

# Central and East European Politics

*From Communism to Democracy*

Second Edition

EDITED BY  
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## CHAPTER 15

# Ukraine

## MUDDLING ALONG

*Taras Kuzio*

In December 2004 Ukrainian voters opened a new chapter in Ukraine's history. After over a decade of stop-and-go reform efforts capped by the increasingly corrupt and undemocratic actions of President Leonid Kuchma, one in five Ukrainian citizens took to the streets and Maidan (Independence Square) to protest fraudulent election results in the 2004 presidential elections. These demonstrations, which came to be known as the Orange Revolution, brought Viktor Yushchenko to the presidency. They also reopened the possibility that Ukraine would join other European countries in European and Euro-Atlantic institutions. As the unraveling of the coalition in late 2005, the difficulties of forming a coalition after the 2006 and 2007 elections, and Viktor Yanukovich's election as president in 2010 illustrated, the process of consolidating democracy, creating a prosperous market economy in Ukraine, and integration into Europe continues to face serious obstacles.

The Yushchenko era (2005–2010) will be remembered as one of missed opportunities that were available following the Orange Revolution and one of an increasingly immobile state with quarrelling elites. Ukraine was a weak democracy under Yushchenko, with free and fair elections and the existence of media pluralism. But, in other crucial areas in a democracy, such as public trust in state institutions, corruption, and the rule of law, Ukraine was in no better state than prior to the Orange Revolution. In February 2010, the authorities' candidate behind the 2004 election fraud, Yanukovich, was elected president, defeating Yulia Tymoshenko by 3.48 percent. Yanukovich became the first president not elected with at least 50 percent of the vote, although he came in first in fewer administrative regions than did Tymoshenko and with fewer votes than he received in 2004. Ironically, Yanukovich gained from the change in constitution in 2006, when he became the first prime minister to operate under it, and to gain from Ukraine's new democratic practices when elected president in 2010 in what was described by international organizations as a free election. Yanukovich was able to win because Yushchenko never implemented the majority of the promises he had made during the Orange Revolution, including bringing criminal charges against those who had organized election fraud in 2004. Yushchenko's lack of political will opened the door for Yanukovich's revenge five years later; he had never accepted that fraud had taken place and had always argued he had been legitimately elected in the second round on November 21, 2004.

The election of Yanukovich ushered in a counterrevolution against all three previous presidents' politics of promoting a Ukrainophile national identity and foreign policy with the goal of integration into Euro-Atlantic structures. President Yanukovich removed membership of NATO as Ukraine's declared aim, first outlined by Kuchma in 2002, while claiming to still support membership in the EU. Relations with the EU are, however, unlikely to improve in such a way as to lead to future membership prospects if the Yanukovich administration continues to move Ukraine away from its democratic gains back to the semiauthoritarianism of Kuchma's second term in office. The appeal signed by 500 journalists and 130 NGOs organized by the Stop Censorship NGO formed in May 2010 against the threat of a revival of censorship highlighted one aspect of these tendencies.

## Precommunist and Communist Ukraine

Ukraine entered the twentieth century divided between three states. The largest part—central, southern, and eastern Ukraine—had been absorbed by the tsarist Russian Empire in the late eighteenth century. Volhynia in western Ukraine was also part of that tsarist empire. Galicia and Transcarpathia were within the Austrian and Hungarian components of the Austro-Hungarian Empire respectively. Northern Bukovina was part of Romania.

Between 1917 and 1920, Ukrainians made various attempts to create an independent state, but these attempts all failed. Ukraine declared independence from tsarist Russia on January 22, 1918, and united with western Ukraine a year later. The White Russian armies who supported the post-tsarist provisional government, the Bolsheviks, and the Poles all fought against the independent Ukrainian state. In 1920–1921, Ukrainian lands were therefore divided up between four states. The largest portion of Ukrainian territory that had belonged to tsarist Russia became the Ukrainian Soviet Socialist Republic (Ukrainian SSR). Galicia and Volhynia were transferred to the newly independent Poland, northern Bukovina to Romania, and Transcarpathia to the newly constituted Czechoslovakia and, when Czechoslovakia was dismembered in 1938 and 1939, to Hungary, then an ally of Nazi Germany.

It was the successor state to the Ukrainian SSR, one of the founding republics of the USSR in 1921, that declared independence from the USSR on August 24, 1991. In the Soviet era Ukraine's territory was enlarged on two occasions. The first of these occurred at the end of World War II when western Ukraine (Galicia and Volhynia becoming five *oblasts*) was annexed from Poland, Transcarpathia from Czechoslovakia, and northern Bukovina (becoming Chernivtsi *oblast*) from Romania as part of the postwar territorial shifts and settlements. Crimea was transferred from the Russian Soviet Federative Socialist Republic (RSFSR) to the Ukrainian SSR in 1954. Ironically, therefore, it was the Soviet regime that united territories with ethnic Ukrainian majorities into one state (the one exception where Ukrainians were in a minority was Crimea).

Soviet nationality policies bequeathed two important legacies for post-Soviet Ukraine. First, under Soviet rule, the non-Russian republics were designated as homelands for non-Russians. As a result, republican Communist Party officials were allowed a great deal of autonomy in their own republics in the post-Stalin era. In return, they

were expected to keep nationalism in check in strategically important republics such as Ukraine. Soviet nationality policies also included as a central tenet a policy of Russification, which led to the growth of large numbers of ethnic Ukrainians who spoke Russian, as well as Ukrainians who were bilingual in Russian and Ukrainian, and a large influx of ethnic Russians.

Paradoxically, Soviet nationality policies also reinforced loyalty to the republics the Soviets created. Non-Russians came increasingly to look upon their republics as their homelands and the borders of those republics as sacrosanct. Public opinion polls in the post-Soviet era have reflected a high degree of support for maintaining these inherited borders. In post-Soviet Ukraine, separatism never became an issue except in Crimea in the first half of the 1990s, the only region with an ethnic Russian majority.

In the 1920s, Soviet policies of indigenization (*korenizatsia*) supported the Ukrainization of life in Ukraine. If these policies had been permitted to continue, they would have led to the type of modernization undertaken in Western Europe and North America, where industrialization and urbanization were synonymous with nation building. Indigenization in the 1920s led to the migration of Ukrainian-speaking peasants to growing urban centers that became home to industry. State institutions and educational facilities provided a Ukrainian language and cultural framework. In urban centers, increasing numbers of people came to speak Ukrainian.

Josef Stalin deemed the continuation of indigenization to be too dangerous because of the fear that it would eventually lead to political demands, such as independence, propelled by a growing differentiation of Ukrainians from Russians. Stalin reversed early Soviet nationality policies in three areas. First, the Ukrainian Autocephalous Orthodox Church was destroyed. Second, there were widespread purges, arrests, imprisonment, and execution of the Ukrainian intelligentsia, nationalists, and national communists. Third, Russification replaced indigenization policies, and there was a return to Russian imperial-nationalist historiography. From the 1930s, eastern Ukrainian urban centers, although including large ethnic Ukrainian majorities, became increasingly dominated by Russian language and Soviet/Russian culture.

The most devastating example of the reversal of Ukrainianization policies was the 1933 artificial famine that claimed between 4 and 7 million lives in Ukraine. The nationally conscious peasantry based in private farms was decimated. Although widely publicized by the Ukrainian diaspora on its fiftieth anniversary in 1983, the *holodomyr*, or terror-famine, only became a subject of public discussion in the USSR in the late 1980s as the result of Mikhail Gorbachev's policy of *glasnost*. The Communist Party of Ukraine condemned the famine in moderate tones in 1990 and a law was not adopted until 2006 that described the event as "genocide." Presidents Kuchma and Yushchenko both mobilized domestic and international opinion about the *holodomyr* and both described it as "genocide" on its fiftieth and fifty-fifth anniversaries in 2003 and 2008 respectively. President Yanukovich reversed this policy during an April 2010 speech to the Parliamentary Assembly of the Council of Europe where he stated that the famine affected the entire USSR, not only Ukraine. In effect, Yanukovich adopted Russia's official position on the 1933 famine, reversing the policy of Ukraine's first three presidents and ignoring twenty countries that have recognized the famine as genocide.

Ukraine inherited a fifth of its population in seven *oblasts*, or regions, that had historically existed outside tsarist Russia or the USSR. Four of these western Ukrai-

nian *oblasts* (in Galicia and northern Bukovina) underwent nation building prior to Soviet rule under Austrian rule prior to 1918, in contrast to the situation in eastern-southern Ukraine, where nation building took place within a Soviet republic. After its incorporation into the former USSR, nation building in western Ukraine was, ironically, further facilitated by the Soviet regime. Urban centers in western Ukraine had been populated largely by non-Ukrainians (i.e., Poles, Jews, Germans) prior to the Soviet annexation of the region in 1939. But after 1945, western Ukrainians moved in large numbers into urban centers that were largely empty due to the genocide against the Jews and the ethnic cleansing of Poles after the forced movement of Poland's borders to the west. Lviv (Lwów in Polish), western Ukraine's largest city, was repopulated by Ukrainians after 1945 as the region underwent Soviet-style industrialization and urbanization.

