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## The Maidan and Beyond

During the past year, the most dramatic and significant events for the fate of democracy around the world have taken place in Ukraine. Although it was becoming increasingly authoritarian at home, Ukraine in late 2013 seemed on the verge of taking a historic step to move closer to the European Union. Ukraine's President Viktor Yanukovich was widely expected to sign at the Third European Partnership Summit in Vilnius an association agreement with the EU that would link his country economically with Europe and move it further from the orbit of Russia and its Eurasian Union. But Yanukovich reversed course on November 21, just a week before the Summit, stopping preparations to sign the agreement with the EU and instead strengthening ties with Russia.

As is described in the essays that follow, that same day a small number of demonstrators gathered at the Maidan, the square in the center of Kyiv that had also been the key site of the Orange Revolution in 2004, to protest against Yanukovich's seeming decision to reject Ukraine's "European choice." Partly as a result of the heavy-handed and brutal tactics used by the authorities, the number of protesters swelled to the hundreds of thousands, barricades were erected in the square, and the Maidan and its immediate surroundings became a kind of independent and self-governing city within the city. In the space of three months, opposition to Yanukovich grew to the point where he lost the support even of his own Party of Regions and felt compelled to flee the country on February 21.

But the activities in the Maidan and the ouster of Yanukovich were only the first part of the story. Within a week after Yanukovich's flight, unmarked soldiers took over the parliament and Council of Ministers in the Ukrainian province of Crimea, raised the Russian flag, and installed a pro-Russian prime minister. Under dubious conditions, a referendum on independence was approved by voters in Crimea on March 16, and was followed a few days later by Russian annexation of the province. This seizure of another country's territory, unprecedented in recent decades, was only the beginning of Russian pressure on Ukraine. In subsequent weeks, Russian-backed separatists took over government buildings in eastern Ukraine, as Russian troops massed near the borders. The provinces of Donetsk and Luhansk each declared itself an independent "people's republic," and most citizens of these two provinces were unable to vote in the election on May 25 to choose a new president of Ukraine. In other respects, the election was carried out in relatively smooth fashion, with billionaire businessman and former cabinet minister Petro Poroshenko winning a decisive first-round victory. But Poroshenko's election initially was accompanied by an increase in violent clashes in Donetsk and Luhansk.

In a period of six months, then, Ukraine experienced a “people power” revolution, the ouster of an authoritarian (though freely elected) president, the annexation of part of its territory, a continuing military clash with separatists in two of its eastern regions, and the election of a new president. Moreover, amid the chaos of separatist unrest, its new president is faced with the task of making good on his promises to end corruption, restore a battered economy, and implement closer relations with the European Union. If all that were not difficult enough, Ukraine is caught in the midst of an intensified geopolitical struggle between East and West that some have likened to a revival of the Cold War.

To deal with this complex and still evolving set of developments, we sought to assemble a collection of essays addressing various aspects of the crisis in Ukraine. Our coverage begins with an essay by Serhiy Kudelia that analyzes the evolution of Ukraine’s political system during the presidency of Viktor Yanukovych (2010–14). It is followed by an essay by Lucan Way assessing the role that civil society played in bringing down Yanukovych and the challenges that it will now face with Ukraine’s future as a country under threat. Next, Olga Onuch explores in greater detail the composition and the motivations of the people who occupied the Maidan. Leading Ukrainian journalist Sergii Leshchenko then looks at the media scene in his country and the ways in which it evolved over the course of the protest movement.

In the following essay, Anton Shekhovstov and Andreas Umland analyze the far-right groups that Russian propaganda charged were leading the struggle against Yanukovych and assess the real level of their influence. Next Ånders Aslund examines the “endemic corruption” that has long plagued Ukraine and goes on to suggest how the new government can rebuild the country’s economy. Lilia Shevtsova then explores “the Russia factor” in the Ukraine crisis, exploring what it means not only for Ukraine, but also for Russia and for the Western democracies. Finally, a concluding essay by Nadia Diuk considers the longer-term significance of the Maidan Revolution—its impact on Ukraine’s evolving political culture and national identity and what this may mean for the country’s future democratic prospects.

Though we have tried to cover the most essential aspects of the crisis in Ukraine, we recognize both that more could have been said and that the story is far from over. Usually political situations tend to settle down at least for a while after a decisive election victory, but given the continuing challenges posed by armed separatist forces in eastern Ukraine, nothing can be taken for granted. Nonetheless, we trust that the essays that follow will give readers a rounded picture of how a variety of experienced observers viewed the momentous events of 2013–14 in Ukraine as they unfolded.

—*The Editors*  
11 June 2014

## The Maidan and Beyond

# THE HOUSE THAT YANUKOVYCH BUILT

*Serhiy Kudelia*

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In the arc of recent events involving Ukraine—a country whose plight now strikes many as a turning point in post-Cold War history—the sudden flight into exile of President Viktor Yanukovich on 21 February 2014 stands as the most pivotal single moment. When his entourage left Kyiv bound east for Kharkiv (and eventually Russia) on that chilly winter night, the ride was not merely from one place to another on the map, but in a sense from one historical era into the next.

Irony rode with him. He had been narrowly elected by a regionally divided electorate on a promise to bring stability to a country torn by years of discord. Yet his presidency had come to a premature end amid unprecedented internal polarization and the worst state-sponsored violence against civilians that independent Ukraine had ever seen. Relying on public coercion and party-based patronage (much like Russia's Vladimir Putin), Yanukovich had tried to keep a tight grip on the state and had indulged his own strong urge to crush dissent. Yet Ukraine's peculiar structural characteristics (chiefly its sharply divergent regional preferences) and his own blunders stymied his plans for authoritarian consolidation and cost him his post.

Externally, Yanukovich's ouster became a pretext for Russian interference with Ukrainian sovereignty, as Moscow disputed the legitimacy of his removal, seized control of the Crimean Peninsula, and promoted a violent separatist drive in the south and east. Ukraine and its post-Yanukovich government under President Petro Poroshenko (elected on May 25) must now wrestle not only with standard democracy and governance problems but with a basic challenge to statehood, while the democratic world struggles to come up with a response to Putin's "Eurasian project."

Yanukovych's misrule, the popular reaction against it, and the manner of his downfall disrupted the very foundations of Ukraine's still nascent and defective state. There was nothing preordained, however, about this outcome. Yanukovych had sound enough political instincts to advance from a humiliating defeat in the 2004 presidential contest to a win at the polls six years later. But once he reached office, his greed for power and wealth proved devastating to both him and his country. In order to grasp the reasons for the destructive effect of Yanukovych's presidency, one needs to look at the way in which he reconfigured Ukraine's political regime and the strategies that he adopted to maintain power.

When Yanukovych became president in February 2010, both his mandate and his formal powers were limited. Yet neither limitation restrained him. Though elected by a narrow margin, he brushed off critics from both the opposition and his own camp and proceeded to act as if he had won by a landslide. With the help of compliant courts, he expanded the reach of his formal powers far beyond what any previous president had exercised. The Party of Regions (PR) had brought his political career back from the dead and lofted him to power by turning out the vote in his largely Russian-speaking eastern base, yet he sidelined the PR in order to promote a gaggle of family loyalists.

In the wake of the Orange Revolution, Yanukovych had seemed done. His failed attempt to steal the bitterly contested 2004 presidential election, coupled with humiliating revelations about his criminal record (as a young man he spent several years behind bars for robbery and assault), should have put to rest any further political hopes. Yet as his rival Viktor Yushchenko's term wore on from 2005 to 2010, Yanukovych's rise to the presidency became all but inevitable. It is often said that Yanukovych did not win power so much as Yushchenko and his sometime ally Yulia Tymoshenko lost it by squabbling with each other and alienating their core voters.

This standard narrative, however, fails to acknowledge how effective the PR was, especially when it came to politicizing cultural and linguistic differences within Ukraine. In 2005, the party emerged as a refuge for all former government officials threatened by the new authorities. From its nucleus among the regional elite in the populous and highly industrialized Donets Basin (Donbas) at Ukraine's eastern end, it quickly drew in smaller parties and established figures from all over the east and south. This allowed the PR to position itself as representing Russophone voters generally, defending their identity and promoting their policy preferences. The party's platform called for raising the legal status of the Russian language, renewing closer ties with Russia, pursuing neutrality in the international-security sphere, and devolving more power to the regions. Financial backing came from several of Ukraine's wealthiest tycoons, including Rinat Akhmetov and the natural-gas trader Dmytro Firtash, whose nationwide television channel became a key media outlet for Yanukovych and his allies.

With the economy struggling badly (GNP shrank by 15 percent in 2009), the Orange camp still divided, and a well-oiled political machine backing him, Yanukovych entered the 2010 presidential campaign in strong shape. Even so, his victory was far from resounding. His margin over Tymoshenko was less than a million votes, and he actually drew fewer votes in the east and south than he had in 2004. He remained a divisive figure, exploiting the same cultural and regional cleavages that had become acutely politicized in that earlier year. In 2010, these cleavages came to underlie the first “aligning election” in the country’s history.<sup>1</sup> In the 7 February 2010 runoff, Yanukovych won 78.5 percent in eastern Ukraine while Tymoshenko garnered 80 percent in the west. He could not crack 50 percent nationwide, finishing with just under 49 percent. Faced with this situation—a narrow mandate from a shrinking and regionally concentrated group of voters—Yanukovych might have responded by adjusting his policies and reaching out to new constituencies. Instead, he immediately began pulling informal levers to broaden his powers.

### **Toward Authoritarian Restoration**

Yanukovych spent his first year in office laying the groundwork for autocratic rule. In doing so, he helped to transform Ukraine’s minimalist electoral democracy into an electoral authoritarian system. It featured a high level of contestation but also a flawed electoral process, few formal checks on the executive, and tight presidential control of several key “independent” institutions.<sup>2</sup> The basis of the system was set in place on 1 October 2010, when a compliant Constitutional Court overturned the constitutional changes brought by the Orange Revolution and restored the superpresidentialist model. The December 2004 amendments, which had handed parliament the power to form a government, had been part of a broader elite pact meant to offer a peaceful way out of the Orange Revolution crisis. The PR had strongly backed this new role for the legislature and later even called for a shift to full parliamentarism. Once Yanukovych came into office, however, the party reversed itself and began advocating a stronger presidency. With insufficient votes in the Verkhovna Rada (Ukraine’s 450-member unicameral parliament) to change the constitution, the path to superpresidentialism lay through judicial maneuvers to reinstate the 1996 Constitution by junking the 2004 amendments on procedural pretexts. With this achieved, Yanukovych immediately received wide unilateral powers to hire and fire executive-branch officials, while a set of subsequently adopted by-laws required the president’s consent for any of the government’s initiatives. Significantly, his personnel powers meant that he could put his own people into all the top law-enforcement posts, with parliament having no say in the matter. He was now the country’s preeminent political actor not only informally, but formally as well.

Although no single party had dominated Ukraine's power structures before, the PR changed that. It became the new party of power, helping to bind the various levels of officialdom to the president. It gained almost exclusive control over key central and regional posts as well as jobs in numerous executive agencies. New PR chairman Mykola Azarov became prime minister, while two-thirds of the cabinet portfolios and almost nine-tenths of all regional governorships went to party members. Each party member named to an oblast governorship (in Ukraine, governors are presidential appointees) also became chairman of the local PR organization, thus merging party and state. Following the October 2010 local elections, the PR also coopted enough independents to dominate local councils everywhere except in three far-western oblasts. Yanukovich's reliance on his party became an important innovation that made his regime more cohesive.

The parliamentary majority also came in for a reconfiguration under PR influence. A stream of defectors from Tymoshenko's old governing coalition crossed the floor, turning the Rada into a compliant institution ready to rubber-stamp the president's initiatives. In April 2010, even before the reversal of the Orange Revolution amendments that October, Yanukovich had acquired enough sway over parliament to secure its ratification of the controversial Kharkiv Accords. This deal gave Russia the right to base its Black Sea Fleet in Crimea until 2042, and also called for Ukraine to officially adopt a nonaligned status in foreign-policy matters. Yanukovich would use a variety of informal means to keep the Rada under his control until his last day in office—a feat that none of his predecessors had achieved—only to flee when that control gave way.

The rise of party-based rule narrowed the circle of those who benefited from major rent-seeking schemes. The key insiders were Akhmetov, Firtash, a handful of PR functionaries, and Yanukovich's elder son Oleksandr, a thirty-something graduate of Donetsk Medical University's dental school. Yanukovich *père* put the young tooth doctor in charge of their family's sprawling business empire and its holdings in banking, real estate, construction, winemaking, and coal. Oleksandr's company, Mako Holding, became the fastest-growing business in Ukraine, its net assets doubling from US\$63 million in 2011 to \$121 million just a year later. By shrinking the set of those enriched by rent-seeking, Yanukovich had strengthened the loyalty of his inner circle but had left many more feeling shut out and angry—an outcome that made the capacity to coerce businesspeople a higher regime priority.

Yanukovich as president had never been shy about coercion. His campaign pledge to "audit" the activities of his predecessors quickly became a pretext for persecuting Tymoshenko and some of her associates by means of the Prosecutor General's Office and the Security Service (the former led by a Yanukovich protégé from Donetsk, the latter by a multimillionaire businessman-politician whom Tymoshenko had once accused of aiding corrupt business schemes related to the gas trade). The Security Service

proved instrumental in assembling the criminal case against Tymoshenko, which focused on the charge that she had abused her authority when making a new natural-gas deal with Russia in January 2009. The prosecution moved the case swiftly and ruthlessly through the courts, objecting to most of the defendant's witnesses and asking the judge to put her behind bars even before the trial had ended. In what seemed to be a move to discredit her further, the prosecutors brought more charges against her even after she began serving her seven-year sentence in late 2011. The judges who convicted her and her former interior minister Yuri Lutsenko later received promotions and other material rewards from the state.

A dozen other officials associated with her government either faced charges or fled Ukraine in fear of prosecution. The European Court of Human Rights found the arrests and pretrial detentions in the cases of Tymoshenko and Lutsenko arbitrary and ruled that the defendants' rights had been violated gravely enough to cast strong doubt on the legality of their convictions. Western governments were also unanimous in dismissing their trials as politically motivated "selective prosecutions."

What made Yanukovych's coercive approach unusual for Ukraine was the public and formal way in which he pursued it. True, the earlier strongman president Leonid Kuchma (1994–2005) had tried to put Tymoshenko in jail back in 2001, but the courts had stymied him despite intense pressure to lock her up, and Kuchma thereafter relied on informal (albeit brutal) means of control. Tactics such as show trials—a first for postindependence Ukraine—had become possible thanks to Yanukovych's near-total subordination of the judicial branch. One of his first policy initiatives, passed into law by parliament in July 2010, had diluted the Supreme Court's appellate powers and handed the president indirect control over judicial appointments.

## Difficulties of Authoritarian Consolidation

Despite Yanukovych's initial successes as an aspiring authoritarian, several unresolved challenges beset his rule. To begin with, there was the low mobilization potential of his core supporters, along with their geographic concentration in the east (especially the Donbas). This problem was particularly acute given that the most intense opposition to Yanukovych was focused in the west.<sup>3</sup> Ukraine's regional divisions have always served as a strong barrier to power consolidation: Attempts by a leader from one region to usurp all power have met with automatic resistance "based simply on regional identity and interest."<sup>4</sup> In addition, western Ukraine has been especially prone to launching collective expressions of public discontent. During the last years of Soviet rule, it was one of the first regions to experience mass nationalist demonstrations.<sup>5</sup> During the Orange Revolution, "revolutionaries were more than eight times more likely to be from Western Ukraine."<sup>6</sup> Similarly, at the



midpoint of Yanukovych's presidency in March 2012, on average every second respondent in the western part of the country expressed a willingness to join protests against adverse economic and political conditions.<sup>7</sup> Eastern respondents, by contrast, were on average only half as likely to voice such a readiness. Even when asked, hypothetically, whether they would join protests in the event of a ban on the Russian language, only 15 percent of respondents in the overwhelmingly Russian-speaking Donbas said that they would take part.

In Russia, Putin's regime has been able to develop a high counter-mobilization capacity, putting large numbers of motivated supporters on the streets to neutralize or preempt opposition protesters.<sup>8</sup> In Ukraine, Yanukovych and the PR never achieved anything near that. Instead, they relied on "rent-a-crowds" of mainly apathetic young people (but with skinheads often in the mix too), who were paid to fill out regime-staged rallies. Yanukovych's lack of a real popular-mobilization strategy left him vulnerable to the renewal of a collective challenge from below.

Ideological ambiguity was another regime weakness. Putin's progovernment youth groups and state-controlled media reinforce his blend of Soviet nostalgia, conservative moralism, and Russian exceptionalism, which has proven appealing to voters of varying ages, regional origins, and professional backgrounds. Here too, Yanukovych fell short. He had no clear ideological message and sent confusingly mixed signals. He came to office as the champion of Russian-speaking eastern and southern Ukraine, vowing to uphold the social-welfare paternalism that is popular there. Then, in a stab at triangulation, he suddenly began talking up Ukraine's European roots and its ambitions to join the EU. Handled adroitly, such a rhetorical shift—in effect an appeal to western Ukraine—might have contributed to the creation of a new legitimating basis for his presidency. Yet the unprecedented graft that occurred on his watch, together with his efforts to punish opposition leaders, undermined his attempt to reinvent himself as a pro-European modernizer. The EU long refused to sign the Association Agreement with Ukraine, citing violations of democratic norms and lackluster reforms.

In yet another contrast with Russia (and also with Belarus), no autocrat in Ukraine has ever achieved anything like Putin's (or Alyaksandr Lukashenka's) success at marginalizing opposition parties. This difference owes much to two of Ukraine's key structural characteristics: There are sharp cleavages among regions, and no one region clearly dominates. Thus throughout Yanukovych's time in power, opposition majorities easily held onto local councils throughout the west. Then too, Ukraine's opposition parties have proven themselves better at working together than have Russia's. As soon as Yanukovych began his crackdown on opposition leaders, their parties rallied to form the Committee to Resist Dictatorship. The jailing of Tymoshenko and the passage of a law banning multi-

party coalitions from parliamentary elections fueled a merger between the two largest opposition parties—Tymoshenko's Fatherland and Arseniy Yatsenyuk's Front for Change, with Yatsenyuk as overall leader.

This new bloc allied itself with the other two major parties—the liberal Ukrainian Democratic Alliance for Reform (UDAR) and the nationalist Svoboda—in preparation for the October 2012 parliamentary elections. Taken together, the three parties garnered 121 of the 225 seats that were decided by party-list voting. They fell short of a parliamentary majority, however, since the other half of the Rada's seats are chosen in single-member districts, and in these races the ruling PR had a big edge. (This is to say nothing of the administrative interference and biased media coverage that favored the PR and is documented in the OSCE observers' report.<sup>9</sup>) Still, the opposition did well enough to close off any chance of Ukraine becoming a Russian-style dominant-party regime.

Finally, the PR's financial advantage was offset to some degree because the authorities could not stop wealthy businesspeople from funding opposition forces. A longstanding billionaire donor to Tymoshenko continued backing her party despite threats. Others had political ambitions of their own and sought to keep an independent political profile. Some Yanukovich-aligned magnates, including Firtash, covertly gave funding to the opposition in order to get their personal parliamentary candidates added to party lists. Through arrangements such as these, the opposition was even able to air its views via the national media, which remained more pluralistic than that of any other authoritarian state in the region.<sup>10</sup>

## The Family Trap

For the Yanukovich regime, the October 2012 Rada elections marked a turning point. Although the president managed to cobble together a compliant parliamentary majority, his popularity had sunk to an all-time low. His party finished with 1.9 million fewer votes than it had received in 2007—a loss that can be attributed only in part to Ukraine's decline in total population of about a million people over this period.<sup>11</sup> Looking ahead to the 2015 presidential race, Yanukovich probably calculated that distancing himself from the PR and seeking new sources of votes would be a good idea.

Carrying out the first phase of this approach, the president reshuffled the cabinet and replaced PR figures with personal loyalists who could channel rents and state resources into the building of a new power base. The big winners—handed key government posts in charge of Ukraine's financial and economic affairs—were cronies of the president's elder son Oleksandr. The growing Yanukovich business empire tried to hide behind a number of front companies and fake owners. The most notorious of these was a 27-year-old who in 2013 suddenly became one of Ukraine's leading energy traders thanks to the lucrative privileges and

exemptions that “his” company received. Some of the profits went to acquire major national magazines known to have inquired into family dealings. In keeping with this “family first” approach, the security ministries too were staffed with old Yanukovich loyalists from Donetsk.

