow determined the kinds of states, governments, and elites (formless and unskilled or more or less capable of decisive action) that countries possessed upon achieving independence.<sup>3</sup> Totalitarianism and empire thus set the institutional parameters within which change toward democracy, the market, rule of law, and civil society could take place. Totalitarianism and empire also created peculiar kinds of mind-sets, or cultural predispositions, that reinforced totalitarian and imperial institutions.

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<sup>1</sup> This point is made by Jan T. Gross, "Social Consequences of War: Preliminaries to the Study of Imposition of Communist Regimes in East Central Europe," *East European Politics and Societies*, vol. 3, no. 2 (spring 1989), pp. 208-210.

<sup>2</sup> For a more elaborate discussion of totalitarianism and empire, see Alexander Motyl, J.: *Imperial Ends: The Decay, Collapse, and Revival of Empires* (New York: Columbia University Press, 2001), pp. 13-21, 46-53. The classic study of totalitarianism is of course Carl Friedrich and Brzezinski, Zbigniew: *Totalitarian Dictatorship and Democracy* (New York: Praeger, 1965), 2<sup>nd</sup> ed. The best work on empires is Doyle, Michael W.: *Empires* (Ithaca, N.Y.: Cornell University Press, 1986).

<sup>3</sup> I develop this argument in greater detail, both theoretically and empirically, in Alexander J. Motyl, "Communist Legacies and New Trajectories: Democracy and Dictatorship in the Former Soviet Union and East Central Europe," in Brudny, Yitzhak / Frankel, Jonathan / Hoffman Stefani, eds.: *Restructuring Post-Communist Russia* (Cambridge: Cambridge University Press, 2004), pp. 52-67.

This model has many limitations. It cannot, by virtue of being static and looking only at institutions, account for the manifold ways in which individual countries developed after 1989-1991. Nor does this model have anything to say about internal wars, ethnic conflicts, and the like. Nor, finally, can it adequately account for systemic discontinuities, such as rebellions and revolutions. But the model does generate three clusters of countries that roughly correspond to the clusters that actually emerged. Thus, we expect democracy, a market economy, rule of law, and civil society to take root most easily in those countries that were least totalitarian and least imperial: Czechoslovakia (the Czech Republic and Slovakia), Estonia, Hungary, Latvia, Lithuania, Poland, Slovakia, and the successor states of Yugoslavia (Bosnia, Croatia, Macedonia, Serbia/Montenegro, and Slovenia). We expect these institutions not to take root in those countries that were most totalitarian and most imperial: Azerbaijan, Belarus, Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, and Uzbekistan. And we would expect mixed results from countries with varying degrees of totalitarian and imperial rule: Albania, Armenia, Bulgaria, Georgia, Moldova, Romania, Russia, and Ukraine.

And indeed, for most of the 1990s, the post-communist countries constituted three more or less stable clusters roughly corresponding to the tripartite division noted above. The first group consisted of polities that emerged from the USSR's moderately totalitarian informal empire in East Central Europe (the Baltic states may, for a variety of historical reasons peculiar to them, also be assigned to this category). Upon attaining independence in 1989-1991, they possessed more or less complete state apparatuses, bureaucracies, elites, armies, police forces, and courts, relatively coherent economies with substantial market-oriented elements, as well as a variety of semi-autonomous social institutions, if not quite full-fledged civil societies.<sup>4</sup> Not surprisingly, most of these countries joined the European Union in 2004.

The second and third sets consisted of the successor polities of the formal empire – some of the institutionally more totalitarian East Central European states, the majority of non-Russian republics, and Russia. These polities pos-

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<sup>4</sup> See Motyl, Alexander J.: *Revolutions, Nations, Empires: Conceptual Limits and Theoretical Possibilities* (New York: Columbia University Press, 1999), pp. 55-57.

sessed no market features, and they lacked even minimally autonomous social institutions. They did possess their own communist parties, bureaucratic apparatuses, and the accoutrements of symbolic sovereignty. With the exception of Russia, which inherited the core of the imperial state, however, their bureaucracies were shapeless, their ministries were either undermanned or nonexistent, and their policy-making and policy-implementing cadres, trained to receive orders from Moscow, were anything but effective elites. What differentiated the countries in the third category from those in the second was, in general, the extent of imperial rule – with the former having experienced more direct imperial rule than the latter and therefore inheriting even less skilled and more ineffective policy elites.