Transcarpathia also underwent nation building after its incorporation into the USSR. As a consequence of Hungarian assimilationist policies, the region had always been the least Ukrainian nationally conscious of any western Ukrainian region. By the late 1930s, two orientations competed for the allegiance of its eastern Slavic population: Ukrainian and Rusyn, the adherents of the latter claiming that theirs was a separate and fourth eastern Slavic nationality (a third pro-Russian orientation, influential until World War II, became marginalized after the Soviet annexation of the region). After 1945, Soviet nationality policies automatically designated all of the Ukrainian-Russian inhabitants of Transcarpathia as Ukrainians. Although a Rusyn revival developed in the late 1980s, it remained marginal in scope, unlike the Rusyn revivals in Slovakia and former Yugoslavia.<sup>1</sup> Ukrainians living in southeastern Poland were expelled in 1947 to former German territories incorporated into Poland under "Akcja Wisła," with the aim of reducing local support for Ukrainian nationalist partisans.

Thus, the Soviet Union pursued contradictory policies in Ukraine. The modernization of Ukraine ensured that its urban centers came to be dominated by ethnic Ukrainians, as seen in the capital city of Kyiv where the seventeen-day Orange Revolution had widespread support. This development, and the links between industrialization, urbanization, and nation building, made the Ukrainian SSR and independent Ukraine very different from what Ukraine had been in the early twentieth century, when the smaller number of urban centers in Ukrainian lands were dominated by Russians, Jews, and Poles. At the same time, the eastern and southern territories of Ukraine were exposed to Russification and bilingualism. In western Ukraine, national consciousness grew in Galicia and Volhynia; in Transcarpathia, Soviet power came down on the side of Ukrainian rather than Rusyn identity. By the postwar era, urban centers and institutions in the Ukrainian SSR were demographically dominated by ethnic Ukrainians. But, because nation building and modernization were only permitted by first, the Austrians, and second, the Soviets, in western Ukraine, the bulk of the republic's largest urban and industrial centers in eastern and southern Ukraine became Russophone or bilingually Ukrainian-Russian, rather than linguistically Ukrainian.

Soviet nationality and ideological policies toward Ukraine deliberately played eastern Ukrainians against their western Ukrainian "bourgeois nationalist" counterparts. What differentiated inhabitants of the two regions was their attitude toward Soviet power. Eastern Ukrainians did not see Soviet power as imported and alien since they had lived with it since 1921 after the USSR was established. Western Ukrainians, on the other hand, saw Soviet power in the same manner as citizens in the three Baltic

republics did: as imported, foreign, and "Russian." This division between eastern and western Ukraine, which independent Ukraine inherited, continues to complicate national integration in contemporary Ukraine. Starkly evident in the differing degrees of support for Yushchenko and his opponent Yanukovich in the 2004 elections that led to the Orange Revolution, differences in the political cultures of citizens in the west and east also complicate policy making and influence election outcomes and foreign policy orientations.

## The End of Soviet Rule and Ukrainian Independence

The differences discussed above between the western and eastern parts of Ukraine also influenced the development of the opposition and civil society. As in the three Baltic states, nationalist partisans fought against Soviet power in western Ukraine from 1942 until the early 1950s. After the Ukrainian Insurgent Army (UPA) was destroyed, many members continued to operate underground. Others infiltrated newly established Soviet institutions in western Ukraine. Nationalist sentiment that built on a strong national consciousness influenced the creation of nationalist dissident groups in western Ukraine, such as the National Front, from the 1960s to the 1980s.

Ukraine was home to a relatively large number of dissident movements, such as the Ukrainian Helsinki Group in the 1970s and 1980s. Ukrainian prisoners of conscience were the largest ethnic group proportionate to their share of the population in the Soviet gulag, or system of forced-labor prison camps. As in other non-Russian republics, Ukrainian dissidents promoted *both* national and democratic rights, and they closely cooperated with Baltic, Georgian, and Jewish dissidents. Some groups called for Ukraine's separation from the USSR; others demanded the transformation of the USSR into a loose confederation of sovereign republics. National communism, which dominated Ukrainian politics in the 1920s and 1960s, was also never totally crushed. Its main adherents were either imprisoned or murdered in the early 1930s when Stalin reversed indigenization. But, during periods of liberalization, as in the 1960s and in the Gorbachev era, national communism again became influential within the Communist Party in the Ukrainian SSR.

In 1990–1991, as the Soviet Union slowly disintegrated, the Communist Party within the Ukrainian SSR divided into three wings: Democratic Platform (close to the opposition), "sovereign communist," and pro-Moscow "imperial communist." The latter became discredited after it gave support to the hard-line coup in August 1991 that was defeated by Russian pro-democratic forces led by President Boris Yeltsin. "Sovereign communists" coalesced around parliamentary speaker Leonid Kravchuk in parliament, which had increasingly become a real institution after republican semifree elections were permitted in March 1990. For the first time, a non-Communist opposition, dominated by the Ukrainian Popular Movement for Restructuring (Rukh), the kernel of the Democratic bloc, obtained a quarter of the seats within the Soviet Ukrainian parliament (known as the Supreme Soviet).

Radical and moderate tendencies appeared within the opposition movement in the late 1980s during the more liberalized Gorbachev era. Former dissidents and prisoners of conscience from the 1960s to the early 1980s played a strategic role in the creation of the moderate Rukh in 1987–1988.<sup>2</sup> These former dissidents were joined by the cultural

intelligentsia concerned about Russification and the deplorable state of Ukrainian language and culture. More radical nationalists grouped within the Ukrainian Inter-Party Assembly, which boycotted Soviet elections.

Both moderate Rukh and nationalist radicals only began to demand Ukrainian independence in 1989–1990, but only the moderates in Rukh had a real strategic influence because they had agreed to participate in the 1990 elections the radicals had boycotted. Through a combination of pressure from the more moderate Rukh and “sovereign communists,” the Ukrainian SSR declared independence in August 1991 after the hard-line coup collapsed in Moscow. All shades of Ukrainian political life (Rukh, radical nationalists, and sovereign communists) supported the drive to state independence after the Moscow coup failed. The discredited imperial communists could not mobilize opposition because the Communist Party had been banned for supporting the hard-line Moscow coup. This movement toward independence was crowned by the December 1, 1991, referendum on independence that was supported overwhelmingly by 92 percent of Ukrainians. A week later Ukraine, Belarus, and Russia signed an agreement to transform the USSR into the Commonwealth of Independent States (CIS), and the USSR ceased to exist on December 26, 1991.<sup>3</sup>

## Political Institutions

Ukraine was the last former Soviet republic to adopt a semipresidential constitution in June 1996. This institutional framework created at times an uneasy balance between the executive and parliament. In contrast to the political systems in most other CIS states, the Ukrainian parliament continued to have power and influence throughout the pre-Orange Revolution era. Governments were controlled by the executive, which had the right to dismiss them, a power that was used extensively.

In roundtable negotiations in the Orange Revolution a compromise package was agreed upon that was voted through by parliament on December 8, 2004. The package amended the election law to reduce election fraud, adopted constitutional reforms to go into effect in 2006, and replaced the Central Election Commission chairman. The reformed constitution transformed Ukraine from a semipresidential into a semiparliamentary republic, a political system more common in Central and Eastern Europe and the Baltic states. The government is now responsible not to the president but to a parliamentary coalition. The president continues to control foreign and defense policy, the National Security and Defense Council, the Security Service, the prosecutor general's office, and regional governors. The president also has a new right to disband parliament if it fails to create a coalition or government within thirty-day deadlines. In April 2004 the election law was changed, and all 450 seats were to be contested in a proportional system but with a lower 3 percent threshold and for a longer five-year term, as they were in the March 2006 and September pre-term 2007 elections. From 2006, Ukraine's elections were also conducted under a fully proportional system for local councils.

Postcommunist states that have adopted parliamentary systems have progressed further in democratization, and they tend to be based in Central and Eastern Europe and the three Baltic states. In Russia and the CIS, the dominant political system is superpresidential, with parliaments emasculated by overly powerful executives and opposition

groups marginalized. In moving to a parliamentary system, Ukraine has therefore moved away from the CIS and toward the European norm, which assisted Freedom House in classifying Ukraine since 2005 as the only CIS country that is "free."