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*With a recession pinching hard and few foreign borrowing options available to finance the growing budget deficit, Yanukovich had few means to cushion the public against economic pain.*

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A shift to “familism” started the process of attempted authoritarian consolidation, which is usually characterized by a transition from collective authoritarian rule based on a diverse group of backers to a more personalized autocratic system.<sup>12</sup> One implication of this change was a new pattern of sharing spoils, most of which now went to Akhmetov, Firtash, and Oleksandr Yanukovich. Their companies received exclusive treatment in tender distribution, sub-

sidy provision, and major privatization deals, and won nearly half of all state-procurement contracts in 2012 and 2013.<sup>13</sup> Meanwhile, the total capital assets of Oleksandr Yanukovich’s All-Ukrainian Development Bank doubled within the space of a single year, reaching \$100 million by the end of 2013. That same year, his firms also received 70 percent of all contracts—a share worth \$875 million—from the Ukrainian state railway company. Viktor Yanukovich’s insecurities drove his decision to elevate his “family clan,” but in the end that choice would only make his goal of keeping power harder to attain.

Yanukovich’s chances of winning another fair presidential election hardly ever looked promising. During his first year in office, his approval rating dove from 47 to 26 percent and never recovered.<sup>14</sup> For most of his term, opinion polls showed that he would lose a runoff to any of his major rivals. By May 2013, opposition frontrunner Vitaly Klitschko of UDAR had edged ahead of Yanukovich as a first-round choice.<sup>15</sup> Even in eastern Ukraine, the president was polling at barely 25 percent. By October, 86 percent of respondents were telling pollsters that they felt dissatisfied with the economy, while 78 percent expressed dissatisfaction with the domestic political situation.<sup>16</sup> Nine-tenths were not satisfied with Yanukovich’s job-creation or counterinflation policies, and nearly as many (85 percent) were critical of his anticorruption efforts. With a recession pinching hard and few foreign borrowing options available to finance the growing budget deficit (Ukraine was rated too high a default risk), Yanukovich had few means to cushion the public against economic pain. If he was going to get himself reelected, he would need aid from either Russia or the West.

The head of the Presidential Administration, Serhiy Liovochkin, led a faction of advisors who urged Yanukovich to sign the EU Association

Agreement (AA) and run as a would-be reformer.<sup>17</sup> The idea was to give his campaign a forward-looking, upbeat message (backed by association with the EU “brand”) that would neutralize Western criticism and, crucially, also allow him to gain a larger share of the vote in the center and west, where the idea of closer Ukraine-EU ties was and is popular.

This strategy carried several risks. The first was that it could cost the president more votes in the east (even if only in the form of abstentions) than it gained him elsewhere. Eastern voters favored closer ties with Russia, and were already feeling anxious about the worsening of Moscow-Kyiv relations that had marked Yanukovich’s time in office. Russia had refused to reduce natural-gas prices, while Yanukovich had refused to join a customs union with Russia. An October 2013 poll found that 68 percent of Ukrainians, particularly in the east and south, felt dissatisfied with Yanukovich’s handling of Russian relations.<sup>18</sup> A growing vote for Yanukovich in the center and west was hardly a sure thing given how unpopular his pro-Russophone language and education policies were in those regions, yet anything that depressed his eastern turnout could have doomed his reelection bid.

The second risk of trying to “triangulate” the EU against Russia was the prospect that Moscow would respond to a signed AA by punishing Ukraine economically. Prior to the EU’s Third Eastern Partnership Summit, held in Vilnius at the end of November 2013, Russia put a squeeze on imports from Ukraine and threatened to end the privileged treatment of Ukrainian companies in the event of a signed AA. Russian officials worried publicly about the prospect of cheap EU-produced goods flowing in from Ukraine and undercutting Russia’s domestic producers. Behind the economic threats lurked Putin’s dismay at what closer EU-Kyiv relations could mean for his geopolitical scheme of building a “Eurasian Union” across the vast post-Soviet space. Russian economic retaliation was a serious concern: It would instantly turn Ukraine’s recession into a full-blown crisis, whereas the signing of an AA remained (in the short term at least) a largely symbolic step that would do nothing to supply Ukrainian voters’ immediate wants.

Finally, there was the risk implied by the EU’s key demand, which was the release of Tymoshenko. A compromise deal that would have let her leave Ukraine for medical treatment in Germany seemed to offer a way out, but it fell through when the Germans rejected any limits on her freedom of movement once she was in their country. Until she was set free the EU would not sign the AA, but letting her out would hand the Ukrainian opposition a major moral victory, give her renewed standing as a Yanukovich critic (especially in the eyes of the West), and alienate the president’s own voters (who overwhelmingly wanted to keep her in prison).

If Yanukovich was unwilling to run these risks, his only available campaign strategy was “more of the same.” He would have to count on the same eastern voting bloc that had backed him in 2010, and he would

have to stir its enthusiasm via the same reliance on social patronage, historical and cultural cleavages, and alignment with Russia that had worked for him in earlier campaigns. Once again seeking Russia's financial assistance—including reduced gas prices—would offer a way to keep social payments up, utility rates down, and short-term debt safely rolled over. And should circumstances require, the “same old same old” strategy could also include heavy-handed electoral tactics and even outright cheating as a last resort.

In the end, the political and economic risks of signing the AA proved too much for Yanukovich, spurring his fateful 21 November 2013 decision to suspend the EU talks. At first, the backlash seemed as if it would be manageable: The few hundred demonstrators who gathered on Kyiv's Maidan that night to complain hardly seemed reminiscent of the vast Orange Revolution crowds. Yet within weeks protest ranks would swell into a broad movement that would pose the very threat for which Yanukovich's regime was least prepared.

### **The Regime's Final Hour**

At first, the authorities did not seem very worried about the small pro-EU protests in downtown Kyiv. Yanukovich had weathered similar outbreaks of public anger in August 2012, when he signed a law making Russian an official language, and again later that same year, when charges of parliamentary-election fraud became public. The prevailing trends in public opinion did not signal deep restiveness.<sup>19</sup> Probably thinking that these protests too would fizzle out, Yanukovich responded to them with an erratic mix of repression, conciliation, and feebly staged counterdemonstrations. When the small pro-European rally on the Maidan suddenly became a broad antigovernment uprising, both Yanukovich and the political opposition were caught off guard. But it was worse for the regime, which found its internal contradictions intensified.

The narrowing of the president's inner circle had left hard-line family loyalists in place at the power ministries while shutting out PR soft-liners such as Liovochkin. This helps to explain the administration's initial assumption that a swiftly applied “hard hand” would keep the protest from gaining mass support. In the event, however, repression backfired: The decision to use force against the few remaining protesters on November 30 greatly widened the movement's support and radicalized its demands. In mid-December, the hard-liners' dispatch of riot police to clear the square led to the regime's growing isolation from the West and threats of sanctions against its top leaders. For both money and political support, Yanukovich now had no choice but to look to the Kremlin.

The protest movement persisted not only thanks to ordinary demonstrators' courage and commitment, but also because some of Ukraine's biggest businesspeople bankrolled it. Yanukovich's decision to promote

his “family” as a business had made life harder for some of the oligarchs in his coalition. The August 2013 law on transfer pricing gave Ukraine’s largest exporters less room for avoiding taxes and boosted the extractive capacity of the state’s revenue-collecting agencies. In the eyes of worried oligarchs, the law looked like a tool for making them share more rents with the “family” and for punishing any signs of disloyalty prior to the presidential election. By letting his “family businessmen” take over the assets of loyal oligarchs, Yanukovich had already shown that he could turn on his wealthy allies. Some of these responded by quietly funding the protests as a form of self-defense (the main demonstration, in Kyiv, cost about \$70,000 a day).<sup>20</sup> As another way to keep the administration off balance, most oligarch-owned television networks gave the protests ample and largely favorable coverage. By turning to familism, Yanukovich had swollen the ranks of his foes.

The absence of institutional checks on the presidency made the state-society standoff worse. Yanukovich used his free hand to rush through parliament a law that decreed new fines and even criminal penalties for various types of unsanctioned protests. This move too backfired, stoking tensions between police and demonstrators and helping to spread the protests well beyond Kyiv.

Lack of institutional oversight also created a sense of impunity in law-enforcement ranks. Riot police used excessive force against anyone viewed as a potential protester and even resorted to deadly tactics in the final weeks of the confrontation. Undercover agents abducted protest participants, brutalizing or killing them to intimidate others. As for aboveboard efforts to prosecute demonstrators, these had no hope of legitimacy given the judicial system’s notorious subordination to the president. With no impartial enforcement institutions, the legal order quickly disintegrated.

The sheer power of the presidency made it harder for Yanukovich to reach a negotiated solution with the opposition. When he tried to calm the protests by offering to name Yatsenyuk as premier, the opposition rejected the idea, fearing that Yanukovich was just setting up Yatsenyuk to be discredited and fired. The impasse was (seemingly) resolved only when Yanukovich agreed on 21 February 2014 to immediate constitutional changes giving a parliamentary majority the power to form a government. By then, however, more than a hundred people had already died at the hands of the security forces.

Another factor that made the regime more rigid—and hence more prone to collapse—was the PR’s cohesion. Minor defections aside, the ruling party stayed loyal to Yanukovich. This led him to overrate his own strength while it barred the opposition from solving the crisis within existing institutional confines. The presidential majority in the Rada sabotaged every effort to pass a no-confidence resolution, but these were Pyrrhic victories since they only made the radical wing of the protest

movement stronger. Even after numerous protesters were killed in Kyiv on February 18 and 19, only 35 of 205 Party of Regions MPs supported the February 20 resolution to condemn violence and withdraw troops from the city. Similarly, there were no high-level defections from the security apparatus.

This stood in stark contrast to what had happened during the Orange Revolution. Back then, the regime's parliamentary majority had quickly fallen apart while top security brass secretly worked with opposition leaders and sabotaged orders from above. Unlike in 2004, the ruling elite of 2014 was dominated by the president's personal loyalists. Moreover, there was no popular figure like Viktor Yushchenko who could rally the opposition and divide the regime. Key Yanukovich lieutenants might privately vacillate, but with nowhere to go, they stood by their chief. This explains the difference in the way two popular uprisings ended. In December 2004, Kuchma accepted the Supreme Court's ruling that there would have to be a third round (that is, a runoff between Yushchenko and Yanukovich) because many in the ruling elite had already defected to the opposition and because Kuchma's chosen successor had become increasingly isolated domestically. Almost ten years later, there were no independent institutions left that could act to defuse the crisis. Yanukovich had to accept the opposition's demands only when it became clear that his February 18–20 assault on the Maidan had decisively failed.

Finding himself unable to end the protests by force, Yanukovich agreed to what turned out to be his last round of talks with three opposition leaders plus foreign mediators on the night of February 20–21. The pact that they signed on February 21 called for: 1) an immediate return to the 2004 Constitution, thereby empowering the Rada to form a government; 2) a constitutional revision by September 2014 in order to further limit presidential powers; 3) the holding of an early presidential election by December 2014; 4) an investigation, to be overseen by the Council of Europe, of the most recent acts of violence; and 5) an end to the use of force in the dispute.

That same day, the opposition and PR factions in the Rada voted to reinstate the 2004 Constitution and to dismiss Interior Minister Vitaliy Zakharchenko (who was suspected of having been a key player in the regime's use of violence). This new parliamentary majority also supported something that Yanukovich had long resisted—the release of his long-time political nemesis Tymoshenko from jail. When another thirty MPs from the Rada's PR faction crossed the floor, it became clear that the regime was disintegrating. The swiftness of its collapse, however, took both Yanukovich's remaining loyalists and the opposition by surprise.

The regime's sudden implosion on February 21 was a function of its peculiar institutional design. As Henry Hale has shown, "patronal" (patronage-based) presidencies such as Yanukovich's hold together through the "information effect" of an overwhelming formal power concentrated



in the president's office and a "focal effect" in which an elite works together around a common patron.<sup>21</sup> In plain terms, such presidents grip their regimes' coercive agencies and elite factions with a strong hand, thereby setting expectations about the permanency of their rule. By formally ceding most of his powers over the executive branch to parliament and allowing the dismissal of his henchman, Yanukovych in effect "let go," and that was that: The hundreds of Interior Ministry troops who had been guarding the presidential compound and Kyiv's other key government buildings left their posts. Although the Rada on February 20 adopted a resolution to have Interior Ministry troops withdrawn from Kyiv, those in command of the relevant units complied only once they realized that the president no longer wielded real power. As Polish foreign minister and talks participant Radek Sikorski recalled, the moment the pact was signed "the decompression of the regime started very quickly."<sup>22</sup>

Yanukovych's concessions, however, did little to assuage the Maidan. Outraged by the mass bloodshed over the preceding three days, protesters rejected the negotiated deal and pledged to storm the nearby Presidential Administration Building in a matter of hours unless the president resigned. By then, however, Yanukovych was already on the way out. Left with only a few personal bodyguards to shield him from popular anger, he chose to flee Kyiv. Presciently, he had begun during the final round of talks to have some of the valuables moved out of his sprawling, ostentatious, and soon-to-be-notorious estate near the capital. At that moment, he seemed to realize more acutely than anyone that the loss of his extensive formal powers would mean the immediate collapse of the regime.

When, a week later, Yanukovych claimed from self-imposed exile in the Russian city of Rostov-on-Don that he was still Ukraine's legal president,<sup>23</sup> he hardly had any audience left to address. On February 22, a 328-member majority of the Rada had voted to remove him from power, citing his abandonment of office and the deaths of more than eighty protesters and police in recent violence. The Party of Regions had disowned him and most of his own voters no longer recognized him as a legitimate leader.<sup>24</sup> The only ones who might still be listening were his family and Vladimir Putin. In a way, Viktor Yanukovych's political career had come full circle.

### **Wanted: A New Institutional Equilibrium**

The experience of Yanukovych's presidency can be seen as, among other things, another demonstration of Ukraine's structural incompatibility with authoritarian rule. Although he appeared more adept than any of his predecessors at gathering power into his own hands, the president proved much less skillful at responding to the complicated crosscurrents of regional and interest-group politics that run through the country. Attempts to impose the preferences of a central ruling elite on any part



of a regionally diverse state will sooner or later trigger pushback, and with it the possible unraveling of the political order. Hierarchical rule through a “power vertical” is dysfunctional when it lacks nationwide acceptance and a claim to legitimacy. If its beneficiaries become limited to the ruler’s close circle and represent only his regional fiefdom, it is surely doomed.

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***Sadly, the failure of the second authoritarian experiment in Ukraine does not mean that a fresh attempt to design a lasting democratic system will succeed.***

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Sadly, the failure of the second authoritarian experiment in Ukraine does not mean that a fresh attempt to design a lasting democratic system will succeed. The violence and foreign intervention that accompanied and followed the Yanukovich regime’s fall have produced an existential crisis of Ukrainian statehood, with enormous stakes for Ukrainians and many others besides. From the point of view of democracy, the advantage of

such a “critical juncture” is that it lifts earlier constraints on the redesign of political institutions and makes major innovations more likely. Yet at the same time, crisis always shortens the time horizons of key actors as their priorities shift from crafting democratic governance to stopping the immediate threat of further state breakup.

Ukraine surely needs greater decentralization, but the mere devolution of power to the regions may impede democratic consolidation on the national level. As Russia’s experience in the 1990s indicates, spontaneous decentralization in a weak state may give monopoly control over regional resources to a few local elites. This will lead to the emergence of subnational authoritarian enclaves, with regional chief executives as kingpins.<sup>25</sup> This, in turn, may further hamper the building of long-term state capacity and horizontal accountability on all levels. The upshot may be a weak democracy honeycombed by areas of subnational authoritarian rule and poor governance.

In order to avoid such an outcome, the genuine reform of key institutions—especially the courts and the security establishment—must go forward along with the decentralization of power. If authoritarian entrenchment is to be prevented from taking hold in Ukraine’s regions, the country must have an accountable and transparent security apparatus to enforce national laws and a depoliticized court system that can administer justice without regard to clientelistic loyalties. Of course, not only the “guys with guns” and the judges need to be reformed. So too must be the ranks of the civil service, beginning with their subjection to strong oversight mechanisms that can ensure impartiality vis-à-vis political and business interests.

Likewise, the adoption of an electoral system based on open-list proportional representation would go a long way toward turning the

Rada from a sort of exclusive club into a truly representative lawmaking body. Political parties must be required to operate under stricter financial-disclosure requirements, and should revise their own internal procedures in order to ensure turnover of parliamentary seats and other major offices. Finally, the empowerment of the government formed via parliamentary majority should go along with a consociational reform of the executive branch, perhaps through the introduction of regional quotas when it comes to filling cabinet posts and other key executive offices.

The EU and other international organizations can send money and technical assistance to help with these reforms, but in the end both Ukrainian society at large and the elites will have to believe in them and make them work. If anything good flows from Yanukovich's destructive rule, it may be that it caused Ukrainians both high and humble to grasp the relative benefits of genuine democratic rule. Even if building democracy seems costly to any group in the short term, it remains the only way to secure Ukraine's peaceful development as a unified state.

## NOTES

1. An aligning election is one whose result displays continuity in the choices of the same group of voters compared to the previous election and reflects their solidifying loyalty to a particular candidate or party. See Timothy Colton, "An Aligning Election and the Ukrainian Political Community," *East European Politics and Societies* 25 (February 2011): 4–27.

2. Larry Diamond, "Elections Without Democracy: Thinking About Hybrid Regimes," *Journal of Democracy* 13 (April 2002): 21–35; Steven Levitsky and Lucan A. Way, *Competitive Authoritarianism: Hybrid Regimes After the Cold War* (Cambridge: Cambridge University Press, 2010).

3. In November 2011, only 3 percent of respondents in western Ukraine said that they were willing to vote for Yanukovich. The figure for the east was 21 percent. See [http://dt.ua/POLITICS/elektoralna\\_pidtrimka\\_yanukovicha\\_za\\_4\\_misyatsi\\_vpala\\_z\\_15\\_do\\_12.html](http://dt.ua/POLITICS/elektoralna_pidtrimka_yanukovicha_za_4_misyatsi_vpala_z_15_do_12.html).

4. Paul D'Anieri, "Structural Constraints in Ukrainian Politics," *East European Politics and Societies* 25 (February 2011): 32.

5. Mark Beissinger, "Nationalism and the Collapse of Soviet Communism," *Contemporary European History* 18 (August 2009): 338.

6. Mark Beissinger, "The Semblance of Democratic Revolution: Coalitions in Ukraine's Orange Revolution," *American Political Science Review* 107 (August 2013): 8.

7. See [http://ratinggroup.com.ua/upload/files/RG\\_Protesty\\_032012.pdf](http://ratinggroup.com.ua/upload/files/RG_Protesty_032012.pdf).

8. Graeme B. Robertson, "Managing Society: Protest, Civil Society, and Regime in Putin's Russia," *Slavic Review* 68 (Fall 2009): 528–47.

9. See the OSCE election observers' report at [www.osce.org/odihr/elections/98578?download=true](http://www.osce.org/odihr/elections/98578?download=true).