The countries that were least totalitarian and least imperial built democratic, market-oriented, rule of law, and civil society institutions with relative ease, not because they adopted radical policies promising radical change, but precisely because they were least totalitarian and least imperial and, thus, institutionally able to do so. It is therefore incorrect to describe the policies many of them adopted in the late 1980s and early 1990s as “big bangs” and “shock therapy.” The change they embarked upon, although announced with revolutionary hoopla, was actually evolutionary, and the logical consequence of the incremental change they had begun implementing since the mid-1950s. Because the gap between the East Central European front-runners and the rest was largely systemic in origin, it could not, almost by definition, be overcome easily or quickly.<sup>5</sup> Unless revolutionary breakthroughs are attempted – and, for better or for worse, they rarely succeed in bringing about their intended outcomes – the institutional features of these more backward systems could change only with the passage of time.<sup>6</sup> It is on the nature of institutions, after all, as regularized patterns of behavior, to become regularized – and hence internalized – slowly.

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<sup>5</sup> See Pickel Andreas / Wiesenthal, Helmut: *The Grand Experiment* (Boulder, CO: Westview, 1997).

<sup>6</sup> Motyl, *Revolutions, Nations, Empires*, pp. 58-60.

As a result, the countries that were most totalitarian and most imperial were virtually doomed to become stagnant despotisms unwilling and unable to embark on change. They generally developed highly personalized dictatorships – Alyaksandr Lukashenka of Belarus, Saparmurat Niyazov of Turkmenistan, Heidar Aliiev of Azerbaijan, Nursultan Nazarbaev of Kazakhstan, and Islam Karimov of Uzbekistan – that rested on state control of the economic system. In the short run, they appeared stable. Their prospects of longer-term survival, on the other hand, are substantially more bleak. A state-dominated economy is an intrinsically inefficient mechanism doomed to secular decline. A political system that prevents the emergence of autonomous political and civic forces – and, thus, of competition, contention, and innovation – is also doomed to mediocrity and decay, especially in an age of globalization. Like the Soviet Union, these states are likely to decay and eventually collapse, although just when is impossible to say.

Those countries that were more or less totalitarian and more or less imperial possessed features of formal democracy, formal markets, formal rule of law, and formal civil societies on the one hand and parasitic elites, authoritarian leaders, and corrupt bureaucracies on the other. Resting on contradictory institutional features, these hybrid “parasitic authoritarian” regimes were inherently brittle. Formally democratic and market-oriented features enabled parasitic elites to grow rich, but they also constrained them with systems of rules. Formal democracy and formal markets promoted some political and economic institutional development and provided “space” for political oppositions, economic entrepreneurs, and civic organizations to emerge and grow, thereby constraining elite rent-seeking and bureaucratic malfeasance. In general, such hybrid regimes could be expected to be most vulnerable during and immediately after intra-elite power struggles, especially during periods of succession, when elite factions clash over office, wealth, and influence and opposition forces are freer to act.<sup>7</sup> Not surprisingly perhaps, some of these hybrid countries, such as Bulgaria and Romania, began evolving in the direction of democracy and the market by 2000, while others, such as Georgia and Ukraine, experienced popular

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<sup>7</sup> Seweryn Bialer made this argument well in *Stalin's Successors: Leadership, Stability, and Change in the Soviet Union* (Cambridge: Cambridge University Press, 1980).

upheavals in 2003-2004 that promised to shift their developmental trajectories abruptly. Only Vladimir Putin's Russia moved in a despotic direction.

I suggest that Ukraine was able to move toward democracy because its avoidance of radical economic policies, and the concomitant political deadlock, served to build the very political, economic, and social institutions it lacked in 1991. In turn the snail-like emergence of many of these institutions made a turn toward democracy and the market possible by 2004. Russia, in contrast, had tried to embark on radical reform under Boris Yeltsin, but, in so doing, had weakened nascent political institutions, thereby laying the foundation for Vladimir Putin's successful assault on rule of law and civil society.<sup>8</sup>

## The Orange Revolution in Ukraine

The Orange Revolution in Ukraine marked a watershed in independent Ukraine's political development. The system of corrupt rule personified by President Leonid Kuchma was broken by the hundreds of thousands of demonstrators who demanded fair and free elections in November-December 2004. Ukraine's systemic trajectory thus effectively shifted – from an increasingly authoritarian direction to a potentially democratic one.

