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Ten Years After the Soviet Breakup

SOVEREIGNTY AND UNCERTAINTY IN UKRAINE

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As they emerged from the wreckage of the old Soviet Union, all the non-Russian republics confronted the same triad of mighty tasks: consolidate statehood, reform the economy, and establish democracy. The test was and is formidable. Each republic has had to lay a firm foundation for sovereign statehood and overhaul a Moscow-run command economy while learning to conduct its political life according to internationally recognized principles of freedom and democracy.

As the largest of the non-Russian republics, Ukraine has always been a bellwether of sorts. Its success at handling these three simultaneous "revolutions" and posing a counterweight to Moscow has been crucial in preventing the resurgence of Russia as an imperial power. As it passes its tenth anniversary as an independent state, Ukraine presents a mixed picture of achievements and setbacks.

When Ukraine declared its independence and took its place among the self-governing countries of the world on 24 August 1991, the prognosis for success on all three fronts was not very favorable. At the time, many analysts thought that Ukraine's strongest suit would be economic reform. A much-quoted Deutsche Bank study pointed to the country's well-developed industrial base, its mineral wealth, and its resourceful, highly skilled people as reasons to think that Ukraine would soon become the leading economic performer among all the post-Soviet economies.

By contrast, many commentators rated the likelihood that Ukraine

would maintain its independence as rather low. Ukraine's last prolonged experience as an independent state had been in the seventeenth century. Unlike the Estonians, Latvians, and Lithuanians, who had enjoyed a period of independence between the world wars, nearly all of Ukraine's people had no memory of anything but life in a Russian-dominated state. (The only exceptions were the Western Ukrainians who had lived under Polish rule during the interwar period.)

Compared with non-Slavs such the Armenians, Georgians, and Azeris, and even the Turkic peoples of Central Asia, Ukrainians were also at a disadvantage in terms of defining a coherent national identity. With a language, religious traditions, and culture so similar to what is found in Russia, nationally conscious Ukrainians were hard-pressed to convince many of their own compatriots—let alone a skeptical outside world—that Ukraine could carve out its own independent identity as a state, even though it was the most populous of the "hidden nations" of the Soviet Union.

Contrary to these expectations, the eve of its tenth anniversary finds Ukraine a securely independent state, enjoying a sovereignty that has never come seriously into question. Ukraine traced the same trajectory as most of the other post-Soviet states by rapidly creating the institutions of statehood where previously there had been none. In addition to forming a separate judicial system and government, including a fully functioning foreign ministry, Ukraine moved quickly to establish its own army and navy, national bank, and currency, declared Kyiv its capital, and wasted little time in gathering around itself all the usual trappings of independent statehood.

Meanwhile, the breakup of the Soviet Union was causing alarm in influential Western circles. The boundaries that had marked out the 15 constituent republics of the USSR became the national frontiers of the new states. Worried that the ethnic-Russian minorities now "trapped" in other states and separated from their homeland would rise up against their new non-Russian rulers, or that Russia itself would go to war to defend its nationals in what Russians had begun to call the "near abroad," some feared that the whole vast region might soon be ablaze with armed strife. All eyes were on Ukraine. As the old USSR's second-most populous republic, and one with a 22 percent ethnic-Russian population, hundreds of Soviet-era nuclear missiles, and a long shared frontier with Russia, its situation seemed especially critical. How would the new-old borders hold up? How would the two major ethnic groups get along?

The Crimean peninsula, which Nikita Khrushchev (in what was at the time an empty gesture) had shifted from the Russian Soviet Federated Socialist Republic to the Ukrainian Soviet Socialist Republic in 1954 to commemorate a treaty signed between the Ukrainian Hetmanate and Muscovy three centuries earlier, seemed the leading candidate to become

the flash point of a Russo-Ukrainian explosion. The Crimea was peopled mostly by ethnic Russians, plus growing numbers of returning Crimean Tatars whose parents and grandparents Stalin had forcibly removed in 1944. Its largest city, the port of Sevastopol, was a major center for Russian security forces and the home base of the Soviet Black Sea Fleet. The Crimea, in short, seemed to encapsulate all the potential problems of consolidating statehood in Ukraine, as well as the broader problems left in the wake of the Soviet breakup.