10. See [www.freedomhouse.org/report/freedom-press/2013/ukraine#.U0tv3eZdUS4](http://www.freedomhouse.org/report/freedom-press/2013/ukraine#.U0tv3eZdUS4).
11. According to the *UN Demographic Yearbook* and the State Statistics Committee of Ukraine, the country went from a total population of 46.6 million in 2007 to one of 45.6 million in 2012.
12. Milan W. Svoboda, *The Politics of Authoritarian Rule* (Cambridge: Cambridge University Press, 2012), 54.
13. This is based on the procurement ranking compiled by Forbes.ua at <http://forbes.ua/ratings/people>.
14. “Opros: Prezidentskiy reiting Yanukovicha umen’shytsia pochti v dva raza” [Poll: Yanukovich’s approval dropped almost by half], *Korrespondent* (Kyiv), 24 February 2011.
15. “Elektoralni namiry vybortiv Ukrainy” [Electoral preferences of Ukrainian voters], 17 June 2013, available at [www.kiis.com.ua/?lang=ukr&cat=reports&id=173&page=1](http://www.kiis.com.ua/?lang=ukr&cat=reports&id=173&page=1).
16. IFES, “Public Opinion in Ukraine 2013: Key Findings, December 2013,” available at [www.ifes.org](http://www.ifes.org).
17. Piotr Shuklinov, “Shuvalov: Chuvstvuyu otvetstvennost za to, chto natvoril Yanukovich” [Shuvalov: Feel responsibility for Yanukovich’s actions], *Liga.net*, 2 April 2014, available at [http://news.liga.net/interview/politics/1155843-shuvalov\\_chuvstvuyu\\_otvetstvennost\\_za\\_to\\_chto\\_natvoril\\_yanukovich.htm](http://news.liga.net/interview/politics/1155843-shuvalov_chuvstvuyu_otvetstvennost_za_to_chto_natvoril_yanukovich.htm).
18. IFES, “Public Opinion in Ukraine 2013: Key Findings, December 2013,” available at [www.ifes.org](http://www.ifes.org).
19. For a more detailed account of the opinion polls, see Maria Zolkina, “Euromaidan: Peredumovy masovoho protestu” [Euromaidan: Preconditions for mass protest], *Hromadska Dumka [Public Opinion]*: 21, no. 1 (2014).
20. Author’s interview with Taras Stetskiy, Kyiv, 19 December 2013.
21. Henry Hale, “Formal Constitutions in Informal Politics: Institutions and Democratization in Post-Soviet Eurasia,” *World Politics* 63 (October 2011): 581–617.
22. As seen on Fareed Zakaria’s CNN program *GPS*, 23 February 2004.
23. On the legal and constitutional issues surrounding Yanukovich’s exit, see Daisy Sindelar, “Was Yanukovich’s Ouster Constitutional?” Radio Free Europe/Radio Liberty, 23 February 2014, available at [www.rferl.org/content/was-yanukovichs-ouster-constitutional/25274346.html](http://www.rferl.org/content/was-yanukovichs-ouster-constitutional/25274346.html).
24. In early April 70 percent of the polled in Eastern and Southern Ukraine did not consider Yanukovich a legitimate president, available at <http://zn.ua/UKRAINE/mneniya-i-vzglyady-zhiteley-yugo-vostoka-ukrainy-aprel-2014-143598.html>. By the end of April 90.3 percent of respondents across Ukraine were against Yanukovich’s return to the presidency, including 81.8 percent in the East and 84.7 percent in the South, available at [www.razumkov.org.ua/upload/1399382915\\_file.doc](http://www.razumkov.org.ua/upload/1399382915_file.doc).
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# The Maidan and Beyond

## CIVIL SOCIETY AND DEMOCRATIZATION

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The current crisis in Ukraine raises key questions about the relationship between civil society, protest, and democracy in hybrid or competitive authoritarian regimes. How can we know when civil society is strong or weak? What role does it play in mobilizing antiregime protest? When does civil society aid democratic development, and when does it threaten to harm that process? A closer look at the crisis shows both that Ukraine's civil society is weaker than it may seem and that not all civil society is good for democracy. In particular, as Ukraine faces potential civil war, civil society must find ways to mobilize society without splintering the polity and encouraging greater violence.

The overthrow of President Viktor Yanukovich at the hands of protesters was widely hailed as a victory for Ukrainian civil society. EuroMaidan protest leader Yuri Lutsenko claimed that the demonstrations “showed the Orange Revolution was not a one-time fairy tale, but a feature of Ukraine. Civil society exists.”<sup>1</sup> In this, he echoed analysts of a decade earlier who had argued in these pages that Ukraine's 2004 “color revolution” had emerged out of a “powerful” and “vibrant” civil society.<sup>2</sup>

Indeed, independent Ukraine has witnessed frequent and powerful examples of social mobilization. Since 1990, protests have ousted chief executives a remarkable four different times: In 1990, tent-dwelling student protesters in central Kyiv drove Soviet-era premier Vitaliy Masol from office. In 1993, strikes by miners from eastern Ukraine pushed then-President Leonid Kravchuk to accept an early election, which he lost. Finally, Yanukovich has *twice* been forced from power by protesters—first in 2004 and then in 2014.

Given this record, it might seem self-evident that Ukraine's civil society is strong. Yet large and even successful protests do not necessarily reflect the presence of powerful organizations in society. Protests can emerge spontaneously or be generated by organizations outside civil society. To better understand the relationship between civil society and popular mobilization in Ukraine and other competitive authoritarian regimes, therefore, it is useful to break down the different ways in which a civil society can be said to be "strong." Overall, Ukrainian civil society has been better at channeling popular discontent once protests start than it has been at bringing people into the streets in the first place. The resulting reliance on spontaneous and unpredictable protest does not augur well for the development of stable democracy in Ukraine. At the same time, not all civil society is good for democracy. In the current context of potential civil war, civil society may dangerously divide an already fragile polity. The recent emergence of violent groups outside the state severely threatens Ukraine's political development.

As communism declined in the late 1980s, civil society became a popular topic for students of Eastern Europe. In the late 1980s, scholars employed the term to argue that Gorbachev's reforms had grown out of a social base in an increasingly modernized Soviet Union.<sup>3</sup> (As a language student in Moscow in 1989, I myself was a member of one of the USSR's first independent civil society groups, Democratic Perestroika.) The topic caught on in the 1990s and was taken up by the Western foreign-aid community as it sought to foster the growth of nongovernmental organizations in the former Soviet Union.

The term "civil society" has been defined in many ways.<sup>4</sup> Here, I use it broadly to describe the network of voluntary and autonomous organizations and institutions that exist outside the state, market, and family, and which are difficult for state leaders to eliminate or control. (I also include in this definition political parties, though these of course often benefit from ties to the state.) Classic examples of strong civil society groups include African American churches and colleges in the southern United States in the 1950s and 1960s, the Catholic Church in Poland, and trade unions in South Africa in the 1980s. In these cases, civil society was relatively stable, resistant to serious state pressure, and provided a critical space in which opposition activity could occur.

As I discuss below, civil society is not always good for democracy. Nevertheless, in many countries (e.g., Poland, South Africa, and South Korea) such groups proved critical in promoting both democratization and the overthrow of authoritarian rule. Conversely, when civil society is underdeveloped or cannot mobilize against the state (as in Belarus and Russia), autocrats can more easily monopolize political control. Across the former Soviet space, civil society's weakness (which Marc Howard traces to the communist legacy) has arguably been an important reason for failed democratization.<sup>5</sup>

We can assess the strength of civil society along three dimensions. First, civil society can play the role of “traffic cop”—directing and facilitating protest activity that emerges. When civil society is effective as a traffic cop, it becomes more likely that protests will have the resources to last and to influence political outcomes. Yet traffic cops cannot bring cars onto the streets. Thus, a second dimension is civil society’s role as a “dispatcher” or mobilizer.<sup>6</sup> Are civil society organizations capable of bringing people onto the streets or mobilizing other forms of pressure? One example of an effective dispatcher from civil society in the United States is the National Rifle Association, which has the capacity to generate significant support for a gun-related issue of its choosing. Finally, the third dimension is that of institutionalization or stability. Are protests organized by longstanding organizations with institutional continuity, or do groups emerge spontaneously out of the protests themselves?

### Civil Society as “Traffic Cop”

Ukraine’s civil society groups and activists have been relatively effective as traffic cops. The EuroMaidan protests made this clear. Once they began in late November 2013, central Kyiv’s Independence Square (known informally as the Maidan) rapidly transformed into a small “independent republic” with 1,500 to 2,000 permanent residents and its own (albeit quite fragmented) leadership structure, budget, border guards, self-defense units, open university, entertainment programs, housing (four seized buildings plus two-hundred tents), and systems for distributing and even producing foodstuffs.<sup>7</sup> It had a governance structure capable of handling the massive numbers of demonstrators who streamed onto the Maidan each day. Legions of volunteers cooked meals for thousands while guards on the alert for provocateurs vigilantly checked all those entering protest precincts. Organizers did a remarkable job of limiting alcohol use among those entering the protest area—no mean feat considering the size and youthfulness of the crowds. In December, woozy from a high fever, I myself was temporarily detained by a “border guard” on suspicion of being drunk.

At first, the organizational core of the protests came from the three opposition parties in parliament (Vitaly Klitschko’s Ukrainian Democratic Alliance for Reform [UDAR], Yulia Tymoshenko’s Fatherland, and the nationalist Svoboda party). Their parliamentary deputies filled key posts and provided the bulk of early financing and political leadership.<sup>8</sup> Fatherland, the party of then-imprisoned former premier Yulia Tymoshenko, had also been active in organizing protests in 2001 and 2004. Other institutions such as the nearby St. Michael’s Golden-Domed Monastery provided sanctuary to the protesters during periodic government crackdowns. The opposition parties and the Ukrainian Orthodox monastery—which had been torn down by the Soviets in the 1930s and rebuilt in the indepen-

dent Ukraine of the 1990s—gave the protest movement its most stable (if not always very potent) organizational bases.

More broadly, Ukraine's years of relative pluralism and repeated protests meant that the country had networks of experienced activists who provided the demonstrations with leadership and know-how. Thus many veterans of earlier protests—the anti-Soviet student demonstrations of 1990, the “Ukraine without Kuchma” rallies of 2001, and the Orange Revolution of 2004—played key roles in the most recent crisis.

Since 2004, Kyiv in particular has also become notable for its strong corps of relatively independent journalists. These include Mustafa Nayyem and Sergii Leshchenko of the online newspaper *Ukrayinska Pravda*, along with writers at *Mirror Weekly*—all of whom provided more or less balanced coverage of events (although their coverage became much less neutral after Russia's aggression against Ukraine).<sup>9</sup> The broadcasters of Hromadske.tv and Channel 5 did much to help keep information flowing freely during the crisis.

But helpful priests, seasoned leaders, and hard-hitting journalists notwithstanding, the reality is that much of the organization behind the EuroMaidan emerged spontaneously *during* the crisis. The process involved a good deal of chaos—three or four different councils all claimed to speak for the demonstrators. It was only after the start of the protests that various small parties and factions of the far right joined to form Right Sector, which came to the fore in the second half of January, when protests turned violent. This reflects a pattern similar to what was seen during the Orange Revolution a decade ago. The youth movement known as Pora (“It's Time!”), sprang up during the 2004 presidential campaign and became famous for playing a part in the Orange Revolution. Almost immediately afterward, however, Pora split in two and faded into insignificance. It had no role in the recent protests.

Further, it is a mistake to think that only a strong civil society can produce well-organized protests. In Ukraine and a number of other countries, large-scale protests have emerged and persisted without being led by otherwise powerful or well-established civil society groups. Egypt saw impressive spontaneous organization during the massive Tahrir Square protests that toppled dictator Hosni Mubarak in early 2011. In Turkey two years later, the large and well-orchestrated Gezi Park protests were largely spontaneous.

Perhaps most remarkably, Cameroon, which had an extremely weak civil society, witnessed a massive strike against the country's long-ruling president Paul Biya in 1991. The “ghost town” protests ultimately involved as many as two-million people (or about a sixth of the whole country) who shut their businesses, stayed home from school, and refused to pay taxes. The strike was one of the biggest and most sustained protests against authoritarianism that post-Cold War Africa has ever seen.<sup>10</sup> Biya's rule was shaken, though he kept his post and remains president of Cameroon today.



In a similar vein, it is wrong to assume that the successful ouster of autocrats is necessarily evidence of a strong or emerging civil society. In Benin in 1990, for example, the holding of a national conference that led eventually to the electoral defeat of President Mathieu Kérékou was touted as a “triumph of civil society.”<sup>11</sup> Likewise in Malawi a few years later, civil society was seen as powerful because President Hastings Banda fell shortly after Catholic bishops wrote a pastoral letter criticizing his rule. In fact, however, the downfall of Kérékou and Banda can much more easily be traced to each leader’s weakness at the end of the Cold War rather than to a powerful civil society. Kérékou found himself beset by a severe financial crisis and a military that was openly rejecting his rule. Banda, who was more than ninety years old, confronted an increasingly disloyal security service on one side and an aid squeeze by Western donors on the other. In June 1993, Banda’s regime proved “too weak to win or steal” a referendum on multiparty rule.<sup>12</sup> The voters kicked him out of the presidency in 1994, and he died three years later.

### Civil Society as “Dispatcher”

Civil society acts as “dispatcher” when it is able to send people into the streets. Ukraine’s civil society has been weak on this score. A series of surveys by Democratic Initiatives and the Kyiv International Institute of Sociology suggested that only 8 to 24 percent of protesters had come with the help of a political party or a civil society organization.<sup>13</sup> Another survey team, led by Olga Onuch of Oxford University, found that less than a tenth of those protesting in Kyiv learned of the demonstrations via an email message or a Facebook update originating with a civil society or student organization.<sup>14</sup>

Students of the Orange Revolution paint a similar picture. Mark Beissinger has shown that the “overwhelming majority” of protest participants in 2004 had never been active with any civil society groups, while those who *opposed* the protests “were actually more heavily involved in civil society associations.”<sup>15</sup> This is not to say that civil society played no role in 2004, but it does suggest that its importance as a traffic cop (orchestrator of protest) outweighed its significance as a dispatcher (originator of protest).

If civil society was not driving the huge turnout for these protests, how did they get so big? Here, it is useful to point to the role of “borrowed” civil society. This term refers to institutions of the marketplace and the state that we do not normally think of as belonging to civil society, but which are temporarily appropriated to mobilize people against the government. Along these lines, X.L. Ding has described how opposition activity in communist China and Eastern Europe in the 1980s rarely emerged from strictly autonomous civil society groups, but instead arose from “amphibious” state institutions—such as government-



owned publishing houses—that led a “double life” in which they represented the state but also disseminated anticommunist ideas.<sup>16</sup> In the 1980s and early 1990s, state institutions also played a direct role in fostering popular mobilization. In particular, state cultural institutions in the non-Russian republics of the USSR assisted nationalist movements in rallying people against Soviet rule. In 1988–89, for example, the Soviet-era Ukrainian Writers’ Union drafted the first program for the national-democratic movement known as Rukh. Frequently, state institutions provided critical access to mobilizational resources (meeting spaces, photocopiers) that were otherwise unavailable at the time.<sup>17</sup> This phenomenon persisted, albeit in a less prominent way, after the Soviet Union collapsed. Thus in eastern Ukraine in 1993, directors of state-owned mines facilitated the wave of strikes that led to President Kravchuk’s downfall.

The Orange Revolution saw a surge of such borrowing as Yushchenko supporters took over a wide range of public and private institutions that helped to mobilize support for the opposition. Police units from Ivano-Frankivsk Oblast in western Ukraine escorted thousands of demonstrators to Kyiv.<sup>18</sup> As an election observer in late 2004, I ran across a number of businesses that were giving support to Yushchenko. The head of an agricultural firm in the western city of Ternopil told me that he had sent 88 of his employees by bus to southern Ukraine to observe the voting on Yushchenko’s behalf. Nine years later, “borrowed” civil society remained important. In western Ukraine, both state and private universities excused students from their classes and helped them travel to Kyiv to protest. According to Andrew Wilson, a number of the “hundreds” (*sotni*) that were set up in late January to battle pro-Yanukovich forces were organized by small and mid-sized companies that sent workers to the protest in shifts.<sup>19</sup>

Yet the most striking thing about recent demonstrations has been the predominance of spontaneous self-mobilization by citizens acting on their own or in very small groups. The pollsters from Democratic Initiatives found that an overwhelming share—75 to 92 percent—of demonstrators had come by themselves or with friends and family.<sup>20</sup> Based on the interviews that her team conducted, Olga Onuch concluded that 83 percent came to the demonstrations not with some larger organized group, but either alone or with just friends or relatives. Private networks have been a far more important dispatcher of protesters than civil society—borrowed or otherwise.

In addition, regional identity has played a key role in stimulating protest. In 2013 and 2014, a disproportionate share of the EuroMaidan protesters came from western Ukraine. The same pattern had been visible in 2004, when a survey by the Kyiv International Institute of Sociology found that more than a third of the adults then living in western Ukraine (including half of all respondents in Lviv) had protested in favor of Viktor Yushchenko. In eastern and southern Ukraine, by contrast, that fig-

ure was just 3 percent. Mark Beissinger's work, controlling for a wide range of factors, shows that Ukrainophile identity powerfully predicted participation in the Orange Revolution.<sup>21</sup>

Overall, Ukraine and especially its capital boast strong networks of independent journalists and activists and several fairly stable organizations (including Tymoshenko's Fatherland party) that have acted as traffic cops for protests for more than a decade. Yet in 2013–14 as in earlier years, much of the organizational infrastructure emerged spontaneously out of the protests themselves and looked as if it would quickly dissipate. As a dispatcher of protesters, moreover, Ukraine's civil society is a minor force. It can give shape, focus, and a voice to demonstrations, but is virtually powerless to generate them. More generally, as we have seen, it is wrong to assume that successful actions by protesters or even civil society representatives necessarily reflect a powerful or "emerging" civil society.

### Looking Forward

What does the mixed strength of Ukraine's civil society tell us about the future of democracy in the country? On the one hand, the relative weakness of Ukraine's civil society does not augur well for democratic development. Groups are relatively unstable and ephemeral and must depend on private networks to mobilize large numbers of citizens. The only way in which such limited organizations can put serious pressure on the government is to take advantage of sporadic and unpredictable episodes of popular mobilization. Thus in the four years before the EuroMaidan, Ukrainian society was passive in the face of aggressive behavior by Yanukovich—signing the controversial Black Sea Fleet treaty with Russia, making sudden and illegal changes to the constitution, and jailing the main opposition leader. Indeed, the very qualities that made Ukraine's recent protests so inspiring to the world—their spontaneity and reliance on private citizens rather than preexisting organizations or elites—also hint at the fundamental weakness that characterizes Ukrainian civil society.

At the same time, as Sheri Berman has reminded us, civil society is not always good for democracy.<sup>22</sup> She argues that in the context of weak national institutions, associational activity may enhance societal fragmentation, which can undermine democratic development. (Her focus is on Weimar Germany, but we need not believe that fascism is on the horizon to appreciate the damaging effects of divisiveness.) In Ukraine, groups outside the state have tended to divide along regional lines. Thus the most significant and well-organized parties in Ukraine were either based in the west (the anti-Soviet Rukh movement and Fatherland) or the east (the Communist Party and the Party of Regions). The parties that helped to organize the EuroMaidan (Fatherland and Svoboda, but not UDAR) were firmly rooted in western Ukraine and had little support in the south or east. The same can be said of groups such as Right Sector that emerged

during the protests. Indeed, although EuroMaidan protesters often presented themselves as representing the whole Ukrainian nation, most surveys suggested that no more than half the country backed the protests.<sup>23</sup>

When national institutions are strong, such fragmentation need not be problematic. But at a time like the present, when Ukraine's future as a country is under threat, such divisions may be incredibly harmful. Indeed, the central concern in Ukraine is no longer an overbearing state but the preservation of effective institutions of social order. Groups mobilizing primarily along regional lines are likely to exacerbate such problems.

Finally, democracy is most directly undermined by the numerous associations promoting violence that emerged during the protests. Such associations include the Right Sector's paramilitary formations and the "heavenly hundreds" that arose to fight the police and the pro-Russian *titushki* or vigilante groups created to harass protesters. Also problematic are the "ultras," groups of hardcore soccer fans that began providing protection for anti-Yanukovich protesters in January. By promoting vigilante violence outside state control, such groups directly threaten democratic development. They facilitate state breakdown and bloody patterns of aggression and retribution, making civil war much more likely. In early May, for example, attacks by pro-Russian groups on a pro-Ukrainian march led to armed clashes between pro-Moscow gangs and Ukrainian "ultras" in the port city of Odessa. More than thirty, mostly pro-Russian, activists died after they retreated to the city's downtown Trade Unions Building, which was set on fire. It was widely reported that a mob shouted "Glory to Ukraine!" and "Death to enemies!" as the building burned with people inside.<sup>24</sup>

The Odessa tragedy highlights the enormous challenges facing democracy today. As in the past, civil society must limit state abuse. But now it also must deal with an aggressive Russia at Ukraine's doorstep while avoiding anything that might sow further violence and division in the country's fragile polity.

## NOTES

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6. I thank Chrystia Freeland for coming up with the term "dispatcher" and for her helpful discussion of these issues.

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10. See Steven Levitsky and Lucan A. Way, *Competitive Authoritarianism: Hybrid Regimes After the Cold War* (Cambridge: Cambridge University Press, 2010), 259–60.