Constitutional reforms did not lead to political stability, as the reforms themselves had been rushed through in December 2004, with many issues not fully thought through. Indeed, they were technically unconstitutional as they had not been voted through two different parliamentary sessions and had not been endorsed by a national referendum. The Venice Council, the legal advisory board of the Council of Europe, had criticized many of the reforms in 2005 as insufficiently clear in dividing responsibilities between different institutions. These institutional conflicts and inadequacies in the reforms were made worse by the conflicts between President Yushchenko and prime ministers Tymoshenko and Yanukovich, conflicts that dominated his entire presidency. The increasingly difficult relations between the executive and government culminated in the spring 2007 constitutional crisis. On April 2, 2007, President Yushchenko dissolved parliament and called early elections, the date for which was finally settled on as September 30. The decree to dissolve parliament had little constitutional legality, as the president had no legal right to dismiss parliament except in specific instances. The Constitutional Court was unable to make a ruling due to infighting between supporters of the president and prime minister that severely weakened this key institution.

## Parties and Elections

On the same day as the referendum on independence in December 1991, parliamentary speaker Kravchuk was elected in Ukraine's first presidential election, winning in the first round with 61.59 percent. The former ideological secretary of the Communist Party in Ukraine became independent Ukraine's first president. National Democrat reformers grouped in Rukh entered the election with Vyacheslav Chornovil, who obtained a quarter of the vote. Together the five National Democrat and Liberal candidates won a combined 35 percent. In addition to the executive, the Ukrainian parliament also continued to be dominated by former Communists until the March 1994 elections. Domination of the executive and parliament by former Communists had a negative impact on economic reform and increasingly upon democratization in Ukraine's first years of independence.

During the Kravchuk era (December 1991–July 1994), Ukraine's political landscape continued to be dominated by three groups with little political party development. The Communist Party of Ukraine (KPU) returned, after being banned from August 1991 to October 1993, as a new political party led by Petro Symonenko. Registering as a new Communist Party meant it legally had no connection to the pre-August 1991 party, and no claim to Communist Party assets that had been nationalized after the party was banned. The newly registered KPU attracted less than 5 percent of the members of the pre-1991 Communist Party in Ukraine, which, at its peak in 1985 when Gorbachev came to power, had 3.5 million members. The post-1993 membership of the KPU has never exceeded 150,000 members.

The KPU's high point of influence was in the 1990s when it was ostensibly the main opposition to the ruling authorities. In the 1994–1998 and 1998–2002 parlia-

ments the KPU had the largest factions, with 135 and 123 deputies respectively. In the October–November 1999 presidential election, KPU leader Symonenko came in second in a field of thirteen candidates and then faced incumbent Kuchma in round two. Kuchma defeated Symonenko by a large margin, and the KPU's fortunes declined in the new millennium.

The 2002 parliamentary elections, in which Yushchenko's Our Ukraine bloc came in first with 23.57 percent of the vote, signified a break with the dominance of the left in opposition politics. But, Our Ukraine fared poorly in the March 2006 and September 2007 elections after many voters defected to the Tymoshenko bloc. Our Ukraine, which had expected to be a close second to the Party of Regions, came in third in the 2006 and 2007 elections with 13.95 and 14.15 percent, respectively, 10 percent less than what it had achieved under Kuchma. Many "Orange" voters punished Our Ukraine for removing the Tymoshenko government in 2005 and dividing the Orange camp and for their disillusionment with President Yushchenko.

In contrast to the parliamentary elections in 1998, when it received 24.65 percent of the vote, in 2002, the KPU, with 19.98 percent of the vote, failed to come in first in the 225 parliamentary seats elected proportionately. In the 2002–2006 parliament, the KPU faction was halved to sixty-six deputies. The KPU declined rapidly following the end of the Kuchma era, as many voters transferred their allegiance to the Party of Regions. In the 2006 and 2007 elections, the KPU obtained only 3.66 and 5.39 percent, respectively. As a political party of pensioners, the KPU, with less than 5 percent support, will have serious difficulties surviving in the medium term.

The Socialist Party (SPU), led by Oleksandr Moroz, has been the only serious left-wing competitor to the KPU; the party was created in October 1991 when the KPU was illegal. The SPU is a left-wing social democratic party that is committed to democratization and Ukrainian statehood but largely opposed to economic reform, especially land reforms. The SPU is the only Ukrainian member of the Socialist International. Its positive stance on Ukrainian statehood differentiated it from that of the KPU, which in the 1990s campaigned for Ukraine to join a revived USSR. The SPU's membership grew to 100,000 as compared to the KPU's 150,000, and its electoral support overtook that of the Communists, surpassing them in the 2004 and 2006 elections. In 2004, Moroz came in third with 5.82 percent of the vote followed by Petro Symonenko with 4.97. The SPU reached fourth place in the 2006 elections with 5.69 percent and thirty-three seats followed by the KPU with 3.66 percent and twenty-one deputies.<sup>4</sup>

The SPU's fortunes declined after they defected from the Orange coalition in summer 2006 and joined the Party of Regions and KPU in an Anti-Crisis coalition. The preterm September 2007 and 2010 presidential elections marginalized the SPU as a political force. The SPU could return to parliament if it replaces its discredited leader, Oleksandr Moroz, but—as with all parties in Ukraine—their leaders treat them as their private property and refuse to step down from leadership positions.

On the right, there is a plethora of national democratic parties that grew out of Rukh. As in the Soviet era, these parties and movements combined national and democratic demands, such as affirmative action for the Ukrainian language, making them popular primarily in Ukrainian-speaking regions of western and central Ukraine. This changed in the 2007 elections when the Tymoshenko bloc obtained 15–25 percent support throughout eastern and southern Ukraine outside the Party of Regions strongholds of the Donbas (Donetsk and Luhansk *oblasts*) and Crimea.

The inability of national democratic candidates to win presidential elections or obtain parliamentary majorities created a dilemma. As pro-statehood parties, they felt inclined to cooperate with former "sovereign communists" who transformed into centrist parties in the 1990s. In the 1990s, these two political groups were allied in their support for quasi reform and the defense of Ukrainian statehood against a Communist domestic threat and a Russian external threat. Dealing with Russia's refusal to come to terms with Ukrainian independence and pressuring it to agree to recognize the border thus took up the entire first term of the Kuchma presidency (July 1994–November 1999). The threat from the KPU was only defeated in the 1999 elections, after which it went into terminal decline with many of its voters defecting to the Party of Regions.

Centrist-liberal and social democratic parties emerged in Ukraine in the late Soviet and early post-Soviet eras. They tended to attract those who were anticommunist but did not wish to join national democratic parties, and centrist parties therefore had a potentially respectable niche that lay between the left and the center-right. Centrist parties made their first appearance in the 1998 parliamentary and 1999 presidential elections where they entered parliament and backed Kuchma's reelection.

By the late 1990s, Ukraine's center niche had been completely taken over by oligarchs and regional clans who needed to convert their economic gains into political power. Unlike Ukraine's left and right parties, which have clear-cut ideologies, Ukraine's centrist parties have been empty ideologically, acting merely as *krishky* (roofs) for regional, business, and corrupt interests. One of the first centrist parties grew out of the Democratic Platform of the Communist Party in Ukraine, which established the Party of Democratic Revival of Ukraine (PDVU) that was renamed the People's Democratic Party (NDP). Kuchma failed in his attempt to establish the NDP as his party of power (i.e., ruling party) after the 1998 elections. A Liberal Party was also quickly established in Donbas and a Party of Economic Revival of Crimea (PEVK) in Crimea. The PDVU created the New Ukraine bloc, which supported Kuchma in the 1994 elections, as did the Union of Industrialists and Entrepreneurs. In the second half of the 1990s, the NDP (formerly the PDVU), Social Democratic United Party (SDPUo), and Green Party, like other initially genuine centrist parties, were taken over by oligarchic business interests. Genuine liberal reformers left to join national democratic parties, such as Viktor Pynzenyk's Reform and Order Party, which has aligned with the Tymoshenko bloc, with whom it went into the 2007 elections.

Centrist parties faced three difficulties in Ukraine in the 1990s when they attempted to grow into respectable liberal and social democratic parties. First, although Ukraine has a history of social democratic and liberal political thought in the tsarist and Austro-Hungarian empires, this tradition was destroyed by the Soviet regime. Even in interwar western Ukraine under Poland, centrist parties were marginalized in the 1930s by the radical right Organization of Ukrainian Nationalists. Therefore, unlike Central and East European postcommunist states, Ukraine could not simply revive pre-Soviet parties banned under the Soviet regime. Genuine centrist parties have also found it difficult to compete with the national democrats because it has always been easier to mobilize Ukrainians by appealing to *both* national and democratic issues. This was as true in the late Soviet era with Rukh as it was in the 2004 elections and the Orange Revolution. By their very nature, centrist parties require an established middle class that supports the rule of law, private business and property,

civil society, and an independent media. These aspects of Ukrainian society are only in the process of being created. Genuine centrist parties should have been allies of Our Ukraine in promoting reform. Instead, centrist parties, during Kuchma's second term (1999–2004), had been taken over by oligarchs and regional clans and, as seen by the Yanukovych administration that came into power in 2010, their support for liberal democracy was questionable.