Independent Ukraine was flawed from the very start. Like all post-colonial entities, it consisted of a territory, a population, and bureaucrats, but it lacked the institutions that transform a territory, population, and bureaucrats into a functioning economy, society, and state. Indeed, the behaviors, values, and institutions that survived Soviet collapse undermined genuine statehood, political contestation, economic entrepreneurship, and civic activity. Worse, Ukraine's catastrophic encounter with the twentieth century did not help matters. Ukraine experienced some forty consecutive years of relentless death and destruction,

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<sup>8</sup> See Motyl, Alexander J.: "Structural Constraints and Starting Points: The Logic of Systemic Change in Ukraine and Russia," *Comparative Politics*, vol. 29, no. 4 (July 1997), pp. 433-447.

starting in 1914 and ending in 1953. Over three decades of normal totalitarianism then followed. Everyday violence disappeared and the death camps were disbanded, but totalitarianism as a system of rule remained. As such, it was an unmitigated disaster – for Ukraine as for all the other Soviet republics. Living standards improved, but no elements of democracy, the market, and civil society could emerge. Seventy years of intrusive party-state domination, irrational central planning, and stultifying ideological control produced both a passive mind-set and a stable set of institutions and behaviors that reproduced totalitarian rule. In contrast to Nazi totalitarianism, Soviet totalitarianism actually managed to create a new type of civilization and, perhaps, a new type of human being.<sup>9</sup>

The system of rule that took root under Kuchma was intrinsically decrepit and prone to decay. Political power was concentrated in a small clique that ignored the rule of law, controlled the media, and intimidated society while catering to the whims of powerful tycoons who lined their pockets and diverted money into offshore accounts. The regime's edifice began to crack in 2000–2001, when Kuchma became implicated in the murder of journalist Georgi Gongadze. Secret tape recordings, conducted by a member of the Ukrainian security service, suggested that Kuchma had ordered Gongadze's killing. Just as disturbing, the tapes revealed the private side of Kuchma as a tough-talking thug without regard for the very people he claimed to serve. The depth of popular hatred of the Kuchma regime quickly became enormous.

Prime Minister Viktor Yanukovich's decision to run for president in 2004 was the final straw. His criminal past, his acknowledged collaboration with the KGB, and his cloddish persona seemed to prove that the Kuchma regime had sunk to new lows. All it took for this edifice to collapse was a small shove, and that was provided by the fraudulent elections of November 21. A joke that circulated in Ukraine on the eve of the elections said it all: "An advisor to the pro-regime candidate comes to him the day after elections. 'I have good news and bad news,' he says. 'The good news is that you won the elections. The bad

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<sup>9</sup> See Motyl, Alexander J.: "Making Ukraine, and Remaking It," The Petryshyn Memorial Lecture, Harvard University, April 14, 2003 (Cambridge, Mass.: Ukrainian Research Institute, 2003).

news is that no one voted for you.” Not surprisingly, opposition to the regime was mass-based, incorporating virtually every generation, region, class, and profession. In contrast to Soviet times, Ukrainians were no longer atomized.<sup>10</sup>

Equally important, Ukraine’s ruling political elites not only faced the determined and vigorous opposition of the democrats led by Viktor Yushchenko, but they too were divided. Most striking was the fact that the Ukrainian secret police turned against the Kuchma regime. Members of the Ukrainian successor to the KGB released the compromising tapes of Kuchma ordering the murder of Gongadze in 2001 and, at the height of the Orange Revolution, intervened to prevent a government crackdown on the pro-Yushchenko demonstrators.<sup>11</sup>

## Ukraine after the Orange Revolution

Despite the widespread perception in the west of Ukraine as a reform-laggard, the reality was rather more complex. Since it is in the nature of institutions to grow slowly and almost invisibly, outside observers failed to see that Ukraine had experienced an enormous transformation by 2004. What appeared to be systemic stasis was really institution building. Although Ukraine had emerged from the Soviet collapse with few of the institutions of democracy, statehood, rule of law, civil society, and the market, it had by 2004 managed to acquire many of them.