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# The Maidan and Beyond

## WHO WERE THE PROTESTERS?

*Olga Onuch*

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The protests that began in Ukraine's capital of Kyiv on 21 November 2013 and became known as the EuroMaidan took even seasoned observers of East European politics by surprise. By December, around 800,000 "ordinary" Ukrainians were demonstrating in Kyiv and other cities across the country. The rapid rise of mass protests, especially at a time when the world's established democracies are struggling with growing political apathy and declining voter turnout, appears as what Timur Kuran has called one of those moments "when out of never you have a revolution."<sup>1</sup> These episodes may help the cause of democracy, but they can also destabilize countries by polarizing citizens and boosting extremists. In order to gauge what a protest outbreak will mean for a country's democratic prospects, it is crucial to understand who the bulk of the protesters are and what goals they hope to achieve. Here follows original survey data that may help to shed light on EuroMaidan protest participation and its implications for democratic hopes in Ukraine.<sup>2</sup>

The events of late 2013 naturally evoked memories of the Orange Revolution nine years earlier. On that occasion, somewhere around a quarter to a third of Ukraine's then—46 million people emerged from their postcommunist atomization and disengagement in order to protest against a suspect result in the 2004 presidential election. As it would be in 2013, the 2004 change in public attitudes was as unexpected as it was sudden. Most of the action in 2004 took place in Kyiv and cities to its west. Students and activists were the first movers, setting up tent cities and mobilizing other citizens. The demands were for civic rights

and electoral integrity—things that were easy to grasp and to monitor. Outgoing president Leonid Kuchma kept the media under tight control, which limited information flows. Nonetheless, the opposition rallied behind former premier Viktor Yushchenko, whom protesters believed had actually beaten Kuchma's handpicked successor, Viktor Yanukovich, in the 21 November 2004 runoff. The Kuchma regime, afraid to use force against vast crowds of peaceful protesters, allowed a fair vote on December 26. Yushchenko won it with 52 percent.

Over the last decade, this outbreak of mass mobilization in the ex-USSR has continued to present a puzzle. Most observers have seen it as a one-off event, and some have raised doubts about its democratizing effect. In these pages, some analysts stressed the actions of Western NGOs in sponsoring and training activist organizations,<sup>3</sup> while others focused on the roles played by Ukrainian elites and endogenous structural variables.<sup>4</sup> Only a few examined the identity and goals of the protesters.<sup>5</sup> Most analyses dwelt on what they took to be the protests' partisan nature, but this is a mistake. In surveys, most protesters claimed that they had come out not to back Yushchenko, but rather to stop the rise of what they saw as competitive authoritarianism.<sup>6</sup> In focus groups, some cited as their motive the belief that they had a "duty to defend democracy."<sup>7</sup> Sadly, a lack of data has left us unsure whether such people were close to the median of Ukrainians' political preferences or were liberal "outliers."

When Viktor Yanukovich won the 2010 election and set about adding to the presidency's powers via constitutional amendments, extending by thirty years the Russian Black Sea Fleet's rights to bases on Ukrainian soil, and imprisoning Yulia Tymoshenko, the Ukrainian public seemed to passively accept it all. Thus when Yanukovich announced in November 2013 that Ukraine would seek closer ties to Russia rather than sign a painstakingly negotiated free-trade deal with the EU, few either within or outside Ukraine foresaw what would come next.

That was the protest phenomenon known as the EuroMaidan—the word, which began as a Twitter hashtag, is a portmanteau neologism compounded from the name of Kyiv's Independence Square ("maidan" means a city square), the main protest site in both 2004 and 2013, and the adjectival prefix that signifies alignment with Europe. Events did not follow a linear course. On 24 November 2013, in several cities across the country, came demonstrations involving in total perhaps 300,000 citizens. Yet as the final week of November wore on, the numbers were dwindling. Then the Yanukovich regime miscalculated. On November 30, it sent riot police in to disperse the Kyiv protesters by force. The next day, the number of protesters exploded to an estimated 800,000 across Ukraine, as furious citizens turned out in a show of solidarity with those whom the regime had assaulted. The largest protests occurred in Kyiv and the western city of Lviv, but there were

demonstrations in Kharkiv and Odessa (in the east and south, respectively) as well.

## **Democratic Revolution 2.0**

This EuroMaidan mobilization differed significantly from the Orange Revolution in five ways. First, the 2013 protests were more widely distributed across Ukraine than those of 2004. The largest turnouts both years were in central and western Ukraine, but in 2013 protests with up to two-thousand participants also occurred in the east and south. Second, student and activist groups were strong and prepared in 2004, but not so in 2013. The latter year featured civic self-organization aided by the use of Internet-based social media, neighborhood initiatives, and online news sites. Third, unlike in 2004, in 2013 no one leader emerged to serve as the opposition's standard-bearer. Instead, the EuroMaidan took the shape of a "coalition of inconvenience" formed by liberal, social-democratic, and right-of-center opposition parties. Fourth, the Yanukovich regime, unlike the Kuchma regime nine years before, did not shy away from using violence to squelch the protests. Fifth, foreign governments and organizations found it hard to broker any deals between the two sides.

The upshot of all this was that in 2013, the party in power seemed better able—at first, anyway—to hold its ground. Up to two-million people protested for nearly three months. Demonstrators focused first on foreign relations, advocating a "European future" for Ukraine—a goal not as widely supported by citizens in 2013 as clean elections had been nine years earlier. Protest rhetoric then moved on to attack the regime for corruption, repressiveness, and rights violations. Much like the protesters themselves, the protests' claims and aims came across as diverse, wide-ranging, and subject to change. The use of violence by both sides escalated. More than a hundred people had died before Yanukovich fled Kyiv after dark on February 21, headed for eventual exile in Russia.

Between 26 November 2013 and 10 January 2014, my research team and I surveyed a random sample (N=1,304) of protesters at Kyiv demonstration sites as part of our work on the Ukrainian Protest Project. Ours is the only multiday survey of protest participants. What we found surprised us. The EuroMaidan drew many middle-class, middle-aged participants who had been staying informed via news websites and social media, but who joined the protests personally only after getting private messages from friends and relatives who were taking part. We also photographed signs and posters displayed by protesters and recorded quick interviews, asking participants to describe their motives and goals in their own words. The data reveal that the "median protester" was middle class, with a new level of linguistic cosmopolitanism and a rela-



tive lack of partisanship. Such commonalities did not mean that protesters all professed the same motives, however. In fact, we found that these were quite diverse.

Early reports cited students as key protest organizers. However that may be, fully two-thirds (67 percent) of our Kyiv survey's respondents were in fact older than 30, with an average age of almost 36. Nearly a quarter of all Kyiv respondents were older than 55. When we take into account the day (and time of day) when people joined the protests, it is clear that students, journalists, and self-identified members of civic organizations and social movements were "early joiners" and "stalwarts."<sup>8</sup> They showed up at earlier hours of the day and stayed later (some people camped out in the Maidan, of course) and were just as likely to demonstrate on a weekday as during a weekend. Most protesters, however, were middle-aged or older, and had full-time jobs as well as an above-average amount of formal schooling. They were less likely to protest on weekdays, and were more likely to join protests in the afternoon or later, but less likely to stay late into the night. Men, who made up 59 percent of all protesters, were more likely to protest more often and later at night. Data collection suffered after things turned violent on November 30, but rapid interviews and participant observation in Kyiv suggest that protester ranks became more heavily male as violence rose, and that males predominated in those zones where violence clustered.

Analysis of signs and slogans reveals that early joiners focused solely on supporting closer EU ties. After November 30, calls to defend rights and to protect Ukraine's democratic future came to the fore, often with denunciations of Yanukovich by name. As protests continued throughout December and January, more posters and banners attacked a corrupt regime that steals from its people. As violent repression peaked and protest radicalized during the week of January 18 to 25, the messages dwelt on demonstrators' sense of desperation as well as their desire to see Yanukovich impeached and Ukraine's independence safeguarded. The use of nationalist slogans increased from mid-January onward, but they never became the main type of claim made by the average protest participant.

Our survey data show that the median protester was a male between 34 and 45 with a full-time job (56 percent were thus employed). He was well-educated, voted regularly, had experienced very little contact with civic or social-movement groups, wanted a better political future for Ukraine, and was more worried about violent state repression (and infringements on basic rights) than about forming closer EU ties, working in an EU country, or being able to travel around Europe without a visa. Most importantly, the median protester does *not* seem to have been motivated by opposition to the Ukrainian government's desire to seek stronger ties with Russia, but instead cared more about the economic and political direction of the government's *domestic* policies.



The content of the rapid interviews that we conducted with protest participants was mostly in line with these statistical findings about the median protester. Most of the demonstrators with whom we spoke told us that in their minds the slogan “Ukraine is Europe” was less about any particular formal relationship between Brussels and Kyiv and more about the desire to see Ukraine embrace “European values.” These values were understood to include rights safeguards, political stability, and the pursuit of a certain “quality of life” (or in other words, economic prosperity). Many analyses of the EuroMaidan have focused on extremist groups, although these did not even come close to forming a majority of protest participants. This is unfortunate, since it has cast into shadow the more moderate opinions of the median protester.

### **The Median Protester and Linguistic Diversity**

How representative of the larger Ukrainian populace was the median EuroMaidan protester? Ukrainian civic, ethnic, and linguistic identities are complex, and so is their relationship to political preferences and behavior. Media coverage, however, has dwelt on oversimplified dichotomies of “west” versus “east” and Ukrainian-speakers versus Russophones, obscuring the messier and more complicated reality on the ground.

Students of elections in Ukraine discern not two (east and west) but four electoral regions (those two plus a central and a southern region, the latter of which contained Crimea). The largest EuroMaidan protests did indeed take place in central and western Ukraine (in Kyiv and Lviv, respectively), but there were smaller protests in the eastern cities of Kharkiv, Dnipropetrovsk, and Donetsk, and also in such southern locales as Odessa, Kherson, and even parts of Crimea. Of the 1,040 respondents to our Kyiv survey who said where they resided, fully 42 percent were from places other than Kyiv city or its surrounding oblast. Most of this non-Kyiv group came from western or central oblasts, but a fifth (or about 8 percent of the 1,040 residence-listing respondents) came from eastern or southern oblasts.

What about the EuroMaidan’s ethnic makeup? According to the latest available statistics (based on the 2001 census), ethnic Ukrainians account for 77.8 percent of Ukraine’s people, while ethnic Russians total 17.3 percent. In our survey, 92 percent of protesters identified themselves as ethnic Ukrainians, while 4 percent self-identified as Russian. This mirrors the 2001 census figure for Kyiv Oblast, where 92.5 percent of the residents were ethnic Ukrainians. So the protesters in Kyiv at least were ethnically representative of the protests’ locale.

Trying to sort Ukrainian voters into Russophones or Ukrainophones is tricky since the native tongue that someone self-reports may not be the language that he or she actually uses most often in daily life. Across

most of the country, native speakers of Ukrainian make up close to 80 percent of the population. In line with this, 83 percent of the protesters who listed a mother tongue cited Ukrainian as that language. Self-

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***Politicians and civic organizers should pay close attention to what the protesters themselves have said they wanted: not language policies, but economic and political stability; not just EU accession, but safeguards for basic rights and an end to systemic elite corruption.***

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identified native speakers of Russian were 12 percent. Yet a smaller share of our respondents (a bit under 70 percent) said that Ukrainian was what they spoke at work or in private life, while slightly more than a fifth said that Russian was their professional or private language.

Going by this last finding, one could say that 22 percent of the EuroMaidan protesters whom we sampled were Russophones. Cross-tabulating everyday use of Russian with self-reported motives for protesting, we see that the EuroMaidan participants who

were daily speakers of Russian were just as likely to be moved by their support for democratic rights and opposition to unjust uses of state repression as they were to be impelled by a wish for closer Ukraine-EU ties. In other words, the substantial Russian-speaking subgroup within the EuroMaidan may have been distinct linguistically, but politically it embraced the same democratic goals and preferences as the median protester.

Another noteworthy finding has to do with voting behavior and partisanship. As a group, the EuroMaidan protesters had been, by their own report, mostly regular voters. Far from being hard-core oppositionists, about 26 percent of respondents who were able to recall their past voting choices said that they had cast ballots for a candidate or party associated with Yanukovich in 2004, 2010, or 2012. Yet there they were, protesting against the Yanukovich government in 2013.

Those who reported having voted for Yanukovich were not more likely to be ethnic Russians, but they were more likely to speak Russian at work and to choose “illegitimate use of militia violence” and “violation of civic rights” as their reasons for protesting. Civic identity and arguments based on rights—not claims hinging on language or ethnicity—were the stated motives of the median protester. As postcommunist political phenomena go, the EuroMaidan was decidedly more civic than ethnic.

The main cleavage identifiable among survey respondents was age. We did rapid interviews of, respectively, respondents between 17 and 29, those between 30 and 55, and those over 55. We posed three questions: Why are you here today? Why did you decide to protest? Why is

your protesting important? The answers revealed three dominant trends, divided by age group.

Respondents under 30 were able to express themselves using a media- and NGO-savvy lexicon of “EU accession” and “global human rights.” They identified themselves as those who must “fight for democracy, because the older Soviet generations will not.” In the survey, this group was more likely to choose as its key motives support for closer EU ties, a desire to seek jobs within EU countries, and the securing of visa-free European travel for Ukrainians.

Those aged 30 to 55 (the largest group), focused more on their desire for “economic security” and the chance to live in a Ukraine that is a “normal, European democracy.” These respondents tended repeatedly to mention their sense of themselves as representing an important and active sector of the electorate, insisting that their presence told the regime and Western observers that “the voters are here.” In the survey, this group was most concerned with opposing the illegitimate use of violent repression and defending democratic rights for all Ukrainians.

The last and smallest group of demonstrators, those over 55, saw themselves as the protest’s guardians, retirees able to spend time out in the Maidan while younger protest sympathizers saw to work and family commitments. These older participants described their main motive as concern for Ukraine’s future rather than worry about their personal economic prospects or individual rights. Such differences among protester age cohorts suggest that a unifying government for Ukraine must be one that can cope with varying generational expectations as well as bring Ukrainians together across class, ethnic, and regional lines.

Our research suggests that a significant share of respondents who were Ukrainian speakers with a record of voting for Yanukovich’s opponents nonetheless felt no impulsion to join protest ranks until the regime unleashed violence. More than party-political preferences, ethnolinguistic concerns, or the government’s foreign-policy shift, what roused them to come out into the streets was their conviction that democratic rights were on the line and needed defending. The conundrum that political scientists will certainly have to unravel is that these individuals joined in the risky business of protest when it became more dangerous to do so. Further focus-group research will be needed to better understand how and why they decided to join.

To say that the middle-class median protester is a force for democracy in Ukraine is not to say that a single policy aim or party agenda can represent this group. It is clear, however, that pandering to the minority that harbors intense ethnolinguistic or ethnonational preferences, as the new government that arose after Yanukovich’s flight did at first, will not appeal to the median protester. Politicians and civic organizers (as well as foreign governments, organizations, and advisors) should pay close attention to what the protesters themselves have said they wanted: not language

policies, but economic and political stability; not just EU accession, but safeguards for basic rights and an end to systemic elite corruption.

Finally, no government should discount the possibility that some chunk of the “median protesters,” if they feel they are not being listened to, could lend their ears to radical voices. The bulk of the EuroMaidan’s participants displayed a democratizing and cosmopolitan tendency and a capacity to come together despite partisan and other cleavages. But can the same be said about their country’s political elites? Without politicians who are worthy of the better angels of its people’s nature, can Ukraine find the democratic unity to resolve its crisis?

## NOTES

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2. A number of graphics illustrating the Ukraine Protest Project’s findings are available at <http://www.journalofdemocracy.org/articles/supplemental-material>.

3. Valerie J. Bunce and Sharon L. Wolchik, “Favorable Conditions and Electoral Revolutions,” *Journal of Democracy* 17 (October 2006): 5–18.

4. Lucan Way, “The Real Causes of the Color Revolutions,” *Journal of Democracy* 19 (October 2008): 55–69; Lucan Way, “Debating the Color Revolutions: A Reply to My Critics,” *Journal of Democracy* 20 (January 2009): 90–97.

5. Mark R. Beissinger, “The Semblance of Democratic Revolution: Coalitions in Ukraine’s Orange Revolution,” *American Political Science Review* 107 (August 2013): 1–19; David Lane, “The Orange Revolution: ‘People’s Revolution’ or Revolutionary Coup?” *British Journal of Politics and International Relations* 10 (November 2008): 525–49; Olga Onuch, “Why Did They Join En Masse? Understanding ‘Ordinary’ Ukrainians’ Participation in Mass-Mobilisation in 2004,” *New Ukraine/Nowa Ukraina* 11 (2011): 89–113.

6. See the 2005 and 2006 surveys carried out by the Kyiv International Institute of Sociology (<http://www.kiis.com.ua>), and the Ukrainian Protest Project’s 2008 and 2009 surveys on Orange Revolution protest participation (<http://ukrainianprotestproject.com>).

7. Data from author’s focus group with ordinary citizens, Kyiv, 27 July 2009.

8. Clare Saunders et al., “Explaining Differential Protest Participation: Novices, Returners, Repeaters, and Stalwarts,” *Mobilization: An International Quarterly* 17 (September 2012): 263–80.

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# The Maidan and Beyond

## THE MEDIA'S ROLE

*Sergii Leshchenko*

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It all began with a simple Facebook post. On 21 November 2013, after word got out that President Viktor Yanukovich was doing an about-face and scrapping his promise to steer Ukraine toward closer integration with Europe, online journalist Mustafa Nayyem took to his page on the popular social-media site to invite any fellow Ukrainians who shared his unhappiness with the policy reversal to meet in Kyiv's Independence Square (the Maidan) at 10:30 that night so they could peacefully voice their discontent. A few hundred of Nayyem's Facebook friends showed up, to be joined within days by several thousand students and members of opposition parties. When the regime launched a brutal paramilitary assault against the Maidan on November 30, the crowds swelled to at least half a million people who came out to condemn the government's actions. This was the start of the "Revolution of Dignity," as tens of thousands of Ukrainians consciously chose to remain in the square despite the bullets and other forms of violence that the regime aimed against them.

It is significant that an online journalist and a social-media website figured so prominently in launching the EuroMaidan. Yanukovich had been moving for some time in an increasingly authoritarian direction, with attacks on democratic institutions and advocates of freedom becoming more blatant and enjoying official sanction. The repression took an especially dramatic turn on 16 January 2014, when parliament by a crude show of hands passed the infamous "dictatorship package," a set of eleven laws meant to curb freedoms of association and expression even as protests were going forward throughout the country.

The press and the Internet were major targets of the "package," and

this too was of a piece with longer-term trends under Yanukovych. During his time as president, the well-known Press Freedom Index put out by Reporters Without Borders had downgraded Ukraine drastically, moving it from 89<sup>th</sup> (out of 179) in the world in 2009 to 126<sup>th</sup> in 2013. Following the 2004–2005 Orange Revolution, Ukraine had seen a flowering of media freedom, but it was short-lived. Dangerous tendencies began to emerge even before Yanukovych won the 2010 election. Antigovernment advertisements were banned in 2009 under Prime Minister Yulia Tymoshenko, who treated state television as her propaganda tool.

Despite these earlier setbacks, the really steep decline in freedom of expression began with Yanukovych. Criticism of him swiftly vanished from television; “live” interviews were stage-managed; presidential press conferences were limited to one a year; the president’s team began manipulating talk shows; and the president’s bodyguards unleashed occasional violence against journalists. An access-to-information bill became law, but it had flaws and was never fully enforced anyway, as officials continued to withhold public information on false grounds.

In Ukraine, oligarchs have a virtual lock on media ownership; only a few outlets (most of them online) are beyond their reach. Most Ukrainians get their news from television, though perhaps two-fifths read the news on the Internet, according to a March 2014 survey commissioned by the International Republican Institute (IRI). Other sources of information to which people turn, the IRI research found, include friends and relatives, print media, and (ominously) Russian television. This last serves Russia as a propaganda weapon—the survey says that every third Ukrainian consumes news crafted in the heart of the Kremlin.

In Ukraine, the print media have never been dominant. Before the USSR collapsed, newspapers were simply mouthpieces for the ruling Communist Party. After 1991, the swift rise of online media largely preempted the growth of print, whose “death” has therefore not been anything like the dramatic story it has been in the West, with its strong press traditions.

Four major oligarchic groups control the bulk of Ukraine’s television market. The most-watched channel is Inter, which changed ownership roughly a year before the end of the Yanukovych government. At that time, Valeriy Khoroshkovskiy, the ex-chief of the KGB-successor Ukrainian Security Service, was forced to sell this channel to Serhiy Liovochkin, Yanukovych’s chief of staff, and Dmytro Firtash, a tycoon who had made his money in the corrupt natural-gas trade.