In 1998 centrist parties made their first appearance in parliament as four of the eight parties that managed to cross the 4 percent threshold in the proportional half of the elections. Besides the SDPUo these included the Green Party and the NDP headed by Prime Minister Valeriy Pustovoitenko. The SDPUo was the last of the parties that reached the 4 percent threshold in both the 1998 and 2002 elections with 4.01 and 6.27 percent respectively, but reconfigured as the *Ne Tak!* (Not Like This!) bloc it failed to enter the 2006 parliament when its support collapsed to only 1.01 percent, leading to a decision not to stand in the 2007 elections. One wing of the Dnipropetrovsk oligarchs (backed by Viktor Pinchuk, CEO of Interpipe) took over the Labor Ukraine party, and one wing of the Donbas oligarchs (backed by Rinat Akhmetov, CEO of Systems Capital Management) created the Party of Regions. The Party of Regions was established in March 2001 with the unification of five parties, including the Regional Revival of Ukraine, which had fared poorly in the 1998 elections, when it obtained only 0.9 percent of the vote. The main base of the Party of Regions lies in Donetsk and Crimea. Competing oligarchs in Dnipropetrovsk (backed by Igor Kolomoysky, CEO of the Pryvat Group) and Donetsk (backed by Serhiy Taruta and Vitaliy Hayduk, CEO of the Industrial Union of Donbas) backed Orange parties, such as Our Ukraine in 2006 and 2007, and Yushchenko's 2004 election campaign.

In the March 2002 elections the Party of Regions joined four other pro-Kuchma centrist groups in the For a United Ukraine bloc (ZYU). The other four parties included the Party of Industrialists and Entrepreneurs, the Agrarians, the NDP, and Labor Ukraine party. With 11.77 percent of the vote, ZYU came in third in the proportional half of the elections, but was able to control half of parliament by adding a large number of deputies elected in single mandate (majoritarian) districts. In the 2006 elections, the Party of Regions came in first with 32.14 percent and 186 seats; it was the only former pro-Kuchma centrist party successful in entering parliament in that election. The Party of Regions won 34.37 percent in the 2007 elections but obtained fewer votes and eleven fewer seats than in the 2006 elections. As in other parliamentary democracies with proportional election laws, the Party of Regions's coming first did not guarantee that it would create the government as this would depend on which parliamentary forces established the coalition. After the 2006 and 2007 elections the Party of Regions had insufficient partners to establish a coalition and therefore government.

In western and central Ukraine, centrist parties are unpopular. In the Kuchma era the Party of Regions and Labor Ukraine were popular in their home bases of Donetsk and Dnipropetrovsk, unlike the SDPUo, which was never popular in Kyiv, a national democratic stronghold. The Kyiv clan's SDPUo barely scraped through the 4 percent threshold in the city of Kyiv in the 2002 election when it obtained 4.85 percent, a drop by half from the 8.48 percent it had obtained in the 1998 election. In local elections to the Kyiv city council held at the same time as parliamentary elections in 2002, the SDPUo fared even worse. Although it came in last in the proportional half of the 2002 elections, the SDPUo nevertheless succeeded in

placing its leading members in many high places, due to the fact that SDPUo leader Medvedchuk headed the presidential administration in Kuchma's last two years in office (2002–2004). The Labor Ukraine party, NDP, and SDPUo have become marginalized in the post–Orange Revolution era.

In the late Soviet era and throughout much of the 1990s, eastern Ukraine remained politically passive, and its local leaders were not members of the national elites. This situation changed after Kuchma's election in 1994 when large numbers of officials from Dnipropetrovsk came to Kyiv. Donbas leadership elites entered the national central elite during Kuchma's second term in office, particularly when Yanukovich was appointed prime minister in November 2002 and then went on to become the authorities' presidential candidate in the 2004 elections. Yanukovich was governor of Donetsk between 1997 and 2002.

All of Ukraine's centrist parties have three factors in common. First, most of them are Russian speaking. Second, all of them were pro-Kuchma and prefer the authoritarian political system increasingly evident in Ukraine during Kuchma's second term and the semiauthoritarian system emerging under President Yanukovich. This orientation reflects the strong influence of Soviet political culture among them and their preference for a hybrid system combining elements of Soviet and Western political-economic systems. In the realm of foreign policy, these orientations were translated into a vague and constantly shifting, multivector foreign policy under Kuchma. Under Yanukovich, they have resulted in a single vector pro-Russian foreign policy. The domestic policies of the centrist parties have not backed up the stated foreign policy goals of "returning to Europe" of either the Kuchma or Yanukovich regimes. Third, centrists are ideologically amorphous, as short-term economic and political gain and power are more important than ideological principles. Centrist parties are top-down virtual parties with memberships that are usually forced into joining them at state institutions or through bribery. Their lack of *real* members is evident in their inability to mobilize supporters for demonstrations or rallies (as seen in their inability to organize a counterevolution to the Orange Revolution). Those who attend centrist party rallies do so either because of intimidation or because they have been paid to attend, as evidenced during the paid anti-Yushchenko rallies in April 2007 in Kyiv following the disbanding of parliament.

Some former oligarchs turned against Kuchma. Former prime ministers Pavlo Lazarenko and Tymoshenko joined the anti-Kuchma opposition in 1998 when they were elected to parliament in the Hromada Party. The Fatherland Party, established by Tymoshenko in 1999, aligned with other anti-Kuchma opposition forces such as the SPU to lead the antiregime protests that engulfed Ukraine in 2000–2001 ("Ukraine Without Kuchma") and 2002–2003 ("Arise Ukraine!"). The ouster of Yushchenko's government in April 2001 placed him reluctantly in opposition where he established the center-right reformist Our Ukraine bloc, which came first in the proportional half of the 2002 parliamentary elections, but obtained 10 percent less in the 2006 and 2007 elections when it came in third on both occasions.

## Civil Society: The Orange Revolution

The Orange Revolution occurred when the authorities attempted to blatantly rig the presidential elections in 2004. Orange was chosen by the Yushchenko team as

an optimistic and neutral color to attract a broad constituency of voters, rather than using the national colors of the blue and yellow flag. Ukraine under Kuchma was a semiauthoritarian regime, so it was inherently unstable and vulnerable during periodic elections where presidents ended their term in office and where it could be challenged by a united opposition. Five of what have come to be called electoral revolutions used mass mobilization to oust authoritarian leaders in Slovakia (1998), Croatia (1999), Serbia (2000), Georgia (2003), and Ukraine (2004). Semiauthoritarian regimes, unlike fully authoritarian regimes, provide space for and allow civil society and independent media to operate.

The victory of Our Ukraine in the 2002 election ensured that Yushchenko would become the main alternative to the authorities' candidate, Yanukovych, in the 2004 election. The 2004 election, therefore, became a choice in the eyes of many voters between democracy (Yushchenko) and authoritarianism (Yanukovych).<sup>5</sup> National democrat reformers finally gained the presidency in 2004 as a result of the Orange Revolution, but this victory was a long time coming. National democrats failed to win Ukraine's first presidential election in 1991 and did not put forward major candidates in either the 1994 or 1999 presidential elections. The main competition in the 1994 race was between two wings of the pre-1991 national communist camp: former prime minister Kuchma and incumbent Kravchuk. Kravchuk led in the first round by 37.7 percent to Kuchma's 31.3 percent, but Kuchma edged him out in the second round by 52.1 percent to 45.1 percent. As former "sovereign (national) communists," Kravchuk and Kuchma went on to become centrist allies in the late 1990s. The main competition in the 1999 election was between the centrist Kuchma and communist Symonenko.

In the 1999 presidential elections, the two candidates put forward by Rukh, which had split into two parties, together obtained only 3.4 percent of the vote, down from a quarter of the vote in the December 1991 elections for the national democratic challenger, Chornovil. Some national democratic votes went to former Security Service chairman Yevhen Marchuk, who obtained 8.1 percent. Marchuk's populist anticorruption and anti-Kuchma rhetoric was very reminiscent of the rhetoric of Tymoshenko, leader of the Fatherland Party and the Tymoshenko bloc in the 2002 elections. Marchuk sold out his voters when he agreed to become secretary of the National Security and Defense Council (NRBO), just prior to the second round of the 1999 election. His allies and voters transferred their allegiance to Tymoshenko.

In the 1999 elections, Moroz, head of the SPU, obtained 11.3 percent, a result similar to his 13 percent in the 1994 election. Although Moroz came in ahead of the KPU leader Symonenko in the 2004 election, his vote dropped by half to 5.5 percent. After over a decade of Moroz's leadership, anger among Socialist voters at the SPU's defection in 2006 from the Orange camp led it to defeat in the 2007 election. The lower combined vote for the two left-wing candidates (10 percent) reflected the fact that the 2004 election was largely a contest between Yushchenko and Yanukovych. In the 2010 elections, Moroz's vote collapsed to 0.38 percent, and he came in eleventh out of eighteen candidates. KPU leader Symonenko came in sixth with 3.54 percent.