For many Russian public figures in the early 1990s, waging a successful campaign to establish control over the Black Sea Fleet went hand-in-hand with regaining the entire peninsula. Politicians from across the political spectrum traveled to Crimea to view the already inflamed situation first-hand, thus encouraging Russian nationalists on the peninsula to dream that reabsorption into the motherland was just around the corner. Ukrainians, for their part, worried that losing the Crimea might presage the dissolution of their whole country. Western analysts brooded over the fate of the Crimea, and Samuel P. Huntington coined the term "cleft country" as a way of describing Ukraine's ills and fitting the Ukrainian case into his own intellectual paradigm.

Even though in retrospect it appears that there never was much chance of another Crimean War, Ukraine's new government deserves credit for ably clearing a major obstacle to the securing of its territorial integrity, and for helping to moderate Russia's ambitions regarding ethnic-Russian minorities in other states. Perhaps the crowning moment of Ukraine's successful state-building effort came in 1997, when it signed an agreement with Russia to divide control over the Black Sea Fleet. To mark this accord—which also included Russian recognition of the Crimea as Ukrainian territory—Boris Yeltsin made a highly symbolic state visit to Kyiv in May of that year. Independent Ukraine had arrived as a full-fledged member of the family of nations. That same year, the confirmation of Ukrainian statehood as a permanent feature of international relations came in the form of a special partnership agreement with NATO, together with a series of bilateral agreements between Ukraine and the United States.

Travails of a Troubled Economy

If the news on Ukraine's sovereignty has been surprisingly good, its economy has been a surprising letdown. At the time of independence, many experts recommended that the post-Soviet states try the same mix of shock therapy and privatization that had worked in Central Europe, hoping to "turn fish soup back into an aquarium." Over the last decade, however, Ukraine has fallen short of its expected economic potential and has not forged ahead of the other republics according to most measures of development.

In retrospect, it is easy to see that Ukraine's swift transition to a free-market economy and the realization of its economic potential would have required a thoroughly reformed political system, firmly based on democratic principles and the rule of law. Yet Ukraine, like the other non-Baltic post-Soviet states, had inherited a political and administrative system shaped by seven decades of communism. Russia opted for price liberalization and voucher privatization in an effort to "kick start" the transition to a market economy, benefiting a broad range of prospective businessmen.

Ukraine chose a slower route. Although perhaps less immediately disruptive, this choice inevitably widened the scope for corruption and undercut the initiatives of many potential small and medium-scale entrepreneurs. Despite its successes in curbing inflation and introducing a new currency, Ukraine's government has stuck to this "go-slow" approach ever since. It pays lip service to reform, but in practice restricts large-scale privatizations and the issuing of licenses to politically connected circles of favored businessmen.

In the fall of 1991, when Vyacheslav Chornovil, the leader of the national-democratic Ukrainian Popular Movement (Rukh), was a leading contender for the presidency, it looked as if Ukraine might follow in the tradition set by Lech Wałęsa in Poland and Václav Havel in Czechoslovakia by choosing a celebrated former dissident and leader of a mass popular movement to be its head of state. In the event, however, the winner of the December 1 balloting was Leonid Kravchuk, who had been the chairman of the Supreme Soviet of the Ukrainian SSR. On December 5, he was sworn in as Ukraine's "second" president. (The first was Mykhailo Hrushevsky, who held office for a brief period in 1918.)