At first, while Liovochkin was in control of its news desk, Inter covered the EuroMaidan favorably and helped to mobilize protesters. By late December 2013, however, Yanukovych allies appointed by Firtash had replaced Liovochkin’s people, and the channel’s tenor changed noticeably. Some Inter journalists resigned in protest, but their former employer remained loyal to Yanukovych until he fled the country in February. Firtash is now free on bail, having been arrested in Vienna on

13 March 2014 based on a U.S. request related to bribery charges against him. After his arrest, journalists who had previously left Inter in protest returned to their positions. The oligarchic clan that owns the channel, meanwhile, has conveniently disassociated itself from Yanukovich's Party of Regions and is trying to find a place in the new political reality.

The second-largest oligarchic media group, 1+1, is led by Ihor Kolomoyskiy, who controls oil extraction and refining as well as PrivatBank, Ukraine's largest financial institution. During the EuroMaidan, 1+1 took the protesters' side with frank reporting that inspired many opposition sympathizers. It also organized several social initiatives to support a peaceful solution to the crisis. TSN, a news website that is part of 1+1, is one of the top twenty most popular websites in Ukraine. After Yanukovich fled, Kolomoyskiy was rewarded by being named governor of Dnipropetrovsk, one of the largest oblasts. He began using his television channel to attack members of parliament whom he saw as averse to his oil interests.

A third group with massive media holdings is headed by Yanukovich ally Rinat Akhmetov. He was a major beneficiary of the Yanukovich presidency, as energy, metallurgical, and coal assets fell into his hands via privatization. His television channel, Ukraine, was run by Russian managers and took a pro-Yanukovich line.

The fourth group, owned by former president Leonid Kuchma's son-in-law Victor Pinchuk, controls several channels that began broadcasting in the 1990s with the support of U.S. press-freedom institutions. Pinchuk's channels were neutral toward the EuroMaidan, and he gave speeches supporting democracy.

During the final year of his presidency, Yanukovich established his own media holding. His agent was businessman Sergiy Kurchenko, who is now under investigation in Ukraine. Kurchenko acquired the online newspaper and magazine *Korrespondent* as well as the Ukrainian edition of *Forbes* (following the bloodshed on the Maidan, this last publication's U.S.-based parent promised to revoke its license). Other members of the Yanukovich "family" started two newspapers (including *Capital*, which is published under the license of the *Financial Times*), a tabloid (*Vzgliad* or *Sight*), and a television channel. The idea was to avoid dependence on the grasping oligarchs in preparing Yanukovich's path to victory in the March 2015 presidential election. Yanukovich, in other words, wanted to rob the country himself, and did not want to share the loot with anyone.

### An Island of Freedom Online

Soon after Ukraine's online media began doing business in 1999, their political significance was underlined by a notorious murder: In September 2000, the investigative Web reporter Georgiy Gongadze, founder of *Ukrayinska Pravda*, was abducted off a Kyiv street and killed.<sup>1</sup> At that time, the Internet was still a new and fairly small-scale presence in



Ukrainian life; today, only television exceeds the Web's reach as a media platform. Millions of users frequent numerous high-quality sites that together spread information, place checks on power, mobilize citizens, and affect what offline media cover and how they cover it.

The EuroMaidan demonstrations only increased online media's prominence as an alternative news source. During the protests, to give one example, *Ukrayinska Pravda* saw its typical number of unique visitors triple from about 300,000 to a million per day. Traditional media might have tried to make Yanukovych look like a formidable leader, but online he was the butt of jokes and satire. His underestimation of the Internet helped to cause his downfall. He focused on controlling television and left online media mostly alone, taking them to be of interest only to younger, better-educated, urban voters whom he had long since written off as irrelevant to his prospects.

Once the beleaguered Yanukovych regime realized that online journalism was fueling civic activism, however, assaults on Internet freedom increased. During 2013, *Ukrayinska Pravda* became a target of denial-of-service attacks, journalists had their email hacked, phones were tapped, and fake versions of *Ukrayinska Pravda* appeared.

Yanukovych's notorious "dictatorship package" was in effect a hasty attempt to seize control of the Internet by means of Russian-style measures such as blocking critical websites and requiring online publications to register. But Yanukovych was trying to put in place overnight the kind of autocracy that Vladimir Putin in Russia, like Alyaksandr Lukashenka in Belarus, had spent years building. The Ukrainian president's hasty effort backfired, as protests against his dictatorial legislation exploded, with fierce clashes breaking out in central Kyiv that cost some demonstrators their lives and Yanukovych his hold on power.

Another thing to note about the online coverage of the EuroMaidan in Ukraine was the way that this coverage helped to block the spread of blatant propaganda via television. Managers from Inter mentioned to me how the channel's coverage "agenda" had changed based on research results. Before the Orange Revolution, only 10 to 15 percent of the channel's audience got any news from the Internet. By November 2013, something like two-thirds of the audience was getting information from the Internet either firsthand or from friends. When alternative sources of information are at viewers' fingertips, using television as a tool for mass manipulation becomes far harder.

Judging from IRI-sponsored survey research carried out by the Rating firm, at least 13 percent of Ukrainians get their information directly from social media. The most popular outlet is VKontakte, the Russian version of Facebook. In February 2014, more than three-fifths (62 percent) of respondents who used the Internet said that they visited VKontakte at least once a month. This is twice the size of the Ukrainian audience for Facebook itself.



After the EuroMaidan began, new online-media platforms emerged. One of the most prominent was Hromadske.tv, which brought together dozens of professional and independent journalists. Many of them were former employees of the independent station TVi, which had been stripped from its original owners after government agents raided its facilities in April 2013. Two months later, a group of TVi veterans launched Hromadske as an online channel that would stream unbiased news and information and engage in investigative reporting.

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***Reducing the potent influence of Russian media is one of the challenges facing the new Ukrainian government.***

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Based in a tiny studio, Hromadske drew most of its modest funding from international organizations and the donations of Ukrainian citizens. Although it had not yet gone live when the EuroMaidan erupted, Hromadske responded instantly to the

breaking story and began streaming coverage on the protest's very first night. Within a few days, its online audience had grown to ten thousand. Soon after Yanukovich decamped in February 2014, the state-run National Television Company of Ukraine struck a deal with Hromadske in which the former Yanukovich propaganda organ agreed to carry Hromadske's independent coverage, thus handing this small "garage" webcasting enterprise an audience of millions. In return, the state company got higher ratings, as these spiked upward sharply once Hromadske joined the team.

Another popular Web platform was the live-streaming service Ustream. In one notably scandalous March 2014 incident (it was mentioned during a meeting of the UN Security Council) that was streamed online, three members of parliament from the nationalist party Svoboda barged into the office of the state-television chief and physically assaulted him while successfully demanding his resignation.<sup>2</sup>

Forced resignations of alleged Russian sympathizers notwithstanding, media outlets based inside Russia continue to wield significant influence within Ukraine. The lack of a robust Ukrainian print-media tradition and the weak advertising market have left a gap that Russian newspapers have filled by churning out their own Ukrainian editions. These publications typically reprint articles directly from their Russian counterparts including *Komsomolskaya Pravda*, *Izvestia*, *Moskovsky Komsomolets*, *Trud*, and other outlets with origins in the Soviet era.

Equally if not more influential—especially in eastern and southern Ukraine—is Russian television. In the south, 47 percent of residents report watching Russian news programs. In the east, the figure is 44 percent. Such levels of exposure to Russian propaganda help to explain the public mood and the outbursts of separatism that have accompanied (and served as a pretext for) Russia's recent military intervention. Defined by the misinformation that it regularly puts out, Russian television is

an instrument for the stoking of separatist sentiments. Sometimes the propaganda flies so thick that the Russian outlets inadvertently “step on” and contradict each other’s stories. In a curious April 2014 episode, for instance, a pair of Russian channels presented the same person—a man named Andrei Petkov who was lying hospitalized in the southern Ukrainian city of Mykolaiv—as either (if you believed the first channel) someone who had come from abroad with money to fund the Ukrainian nationalists of Right Sector, or (if you believed the second channel’s account) a local Mykolaiv resident who had been following his usual routine as a peaceful pro-Russian protester when Ukrainian-nationalist thugs beat him badly enough to break his nose and one of his legs.<sup>3</sup> Reducing the potent influence of Russian media is one of the challenges facing the new Ukrainian government.

That new government must not repeat the mistakes that Ukraine’s pro-European politicians made just after the Orange Revolution, when they became so consumed with fighting among themselves that they forgot about the importance of institution-building and other steps crucial to the safeguarding of Ukraine’s democratic advances. In his June 1982 “Westminster speech” to the British Parliament, U.S. president Ronald Reagan referred to this institution-building task as “foster[ing] the infrastructure of democracy.”<sup>4</sup> Creating public-television outlets that are truly independent not only will reduce bias in news reporting, but may spur private outlets to boost their own levels of professionalism. An improved right-to-information law and more transparency in matters of government spending should also help to create a more democracy-friendly media environment. The cost—more than a hundred lives lost—has been painful, but the Maidan represents Ukraine’s second chance in a decade to build a true democracy. It is an opportunity that must not be squandered.

## NOTES

1. Gongadze’s kidnappers were from a secret police unit. His headless corpse was later found in a wooded area south of Kyiv. In 2011, Ukrainian prosecutors charged former president Leonid Kuchma with having ordered Gongadze’s death, but the case never made it to trial.

2. See “Ukraine Crisis: State TV Boss Forced to Resign,” BBC, 19 March 2014, available at [www.bbc.com/news/world-europe-26653295](http://www.bbc.com/news/world-europe-26653295). The Svoboda legislators were angry because Ukrainian state television had broadcast the Kremlin ceremony in which Vladimir Putin formally recognized Crimea as part of the Russian Republic.

3. Glenn Kates, “Foreign Mercenary or Pro-Russian Patriot? Depends on the Russian TV Channel,” Radio Free Europe/Radio Liberty, 11 April 2014, available at [www.rferl.org/content/russia-ukraine-media-nationalism-/25329649.html](http://www.rferl.org/content/russia-ukraine-media-nationalism-/25329649.html).

4. Reagan went on to describe this infrastructure as including “the system of a free press, unions, political parties, universities, which allows a people to choose their own way to develop their own culture, to reconcile their own differences through peaceful means.” The full text of the speech is available at [www.heritage.org/research/reports/2002/06/reagans-westminster-speech](http://www.heritage.org/research/reports/2002/06/reagans-westminster-speech).

# The Maidan and Beyond

## UKRAINE'S RADICAL RIGHT

*Anton Shekhovtsov and Andreas Umland*

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Until recently, the radical right in contemporary Ukraine was an obscure topic, little known even among specialists in East European affairs. Today, it takes center stage in many international assessments of Ukrainian politics. Ukraine's radical right-wingers have been fervently featured in the Kremlin's massive international media campaign against the EuroMaidan protests in Ukraine and the government that has arisen in Kyiv since the fall of President Viktor Yanukovich. Russian officials, diplomats, and pseudojournalists, as well as the Kremlin's Western lobbyists, use hyperbole and alarmism about the radical right in their efforts to discredit Ukraine's pro-European revolution as an undertaking tainted by "fascism."

Thanks largely to the Kremlin's information war, Ukraine's ultranationalists have become global media stars of a sort, depicted in Western and other reports as key players in Ukraine's third major political upheaval in less than a quarter-century.<sup>1</sup> How do we explain the paradox of ultranationalist parties becoming involved in a protest movement whose thrust is toward greater integration between Ukraine and the European Union? And are the fears that swirl around these parties justified?<sup>2</sup>

As the EuroMaidan protests turned more violent in early 2014, they also became characterized by the increasingly visible participation of a pair of far-right movements. The better known of the two is the All-Ukrainian Union "Freedom" (Svoboda), which has 37 seats in the 450-member unicameral parliament and a loose association with some

marginal extraparliamentary grouplets such as C14 (a play of letters and numbers that can, in Ukrainian, be read as “Sich,” a reference to the historical Cossack military force) and the Ukrainian Insurgent Army.

During the EuroMaidan, Svoboda and its associates used as their base the occupied building of the Kyiv City State Administration on Khreshchatyk Street near the Maidan Nezalezhnosti (Independence Square). As an organization, Svoboda did not take part in violent clashes with the police, but individual members did, and several of them fell victim to the shootings in February 2014. At the same time, Svoboda leader Oleh Tyahnybok, at age 45 a veteran of the 1990 Granite and 2004 Orange revolutions, emerged as one of the most frequent and accomplished open-air speakers addressing the crowds gathered in Independence Square.

Founded in 1991 as the Social-National Party of Ukraine and renamed Svoboda in 2004, the party has become in many though not all regards a typical European party of the far right. It mixes classic right-wing themes (anti-Semitism, national monolingualism, militarism, ethnocentrism, cryptoracism, homophobia, opposition to abortion) with economically left-wing appeals, calling for a sizeable state role in the economy (including partial nationalization of some sectors), reinforced social-support programs, and limits on land sales. This may seem illogical, but the mixing of politically radical right-wing and economically left-wing themes has been a habit of not only East but West European ultranationalist parties for at least the last century.

Along with Svoboda, the other far-right movement that was a prominent presence on the Maidan was the more diverse, less studied, and now notorious fringe organization that calls itself Pravy Sektor (Right Sector). Although as late as January 2014 it appeared that only about three-hundred people belonged to it, Right Sector claims that in the face of armed state assaults, it formed the core of violent resistance on behalf of the EuroMaidan. During the protests, this coalition of tiny groupuscules (none of which ever held seats in parliament) made its headquarters on the fifth floor of the clocktower-topped Trade Unions Building that overlooks the Maidan’s northeastern side and was set afire on the night of 18–19 February 2014. Today, Right Sector has maybe several thousand members, yet no central coordination. It seems to have morphed into a “brand name” that is being used by local groups bereft of ties to the initial alliance that made the label popular.

That alliance came into being in late November 2013 as a loose collection of extraparliamentary minigroups from an ultraconservative and partly neo-Nazi fringe. They had names such as the Stepan Bandera All-Ukrainian Organization “Trident” (a moniker meant to combine the memory of a controversial nationalist leader who died in 1959 with the three-pronged heraldic symbol of Ukraine), the Ukrainian National Assembly, the Social-National Assembly, and White Hammer. Their purpose in banding together was to fight Yanukovich’s regime by force.

After he fell, this umbrella group of ethnonationalist militants would transform into a political party and aspire to gain seats in parliament. As of this writing in early June 2014, however, no survey has shown Right Sector and its leader Dmytro Yarosh (also the leader of “Trident”) as likely to collect the 5 percent of the nationwide popular vote needed to achieve this goal (in Ukraine’s proportional electoral system, passing a 5 percent barrier is necessary in order for a party to gain parliamentary representation).

Since its rise in 2012, Svoboda has become an increasingly open supporter of Ukraine’s closer integration into Europe. Although there is some diversity of views regarding the EU among Right Sector’s various components, on the whole they lean more Euroskeptic (not to say EU-hostile) than Svoboda. Whatever their ideological differences, all the groups, factions, and groupuscules associated with both Svoboda and Right Sector were active in the pro-EU protests—whether nonviolently or violently. Even though their members formed only a small part of the EuroMaidan’s “self-defense forces,”<sup>3</sup> they managed to shape the protest movement’s international image to a considerable degree.

The prominent participation of Ukraine’s two major far-right movements in the democratic, pro-EU Maidan protests seems to present a puzzle. The EU’s official values and principles are implicitly if not explicitly antinationalist. The Ukrainian far right’s ambivalent, soft, or even positive stance toward the EU and NATO makes it an outlier among similar European parties. In both the EU and Russia, far-right parties tend to be vocally antiliberal, plainly anti-American, and more or less anti-EU.<sup>4</sup>

## **The Far Right versus Imperialism**

The most obvious explanation for the Ukrainian far right’s ardent participation in the EuroMaidan may be found in the primary goal shared by all Ukrainian nationalists, radical and moderate alike: to liberate Kyiv from the Kremlin’s hegemony. The signing of the EU Association Agreement has been understood by most Ukrainian nationalists—but also many in Brussels, Washington, and Moscow—as a move in a zero-sum game between the West and a neoimperial Russia: The more Ukraine integrates with the EU, the less will Kyiv belong to the Russian orbit. This paramount consideration has been enough to turn large parts of Ukraine’s far right into supporters (however reluctant) of the Association Agreement. Getting out from under Kremlin tutelage is a crucial precondition for an independent evolution of the Ukrainian nation—in whatever direction that development may go.

To be sure, it is not their pro-EU stance, but their social conservatism, heterosexism, and populist nationalism—all attitudes commonly found among Europe’s far-right parties—that constitute the distinctive

features of Ukraine's radical right. And yet the national liberationism that Ukraine's ethnonationalists also hold dear was a publicly salient and politically consequential feature of the EuroMaidan that held together the protesters' broad alliance from the radical left to the extreme right. Only some avowedly neo-Nazi groups such as the Social-National Assembly were and are clearly anti-EU. Yet they are marginal even within the far right.

The small size of the neo-Nazi section of the Ukrainian nationalist movement also seems to be a reason for the relatively low number of hate crimes in Ukraine. The latter runs counter to a common Western stereotype of Ukraine as a seething hotbed of ultranationalist violence. When the country cohosted the European football championship tournament in 2012, for example, British tabloids and some left-wing German outlets luridly warned that Ukrainian neo-Nazis would attack nonwhite fans at games in Kharkiv, Donetsk, Lviv, and Kyiv. Yet there was no significant violent racial incident involving Ukraine fans at or after any match of Euro-2012.

According to Viacheslav Likhachev, who monitors xenophobia for the Euro-Asian Jewish Congress, about forty people suffered from racist attacks in Ukraine during 2012 and 2013.<sup>5</sup> In Ukraine, the last time a person was reported to have been murdered out of ethnic hatred was in 2010; the victim was a Roma woman whom her murderers suspected of dealing drugs. By comparison, according to London's Institute of Race Relations, an average of about four people a year are murdered in xenophobic or homophobic attacks in the United Kingdom<sup>6</sup>—a country whose population of 63 million is not that much larger than Ukraine's of 46 million. Other West and East European countries too have hate-crime statistics that are more like the United Kingdom's than Ukraine's. In both relative and absolute terms, the greatest number of violent hate crimes in Europe are committed year on year by neo-Nazi skinheads and other racists in Russia.<sup>7</sup>

For twenty years after Ukraine declared its independence from the Soviet Union, the far right counted for surprisingly little in Ukraine's elections and national legislature. It was only in 2012 that this changed. In the parliamentary elections that year, Svoboda won 10.4 percent of the vote in the proportional-representation portion of the balloting, good for 25 seats. It managed to add another dozen seats in the races held in single-member districts, giving it control of slightly more than 8 percent of parliament.

The Ukrainian ultranationalists' long parliamentary drought was surprising in light of two circumstances. The first was the European context—parties of the far right had emerged as significant electoral forces not only in Hungary, Romania, Serbia, Slovakia, and Russia, but also in Western Europe. The second was the situation inside Ukraine. For years after the USSR collapsed, Ukrainians endured some of the most

profound and severe socioeconomic crises (complete with an economy shrinking by a staggering 15 percent in 2009 alone) that any European country has ever seen.

Svoboda's ability to win parliamentary seats in 2012 may have stemmed less from a rightward turn in Ukrainian society than from a desire on the part of voters to register their discontent with current political conditions. These included the pro-Russian policies of Viktor Yanukovich and his ruling parliamentary coalition as well as the weak discipline in the legislature's two major democratic factions, the Our Ukraine alliance and former premier Yulia Tymoshenko's bloc. Beginning in 2010 (the year Yanukovich won the presidency), sizeable numbers of deputies from both these groups had defected to Yanukovich's Party of Regions and the government of Prime Minister Mykola Azarov.

We estimate that as many as half of Svoboda's 2012 voters may have backed it not out of radical ethnonationalism or homophobia, but because they saw it as the most thoroughgoing opposition to Yanukovich. It was Svoboda's strong (even revolutionary) rhetorical stance and coherent public image as such, rather than the details of its extremely right-wing ideology, that drew to it many nationally conscious and often democratic voters. They interpreted (or misinterpreted) Svoboda's ultranationalism in national-liberationist rather than racist or xenophobic terms. And with regard to party discipline at least, Svoboda has delivered: None of its legislators has ever taken part in the well-known Ukrainian parliamentary practice of floor-crossing.

### **Will Ultrationalism Stay Marginal?**

The reasons behind the rise of the far right since 2012 may also explain why Svoboda's Tyahnybok and Right Sector's Yarosh together totaled less than 2 percent of the vote in the 25 May 2014 presidential election. The EuroMaidan has won, Yanukovich is gone, and the intense polarization that he bred has passed its peak. Some conditions that initially attracted many voters to disciplined extremists seem to have waned.