After his reelection in 1999, Kuchma set out to remove the leftist leadership of parliament, and in January 2000 national democrats and centrists combined forces in parliament to create a majority of 253 that undertook, with executive backing, what came to be known as a Velvet Revolution. These eleven non-left factions were united less in their

support for reforms or Kuchma than in their opposition to the left. The four left factions commanded the loyalty of 171 deputies. The creation of a parliamentary majority was aimed at supporting Yushchenko's government. On January 13, 2000, 253 deputies from the national-democrat-centrist alliance created a "pro-reform" majority with the aim of speeding up reforms and harmonizing relations between parliament and the executive and introduced constitutional reforms.

Kuchma sought to increase his presidential powers in four questions in a referendum held in April 2000. The referendum was badly flawed, and its results were not internationally recognized: 84.78 percent of those who participated allegedly voted in favor of the right of the president to dissolve parliament if it failed to pass a budget within a month or create a majority within three months, 89.06 percent allegedly supported the withdrawal of immunity from parliamentary deputies, and 89.97 percent allegedly supported the reduction in the number of deputies from 450 to 300. The fourth and most controversial amendment on introducing a second parliamentary chamber was allegedly backed by 81.81 percent. The referendum had no international credibility, and no international organizations sent observers.

Kuchma's plans to increase presidential powers were not implemented for two reasons. First, what became known as the Kuchmagate Crisis began on November 28, 2000. Excerpts of tapes made illicitly in Kuchma's office by the Directorate on State Security (UDO, the Ukrainian equivalent of the U.S. Secret Service) officer Mykola Melnychenko were released before parliament. Kuchma was heard on the tape ordering Interior Minister Yuriy Kravchenko to "deal with" opposition journalist Georgiy Gongadze, who had been kidnapped on September 16, 2000. His decapitated body was found on November 2, 2000, near Kyiv, but a decade later it has still to be buried. Second, mounting criticism of Prime Minister Yushchenko's policies from oligarchs close to Kuchma threatened by anticorruption measures in the energy sector also blocked reforms. The oligarchs began losing large sources of corruptly earned income from the cancellation of privileges for their joint ventures and barter arrangements in the energy sector. Deputy Prime Minister Tymoshenko reorganized the energy sector and targeted distribution companies owned by leading oligarch groups. Anticorruption measures brought over \$2 billion into the government budget to pay off wage and pension arrears.

However unpopular he was among the oligarchs, Prime Minister Yushchenko's popularity soared among the public, reaching 50 to 60 percent, although primarily in western-central Ukraine. His government was credited by the public with bringing Ukraine's first economic growth in a decade and with repaying wage and pension arrears. In spite of this popular support, Yushchenko's government was removed by a parliamentary vote of no confidence in April 2001 with the support of centrist oligarchs and the KPU. From this moment on, centrists and national democrats stood in opposition to one another, culminating in the 2004 election contest between Yushchenko and Yanukovich.

The Kuchmagate Crisis mobilized the largest opposition movement since the late Soviet era in Ukraine. The "Ukraine Without Kuchma" movement was based in Kyiv and was dominated by the center-left SPU and the Tymoshenko bloc while the nongovernmental organization (NGO) For Truth was based in Lviv and was dominated by national democratic groups. These anti-Kuchma protests in 2000–2001 were followed by "Arise Ukraine!" protests in 2002–2003 that brought together the opposition against Kuchma

and his centrist allies. These protests were an important training ground for youth and election observer NGOs and political parties for the 2002 and 2004 elections and the Orange Revolution.

Ukraine's October 2004 presidential election was more than just the election of Ukraine's third president. Evidence had mounted, particularly during the Kuchmagate Crisis, that President Kuchma had been involved in a wide range of illegal activities classified in Ukrainian legislation as abuses of office. Kuchma and his oligarchic allies, then, were doubly afraid of an anti-Kuchma victory as not only would they lose their power, but they might also be prosecuted for their corruption and illegal acts. This, in turn, ruled out consideration of anything but a victory by the authorities' candidate, Prime Minister Yanukovich. As Kuchma correctly predicted, the 2004 election became Ukraine's dirtiest and most bitterly contested. In spring 2004, an attempt at changing the constitution to reduce presidential powers, a step initiated by the regime to reduce the powers available to Yushchenko if he won the election, failed. These constitutional reforms were adopted in December of that year.

Ukraine was unique among the CIS states in that it had a large pro-Western, reformist opposition movement with previous experience in government. Yushchenko's Our Ukraine bloc came in first in the proportional half of the 2002 parliamentary elections, receiving more than double the support of the proregime For a United Ukraine bloc. Yushchenko had remained the country's most popular politician after leading Ukraine's most successful government in 2000–2001.

The 2004 election was expected not only to decide who would become the country's next president, but also which trajectory the country would take. A victory by Yanukovich would have stabilized the status quo of partial reform and competitive authoritarian regime. This stark choice, coupled with the personal threat felt by the ruling elites, meant the elections would be bitterly fought to the very end by both sides.

A large proportion of the twenty-three candidates that stood in the 2004 elections were virtual ("technical") candidates whose only purpose was to work on behalf of the authorities and against the opposition by taking allocated seats for candidates in electoral commissions. State-administrative resources were massively deployed in support of Yanukovich. The state and oligarch-controlled mass media, particularly television, gave widespread positive coverage to Yanukovich but only covered Yushchenko in negative terms. Yanukovich had official and underground election campaign teams. The official campaign was headed by the chairman of the National Bank, Sergei Tigipko. In the shadow campaign, Russian "political technologists" and the presidential administration were deeply involved in seeking to elect Yanukovich. In the process, the number of dirty tricks in the four-month campaign was legendary. The most dramatic of these was the poisoning of Yushchenko with dioxin in September 2004, which removed him from the campaign trail for a month. The suspects fled to Russia, where they remained throughout Yushchenko's presidency.

On October 31, 2004, Yushchenko won the first round of the election followed by Yanukovich. But the results were only released after ten days, the maximum permitted by Ukrainian law. Yanukovich's shadow campaign team and the presidential administration hacked into the Central Election Commission (CVK) server, which allowed them to manipulate results as they were being sent to the CVK. Despite the government's manipulation, and the poisoning of Yushchenko, he won round one, which was an important psychological boost to the opposition. His victory also influenced fence sitters

among state officials, many of whom would swing to his side or stay neutral in the next two rounds of voting and the Orange Revolution.

The stakes were too high for the authorities to permit a Yushchenko victory in the runoff election on November 21, 2004, and the Yanukovich camp ratcheted up their efforts to deliver him the election by using more blatant fraud, whatever the actual vote. The Committee of Voters of Ukraine, an authoritative NGO, calculated that 2.8 million votes were fraudulently added to Yanukovich's tally in round two. Fraud was especially blatant in Donetsk and Luhansk, Yanukovich's home base, where turnout rates allegedly increased by 20 percent between rounds one and two. Ballot stuffing, massive abuse of absentee ballots, and voting at home were also used.

In making the decision to opt for blatant fraud in round two, the authorities miscalculated. First, they assumed that Ukrainians would remain passive or that the opposition would be unable to mobilize sufficient protestors. During opposition protests in Kuchmagate crisis and "Arise Ukraine!" in 2000–2003 the opposition had mobilized rallies of between 20,000 to 50,000 supporters, which had increased to 80,000–150,000 in the 2004 elections. But during the Orange Revolution, millions of citizens came onto the streets of Kyiv over seventeen days in bitter winter weather. Postelection surveys found that one in five of Ukrainians participated in the Orange Revolution, with the highest number from western Ukraine (where a third took part) and the lowest from eastern Ukraine (where less than 5 percent did so). Second, the authorities underestimated the international reaction to their election fraud. They



Photo 15.1 In what would come to be known as the Orange Revolution, protesters take to the streets in Kyiv to protest fraudulent presidential election results in 2004. (Source: This photo was taken through joint efforts of the UNIAN news agency, [www.unian.net](http://www.unian.net), and the International Renaissance Foundation/George Soros Foundation in Ukraine, at [www.irf.kiev.ua](http://www.irf.kiev.ua).)

counted on the United States turning a blind eye because Ukraine had the fourth largest military contingent in Iraq. They were again wrong. Three days after round two, U.S. Secretary of State Colin Powell refused to recognize the fraudulent official results released that same day, a step encouraged by Ukrainians themselves who were creating the Orange Revolution on the streets of Kyiv. Canada, the EU, and the OSCE supported the U.S. position.