Ten years into independence, Ukraine is like many of the other post-Soviet states in displaying the trappings of democracy: It holds bona fide elections to fill its presidency and its 450-seat Supreme Council (Verkhovna Rada), as the national legislature is called. Political parties form and compete. The government has executive, legislative, and judicial branches (though no real separation of powers). A constitution outlines the rights and duties of the citizens and the functions of different parts of the state.

On the spectrum of post-Soviet states, as on the global scale proposed by Freedom House's annual survey *Freedom in the World,* Ukraine occupies a middling position. It is far freer and more democratic than the Central Asian states, where authoritarianism is worse than it was during communist times, but at the same time does not come close to the standard set by the Baltic states, which are developing institutions that are fully and genuinely democratic. Freedom House rates Ukraine as "Partly Free," with scores of four out of seven on both political and civil rights, where "one" denotes freest and "seven" denotes least free.

The withering away of communism left the post-Soviet states with few alternatives in the area of governmental institutions. For all but the Baltic states, parliamentarism was out of the question. The USSR had been administered as a unitary state according to a vertical system of command that came from Moscow via the Communist Party of the Soviet Union (CPSU). In Ukraine, as in most of the republics, the Soviet breakup meant that the center of action shifted from Moscow to the local capital. Other than that, however, there was little change in the way power was distributed and exercised. The CPSU's command and administrative functions simply passed more or less intact into the hands of the newly created presidency and its executive arm, known as the *vertikal*.

Super-presidentialism Rising

In Ukraine, this super-presidentialist system has only grown stronger with the years. While the Ukrainian president does not enjoy the same level of unchallenged rule as his counterparts in Central Asia, his powers have increased over the last decade, especially as a result of the new Constitution that was approved in June 1996 under the guidance of President Leonid Kuchma, who had defeated Kravchuk in a July 1994 runoff. Presidential powers include the authority to appoint unilaterally every cabinet minister (except the premier) and regional leader, without need of legislative advice and consent. The implications of this increase in powers were not obvious at first, as Ukraine at that time could boast the only peaceful transfer of power to date from one president to another in any former Soviet republic.

President Kuchma had been prime minister in 1992–93, and before that had served as director of the Southern Machine Building Plant (the USSR's biggest missile factory) in the large Ukrainian industrial city of Dnipropetrovsk. His 52-to-45-percent victory over Kravchuk signaled a new direction in Ukrainian politics. As a native of the Russian-speaking eastern Ukraine, he symbolized the growing unity of the new state. At the same time, however, as a representative of the former Communist Party structures of Dnipropetrovsk, his election signified the growing influence of regional and criminal interests over the institutions of state power. The operation of clans and mafia groups within the political system was a feature of most post-Soviet states in the 1990s. Indeed, it is clear that the CPSU itself had previously supported regional and family clans through its own system of patronage. But as the twenty-first century approached, the strength of such groups in Ukraine was reaching new heights.

In Ukraine, as nowhere else in the post-Soviet world, corrupt business interests control the major party structures. In April 2001, four of the five major party factions in the Verkhovna Rada could be identified

directly with financial-industrial groups, known as "oligarchs." (The major "oligarch" parties are generally considered to be Social Democrats United, Working Ukraine, Democratic Union, the Rebirth of the Regions Party, and the Fatherland Party.) One of the distinguishing features of the oligarchic parties is that some of their leaders hold legislative seats to provide themselves with immunity against arrest.

Another reason for the fusion of political and economic activities that is such a prominent feature of Ukrainian public life is that wealth—whether ill gotten or fairly gained—cannot be safeguarded by the existing legal system, which leaves the wealthy feeling that they must engage in direct political manipulations themselves in order to protect what they have. Even though these parties claim thousands of members, their constituencies are difficult to define. Many voters simply sell their votes to the highest bidder. The close identification of business interests with politics has been one of the major obstacles to democratization in Ukraine. In contrast to most of the other post-Soviet states, Ukraine does not have a strong "party of power" that supports the president, in the way that Unity (Edinstvo) backs Russia's President Vladimir Putin.