Most visibly, Ukraine had acquired a vigorous civil society based on a multiplicity of human rights organizations, student groups, churches, businesses, and intellectuals who could all agree that they had had enough of the regime. That civil society spawned a democratic opposition that staged a series of anti-Kuchma public protests in Kyiv in 2001-2002. Those rallies – and the activists,

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<sup>10</sup> Slivka, Andrey: “Orange Alert: On the Streets of a Revolution,” *The New Yorker*, December 13, 2004, pp. 42-49.

<sup>11</sup> Chivers, C.J. “How Top Spies in Ukraine Changed the Nation’s Path,” *The New York Times*, January 17, 2005.

groups, and leaders that emerged from them – were a dress rehearsal for the Orange Revolution, which demonstrated that Ukraine possessed a vigorous democratic citizenry willing to fight, stubbornly and peacefully, for its rights.

More important, fourteen years of independence had led to the creation of the very political institutions Ukraine had lacked in 1991. By 2004, Ukraine possessed a state apparatus with a functioning, if inefficient bureaucracy, and skilled policy elites. By 2004, Ukraine had also acquired significant elements of rule of law and democracy, and its economy, though not quite yet fully based on the market, had made significant strides in that direction. Formally democratic and market rules enabled civil society and a political opposition to emerge in a context of increasingly robust political and economic rules of the game. Indeed, as significant as the popular upheaval during the Orange Revolution was the fact that all of Ukraine's political institutions – the presidency, the parliament, the Supreme Court, and its parties – acted as genuine institutions in the course of the crisis. Even Yanukovich, after losing the presidential run-off of December 27, proceeded to challenge Yushchenko's victory in the Central Election Commission and the Supreme Court.

In contrast to 1991, when Ukraine was in no position to embark on a systemic transformation, today's Ukraine is as suited as Poland, Hungary, and Czechoslovakia were in 1989 to break through to democracy and the market. Like them, Ukraine can finally boast of the political, economic, social, and cultural institutional foundations of further systemic change. At the same time, it is important to emphasize that the ability of Poland, Hungary, the Czech Republic, and Slovakia to stay the reform course was very much a function of the European Union's willingness to accept them as members. The prospect of EU membership not only provided reformist elites with a blueprint of reform, but it also served to unite competing elites and frightened publics around a vision of their countries' future. Like East Central Europe, a reform-oriented Ukraine will need to feel the pull of a Ukraine-friendly European Union.

## Russia's Growing Authoritarianism

Until 2001, Ukraine and Russia were hybrid regimes that were both moving in the direction of greater despotism and corruption. But while Ukraine moved decisively toward democracy in 2004-2005, Putin moved Russia decisively toward authoritarian rule. Putin successfully muzzled the press, emasculated the parties and parliament, staffed the government with his cronies from the security services, coopted the oligarchs, and terrified civil society.<sup>12</sup> His campaign against Yukos and its CEO, Mikhail Khodorkovsky, portended greater state intervention in the economy, and his response to the terrorist attack in Beslan served to strengthen central control significantly. Hoping to appeal to Russians angry at the loss of empire and superpower status, Putin has also played on great-power and imperial nostalgia, nationalism, and patriotism, vowing to crush all of Russia's enemies, the Chechens in particular.

My model suggests that the institutional legacies bequeathed to Ukraine and Russia helps account for this difference in outcomes. When Ukraine's hybrid regime broke down in 2004, it was replaced by a regime committed to fundamental democratic and market-oriented change. Russia also inherited a hybrid regime, and it too broke down after Putin came to power in 2000. But instead of moving in a democratic direction, Russia under Putin moved decisively in an authoritarian one. Why was Putin able to succeed in establishing an authoritarian system where the equally authoritarian Kuchma failed? Without ignoring differences in personality and leadership, I suggest that, while Ukraine's avoidance of radical change facilitated the emergence of political institutions and a strong democratic opposition, Yeltsin's pursuit of radical change did not. Instead, Yeltsin polarized Russia's political parties, weakened the state, and created an under-institutionalized political environment that facilitated the emergence of a strong anti-democratic ruler.