In round two of the election, Yushchenko received support from a very wide political spectrum that ranged from the Socialists to the business community, led by Anatoliy Kinakh, and the liberal Our Ukraine to the center-left and liberal Tymoshenko bloc. Kyiv's popular mayor, Oleksandr Omelchenko, provided crucial logistical support to the Orange Revolution. Young people, such as students, were especially attracted to the Orange Revolution. A rally on the eve of the first round of the elections attracted 30,000 students in support of Yushchenko. Ukraine's normally apolitical youth were mobilized to take part in election-monitoring organizations (Znayu [I Know]), radical youth groups (Pora [It's Time], modeled on Serbia's Otpor and Georgia's Kmara), and pro-Yushchenko youth groups (Chysta Ukrayina [Clean Up Ukraine]).

The Ukrainian parliament and the Supreme Court overturned the fraudulent election results that declared Yanukovych the victor in round two, and the Supreme Court resolved on December 3 that a repeat election was to be held on December 26, 2004. Roundtable negotiations brokered by Poland, Lithuania, and the EU led to a compromise; the election law was revised so that many of the fraudulent acts committed in round two could not be repeated. Yushchenko also agreed to support constitutional reform to go into effect in 2006. After winning by 8 percent in the rerun of round two, Yushchenko

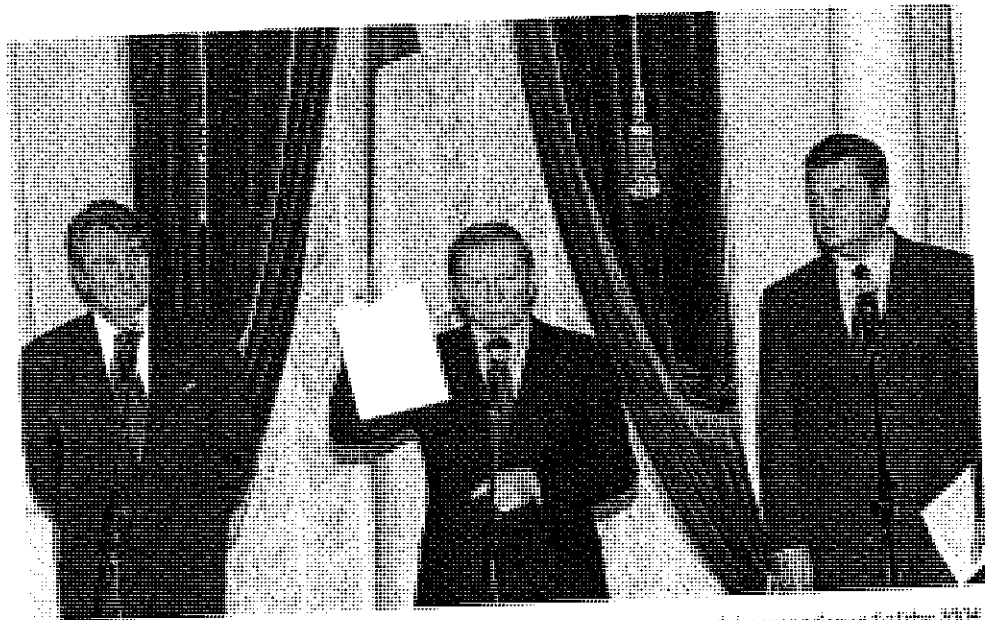


Photo 15.2 Yushchenko and Yanukovych after Yushchenko won the rerun of the second round of the 2004 Ukrainian election, after the fraud in the second round triggered the Orange Revolution. Two years later Yanukovych's party won enough votes to dominate the parliament and make him prime minister from 2006 to 2007. In 2010 he won the presidential election. (Source: This photo was taken through joint efforts of the UNIAN news agency, [www.unian.net](http://www.unian.net), and the International Renaissance Foundation/George Soros Foundation in Ukraine, at [www.irf.kiev.ua](http://www.irf.kiev.ua).)

was inaugurated on January 23, 2005, as Ukraine's third president. Pro-democracy reformers have won four elections since 2002 and Ukraine has held four elections since 2004, giving it the ranking of "free" by Freedom House.

## Orange Power

Yushchenko was propelled to power by the Orange Revolution that followed election fraud in round two of Ukraine's 2004 presidential elections. His election victory came about as a consequence of a very broad political alliance that included center-left (SPU), center-left-liberal (Tymoshenko bloc), free-market liberals (Party of Industrialists and Entrepreneurs), center-right national democrats (Our Ukraine), and nationalists (Congress of Ukrainian Nationalists). The divisions within this election alliance over political and institutional policies included whether to support parliamentarism or presidentialism: the Tymoshenko bloc voted against constitutional reform on December 8, 2004. The policy areas that strained the coalition included whether to launch criminal investigations of former regime officials on charges of corruption and election fraud, the degree of reprivatization to be undertaken, economic reform (particularly land privatization that the SPU opposed), and foreign policy priorities (with the most divisive issue being NATO membership).

The 2005 Tymoshenko government had supported investigating a large number of privatizations undertaken in the 1990s, while Yushchenko and the 2005–2006 Yuriy Yekhanurov government had opposed reprivatizations in all but the most egregious of cases, such as Kryvorizhstal, the only reprivatization undertaken in Orange Ukraine (Yekhanurov had been head of the State Property Fund in the 1990s when most oligarchs had emerged).<sup>6</sup> Divisions over these issues divided the coalition fundamentally between state interventionists and those seeking justice (SPU, Tymoshenko bloc) and liberal free marketers (Party of Industrialists and Entrepreneurs, Our Ukraine). In Yushchenko's first one hundred days in office, divisions over economic policies brought about an oil crisis, concerns continued over economic policies that focused on social issues, and GDP growth declined by half. In September 2005, Yushchenko dismissed the Tymoshenko government and replaced her as prime minister with Yekhanurov, a technocrat and ally of Yushchenko's from the 1990s. The Yekhanurov government lasted until after the March 2006 elections, when it was replaced in August by a government led again by Yanukovich, who was to be the first prime minister to benefit from enhanced powers that were given to the cabinet of ministers and parliament after Ukraine moved to a semiparliamentary system.

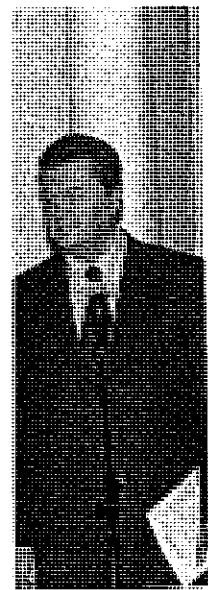
## Elections from 2006 to 2010

Out of forty-five and twenty parties and blocs that stood in the March 2006 and September 2007 elections, respectively, only five crossed the 3 percent threshold. The 2006 elections brought three Orange parties to parliament (Our Ukraine, Tymoshenko bloc, SPU), but the SPU defected to the opposition camp represented by the Party of Regions and KPU. The 2007 elections brought two Orange and two opposition political forces into parliament. The 2006 and 2007 results were surprisingly similar to those in the re-

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peat second round of the 2004 elections, with Orange and opposition (Party of Regions) supporters divided approximately 55–45 percent respectively. The Party of Regions with 32.14 percent was the key winner and came in first with 186 deputies, a threefold increase in the deputies that it possessed in the 2002–2006 parliament. The Party of Regions came in first again in the 2007 elections with 34.37 percent.

In the 2006 elections the Tymoshenko bloc also scored a remarkable success, tripling its support to 22.29 percent, and became the second largest faction with 129 deputies. In the 2007 elections it dramatically increased its vote by 1.5 million votes to receive 30.71 percent. Our Ukraine fared poorly, coming in third in the 2006 and 2007 elections with 13.95 and 14.15 percent respectively, a 10 percent decline in support. Clearly it was easier to win votes in opposition than in power.

In the 2006 elections the left came in fourth and fifth with 5.69 percent (SPU) and 3.66 percent (KPU), and together had only fifty-four deputies, down from the customary 40 percent of parliamentary deputies that the combined left controlled until 2002. In the 2007 elections the only left-wing force to enter parliament was the KPU with 5.39 percent of the vote. The SPU's decline since 2006 came about as a consequence of voters' anger at the SPU's betrayal of the Orange coalition in summer 2006, when SPU leader Moroz sought the speakership of parliament and the SPU defected to the Party of Regions and KPU. The SPU failed to enter parliament in 2007, and Moroz was humiliated by his 2010 election result of less than 1 percent.

The Party of Regions clearly was successful in both its ability to promote itself as the champion of Russophone voters in eastern and southern Ukraine and in its ability to marginalize all other former pro-Kuchma centrist parties, none of whom entered the 2006 and 2007 parliaments. In the post-Kuchma era the Party of Regions has evolved into a semi-ideological party that defends the interests of eastern-southern Ukrainians and residents of Crimea who are Russophone and hold an eastern Slavic or neo-Soviet political culture. This was clearly reflected in the humanities policies, national identity profile, and single vector pro-Russian foreign policy of the Nikolai Azarov government and Yanukovich administration that came to power in 2010. The Party of Regions is an eclectic mix of oligarchs, businessmen, senior Kuchma-era officials, and former communist voters whose hard-core base of support is the Donbas (Donetsk and Luhansk *oblasts*) and Crimea.