The only two political parties that had genuine support and represented the authentic interests of sizable numbers of Ukrainian citizens in the early 1990s were the Communist Party and the Rukh, but only the former has retained its voter base. The Rukh was the direct outgrowth of the national-democratic mass movement that had helped to draw thousands into the streets to support independence in 1991. After the charismatic Chornovil died in a March 1999 car accident, the Rukh's support began to collapse even in its onetime stronghold of western Ukraine, and the party split in two. During the first round of the presidential election in October 2000, the two Rukh candidates combined gained less than 4 percent of the vote. The Rukh's demise is yet another indication of the general malaise of political parties in the region.

If vibrant and integrally democratic parties are notable by their absence in Ukraine, what of civil society? Here, one is relieved to note, there is some cause for optimism. Despite the obstacles to democratization present in the major institutions of government, the country's small civil society organizations have burgeoned over the past ten years. Citizens' organizations of all kinds—devoted to humanitarian assistance and charity, young people's and women's concerns, support for education, or any of a number of other causes—now number in the hundreds in Ukraine.

The influx of U.S. and Western aid and expertise in all areas of civil society development, not to mention the promotion of Ukrainian expertise through targeted programs and exchanges, has helped to foster a rapid increase in the number of people with pro-Western views. Yet even with the growing numbers of nongovernmental organizations, it

would be going too far to say that Ukraine has a functioning civil society. As for the media, although they reflect a range of viewpoints, most publications, radio stations, and television channels remain under the control of government or financial interests that still dictate their editorial line.

The Gongadze Affair

At the end of the year 2000 came a crisis that exemplified all of the paradoxical trends within Ukraine's political system and society. The revelation of secret tapes, allegedly recording the complicity of President Kuchma and his top lieutenants in the murder of noted independent journalist Heorhiy Gongadze, threw the country into turmoil. These suspicions brought hundreds of protesters out into the streets and encouraged the creation of several centers of overt opposition to the president. Journalists working for the oligarch-controlled media took on more independent points of view. After ten years, it was clear that civil society had developed to the point where the killing of an anti-regime journalist could no longer be covered up.

At the same time, the crisis showed how poor the political system is at responding to popular sentiments. Parliament formed committees to pursue the criminal investigation and to start impeachment proceedings against the president, but they faltered through inadequate funding and a lack of constitutional mechanisms to carry out their activities. The pro-presidential forces also showed their strength by launching politically motivated criminal proceedings against the one member of the cabinet, then–deputy prime minister Julia Tymoshenko, who had worked to end the system of barter trade and to block financial transactions that had previously been controlled by the major oligarchs.

Another major blow to the democratic forces came on 26 April 2001, when the parliament voted "no confidence" in Prime Minister Viktor Yushchenko by an overwhelming 263-to-69 margin. At the time of the vote, Yushchenko's "favorable" rating among the population stood at around 50 percent. (By contrast, President Kuchma's approval rating at the time of this writing is well below 20 percent.) This vote against a popular premier laid bare both the degree to which oligarchical interests dominate the Verkhovna Rada and the chronic lack of communication that bedevils relations between the people and their elected representatives. The charismatic Yushchenko had tapped into a well of popular support and was generally considered to have been responsible for finally paying state wages and pensions after months of arrears under previous governments. Yushchenko, who was perceived as having no connections with any of the major oligarchical groups, had a reputation for honesty, enhancing his popularity among ordinary citizens.

As Ukraine enters its second decade of independence, large ques-

tions loom about its future direction: Will the strength of entrenched interest groups grow and thwart future attempts to democratize the institutions of power? Might Ukraine's struggling, nascent civil society succeed in the long term in achieving an open system of government that will bring Ukraine closer to the West? Or will Ukraine remain somewhere in the middle, with the main institutions of power controlled by a strong presidency, but with ordinary citizens allowed to exercise considerable personal freedom as long as they do not challenge the powers that be?