In a March 2014 public-opinion poll conducted by the Kyiv International Institute of Sociology, 5.2 percent of respondents said that they would back Svoboda for parliament. That is half what the party received in 2012, and would be barely enough to get it into the legislature. Svoboda's support now seems to consist of its traditional hard-core loyalists plus moderately nationalist voters in the region of Galicia in western Ukraine, where the party has come to be considered part of the political mainstream.

Svoboda's ability to pass the 5 percent parliamentary threshold is by no means assured, however. If it splits the ultranationalist vote with Right Sector, there may be a situation (similar to one seen before in



other European countries) where the radical right as a whole receives more than 5 percent, but with a division among parties (say 4 percent for one and 3 percent for the other) that leaves them all below the entry barrier and thus with no seats in parliament.

Then too, Svoboda could find its voters growing demotivated if its foil, the pro-Russian Party of Regions (Yanukovych's old party), remains stuck in its current fragmented, disoriented state. In that case, Svoboda's leaders will have to find another way to rally nonextremist voters—perhaps by fervently taking up the cause of defending Ukraine against ongoing Russian aggression. If Svoboda cannot attract moderate voters and must split the ultranationalist vote with Right Sector, the Ukrainian far right could find itself returned to the extraparliamentary fringes of political life.

## NOTES

1. The first two were the 1990 Granite Revolution and the 2004 Orange Revolution.

2. Relevant earlier or forthcoming publications include Anton Shekhovtsov, "The Creeping Resurgence of the Ukrainian Radical Right? The Case of the Freedom Party," *Europe-Asia Studies* 63 (March 2011): 203–28; Andreas Umland, ed., "Post-Soviet Ukrainian Right-Wing Extremism," special issue of *Russian Politics and Law* 51 (September–October 2013); Viacheslav Likhachev, "Right-Wing Extremism in Ukraine: The Phenomenon of Svoboda," Kyiv, 2013; "Pravyi radikalizm v segodniashnei Ukraine," special section in *Forum noveishei vostochnoevropaiskoi istorii i kul'tury* 10 (2013): 7–150; Natalia Belitser, "Vseukrainskoe ob'edinenie 'Svoboda' i ego elektorat, 2012–2013," *Ideologiya i politika* 2 (2013): 8–92; Anton Shekhovtsov, "From Electoral Success to Revolutionary Failure: The Ukrainian Svoboda Party," *Eurozine*, 5 March 2014; Alina Polyakova, "On the March: The Coming Rise of Ukrainian Ultra-Nationalists," *Foreign Affairs.com*, 11 May 2014; Viacheslav Likhachev, "'Pravyi sektor' i drugie: natsional-radikalny i ukrainskii politicheskii krizis kontsa 2013 g. – nachala 2014 g.," Alina Polyakova, "From the Provinces to the Parliament: How the Ukrainian Radical Right Mobilized in Galicia," *Communist and Post-Communist Studies* 47 (June 2014): 211–25.

3. This defense force (or Samooborona) consisted of dozens of small, lightly armed groups called "hundreds." Some put heavy stress on ideology; others were vaguer. All resisted the Yanukovych regime's security cadres with force.

4. Over the last decade, the only significant far-right party outside Ukraine to take a relatively pro-EU stance has been Greece's Popular Orthodox Rally. During its stint in the Greek parliament from 2007 to 2012, this party strongly criticized a number of the EU's basic principles yet remained openly supportive of Greece's continued membership.

5. Viacheslav Likhachev, "Statistika soobshchenii o zherstvakh napadenii na pochve nenavisti v Ukraine, 2006–2013," available at <http://eajc.org/page451>.

6. See the Institute for Race Relations project on "Racial Violence in the UK" at [www.irr.org.uk/research/geographies-of-racism](http://www.irr.org.uk/research/geographies-of-racism).

7. These statistics on Russian and Ukrainian hate crimes do not include possible killings committed by radical rightists within larger violent conflicts, for instance, during clashes in the Russian North Caucasus or the skirmishes in eastern and southern Ukraine in 2014.

# The Maidan and Beyond

## OLIGARCHS, CORRUPTION, AND EUROPEAN INTEGRATION

*Anders Åslund*

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A key to understanding any society is its informal institutions, which influence both its economy and its politics. In Ukraine, the most important such institution is endemic corruption. Aside from Russia's campaign against Ukraine's territorial integrity and sovereignty, corruption is the main threat to the nation.

Many countries are very corrupt, but Ukraine is an especially severe case. Currently, Transparency International ranks it 144 out of 177 countries on its well-known Corruption Perceptions Index. Corruption is pervasive in Ukraine, but most damaging is the high-level corruption that has been highlighted by public display of the crassly ostentatious homes owned by former president Viktor Yanukovych and top members of his administration.

Since the mid-1990s, Ukraine has lived under the domination of a score of oligarchs. These big businessmen control several sectors of the Ukrainian economy, notably energy, metallurgy, mining, and the chemical industry. The open and competitive sectors have mainly to do with retail trade, high technology, and agriculture plus its related industries. The big businessmen sponsor various political parties, including even the Communists and Socialists, but have no ideology and seek only narrow self-interest. Sometimes these business figures compete against one another and sometimes they collude; they are, above all, astute dealmakers.

In the 1990s, all the truly wealthy Ukrainians made their money in the natural-gas trade. Its essence was to buy Russian gas at an artificially low, state-regulated price and then sell it at a high, monopoly-shielded price. Gazprom, the Russian state company, sold all the gas imported by Naftogaz, the Ukrainian state company. The gas flowed directly from Russia across the border into Ukraine via pipelines that these two com-

panies owned. Oddly, however, during every year except 2009 some intermediary company became involved in handling this trade. The only explanation for this strange circumstance is corruption: Each year, a few Russian officials and a few Ukrainian businessmen shared several billion “extra” dollars. In order to defend their outrageous robbery, they elevated the trade to a matter of Russo-Ukrainian national conflict.

The gas-trade scam represents rent-seeking at its worst. It is a cancer that harms Ukraine’s politics and economy. Rather than doing anything productive, several of Ukraine’s foremost businessmen focus on this lucrative trade. Thanks to the ample rents they rake in, they are able to buy Ukraine’s politics. The most recent “gas king” was Dmytro Firtash. In March 2014, Austrian authorities arrested him in Vienna at the request of the FBI.

Acting Prime Minister Arseniy Yatsenyuk has accused the Yanukovich regime of having stolen US\$37 billion from the state during its four years in power. That corresponds to somewhat more than a fifth of Ukraine’s nominal 2013 GDP of about \$176 billion. Yanukovich stands out for having driven public-asset theft to a new level and for having concentrated so much of the loot in his own hands and those of his son Oleksandr, plus a group of their young associates who are collectively known as the Yanukovich “family.”

The Yanukovich family is thought to have piled up a fortune worth \$12 billion. It also turned a 27-year-old manager, Sergiy Kurchenko, into a billionaire. In a single year, Kurchenko built a business empire in oil refining, media properties, the energy trade, and banking worth some \$3 billion. Now it is collapsing, and his two banks have been closed.

The self-enriching exploits of Yanukovich and company made clear the problems that beset Ukraine’s economy. The corruption took three forms. The first had to do with the trade in natural gas (not only gas taken from the ground in Russia, but gas from Ukrainian deposits also). Since 2009, Russia has charged high prices for its gas, but rent-seeking in the Ukrainian gas trade persists domestically. Each year, Naftogaz bought 18 billion cubic meters of domestically produced gas at the extremely low price of \$53 per 1,000 cubic meters (mcm). The alleged reason for this was to provide consumers with cheap gas, but probably half the volume wound up being leaked to the commercial sector, where gas prices were based on the Russian price of \$410 per mcm. Somebody close to Yanukovich made a fortune reselling gas to industrial customers. The potential for privileged arbitrage was around \$350 per mcm times 9 billion cubic meters, which equals \$3.15 billion. Presumably, this was the main reason why Yanukovich so adamantly opposed higher gas prices. Similar but smaller-scale rent-seeking took place in other energy sectors, notably coal and nuclear. The IMF estimates that 7.5 percent of Ukraine’s GDP had been going to energy subsidies that were passed on to privileged “businessmen.”

Second, Yanukovych handed out large infrastructure projects at his personal discretion. Many of these were linked to the Euro 2012 soccer tournament held during June of that year in Donetsk, Kyiv, Kharkiv, and Lviv as well as several Polish cities. In general, the Ukrainian government paid twice as much as needed for such projects. Judging from the infrastructure allocations in the state budget, I would assess such infrastructure-related corruption to have been worth at least \$2 billion a year to the Yanukovych family. Dishonestly run infrastructure projects are common in economically corrupt countries, but a kickback of 50 percent is very large. In 2010, the IMF forced Yanukovych to adopt legislation requiring competitive bidding in matters of public procurement. He quickly amended the law in ways designed to facilitate his misdealings.

The third form that corruption took was outright stealing from the government, notably the State Tax Administration and the State Customs Committee. In Ukraine there is a special word (*deriban*) for theft from the state budget, which is considered a fine art. The Yanukovych family mastered this art, stealing billions of dollars each year. The government that replaced his administration in February 2014 has been assessing how much per year was embezzled from each ministry. The numbers so far are large, with the total annual larceny estimated at \$3 billion to \$5 billion.

Over each year from 2010 through 2013, these three sources of embezzlement and corruption appear to have generated about \$8 billion to \$10 billion in ill-gotten annual gains for Yanukovych and his family. And that is only *public* corruption. Yanukovych's family stole from private businesses too, of course. Many large enterprises changed hands during his years in power, usually at very low prices because the Yanukovych family was forcing the sale. Such "corporate raiding" particularly afflicted Western-owned banks, most of which went to family members for a fraction of their fair market value. Thanks to Ukraine's excellent independent media, especially the websites *Ukrayinska Pravda* and *Mirror Weekly*, we know how money was embezzled and who benefited.

The economic effects of this larceny have been massive. According to the World Bank, Ukraine is one of five former Soviet republics that now produce less output per capita than it did in 1989. In that year, Ukraine's per capita GDP was about equal to that of Poland or Russia; today it is only about a third of theirs.

For the last two years, Ukraine has had no economic growth. In the wake of the Yanukovych splurge, the country is suffering from both budget and current-accounts deficits, each of which is equal to 9 percent of its 2013 GDP. Last year, Ukraine's situation was somewhat cushioned by an agricultural boom that brought its tiny and even poorer neighbor Moldova 9 percent growth. This year will be much worse for Ukraine. The IMF predicts an output contraction of 5 percent, but any

forecast is highly uncertain because nobody knows what the country's actual policies will be. The main impediment to economic growth in Ukraine has been corruption.

### The Impact on Politics

Corruption is not only the main business in Ukraine; it is also at the heart of Ukrainian politics. Like the U.S. Senate in the Gilded Age, Ukraine's parliament is a club of dollar millionaires in an otherwise poor country. The political corruption has many interlocking features. Despite Ukraine's poverty, its election campaigns are (in proportionate terms) among the world's costliest. The total amount spent by all the candidates in a typical presidential election or set of races for the 450-seat parliament is about \$2 billion, or 1 percent of GDP. In relation to GDP, that is two-thousand times more than is spent on a U.S. election campaign.

Most of the political spending that goes on in Ukraine is unofficial and illegal, but nobody can be elected without buying lots of expensive television advertisements. Before Yanukovich fled, he was rumored to have gathered a war chest of \$3 billion in preparation for the scheduled March 2015 presidential election. Every party needs a large secret fund, or *obshchak*. The word is also used to refer to the common funds that organized criminal gangs maintain. In fact, the parties' need to raise illicit campaign cash has led them to share many features with organized crime. Each party has a "gray cardinal" whose job is to be in charge of its *obshchak*. He (they are all men) is usually a parliamentarian and a prominent businessman, though the top businessmen refuse to indulge in this dirt.

Only Yanukovich's Party of Regions could fill its *obshchak* through extortion. The other parties had to sell concrete goods and services. A safe seat in parliament could fetch up to \$5 million. Businessmen were known to buy seats and then trade them to the winning party at a profit. The ruling party or coalition could offer high bidders "profitable jobs" (*khlebnye mesta*). These included posts chairing state committees and running state enterprises, to mention some of the more valuable ones. There was a healthy trade in judgeships and provincial governorships, too (in Ukraine a governor is a presidential appointee). In coalition governments, the gray cardinals of the coalition partners got together in order to agree on who would be allowed to sell which jobs. In this regard, the Ukrainian government proved quite efficient: Jobs were quickly auctioned off without much difficulty.

Once people had bought their offices, they needed to finance their purchases and turn a profit. They did so through corruption: *deriban*, kickbacks on public-procurement contracts, extortion, and corporate raiding. In most cases, therefore, to be a member of parliament or a senior official meant being committed to corruption.

Certain industries, such as nuclear energy, have tended to stay under

the control of the same shady businessmen regardless of who is ruling. As the reins of government have changed hands, so have the political affiliations of these operators. In other privileged industries, such as gas, the key businessmen often change with elections. Some of the biggest shady businessmen refuse to focus on single industries, preferring instead to buy the required political services regardless of who is in power. Most hold seats in parliament in order to stay fully informed and able to influence regulations and budgets. The most important businessmen seek to maintain their leverage by controlling sizeable blocs of seats. The legislators in any given bloc may well be drawn from varying parties, since for these purposes party affiliation matters little.

Oleh Rybachuk, who had served as chief of staff for President Viktor Yushchenko, realized the depth of corruption a year after the Orange Revolution. He resigned and started an NGO called Chestno (Honestly). Chestno checked the legally declared incomes of all members of parliament against their apparent personal spending and concluded that not one of them could possibly be living on his or her official income.

The fundamental insight is that corruption pervades not only Ukraine's economy but also its politics, and this corruption depends only marginally on who is in power. The current system will allow no one to come to power who is not prepared to play the old corrupt game. When there is a change at the top, weary Ukrainians ask not whether corruption will decline, but rather who will benefit the most from it under the new rule.

Democratic development requires legitimate institutions. The most legitimate institution had been parliament. It was elected in October 2012 in a reasonably democratic fashion in spite of substantial fraud that helped Yanukovich. The just-restored 2004 Constitution has some legitimacy as well, but it proved fairly dysfunctional from 2006 to 2010 and requires amending. The successful carrying out of free and fair presidential elections set for 25 May 2014 should render new president Petro Poroshenko legitimate. The next steps should be early legislative elections to form a more legitimate parliament, accompanied by the amendment of the constitution, which could take place before or after the parliamentary elections.

### **How to Banish Larceny from Politics**

Corruption is often discussed as if it were solely an economic problem, but breaking its vicious cycle in Ukraine is in fact a political task of the highest order. Other countries have found ways to do this. In the post-Soviet sphere, the prominent success stories include Estonia during the early 1990s and Georgia following its 2003 Rose Revolution. Let there be no mistake, however: Curbing corruption will require a major effort, and if the problem is not understood, it cannot be resolved.

The greatest need is to reduce the cost of election campaigns. Many

European governments have done so by strictly regulating the amount of campaign-related programming that can be aired on television. A number of official televised debates should be agreed upon, while televised political ads should be banned. If Ukraine could cut the total amount that candidates and parties typically spend on an election from

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***The Ukrainian parties need to be transformed from organized-crime syndicates into normal political parties funded by membership fees and public financing.***

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\$2 billion to a more normal figure of \$20 million or so, the other needed reforms will become perfectly feasible. Interestingly, Victor Pinchuk, one of Ukraine's wealthiest businessmen, wrote in *Ukrayinska Pravda* in late March of the need to prevent money from being the path to political power, and power from being the path to riches. In fact, public opinion might be bringing about a change. In the current presidential campaign, none of the

candidates has invested a lot in television ads or billboards, since that would reveal their corruption.

Political financing should be strictly limited. Only two sources of it should be allowed: public financing and party-membership dues. Similar restrictions are standard in many European countries. This is particularly important today because without rigorous transparency rules Russian political money will surely flood the country during all future campaign periods.

To expose what is going on, the nation needs a far-reaching right-to-information law demanding as high a degree of transparency as the pioneering Scandinavian laws that date from the eighteenth century (Sweden's was the first, in 1766), when those countries were highly oligarchic and corrupt. Since Yanukovich's fall, parliament has adopted a public-information law, but the legislature needs to demand more radical transparency. The current income and wealth declarations of senior Ukrainian politicians are a joke—it is routine to claim only minimal resources—and they are not being audited.

The Ukrainian parties need to be transformed from organized-crime syndicates into normal political parties funded by membership fees and public financing. If the parties want to gain credibility, they need to oust their gray cardinals. The parties should also become subject to independent financial auditing.

The problem goes beyond parties and elected officials. Ukraine's civil service is pervasively corrupt. Its cleansing will require multiple approaches. To begin with, the state should limit its regulatory role to what makes sense. Many of the existing state agencies should be merged or abolished, as currently their main function is to wrap things in red tape. The practice of auctioning off high offices must end. It should be strictly



illegal, and punishable by several years in prison, to buy or sell a post of public trust. A clear line should be drawn between political appointments and civil-service jobs. The number of the former must be reduced: Cabinet ministers and their deputies can continue to be political appointees, but the rest of the public administration should be recruited and promoted via merit-based criteria. The president should lose the power to name regional governors. Instead, these officials should be elected so that they respond to local constituents rather than to Kyiv. Those currently holding civil-service posts should be required to undergo a vetting process designed to scrutinize their levels of competence and decency. If carried out properly, this process should lead to a large share of the current public employees being relieved of their duties.

The European Union and its Association Agreement (AA) with Ukraine can work as important levers for the reform of the Ukrainian state. Yanukovich's November 2013 decision to forgo signing the AA was what led to his downfall. By reversing that choice and signing the AA on 21 March 2014, his successors have committed Ukraine to adopting hundreds of reform laws, while the EU has vowed to help draw up new laws and reorganize state agencies. As of this writing in May 2014, no fewer than sixty state agencies in various EU countries have made "twinning agreements" with Ukrainian counterparts for the sake of aiding the latter in their reform. These EU state agencies know how to combat corruption in the field: They have ample experience gleaned from their work in other countries that have joined the EU in recent years.

The EU would not approve the AA until Ukraine adopted a score of laws transforming its entire system for enforcing laws and administering justice. Yanukovich had balked at this, refusing to accept the new EU-designed law on prosecutions. Presumably, he realized that giving up control in this area would likely mean that he and his lieutenants would face indictments for their financial misdeeds, which indeed they now do. The EU's help in building a strong and independent Ukrainian judicial system should extend to assistance with the vetting of all current judges, most of whom deserve to be sacked for corruption.

Ukraine has a vibrant civil society and lots of young, well-educated people. Tens of thousands of young Ukrainians have graduated from European universities in recent years, but they have preferred to stay abroad. These forces should be mobilized for the reform of the Ukrainian state. These people are many and strong. They need to be prepared to stand up and fight for their ideals inside the halls of government.

Estonia in the early 1990s and Georgia after its Rose Revolution carried out the most successful reforms of state agencies in serious disrepair. Their governments dealt with corruption-riddled state agencies by firing entire staffs, reorganizing the agency in question, then hiring new staffers to run the new-model organization under much stricter legal rules. The abysmal quality of governance in Ukraine suggests that this

is the approach to use. Nearby Georgia is well placed to provide plenty of excellent former ministers who can act as consultants to show how this is done.

## **How to Rebuild the Economy**

As corruption's political machinery is being dismantled, its economic machinery needs to be destroyed. The Ukrainian opposition, civil society, the EU, and the IMF must carry out a full audit of public finances under Yanukovich in order to gain a thorough and precise understanding of how the embezzlement schemes and other misdealings worked. Once assessed and investigated, such malpractices can be rooted out in sector after sector through the new laws that the EU and the IMF are demanding.

As usual, the IMF has taken an early lead on economic reform. A new acting government was formed on February 27, and the IMF's fact-finding mission arrived just one week later, on March 4. By March 27, a two-year standby agreement with the Ukrainian government had been concluded. The IMF Executive Board adopted that agreement on April 30, and instantly disbursed the first \$3.2 billion out of a total credit of \$17 billion. Additional financing of \$10 billion from other creditors is expected, providing Ukraine with the necessary international financial support. Before receiving this financing, the Ukrainian government had already undertaken the first reforms, which are both improving the nation's finances and reducing corruption.

The first IMF condition is a reduction of the budget deficit. Rather than raising more revenues, the government should cut public spending—which currently and outlandishly equals nearly half of GDP—in order to balance the budget in the medium term. A huge chunk of this inflated expenditure is being used to pay for corrupt subsidies of one sort or another. These must end. When corrupt benefits form such a large share of public outlays, it is socially beneficial to slash them fast. To cut them slowly would be tantamount to preserving corruption.