Following the defection of the SPU, the Orange coalition collapsed before it could put forward its government. The Party of Regions offered Moroz the position of parliamentary speaker, and the SPU agreed to join the Anti-Crisis coalition composed of the Party of Regions, SPU, and KPU with 240 deputies.

Between October 2006 and February 2007, Our Ukraine reluctantly went into opposition to the Anti-Crisis coalition and revived its alliance with the Tymoshenko bloc. Our Ukraine also underwent an internal overhaul with the election of a new leader, Vyacheslav Kyrylenko; the expulsion of discredited businessmen; and an alliance with Yuriy Lutsenko's People's Self-Defense force. Hence, Our Ukraine fought the 2007 elections as the Our Ukraine–People's Self-Defense bloc, with a more populist-national democratic profile (rather than a liberal business profile as in the 2006 elections) and more energetic leadership (Orange Revolution activist Lutsenko rather than technocrat Yekhanurov, as in 2006).

The 2007 elections returned a slim Orange coalition that eventually agreed to put forward Tymoshenko as prime minister. Her government, which came to power

in December 2007, was faced by two major obstacles. The first was opposition from Yushchenko who—as in 2005—sought to undermine the government at every turn. The president and his chief of staff, Viktor Baloga, intervened in economic policy areas that were not within their constitutional responsibilities. As Anders Aslund notes, Yushchenko “never gave Tymoshenko a chance to govern, and he achieved a complete government stalemate. From April, he vetoed nearly all legislation and decisions emanating from Tymoshenko.” The president “spoke like an old-style Socialist” vetoing the government’s privatization plans. “Yushchenko’s behavior in 2008 was perplexing. Although he formed a coalition with Tymoshenko, he never gave her government a chance to work. His whole presidency has been marked by legislative stalemate.”<sup>7</sup>

Second, from fall 2008 Ukraine was one of five countries most affected in Europe by the global financial crisis. The crisis did not bring about a truce in interelite divisions in the interest of jointly working together to overcome the global crisis. The government negotiated a \$16.4 billion Stand-By Agreement with the IMF, without which it would have been impossible to stabilize the economy after GDP had decreased by a quarter or to avoid bankruptcy. But, the government was faced with continued domestic obstruction from the president and by a parliament often blocked by the Party of Regions.

In September 2008, the Orange coalition collapsed after the Our Ukraine–People’s Self-Defense bloc voted to withdraw. What followed were three months of crisis during which President Yushchenko sought to push through preterm elections that were blocked by the government and condemned by foreign governments. In December 2008, a new Orange coalition was established after Our Ukraine–People’s Self-Defense voted to rejoin together with a new member, the Volodymyr Lytvyn bloc. In return Lytvyn was offered the position of parliamentary speaker. Because only half of Our Ukraine–People’s Self-Defense voted to rejoin the coalition, it had no real majority and had to rely on a situational majority for specific votes. Three groups within Our Ukraine–People’s Self-Defense opted to remain outside the coalition, the pro-Yushchenko “For Ukraine!” headed by Kyrylenko, Atseniy Yatseniuk (who established a new Front for Change party), and Baloga’s United Center Party. The wing of Our Ukraine–People’s Self-Defense that joined the coalition backed Tymoshenko’s candidacy in the 2010 presidential elections. Meanwhile, “For Ukraine!” supported Yushchenko, and Yatseniuk put forward his own candidacy.

The January 17, 2010, presidential elections, in many ways, repeated the 2004 elections, with Yanukovich facing a main Orange opponent, but this time Tymoshenko. These two candidates remained unchallenged and made it easily into the second round with 35 and 25 percent of the vote, respectively. In the second round, Tymoshenko greatly expanded her voter base from 25 to 45 percent by including a large number of negative voters against Yanukovich. But this proved insufficient for her to win an election victory, and she was defeated by 3.48 percent. Yanukovich became the first Ukrainian president not to receive 50 percent of the vote, and to not win a majority of Ukrainian regions. Tymoshenko ultimately was defeated by three factors. First, she was the incumbent prime minister during a global economic-financial crisis when Ukraine’s economy had plunged by 15 percent. In 2004 incumbent Prime Minister Yanukovich, after all, was defeated when Ukraine’s economy was growing by 12 percent. Second, voters were tired of Orange infighting between Yushchenko and Tymoshenko that bred disillusionment and cynicism in politicians that facilitated Yanukovich’s election. Third, unlike in 2004 the former Orange camp was heavily

divided between five candidates in the first round, making it impossible for Tymoshenko to win in that round.

Yanukovych's election revealed much about Ukraine's inherited Soviet culture. His two criminal convictions and imprisonment for violent robbery would have ruled out his participation in politics, let alone winning a presidential election, in a European or North American democracy. Yanukovych also repeatedly refused to acknowledge that election fraud had taken place in 2004 and continued to claim that he had been freely and fairly elected. He was prone to making gaffes that showed him to be educationally challenged, was sexist toward women (see "Social Change"), and refused to participate in televised election debates with Tymoshenko. The Azarov government was the first of fifteen governments not to include a woman, and both he and Yanukovych have expressed sexist views.

In the first half of 2009, Yatseniuk's popularity grew quickly, and he polled only 2–3 percent behind Tymoshenko until summer 2009, making it seem that a "new face" would emerge in Ukrainian politics (Yatseniuk only turned thirty-five in 2009, the minimum age to contest a presidential election). Two factors plagued Yatseniuk. First, he started his campaign too early, and it stagnated by the time the campaign officially began in October 2009. Second, the campaign was led from June 2009 by Russian political technologists who designed his unpopular military fatigue colors for billboards and his campaign messages, which became increasingly unclear. Yatseniuk received 7 percent of the vote, pushed into fourth place by another new face, Sergei Tigipko, who polled 13 percent. Together, the combined Yatseniuk-Tigipko 20 percent of the vote for third and fourth place represented a new middle-class voting phenomenon in Ukrainian elections. Tigipko and Yatseniuk voters were urban professionals or businesspeople in their thirties and forties who disliked the second-round choice as representing the old guard of Ukrainian politics. Nevertheless, the majority of Yatseniuk's and over half of Tigipko's voters backed Tymoshenko in the second round, probably more as a negative vote against Yanukovych. Former defense minister Anatoliy Grytsenko and parliamentary speaker Lytvyn failed to win support as new face or "third-way" candidates.

The 2010 elections were a resounding defeat for President Yushchenko by voters who punished him for a failed presidency as he received only 5 percent of the vote in the first round, putting him in fifth place. As *The Economist* (February 8, 2010) wrote, President Yushchenko had "failed to deliver on any of his election promises." In the second round, he campaigned for voters to not support either candidate, claiming there was no difference between them, which, in effect, became a vote for Yanukovych, as only western Ukrainian voters would listen to his call. These actions may have tilted the balance in Yanukovych's favor, as seen in the small 3.48 percent margin of defeat by Tymoshenko. Yushchenko, therefore, not only failed to punish Yanukovych for election fraud that his election campaign undertook in 2004 but also facilitated his election five years later.

Orange voters were particularly incensed by the lack of progress under Yushchenko in battling corruption and the rule of law. Transparency International, a German think tank that prepares annual Corruption Perceptions Indexes, gave Ukraine a ranking of 122 in 2004, the last year of Kuchma's rule. In 2009, the last year of Yushchenko in office, Ukraine received a ranking of 146, that is, worse corruption levels than during the Kuchma regime.

Similarly, Yushchenko left office with Ukraine's judicial system more dysfunctional and corrupt than it was when he was elected. With the selection by President Yushchenko of Sviatoslav Piskun and Oleksandr Medvedko as prosecutor generals, the former a Party of Regions deputy since the 2006 elections and the latter from Donetsk, there was little meaningful reform in the prosecutor general's office.

## The Economic Transition

Between 1989 and 1999 Ukraine's economy collapsed by more than half, the deepest collapse in GDP in the former USSR. It represented a decline far greater than what occurred in North America and Western Europe in the 1930s during the Great Depression. The shadow (unofficial) economy averaged 40 (official figures) to 50 (World Bank figure) percent of total economic activity throughout the last two decades and did not decrease under Yushchenko, a factor that further reduced income to the state budget, facilitated corruption, and encouraged ties between business and organized crime.<sup>8</sup> Ukraine underwent two rapid periods of economic reform that established a market economy in 1994–1996 and 2000–2001 after Kuchma was elected and signed an agreement with the IMF and during the Yushchenko government.<sup>9</sup>

Frequent changes of government were a major problem that plagued Ukraine's economic policies during the Kravchuk and Kuchma eras (1991–2004), when Ukraine had ten governments. Of these, the government led by Yushchenko (December 1999–April 2001) was the only one genuinely committed to economic reform and battling corruption. Yushchenko also had been chairman of the National Bank when Ukraine introduced its independent currency, the *hryvnia*, in 1996.