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<sup>12</sup> Maćków, Jerzy : "Demokratie mit Adjektiven? Die Kontinuität des Autoritarismus in Russland unter Jelzin und Putin," *Blick in die Wissenschaft*, vol. 13, no. 16 (2004), pp. 46-50.

Central to this difference in outcomes was the fact that, while Ukraine was the object of imperial rule and, as such, emerged from the Soviet empire without a functioning state apparatus and skilled elite, Russia was the subject of that empire. Russia was the metropole that emerged from empire with an imperial state apparatus and highly skilled elite. Ukraine lacked state institutions and was hard-pressed to pursue reform in their absence. Russia possessed state institutions, but of a bloated and reactionary kind that served as an obstacle to democracy, rule of law, and the market.

Yeltsin's attempt to pursue shock therapy in the early 1990s was thus doomed to failure, as such a strategy of "revolution from above" could not work without the active intervention of the state, which was, if anything, anti-revolutionary. The inevitable failure of Yeltsin's attempted revolution from above fatally weakened the radical reformers as a political force. But Yeltsin's policies also polarized the political spectrum, thereby leading to the consolidation of both the extreme left and the extreme right, deinstitutionalizing Russian politics, and enabling the Russian president to emerge as Russia's supreme political figure.<sup>13</sup>

Faced with chaotic economic change, polarized politics, and increasingly uncertain rules of the game, state ministries and provinces tried to grab as much authority as possible, both because it was there to be grabbed and because grabbing it protected them from the assaults of an imperious central government. The resulting fragmentation of the state enabled forces associated with one of the Soviet and Russian state's most efficient agencies – the secret police – to emerge in the late-Yeltsin era and take control of the government and, increasingly, the state. Small wonder that a former KGB officer succeeded Yeltsin as president and that state consolidation became his overriding programmatic goal. Since the revolutionary democrats appeared to have been responsible for the state's fragmentation, state consolidation assumed anti-democratic and anti-reformist dimensions. Under conditions such as these, the free press and civil society could easily be viewed as obstacles to state consoli-

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<sup>13</sup> Motyl, "Structural Constraints and Starting Points," pp. 441-443.

dition, especially when pursued under the auspices of the *siloviki* from the security services.

## The Non-Viability of Authoritarianism in Russia

Putin is ostensibly pursuing authoritarianism so as to modernize Russia, but his faith in authoritarianism, although understandable, is misplaced. There are many instances of successful authoritarian modernizations, ranging from Bismarckian Germany to the East Asian “tigers,” Taiwan, South Korea, Singapore, and Indonesia. Russia’s own history – in the late nineteenth and early twentieth centuries as well as during the Soviet period – suggests that authoritarian regimes can modernize societies. By the same token, Communist China successfully modernized under Deng Tsiao-ping while remaining an authoritarian state ruled by the Communist Party.

But authoritarianism is not a viable long-term option for today’s Russia. Like the other Soviet successor states, Russia is a post-totalitarian and post-imperial entity that lacks the institutional preconditions of authoritarianism. Authoritarian rule presupposes a more or less effective state – which Russia lacks. The task before Russia, then, is, as Putin rightly recognizes, to build an effective state. Only if and when such a state emerges, is effective authoritarian rule possible. But this means that, logically, effective authoritarianism cannot precede an effective state, as an effective state is the very precondition of effective authoritarianism. Putin is thus either trapped in a vicious circle or condemned to constructing a tin-pot dictatorship.

This is not to say that misguided rulers cannot or will not employ authoritarian means to build an effective state. But it is to say that they will necessarily fail. Worse, the example of third-world states shows that authoritarian approaches to building or consolidating states can all too easily acquire pathological characteristics, especially when political institutions are non-existent or weak. State building then trumps all other policy concerns and becomes a source of

political patronage. When the state becomes institutionally and numerically bloated, its efficiency and effectiveness invariably decline as lines of command become blurred, elites engage in localized empire building, resources are diverted from their intended uses, and state employees engage in bribe taking and corruption. The state apparatus then becomes an obstacle to modernization.