The new government has taken an important positive step by abolishing four-dozen state programs that amounted to little but corruption and were costing slightly more than 3 percent of GDP. But undoubtedly many other programs are also financing corruption. In particular, the large energy subsidies should be eliminated up front. They are nothing but channels for rent-seeking; if they remain, new beneficiaries will arise to fill them—and to make sure that reforms stall.

Specifically, in March 2014 natural-gas prices for households amounted to only 15 percent of the cost-recovery level. The only way to banish the perennial gas-trade rent-seeking is to let these prices rise sixfold till they reach cost-recovery level. The reform recently adopted (at IMF prompting) hikes household gas prices by 56 percent, keeping

them far below the cost-recovery level, which they would only reach in 2017. Unfortunately, this will not be enough. The risk is great that a new rent-seeker will enter the power structure and seize upon the old arbitrage between low state-controlled prices and high free prices. It

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***The EU represented democracy and the struggle against corruption, while the Kremlin allowed Yanukovich to be as corrupt as he wanted and encouraged him to become even more authoritarian.***

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would have been better to liberalize the gas sector, while offering corresponding social compensation in cash.

Ordinary Ukrainians need not suffer from rising gas and utility prices, since half the withdrawn gas subsidies could be handed back to them in the form of targeted cash compensation. In Latin America, the World Bank has proven that it knows how to design such a giveback program and actu-

ally lower inequality. With normal gas prices, Ukraine will have finally received sound incentives to expand its domestic gas production while reducing its outsized gas consumption. The country could achieve natural-gas self-sufficiency in five to seven years. The liberalization of coal prices and elimination of coal subsidies could proceed in similar fashion, and the corruption in the electricity arena could be cleaned up at the same time.

The 2010 tax code needs revision. Tax rates themselves are reasonable, but Ukraine's tax system is far too complex with too many taxes and an excessive number of tax payments. By imposing so much tax-related complexity on small entrepreneurs, the tax code drove millions of them out of business. Simplified taxation needs to be restored. The code also aggravated the already extensive transfer pricing of large, well-connected companies that paid neither profit taxes nor dividends to minority shareholders because all their profits were transferred to tax-free offshore havens. Refunds of value-added taxes to exporters should be made automatic so as to end the racket in which tax officials withhold refunds pending the payment to them of a "commission." A simplification of the tax system will also allow the abolition of the tax police, who too often subject citizens to lawless persecution.

Another key to reducing corruption is the adoption of a public-procurement law that will allow foreign as well as Ukrainian companies to make open tenders in pursuit of state contracts, which was one of the prior actions that the IMF demanded and parliament has already adopted. This measure alone should save 1 to 2 percent of GDP. Along with the other measures outlined, it will put Ukraine's state finances on a sustainable footing.

Many of the top officials responsible for the recent thefts from the public coffers have fled the country, predominantly to Russia, or gone

into hiding; only a few have been arrested. Anyone who benefited from these larcenies should face prosecution and be forced to pay back what they extracted unlawfully from the Ukrainian government. As of this writing, two score of the miscreants have been made subject to international asset freezes, which suggests that the state has a fair chance to recover more stolen assets than is usually the case.

Meanwhile, the National Bank of Ukraine (NBU) has moved to let the exchange rate float, which should eliminate the overvaluation of the national currency and with it the large current-account deficit. The NBU has been able to preserve sizeable reserves totaling \$17 billion. Having depreciated the exchange rate, the Bank has put itself in a position to gradually ease the rather extreme currency regulations that are hampering trade and investment while engendering corruption.

On March 27, the IMF announced that it had agreed to furnish Ukraine with \$27 billion over two years. Some of the funds (\$14 to \$18 billion) will come from the Fund itself, while the remainder will come from the World Bank, the EU, and various bilateral creditors.

The Ukrainian drama has been framed as a choice between integration with Europe and integration with Russia. It is true that the EU offered a deep, beneficial, and comprehensive free-trade agreement, whereas a decision by Ukraine to join the Moscow-led customs union would have reduced Ukrainian GDP. Foreign-policy considerations and regionalism did play some role, but the funds offered by each side were irrelevant. What was of the essence was that the EU represented democracy and the struggle against corruption, while the Kremlin allowed Yanukovych to be as corrupt as he wanted and encouraged him to become even more authoritarian.

The Ukrainian people have now made a choice for Europe. Let us hope that they will stick with it. If they do, they will have their best chance to clean out the Augean stables of a long-corrupt economy and political realm. It will not be easy. The hotbeds of corruption must be ruthlessly flushed out, while in each sector that comes in for reform, the new system and more transparent ways must be imposed at once and as a package, never introduced piecemeal (with opportunities for resistance arising at each step of the process).

The EU, the IMF, and the United States have important roles to play in this process as bearers of legal standards, contributors of assistance, and also as monitors on the lookout for corrupt monetary flows. When corruption is the chief problem, its mechanisms must be uprooted fully. Otherwise, new actors will yield to the temptation to make money the old-fashioned way, as has already happened far too often in Ukraine.

# The Maidan and Beyond

## THE RUSSIA FACTOR

*Lilia Shevtsova*

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The Ukrainian events of late 2013 and the first half of 2014 reflect the flowing together of several different crises. The first is the crisis of the post-Soviet political model. After the USSR's 1991 collapse, this model emerged in all the newly independent countries except the Baltic states. It rests on personalized power, with a decided tilt toward repressive rule. As a place where large swaths of society have begun demanding the rule of law, Ukraine has become a problem for the forces of personalized power and repression throughout the post-Soviet space.

Next, the Ukraine situation casts light on the crisis of soft authoritarian rule in Russia. The pro-EU movement in Ukraine intensified the survival worries that have troubled the Vladimir Putin regime since large postelection protests broke out in Russia in 2011. In response, Putin has shifted toward harsh personal rule and an effort to blunt Western influence.

Then there is the crisis that flows from Russia's struggle to control Ukraine—a struggle that implies the end of the post-Cold War settlement and with it any hope for Euro-Russian integration. Instead of trying to join Western civilization, Russia is now striving to become its antithesis. Finally, what has been happening in and to Ukraine has highlighted the normative crisis that besets the liberal democracies and their policies. These events have not only revealed liberal civilization's failure to defend Ukrainians' "choice for Europe," but have also laid bare that civilization's inability to stand in the way of attempts to undermine the existing world order.

History has taken a trying turn. The liberal democracies have been caught off guard by an offensive from an archaic civilization that is prepared to destabilize the existing world order for the sake of its own surviv-

al. We have yet to see whether, and to what extent, the “Ukrainian shock” will snap the liberal community out of its confusion, forcing it to reclaim not only its principles but also its will and ability to stand up for them.

Ukraine has always occupied a special place in the political consciousness of both Russia’s political elite and Russian society as a whole. There are a number of reasons for this. They range from shared economic interests to the historical interconnectedness of two peoples who shared a single country for a long time. What is far more important, however, is the continuing refusal of the Russian political class (guided as it still is by a great-power mentality) to treat Ukrainians as a separate and distinct people with every right to an independent state.

Since the breakup of the Soviet Union more than twenty years ago, Moscow has treated Ukraine with paternalism and condescension, viewing it as an ersatz state. Putin launched periodic “gas wars” (in 2006, 2008, and 2009) meant to strengthen Russia’s hold on Ukraine by means of energy-related blackmail. During the 2004 Orange Revolution, Moscow intervened in Ukrainian affairs by openly backing Viktor Yanukovich’s bid for the presidency. That is when it became evident that Ukraine had become Vladimir Putin’s personal project. He began treating Ukraine as a Russian domestic issue that he could exploit in order to strengthen his own regime. Until 2013, however, the Kremlin had no reason to be aggressive and expansionist toward Ukraine. Moscow was not yet ready to confront the West openly, and with Russian society relatively quiescent, external aggression to shore up domestic control did not seem necessary.

The hardening and sharpening of the Kremlin’s approach to Ukraine came after large popular protests broke out in Russia over the flawed Duma elections of 2011. These demonstrations, which continued into 2012, were a shock to the Putin regime and got it thinking harder than before about how to keep Russian society within the authoritarian grasp of the state. The new survival paradigm that Putin began putting in place during 2013 was one that he had previewed in his “Munich somersault” address of February 2007, when for the first time he sharply critiqued the West in general and the United States in particular.<sup>1</sup>

The Putin Doctrine may be summarized as follows: First, Russia is a special “state-civilization” based on a return to “traditional values” and “sealed” by traditional religions. One need not have a particularly active imagination to see that Putin is evoking an order based on personalized power and the individual’s submission (at least in many political respects) to the state. Behind this rhetoric lurks the specter of a return to an archaic, militant, fundamentalist autocracy clearly poised against the world’s liberal democracies.

Second, Russia has become the chief defender of Christianity and faith in God. In September 2013, Putin claimed that “many Euro-Atlantic countries effectively embark on a path of renouncing their roots, including Christian values, which underlie Western civilization.”<sup>2</sup> The old Soviet Union was

also keen on spreading its ideology around the globe. But today's Kremlin intends to do more: It seeks to offer the world its vision of moral values.

Third, in November 2011 Russia, Belarus, and Kazakhstan signed a pact forming the Eurasian Economic Union, with the stated intention of bringing a wider Eurasian Union into being by 2015. The idea is to give the Kremlin its own galaxy by unifying the post-Soviet space (starting with a customs union) and making it what the 2011 agreement calls an "independent center of global development." The Kremlin's struggle for control over Ukraine's fate makes the seriousness of this plan quite plain.

Finally, Russia has a duty to defend the "Russian World," meaning Russian-speaking minorities in other countries. This provides a ready-made pretext for meddling in those countries' internal affairs. The Crimea annexation is an example of how efforts to defend the "Russian World" might work in the future.

Putin appears to truly believe that the West poses a threat not only on the state level (the level of Russia's external interests) but also on the level of society and the Russian way of life. He has not merely critiqued Western civilization, but has gone on to suggest that Russia is becoming the Anti-West, the force that will counterbalance and oppose the liberal democracies. Thus, the essence of the Putin Doctrine lies not only in rejecting the West but also in containing it—in the sense both of thwarting liberal-democratic norms within Russia and of thwarting Western political interests in the wider world.

Ukraine has become the testing ground for this new doctrine. The Ukrainian revolution of early 2014 has given the Kremlin an enemy that it can designate and neutralize. According to Moscow, Russia's security and future are threatened by Ukraine's extreme nationalists,<sup>3</sup> who receive funding from the West (mainly the United States) and support from fifth-columnists ("national traitors") inside Russia. The fusing of foes foreign and domestic into a single force is important to note.

The Kremlin sought to begin its containment of the West in Ukraine by trying to eradicate the very idea of the EuroMaidan. To the Kremlin, any movement resembling the EuroMaidan is evil incarnate and must not be allowed to prevail—whether in Ukraine, Russia, or any other post-Soviet state. The Ukrainian situation offers Putin a useful occasion for stamping out the very idea of European values or of movement toward Europe, as well as the idea that mass protest can be a force for democratic change in the post-Soviet space.

In its treatment of Ukraine, Moscow is of course revealing its great-power and imperialistic aspirations. Yet these aspirations are not ends in themselves, but merely a means for achieving the Kremlin's domestic political aims. This is not to say that the Kremlin worked out everything in advance. Putin's Russia may have a general goal of containing the West, but its specific moves are situational. Putin is constantly experimenting, seeking new venues and maneuvers and testing Western reac-



tions. For instance, as long as Yanukovich held power in Kyiv, Moscow had no need to weaken Ukraine's central government by annexing Crimea. But once Yanukovich fled and leaders unwilling to dance to Moscow's tune took his place, the Kremlin switched tactics and began working to make Ukraine a failed state. The Crimea annexation and clashes in the south and east of Ukraine soon followed. At the time of this writing in late May 2014, Ukraine's government has succeeded in stabilizing the situation in the south, where the overwhelming bulk of the populace would like to stay within a Ukraine that is independent of Russia. Whether the eastern parts of Ukraine secede altogether or merely remain zones of unrest, the Kremlin will have at hand many methods of making and keeping Ukraine an unstable place controlled by Russia.

In order to put a veneer of legitimacy on its meddling in Ukraine's affairs, the Kremlin hauled out old slogans about the need to "protect Russian speakers." Curiously, Moscow has consistently ignored real discrimination against ethnic Russians in Central Asia (Turkmenistan has been an especially difficult country in this regard), while deciding to ride to their rescue in places where no such problems exist. The annexation of Crimea, "approved" by a local referendum held after Russian armed forces had occupied the peninsula, conjured up historical parallels to the Third Reich's Anschluss with Austria and wresting of the Sudetenland away from Czechoslovakia. Without going farther into these comparisons, it can be said that the Crimea annexation marks a watershed of sorts. Geopolitically, it has thrown Europe back not merely to the Cold War (when the two sides at least played by some rules), but all the way back to the 1930s, when a revanchist Germany ignored the rules completely. Today's Russia has taken on the role of a revanchist state. In order to preserve the status quo inside Russia, the Kremlin has ventured to undermine the world order and the principles underlying it.

## Reformatting Ukraine

The Russian regime has been demonstrating that it can successfully deploy a host of techniques in its quest to preserve its power. A partial list of those now being used in Ukraine includes:

- support from a local pro-Russian lobby (represented with diminishing results by close-to-the-Kremlin Viktor Medvedchuk and his Ukrainian Choice movement, the Ukrainian communists, and in part also by the once-dominant Party of Regions, though new pro-Russian forces can be expected to emerge in southeastern Ukraine);
- the dispatching of teams of Russian political strategists and military advisors, some of whom have come to Ukraine voluntarily to fight for the "Russian course";

- the deployment of Russian provocateur brigades to stir up conflict between southeastern Ukrainians and the national government in Kyiv, with Russian media playing a major role as an instrument of “information aggression”;
- attempts to install pro-Russian separatists as local leaders;
- efforts to influence leading Ukrainian politicians, particularly Yulia Tymoshenko, whom the Kremlin views as its preferred leader;
- efforts to pressure Ukrainian oligarchs who have business interests in Russia (primarily Rinat Akhmetov, Ihor Kolomoyskiy, and newly elected Ukrainian president Petro Poroshenko);
- constant Russian TV propaganda (some of which is now being blocked in parts of Ukraine) meant to paint Russia as Ukraine’s savior while stoking hostility toward the Kyiv government and Ukrainians who look to the West;
- attempts to suffocate Ukraine by squeezing its energy supplies (in May 2014, Putin demanded as a precondition for any dialogue that Kyiv pay US\$3.5 billion in order to clear up what he claims Russia was owed for prior gas shipments).

Although the Kremlin has been unable to put together a strategy for Russia’s development, it has found time to draw up a program for reformatting Ukraine. This program calls for a new Ukrainian constitution with a federal structure and substantial regional autonomy, plus guarantees of Ukrainian neutrality and military nonalignment as well as measures to legitimize the separatist and terrorist forces in the east. In effect, Moscow wants an amorphous Ukraine that will be vulnerable to regional secession movements and barred from ever joining NATO. It is ironic that the Kremlin, which is now clamoring for Ukraine’s federalization, has made its own state unitary by stripping Russia’s regions and republics of autonomy.

The Kremlin’s goal of a reformatted Ukrainian state can be achieved only by Russian occupation or a deal made with the West that forces Ukrainian leaders to accept rules imposed by a concert of foreign powers. As of this writing in May 2014, the Kremlin is working hard to make the second scenario a reality. Washington is cold to Moscow’s reformatting ideas, so the Kremlin is now looking to Europe. The Kremlin sees a Munich-like accord as a method for solving the Ukrainian problem that the Kremlin itself has deliberately caused. The response of the liberal democracies to Moscow’s cynical ploy will reveal whether or not they can adhere to the norms that they preach.

But even if the West refuses to aid in “reorganizing” the Ukrainian state, the Kremlin is not likely to abandon its efforts to keep Ukraine

within its orbit. The thinking goes something like this: “Sooner or later, the West will grow tired of Ukraine and will have to recognize that the country lies in Russia’s ‘area of interest.’ Any Ukrainian leader will have to engage in dialogue with us and will come under our influence.” The behavior of the leading European powers, especially Germany, lends credence to the Kremlin’s belief that the West will seek some sort of compromise deal in order to make the Ukraine issue “go away.” It appears that European leaders are afraid of making Putin feel cornered, and are trying to give him a chance to save face by leaving a door open for talks regarding Ukraine. Meanwhile, Russia’s Foreign Minister Sergei Lavrov has announced (via Twitter on 12 April 2014), “The world order is being restructured. . . . [and] the West has to accept it.”

The prospect of Russian troops crossing Russia’s long border with Ukraine in large numbers can be used to blackmail Kyiv and the liberal democracies into making concessions. Putin believes that the West’s massive support for Ukraine is largely a bluff: He has intentionally raised the stakes, provoking a real confrontation with unpredictable consequences—he creates the impression that a full-on Russian military incursion into Ukraine could still happen—because he understands that Western leaders are not prepared to escalate the conflict. After all, no one in the West wants to go to war with Russia over Ukraine. Hence the Ukraine crisis is not only helping Putin to solve his regime’s internal political problems; it is also aiding him in gauging the West’s preparedness to act collectively in resistance to Moscow’s aggression and the Kremlin’s new foreign-policy assertiveness.

Putin’s current tactical advantage is readily apparent: He has raised his approval rating at home; he has rallied Russians to face a common threat; he has won back an elite class that had been starting to doubt him; he has remilitarized Russian society; and he has laid bare the West’s strategic weakness and disunity. Putin also saw that the West has not yet figured out where to draw the “red line” that other international actors must not cross. The leading Western powers claimed that a Russian invasion of Ukraine would cross that red line. Meanwhile, Russia has been asserting itself in Ukraine in other ways, including some that violate Ukraine’s constitution. These incursions the West’s leaders have chosen to ignore.

True, there are signs that the Kremlin underestimated how economically burdensome the annexation of Crimea would prove to be while overestimating the strength of separatist, pro-Russian feeling among residents of southeastern Ukraine. Moscow has switched to a more pragmatic approach, trying to raise the economic price of Ukraine’s pro-Western trajectory while promising dialogue in exchange for concessions from Kyiv. On May 23, Putin vowed that “we will respect the choice of the Ukrainian people” even as he laid out conditions for an exit from the crisis that included a commitment by Kyiv not to fight terrorism and separatism in eastern Ukraine.<sup>4</sup> Thus one may expect to see

the Kremlin continuing to shift its tactics even as its goal—the destabilization of Ukraine—remains the same.

### **Revanchism versus Liberal Civilization**

The Ukraine situation has also revealed that liberal civilization lacks effective instruments to stop states that are bent on violating international norms. The institutions founded after World War II to protect those norms—the UN General Assembly and above all the UN Security Council—have proven themselves unable to stop revanchist states, especially if those states are nuclear powers with Security Council vetoes. The international institutions that represent the liberal democracies (NATO and the EU) do not dare to resist, fearing—quite justifiably—the return of nuclear confrontation. One gets the impression that the West is willing to acquiesce in a return to “spheres of influence” as a way of “managing” Russia’s regional expansionism without risking an even greater destabilization of the global order. Beyond that, Western leaders seem to be hoping that Putin is rational and pragmatic enough not to make the next risky move.

Many in the West hope that the sanctions imposed on certain members of the Russian elite will bring it down to earth and caution it against backing new aggressions. Such reasoning fails to factor in the survival logic of Russia’s personalized power system. This system of rule appears to have entered a phase of decline, and the Kremlin appears to grasp this. Hence new and quite risky survival strategies are coming to seem more thinkable. Putin can no longer return to soft authoritarianism and building constructive relations with the West. He is too reliant on a traditional electorate that he has whipped up into a militaristic frenzy. From now on, he can only continue down the trail he began to blaze in Ukraine. If he stops or turns back (that is, if he returns to partnership with the West and “surrenders” Ukraine to Western influence), his voters and his praetorian guard (meaning the Federal Security Service and the rest of Russia’s military and security establishment) will see him as a weakling or even a traitor. Putin himself likes to talk about how the weak get beaten up; he knows that he cannot jump out of his moving truck but can only shift gears and do a bit of tactical steering to fit circumstances.

If Western sanctions were more serious, would Putin and his team feel their bite? So far, the sanctions that the West has imposed—they apply to specific members of the Russian ruling class—have actually facilitated the regime’s closing of ranks behind its leader. Even before the EuroMaidan, Putin was responding to Western moves such as the U.S. Magnitsky Act<sup>5</sup> by publicly telling wealthy Russians to bring their financial and economic assets back inside Russia’s borders. The Kremlin’s encouragement of such “elite nationalization” was bound to happen anyway; the shift toward militarism and anti-Westernism required it. Putin has stopped relying on the

comprador class and leans instead on Russians who feel drawn to militarism and the idea of a Russia cut off from Western influences.