Russia's ongoing transformation into a "petro-state" will make things worse. As Russia's oil and gas industries consolidate and expand, their influence on the Russian economy and polity will grow. That may produce a dynamic oil and gas sector, but it will also skew the rest of the economy and produce the kind of one-sided development characterized as the "Dutch disease." Worse, authoritarian petro-states become deeply corrupt states. They accumulate vast and easy wealth, which elites invariably misappropriate. And oil states are rarely stable. First, the centralization of power and information generally produces a variety of systemic pathologies resulting in growing ineffectiveness in the medium to long term.<sup>14</sup> Such decay makes authoritarian systems more prone to crises on the one hand and to anti-system pressure from below on the other. Second, if such systems improve living standards for key sectors of the population, while refraining from opening their political systems, they may become vulnerable to a "middle class" able to engage in opposition politics. Third, the misuse by elites of the easy money generated by natural resource extraction tends to generate popular protest, sometimes even revolution. Indeed, it is striking just how closely Putin resembles – in vision, policies, and demeanor – Reza Shah Pahlavi.

If Putin persists in his authoritarian version of modernization, Russia may in the longer term go the way of Kenya, Nigeria, Zimbabwe, and other third-world states whose enormous potential services parasitic elites. Unfortunately, there is little reason to expect Putin to change course any time soon – and it is here that his failure to sway the elections in Ukraine may make a difference. By supporting parasitic authoritarianism in Ukraine, and failing, Putin may

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<sup>14</sup> See Tainter, Joseph: *The Collapse of Complex Societies* (Cambridge: Cambridge University Press, 1988) and Deutsch, Karl: "Cracks in the Monolith: Possibilities and Patterns of Disintegration in Totalitarian Systems," in Eckstein Harry / Apter David E., eds.: *Comparative Politics: A Reader* (New York: Free Press, 1963), pp. 497-508.

conclude that the only way to reestablish prestige and consolidate authority is to reassert his authoritarian inclinations and reemphasize imperial nostalgia, great-power aspirations, patriotism, and nationalism.

But – as the example of Slobodan Milosevic’s misrule in Yugoslavia showed – even hyper-nationalism has its limits: a ruler must deliver at least some of the goods some of the time. And one of those goods has to be victory in seemingly easy wars: Milosevic failed against Croatia, Bosnia, and Kosovo; Putin has still to succeed in Chechnya. As that hopeless conflict continues to fester, it will erode Putin’s remaining legitimacy. An illegitimate dictator ruling over a weak state, enfeebled society, and corrupt economy cannot last long. At some point, even a minor crisis can topple his house of cards. Ukraine suggests how that might happen. Just as fraudulent elections toppled the Ukrainian kleptocrats, Russia’s forthcoming presidential elections in 2008 may be the spark that Russia needs. Constitutionally disqualified from running for a third term, Putin will be sorely tempted to change the rules. If and when he does, that may spell his end.<sup>15</sup>

## The European Union and Ukraine

The European Union’s inclusion of ten new members was premised on the permanent exclusion of the countries to the east – Ukraine, Belarus, Moldova, and Russia – from a complex and interlocking set of institutional arrangements premised on democracy, rule of law, civil society, and the market. Coming as it did on the heels of NATO expansion – which also pointedly excluded Ukraine, Belarus, Moldova, and Russia – EU enlargement effectively created a zone of democratic allies that left Ukraine in a security no-man’s land, with an indifferent Europe on one side and an all too solicitous Russia on the other. The EU’s Schengen border came to resemble a new iron curtain between a rede-

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<sup>15</sup> See “On the Border and on the Brink,” *The Economist*, October 30, 2004, pp. 27-29.

fined East and a redefined West – until the Orange Revolution put an end to this arrangement.<sup>16</sup>

European policy makers and institutions played a critical role in adjudicating between Yushchenko and Yanukovych during the crisis and the European Parliament openly supported Ukraine's democratic and EU aspirations during and after the Orange Revolution,<sup>17</sup> but the European Commission remained silent about the prospects of Ukraine's membership. There were several possible explanations of such silence. First, many West Europeans really believed that Ukraine was unquestionably non-European. Former Chancellor Helmut Schmidt, for instance, once claimed that Ukraine has radically different cultural traditions that, *eo ipso*, disqualify it from integration into Europe.<sup>18</sup> Second, many West Europeans openly disdained the East. When President Jacques Chirac chided the Poles for daring to disagree with him over Iraq, he was expressing a deeply engrained French view of the East Europeans as uncivilized bumpkins. And if Chirac can believe that Poland – which can match France castle for castle – is uncivilized, one can only imagine what he thinks about Ukraine. Third, the European Union admitted ten new members in May 2004 and was distracted by the complexities of enlargement and the prospect of admitting Turkey. Fourth, the Europeans feared that engaging Ukraine would ruffle Russia's feathers, and they were happy to concede Ukraine to Moscow in exchange for Russia's good will, oil, and gas.

None of these explanations is persuasive any longer. First, Ukraine's intermediate position between East and West – where East has come to stand for, above all, Russia and West for Europe – means that Ukraine has as many justified claims on a European identity as do many countries within the European Union. Despite the quasi-mystical overtones that the term has acquired in EU

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<sup>16</sup> See Alexander J. Motyl, "Ukraine, Europe, and Russia: Exclusion or Dependence?" in Anatol Lieven and Dmitri Trenin, eds., *Ambivalent Neighbors: The EU, NATO, and the Price of Membership* (Washington, DC: Carnegie Endowment for International Peace, 2003).

<sup>17</sup> See "European Parliament Resolution on Ukraine," January 18, 2005 <http://www2.europarl.eu.int/omk/sipade2?L=EN&OBJID=93246&MODE=SIP&NAV=X&LSTDOC=N>.

<sup>18</sup> Helmut Schmidt, "Wer nicht zu Europa gehört," *Die Zeit*, October 11, 2000. See also "Edmund Stoiber trifft Helmut Schmidt: Ein Gespräch über die Zukunft der EU und deutsche Interessen," *Die Zeit*, February 8, 2001.

discourse, *Europe* is not a homogeneous region that experienced the same exact processes of Christianization, Enlightenment, industrialization, modernization, and the like. Quite the contrary, both the real Europe and the imaginary Europe are products of centuries of violence and bloodshed.<sup>19</sup> Because the European Union's current and future members share no coherent set of identical cultural, political, and social characteristics, it is relatively easy to show that Ukraine (indeed, even Russia) shares as many of these features, at least to some degree, as most bona fide EU states.

Second, disdain for Ukraine is no longer respectable in the aftermath of the Ukrainian people's ability to demand democracy and human rights in a peaceful manner. Third, although enlargement and the prospect of Turkey's membership will force the European Union to redefine its identity and governance structures, such a redefinition, especially when viewed as a process that will last many years, provides an ideal opening for integrating a country that is as European as any in the Union. And last, Russia may no longer be a problem, especially after Putin explicitly endorsed EU membership for Ukraine in mid-December 2004.

To be sure, Ukraine is far from ready for EU membership. Ukraine was, and still is, a transitional post-Soviet state. Its politics are not yet fully democratic and its economics are not yet fully market-oriented.<sup>20</sup> But neither were Poland's and Hungary's in 1990. If they could be invited to begin the process of accession *then*, surely Ukraine could be invited to begin it *now*. More important, Brussels knows that the prospect of membership has been decisive in pushing the East Central European states, and Turkey, along the path of reform. And what worked for Poland and Turkey would work for Ukraine. Besides, Ukraine is still several decades away from actual membership, the European Union need not worry about subsidizing another poor country and assimilating immigrants anytime soon.

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<sup>19</sup> See Tilly, Charles: *Coercion, Capital, and European States, AD 990-1990* (Oxford: Blackwell, 1990).

<sup>20</sup> Molchanov, Mikhail A.: "Ukraine and the European Union: A Perennial Neighbour?" *European Integration*, vol. 26, no. 2 (December 2004), pp. 451-473.

Since the case for Ukraine's eventual EU accession is so strong,<sup>21</sup> the only persuasive explanation of the European Commission's reluctance to extend to it the prospect of membership is the European Union's intrinsic institutional inability to act quickly, even when circumstances require an immediate and obvious response.<sup>22</sup> Regardless of how loose or how tight the European Union will become, the fundamental problem facing its governing institutions concerns coordination. How are twenty-five equally sovereign partners supposed to agree on anything – or, at least, anything controversial and substantive? Even with fifteen members the European Union was slow to meet external challenges. The wars of the Yugoslav succession showed that united Europe suffered from a fundamental flaw: due to its size and the different interests of its members states, it was incapable of agreeing on difficult foreign policy issues. The run-up to the war in Iraq showed that disunion was inherent in the very nature of the Union.