It remains unclear whether the Russian elite, a group that enjoys the comforts of Western civilization, understands what it could lose as a result of harsher sanctions and isolation from the West. But as the Kremlin sees things, the only alternative to isolation is a gradual loss of control over the country, so the choice is easy. And perhaps the West, fearful of provoking a nuclear power, will stop short of truly damaging sanctions. In that case, the elite might hope to keep enjoying the West even as the rest of the country is guarded against Western influence. However that may be, harsher sanctions against Moscow following further aggression against Ukraine or other neighboring states will not succeed in changing a system that thinks it can survive only by containing the West. Moreover, the thirty-year, \$400-billion energy deal that the Kremlin struck with China in May 2014 proves that Putin is trying to find ways for the Russian petrostate to prolong its lease on life by building a global antidemocratic coalition to challenge the Western-sponsored world order.

How sustainable and resilient is Putin's survival paradigm? His choice of a militaristic path shows that he grasps the gravity of the situation and understands that soft authoritarianism is no longer enough. But a turn toward repression and tensions with the West cannot disguise the narrowing of Putin's support base—the recent euphoria over Crimea notwithstanding, most Russians would like his current term in office to be his last—or his government's inability to deal with worsening problems such as declining economic growth, a pension crisis, shrinking regional budgets, and endemic corruption.

The war-patriotic mobilization around Ukraine has already begun to wane.<sup>6</sup> The harsher system of rule that Putin is now trying to build points toward mass repression and even totalitarianism. But there is no ideology or cause to provide a basis for consolidating such a system: Neither the elite nor Russian society at large is ready to blindly follow the leader, and the successful working of any repressive machine that Putin might try to put in place cannot be taken for granted. The state so far has managed to suppress dissent and opposition, but that could change as economic and social ills get worse. A large slice of the political class is used to integration with the West and is unlikely to support intensified isolation or a greater role for the more militarized portion of the elite. Yet the "militarists," who currently feel inclined to back Putin, could dismiss him as "too soft" if grave expressions of discontent start breaking out.

The bottom line is that the system of personalized power enjoys better prospects than does Vladimir Putin himself. He does not have to be the one at the helm, and the supporters of the system know it. They may even try to shore the system up by replacing Putin with another figure who can be the new face of a power that is "personalized" (but which in the end turns out to be not all that dependent on this or that particular person). The

new “number one” may be harsher than Putin, or may try to go back to a softer authoritarianism. At any rate, neither soft authoritarianism nor a hybrid regime will be able to keep a restive Russian society under control.

Russia’s treatment of Ukraine will have consequences for developments within Russia. Putin’s actions with regard to this neighboring country have already accelerated domestic changes—by straining Russia’s budget, for instance. Putin’s tactical victories abroad have boosted his support at home, but that will not last. In order to survive, he will have to find new enemies, new groups of Russophones who need help, and new excuses for aggression, complete with military fervor and a warlike atmosphere. Russia and its people, however, cannot live continually under such conditions; Putin’s rule is bound to end in fiasco. Will that spark a change of system, or merely one of personnel? We cannot know. For now, all we can say for sure is that Putinism has stripped Russia of its basic moral principles and inhibitions. But no one can predict what will happen after Putinism’s collapse.

In this context, the task of helping Ukraine to become a liberal democracy stands out as a work that is of the utmost importance to liberal-democratic civilization. The rise of a secure and well-institutionalized democracy in Ukraine will show that a society which has lived through much the same traumatic history of Sovietization as Russia can overcome this difficult legacy and become a law-governed state. Can Ukraine make its “choice for Europe” and make it stick? It can, but only if the West treats the challenge of helping it as a civilizational necessity—and the gravest challenge of the new century so far.

## NOTES

1. Thom Shanker and Mark Landler, “Putin Says U.S. Is Undermining Global Stability,” *New York Times*, 11 February 2007.

2. “Russia Will Defend National Identity, Based on Religious Values—Putin,” *Interfax*, 20 September 2013. Available at [www.interfax-religion.com/?act=news&div=10764](http://www.interfax-religion.com/?act=news&div=10764).

3. The Kremlin’s term for them is *banderovtsy*, after the controversial Ukrainian nationalist leader Stepan Bandera (1909–59).

4. For a transcript of Putin’s remarks at the St. Petersburg Economic Forum, see <http://eng.kremlin.ru/news/7230>.

5. This law, passed by bipartisan majorities of both houses of the U.S. Congress in late 2012, is named for Sergei Magnitsky, the Russian lawyer and auditor who died in a Moscow prison in 2009 after being jailed for his role in uncovering fraud by Russian tax officials. It contains travel bans and banking sanctions meant to punish specific individuals deemed to have violated Magnitsky’s human rights.

6. In March 2014, 79 percent of Russian respondents said that they supported the integration into Russia of Ukrainian regions that requested this. Just a month later, in April, that figure had dropped to 58 percent. See [www.levada.ru/06-05-2014/rossiyane-ob-ukrainskikh-sobytyakh](http://www.levada.ru/06-05-2014/rossiyane-ob-ukrainskikh-sobytyakh).

# The Maidan and Beyond

## FINDING UKRAINE

*Nadia Diuk*

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What starts in Kyiv never seems to stay in Kyiv. For the past two decades, every time the Ukrainian capital's Independence Square (Maidan Nezalezhnosti) has filled up with protesters, the repercussions have made themselves felt not only throughout the country but around the world. The student strikes of 1990 heralded the breakup of the Soviet Union. The election protests of 2004 cemented the phrase "color revolution" (Ukraine's was orange) into the lexicon of political scientists and showed that "people power" could matter in the postcommunist world. Worried authoritarians looked on in fear and began putting their heads together to think up new ways to control their own societies.

Some are saying that "a new Ukraine was born on the Maidan," by means of demonstrations that not only brought a new government to power but changed the people and their outlook. The protests were, above all, an uprising against the corruption and dictatorship that had been eroding peoples' dignity on a mundane level, as well as in their spiritual lives. In the longer run, that may well be the Maidan's main significance. In the shorter term, a smaller and less geopolitically stable Ukraine was also born on the Maidan, since Moscow's response to President Viktor Yanukovich's February 2014 ouster was to annex Crimea and stir disorder in Russian-speaking eastern Ukraine. The post-Cold War order in Europe now faces a challenge deeper than any it has ever seen, and democratic prospects across a vast swath of Eurasia seem cloudier than before as the world wonders how much more "pushback" Vladimir Putin has planned against liberal-democratic forces at home and abroad.



Questions about the Maidan Revolution and its impact on Ukraine and the world still loom large. Will authoritarianism make a comeback in Kyiv? It has happened before, after all, and not only in Ukraine but also

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*Many of the student protesters were looking forward to living in a Ukraine that functioned as part of Europe and the West. By abruptly and arbitrarily halting the EU talks, the president, they felt, had robbed them of their future.*

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in other countries where popular pressure has leveled a particular unfree government or ruler, but without pulling up the politics of repression by the roots. Or is the Maidan Revolution different, and if so in what way? What are the lessons for other protest movements? What contributions has the Maidan made to Ukraine's evolving political culture and national identity?

In this age of social media, it would be easy to categorize the Maidan Revolution as yet another social uprising led by civil society whose outcome remains unsettled. A closer examination, however, reveals that this event differed significantly from the Orange Revolution of almost a decade ago, and could put Ukraine on a different path from the one that it has been on for the past twenty years, when social uprisings have broken out and forced changes, only to give way to retrenchment, stalled reforms, and backsliding toward corrupt, opaque, and authoritarian rule.

With the aid of hindsight, we can now see that the protest that became the Orange Revolution was in essence prepared by opposition political elites to secure a transition of power on the assumption that there would be an attempt to steal the election. Leading up to the 2004 presidential contest, foes of authoritarian incumbent Leonid Kuchma had made former premier Viktor Yushchenko their standard-bearer in the race against Kuchma's handpicked successor, Viktor Yanukovich. Not only the formal opposition but society at large had turned against the Kuchma camp, which meant that opposition leaders could be fairly confident of some support when they took their complaints about faked ballot counts to the streets. As it turned out, on the crucial evening of 20 November 2004, once voting had ended and the exit polls announced a narrow but clear Yushchenko win, it was the youth group Pora that led the way in pitching tents and occupying the Maidan when the authorities started moving to announce falsified results.

It was, ultimately, a true popular uprising. The students were expressing what turned out to be widely shared outrage at an attempted election theft. Until the last minute, however, opposition leaders were uncertain whether the people would come out to support them. Once it became clear that a truly massive protest was in progress, however, well-laid plans were acted upon. There ensued a bloodless and iconic two months

featuring a sea of banners, ribbons, and clothing in the bright-orange hue of Yushchenko's coalition, huge video screens and a spectacular sound system, opposition leaders speaking on stage every day, legions of tent-dwelling demonstrators in the heart of Kyiv, and hundreds of thousands peacefully making their views known to the catchy beat of protest songs. Many of the "color" revolutions or people-power uprisings that followed, whether in Moldova, Kyrgyzstan, Azerbaijan, Lebanon, Iran, Tunisia, Bahrain, or Egypt—and whether fully peaceful or not and whether successful or not—would try to reproduce the look and "vibe" of the Orange Revolution as it unfolded that winter in Kyiv.

In Ukraine five years later, disappointment reigned. Yushchenko, so the shorthand version went, had presided over frequent political infighting but scant reform, till finally the very process of governance had broken down. Fuller analyses also cited the shortsightedness of many civic groups which, like so much of the public, complacently assumed that with new faces at the top, all would be well and positive changes would roll forth with ease. In truth, however, the opposition and the civic groups that had backed the protests had few well-developed plans for accomplishing the reforms that they had advocated. Civic activists who joined the government were soon disillusioned and on their way out of it.

The 2010 presidential election, which Yanukovych won in a runoff after a first round that returned barely 5 percent for Viktor Yushchenko, was another sign that the Orange Revolution had been discredited. In its wake, both civic groups and the populace at large were left with deep doubts that mass protests could ever work—a feeling that was of help to Yanukovych as he went about expanding and deepening his authoritarianism. Even half a year prior to the Maidan Revolution, public opinion and attitudes suggested a great reluctance to take to the streets.

When the EuroMaidan began despite this hesitant climate, everyone was surprised. As is often the case in Ukraine and elsewhere, students and young people were at the forefront of protest. Even Mustafa Nayyem, the well-known investigative journalist whose 21 November 2013 Facebook update brought out the first demonstrators against Yanukovych's dropping of the EU Association Agreement, told me when I spoke to him on November 28 how surprised he had been that the students were able to muster a few thousand young people on the square that first week. The 33-year-old Nayyem, like the group of slightly older journalists who had gone through the Orange Revolution, had assumed that "today's youth" were so glued to their computers and smartphones that they would never bestir themselves to undertake civic activism "in real life." Many of the student protesters had been to Europe and were looking forward to living in a Ukraine that functioned as part of Europe and the West. By abruptly and arbitrarily halting the EU talks, the president, they felt, had robbed them of their future.

The first week of protests involved no planning. Far from reaching

out, the students on the square actively discouraged politicians and parties from taking part, warning that party-political banners and slogans were unwelcome. The speed with which the EuroMaidan movement spread to cities and towns around Ukraine formed a sharp contrast with any “color revolution” scenario, for those had always been strongly focused on capital cities. Moreover, the movement began as a movement “for” an idea—Ukraine’s future in Europe—rather than as a movement “against” an authoritarian regime, as had been the case back in 2004.

### **The Self-Organized Maidan**

The brutal November 30 beating of students under the pretext of an attempt to clear the Maidan in order to put up a Christmas tree was the Yanukovich regime’s key blunder. It came at a time when most observers thought that the protests were mere days from petering out. Instead, hundreds of thousands poured into the Maidan and its environs on Sunday, December 1, to voice their revulsion amid strong suspicions that regime security officials had been acting under Russian influence. Some commentators drew parallels with the similar use of force employed to disperse protesters on Bolotnaya Square in Moscow the previous year. The political leaders set up a stage and speakers’ platform by late that Sunday night, but they had no plan. The three main opposition parties—Yulia Tymoshenko’s Fatherland, Vitaly Klitschko’s Ukrainian Democratic Alliance for Reform (UDAR), and Oleh Tyahnybok’s Svoboda (Freedom)—had formed an alliance months earlier to prepare for the 2015 presidential election. The Maidan protests caught them completely off guard, but the scale of the demonstrations meant that they could not be ignored.

The violence of the first few days caused barricades to go up at the square’s main entry points, thus making the Maidan a kind of tiny statelet beyond Yanukovich’s reach (there had been no barricades during the Orange Revolution). That the threat of violence came not only from official regime forces but also from unidentified provocateurs meant the need for a system of “face control”: Suspicious or masked individuals seeking access were challenged to show their faces and explain themselves.

As the Maidan drew more residents and visitors, its daily routine took on a self-organizing character. The adjacent Trade Unions Building and City Hall were taken over to provide kitchens, a press center, meeting rooms, sleeping space, and a medical-aid station. The novel form of spontaneous organization and the spirit of volunteerism that emerged helped to make the Maidan unique.

Perhaps social psychologists will be able to explain the energy, excitement, creativity, and euphoria that accompany social uprisings and mass demonstrations such as the EuroMaidan. Whatever the causes, the effect is real. Not only civic activists but many ordinary citizens flocked to central Kyiv, eager to donate food, warm clothes, kitchen work, the

use of their cars, and much else besides in order to support those staying on the Maidan. Self-organizing volunteerism of such scale and duration was completely new: The Orange Revolution had lasted for seventeen days; the Maidan proper went on for nearly a hundred. It is worth noting that the people on the Maidan came from all parts of Ukraine—east and west—and were joined by ministers, rabbis, and imams as well as Catholic and Orthodox priests. These diverse clerics featured prominently in the Sunday rallies, providing yet another indication of the Maidan's broad reach and moral and religious dimension.

Many of those on the Maidan had been there before—during the Orange Revolution. The teenagers and college students of 2004 had become young adults, anxious above all that the EuroMaidan should not end in the same futility as the previous decade's upheaval. They were using their skills in civic organizing to bring their self-help networks to the Maidan, and reporting qualitative leaps in capacity and effectiveness. They were eager to put these new capabilities and assets to use in building a new post-Maidan, post-Yanukovych democracy.

As regime violence raged on—special forces attacked the square in the dark on December 11, and gangs of paid anti-Maidan provocateurs roamed its edges seeking to burn cars and start trouble—there were organized self-defense efforts that soon enlisted more than twelve-thousand volunteers. Far fewer but with a large public profile, the toughs of Right Sector achieved a notoriety that became especially intense after they admitted to starting violent clashes on January 19 to protest parliament's passage of the widely condemned "dictatorship package" a few days earlier. Russian propaganda tried to use Right Sector as a brush with which to tar the entire EuroMaidan as violently fascist, ultranationalist, and anti-Semitic. The Kremlin even tried—absurdly—to paint the interim government that came into being after Yanukovych's February 21 flight from Kyiv as Right Sector's ideological partner and soulmate. Despite Russian disinformation's best efforts to distort reality, however, the truth was that Right Sector and Svoboda (also a party of the far right) were fringe groups and between them would not receive even 2 percent of the vote in the May 2014 presidential election.

There is a notion in political science that the political system established after a revolution tends to take on the characteristics of the opposition that overcame the old order. If there is any validity to this idea, then the system incubated on the Maidan promises to be very different and more conducive to democracy than any Ukraine has seen in the past two decades.

The civic life born on the Maidan was intense enough to compress and accelerate experiences that took Poland's Solidarity movement at least nine years to nurture prior to the 1989 elections that cost the Polish Communists their dominance. The Maidan's ethos resembled that of Solidarity more than it did that of the Orange Revolution, which aimed to "bring down dictatorship" without much planning beyond that. The Maidan, like

Solidarity, involved not just a bringing down but a building up: It had a vision of an alternative society, and its participants created alternative civic and social structures to act upon that vision. The power of the Maidan experience helped to build bonds of trust among the people there and also helped to bring party leaders closer to the people than ever before. In a country where political parties are run from the top down, it must have been sobering indeed for leaders to have to follow the Maidan's lead and seek its support. This became starkly evident when the Maidan rejected the opposition leaders' 21 February 2014 deal with Yanukovych, triggering his hasty exit from Kyiv plus days of bloody disorder.

By the end of April, after Moscow's takeover of Crimea, word on the street was that Ukrainians had gained a new sense of solidarity and identity as a broad movement toward civic and moral renewal made progress. Many commentators noted the ironies that a disgraced ex-president living in Russia had done more to unite Ukraine than anyone in the past twenty years, and that Vladimir Putin, in trying to destabilize Ukraine, had increased Ukrainians' sense of national solidarity. How useful will the new qualities of Ukraine's political culture prove in staving off his further encroachments?

### **A New Politics?**

The 25 May 2014 election of billionaire chocolate manufacturer Petro Poroshenko as president bodes well for Ukraine's future. He won with an overwhelming 54.7 percent in the first round. His wide margins in all regions where voting took place—basically everywhere except the two far-eastern oblasts of Donetsk and Luhansk—gives him a mandate to work toward overcoming the east-west divide that has plagued the country since independence. While he is by no means a political newcomer—he held official posts under both Yushchenko and Yanukovych—he was not even considered a candidate six months ago and so in that sense counts as a “new face” of sorts. The extreme testing ground of the Maidan, where Poroshenko was frequently present both on the speakers' platform and behind the scenes (he owns Channel 5, which gave the protests daily live TV coverage), eliminated all other candidates.

It remains to be seen whether Poroshenko will usher in the “new politics” that society expects. He and his ally, 42-year-old former boxing champion Vitaly Klitschko, who bowed out of the presidential race in order to run for and win the Kyiv mayoralty, have certainly been making public statements about introducing “zero tolerance” for corruption. A younger generation of politicians is also on the horizon, trying to run campaigns in a different way. These candidates reach out directly for voter support—partly because they lack access to major oligarchs and partly owing to a sincere belief that politics needs to be conducted in a different way.

Introducing new politics while the old parliament is still sitting pres-

ents another major challenge. Although the current constitution does not make it easy for the president to dissolve parliament, there is currently a groundswell of opinion in Ukraine behind the idea of early elections. Preparation for these should include election-law changes meant to make deputies more accountable to their constituents as well as legislation to reshape how parties and campaigns are financed.

While the new politics is getting off the ground, civic groups that played a major role on the Maidan have become important players in the work of researching and drafting legislation, advocating its adoption, and pushing for its implementation. Rising to a new level and quality of civil society activism, civic leaders have organized a “reanimation package” of reforms, working with more than two-hundred experts in sixteen working groups in order to produce specialized analyses and draft laws that are presented to parliament as a weekly list of urgent “action items.” Civic initiatives and analytical efforts that have been afoot for years (whether independently or in loose cooperation), often with international-donor support, have finally come together in a comprehensive way. Those spearheading the reform package and associated efforts know that their window for advancing major change is likely to be narrow, so they are pushing hard in the early days after the presidential election.

As a model for the way civic initiatives can play a major role in advancing democratic reforms and the cause of democratic and accountable government, this most recent Ukrainian civil society effort shows how civic groups in the post-Soviet states often take on functions that overlap with those expected of political parties. Indeed, in many cases, where political parties that are authentic representatives of the citizens have (for whatever reason) been slow to grow, civic groups have by default often taken up some of their functions.

After Ukraine’s successful presidential election, and with the growing realization that “the Maidan” now needs to be in people’s minds and behavior rather than in downtown Kyiv, Ukrainians are in a position to reflect on all that has happened since that fateful night in late-November 2013 and to ask: What does it mean, and where is it taking us? To be sure, Russia’s annexation of Crimea and the aggression of pro-Russian separatists in the east look set to continue for the foreseeable future. But the Russian threat is transforming Ukrainian citizens, their sense of who they are, and their hopes for the future. As the citizens of Ukraine got ready to move on after the Maidan and into a new phase that might include an indefinite period of armed struggle in the east, one oft-heard phrase more than any other seemed to sum things up: “We came to the Maidan looking for Europe, but instead we found Ukraine.” Defining the qualities of this newly discovered Ukraine will be the major challenge of the next few years, and there is no reason to let trouble in the eastern reaches of the country (as painful as that may be) impede the larger and necessary work of fitting Ukraine for transparent self-government.