The European Union's difficulty in making tough decisions is the bad news for Ukraine's prospective membership. The good news is that the European Union *must* take a stand on its own values, even if it is reluctant to do so. The European Union's very *raison d'être* – its self-definition as a democratic club of countries dedicated to something called European values – requires that it practice what it preaches. Since the European Union does not define itself as an association of selfish states pursuing selfish interests, it must be responsive to the promotion of what European values are ostensibly about – democracy, rule of law, and human rights. That means that the fate of democracy in Ukraine is just as important to Europeans as to Ukrainians. The European Union can therefore assert its own identity, by supporting the Ukrainian population's democratic aspirations with the prospect of EU membership, or it can repudiate

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<sup>21</sup> For a dissenting view, see Tony Judt, "The Eastern Front, 2004," *The New York Times*, December 5, 2004, p. 13.

<sup>22</sup> See Krok-Paszowska, Ania / Zielonka, Jan: "The European Union's Policies Toward Russia," and Kux, Stephan: "European Union-Russia Relations: Transformation Through Integration," in Motyl, Alexander J. / Ruble, Blair / Shevtsova, Lilia, eds.: *Russia's Engagement with the West: Transformation and Integration in the Twenty-First Century* (Armonk, NY: Sharpe, 2004), pp. 151-184.

it, by turning its back on democracy when the fate of democracy lies, as in Ukraine, in the balance.

## The European Union and Russia

The Orange Revolution strained the European Union's relations with Moscow, thereby underlining Europe's pressing need to develop a coherent long-term policy toward an increasingly authoritarian Russia. Clearly, calling Putin a "flawless democrat," as Chancellor Gerhard Schroeder did at the height of the people's uprising in Kyiv, just will not do – especially if Putin continues to crush the opposition, centralize power, and abandon all pretense of democracy.<sup>23</sup> Worse, EU policy toward Russia is premised on its continued stability. But if my analysis is correct, Putin will not only fail to modernize Russia, he may even succeed in bringing down his own regime. Whatever the outcome, the European Union may, at some time in the not too distant future, have to cope with another popular upheaval in Russia.

Given Russia's size, the hyper-nationalist sensitivities of its elites, and Europe's dependence on Russian energy, there is little the European Union can do to sway Putin from his authoritarian path. But, by integrating Ukraine as soon as possible, the European Union can reduce the zone of potential instability in Eastern Europe and remove one of the major bones of contention from its relations with Russia. And both outcomes could, indirectly, facilitate Russia's own democratization and stabilization. After all, the East-West confrontation over the democratic revolution in Ukraine was the direct consequence of two factors – the European Union's enlargement in May 2004 and Putin's transformation of Russia into an authoritarian state. Ukraine's isolation in a strategic no-man's land between a democratic Europe and an increasingly authoritarian Russia meant that any pro-democracy movement in Ukraine would necessarily identi-

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<sup>23</sup> "Gerhard Schroeder's Dangerous Game," *Spiegel Online*, December 1, 2004 - [www.spiegel.de/international/0,1518,330461,oo.html](http://www.spiegel.de/international/0,1518,330461,oo.html)

fy with Europe and associate a European identity with opposition to Russia. As a result, just as the European Union could not avoid coming to the assistance of Ukrainian democracy, so too its involvement could not fail to be interpreted as a challenge to Russia's interests.

Putin's suggestion that Ukraine could join the European Union was thus an indirect way of proposing how East-West tensions over Ukraine could be resolved. While reducing these tensions will not democratize Russia, it may, by eliminating some of the reasons and rationales for hyper-nationalism, encourage Putin to refrain from building a "fortress Russia."

Integrating Ukraine into Europe will not solve the problem of an increasingly authoritarian and, possibly, increasingly brittle Russia. As long as Russia's leaders believe that destroying institutions is preferable to building them, Russia will never be able to move beyond dictatorship. Putin is unlikely to be persuaded by anyone, least of all by foreigners, that his policies are a dead-end for Russia. Only a crisis that threatens his rule may force him to rethink his policies and priorities. Until that crisis comes, Europe will be best served maintaining businesslike relations with Russia, while consolidating the zone of democracy among their neighbours – and especially Ukraine.

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