Economic reform under Kravchuk was never a priority; instead, he adopted nationalist protectionist policies directed against Russia. These policies proved to be disastrous and, in 1993, the country experienced hyperinflation and further economic collapse. Miners' strikes and social unrest deepened and led to a preterm presidential election in 1994, which Kuchma won. Kuchma introduced economic reform policies to stabilize the domestic economy. The IMF and World Bank began to provide assistance to Ukraine for the first time in return for a pledge to pursue reforms and relinquish nuclear weapons. However, on the whole, Kuchma's economic policies were similar to his policies in politics and foreign policy in that they lacked any clear direction. Privatization was undertaken in fits and starts from 1994, but it primarily benefited a small group of oligarchs with good relations to the president. A small and medium business class did develop, but not to the extent that it did in Central and Eastern Europe, where this sector became the driving force of the postcommunist transitions. The only regions where the small and medium business sector developed were in western and central Ukraine, where funds transferred from Ukrainians working in the EU were used as start-up capital. Until 2004, though, Ukraine's corruption, overregulation, and unfriendly business climate discouraged large volumes of foreign investment from entering the country.

The Yushchenko administration had a high turnover of four governments, only one of which, led by Yekhanurov, had good relations with the president. The first, headed by Tymoshenko, lasted only eight months until President Yushchenko dismissed it during the September 2005 political crisis (see "Orange Power" above). The Tymoshenko

government was plagued by infighting with the business wing of the Orange camp led by Petro Poroshenko, a millionaire financier of the Orange Revolution who had been appointed as National Security and Defense Council secretary. Poroshenko's position aimed to balance the radicalism of the Tymoshenko government; but, in the end, it merely led to public infighting within the Orange camp. Tymoshenko was replaced by Yushchenko loyalist and Our Ukraine leader Yekhanurov, who led a caretaker government until the March 2006 elections. A month after Yekhanurov became prime minister, he ended all speculation on reprivarization by calling a meeting of Ukraine's oligarchs to mend relations between the government and Ukraine's major businessmen, whom he described as Ukraine's national "bourgeoisie." As head of the State Property Fund in the 1990s, Yekhanurov had facilitated the privatization benefitting the oligarchs. Yushchenko continued to maintain close relations with Ukraine's oligarchs, many of whom saw him as an ally against the Party of Regions and the Tymoshenko bloc. Kolomoysky's Pryvat group financed Our Ukraine's 2006 and 2007 election campaigns. Vitaliy Hayduk's Industrial Union of Donbas supported Tymoshenko. Dmitri Firtash, owner of 45 percent of the Ukrainian half of the RosUkrEnergo gas intermediary, provided an alternative source of funds to oligarchs for the Party of Regions. Viktor Pinchuk's Interpipe sought to balance between maintaining good relations with both sides of the political divide. Prime Minister Yekhanurov's policies failed to revive Ukraine's growth to 2004 levels. Growth had plummeted to only 3 percent in 2005 from 12 percent in 2004, and in 2006 GDP growth rose slightly to 5 percent. Ukraine's economy only began to grow in 2000 during the Yushchenko government with a 5.9 percent GDP increase, followed by 9.1 percent the next year, 4.8 percent in 2002, and 8.5 percent in 2003. The 12 percent GDP growth in 2004 was, therefore, exceptional rather than the norm.

Ukraine's energy dependency on Russia is two pronged, as Russia is also dependent on Ukrainian pipelines for the export of 80 percent of its gas and gas storage in western Ukraine for delivery to European customers in winter. The January 2006 gas contract, following a gas crisis that affected gas supplies to Europe, was contested by the Tymoshenko bloc and the then opposition Party of Regions in a parliamentary vote of no confidence in the Yekhanurov government, but the contract was backed by President Yushchenko and Our Ukraine. The contract permitted the opaque gas middleman, RosUkrEnergo, to be given the right to transit Central Asian gas through Russia and Ukraine to Europe. The agreement was upheld by the Party of Regions after they returned to government, an about-face on their January 2006 vote. Russia's strategic aim has always been, and remains, to obtain control over Ukraine's gas pipelines. An alternative pipeline being built from Russia under the Baltic Sea to Germany will only reduce Russian gas exports from 80 to 60 percent through Ukraine.

A second, longer gas crisis affected Europe in January 2009. On this occasion, the government was better prepared with stored gas that ensured Ukraine could survive a gas blockade by Russia. The ten-year gas contract signed between prime ministers Tymoshenko and Putin outlined a two-year-long shift to European prices, which had collapsed during the global crisis, and the removal of RosUkrEnergo gas intermediary. In 2009, for the first time since Ukraine became an independent state, gas relations with Russia would be undertaken without a gas intermediary. Two major problem areas remained. The first was whether the price Russia paid for the transit of gas across Ukraine would be raised in the same proportion as market prices.

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The second was the willingness of the government to heed IMF demands to increase the price of household utilities to eventually eliminate the state subsidy, a step that no Ukrainian government has had the will to undertake until August 2010, when prices were increased by 50%. Households paid only \$80 for gas that Ukraine imported at \$230. In March 2009, the Tymoshenko government signed an agreement with the EU to modernize the pipelines, a step that showed the intention of Tymoshenko to maintain the strategically important pipelines outside of Russian control.

The election of Yanukovich returned Ukraine's energy policy to that of the Kuchma era when Ukraine sought gas subsidies in exchange for granting Russia geopolitical advantages. On April 27, 2010, the Ukrainian parliament railroaded a twenty-five-year extension of the Sevastopol base for the Black Sea Fleet from 2017, when the twenty-year lease expired, in exchange for a 30 percent "discount" on Russian gas. The price after the discount would be in effect similar to that negotiated by Tymoshenko in 2009. Yanukovich and Azarov preferred to support the establishment of a gas consortium with Russia to modernize the pipelines rather than follow through on the 2009 agreement with the EU. Russia also proposed the merger of Gazprom and Naftohaz Ukraine and close cooperation in the nuclear power sector.

## Social Change

Economic reforms, in particular privatization, coupled with a widespread tolerance of corruption, facilitated the rise of an oligarch class that survived due to close personal, economic, and corrupt ties to the executive during Kuchma's tenure as president.<sup>10</sup> Instead of experiencing real social change, Ukraine became known as the "blackmail state."<sup>11</sup> Corruption was tolerated and even encouraged by the executive branch, even as it was diligently recorded by the law enforcement bodies. If the corrupt elites remained politically loyal to the national leaders, their files were not acted on by the prosecutor general's office. Political loyalty, therefore, was exchanged for large incomes ("rents") obtained through corruption and preferential means.

This agreement largely held throughout Kuchma's rule, but on two occasions it broke down when dissident oligarchs challenged Kuchma. In 1997–1998, former Prime Minister Lazarenko established an anti-Kuchma opposition political party, Hromada, which elected deputies to the 1998 parliament. Lazarenko hoped to use this victory as a springboard to challenge Kuchma in the 1999 presidential election. Kuchma went on the attack and initiated criminal charges against Lazarenko, who fled abroad. In 1999 he applied for political asylum in the United States, where a criminal case was launched against him for money laundering. In August 2006, he was sentenced to nine years in prison and fined \$10 million for laundering \$120 million. Ironically, Lazarenko remains one of only three senior Ukrainian officials who have ever been charged and sentenced (the other two being in Germany, convicted of the fraud of German funds sent for Ukrainian World War II slave laborers). No senior officials were charged inside Ukraine by the Yushchenko administration despite his pledges to do so as a candidate in the 2004 elections where a famous slogan had been "Bandits to Prison!"

Tymoshenko was a second dissident oligarch. Tymoshenko, who had cooperated in business with Lazarenko, left Hromada after Lazarenko fled abroad and created the Fatherland Party. Hostility to her from Kuchma and his allies intensified when she joined

the 2000–2001 Yushchenko government. Deputy Prime Minister Tymoshenko was first arrested in February 2001, released, rearrested, and again released on charges arising from her activities as CEO of United Energy Systems in the mid-1990s. These charges were revived by Yushchenko in the 2010 elections and then by the Yanukovich administration. An important ally of Yushchenko in the Orange Revolution, she served as prime minister until Yushchenko dismissed the government in September 2005 but returned again as prime minister in December 2007. Following her dismissal in 2005, her relations with Our Ukraine and President Yushchenko disintegrated over the course of the following eighteen months. Tymoshenko received greater support from women than men during the 2010 elections.

Women's rights have not greatly expanded since Ukraine became an independent state. Under the Soviet regime, women were theoretically accorded equality with men and were allowed to undertake many areas of traditional male employment, but usually for lower pay and at the bottom of the social spectrum. Meanwhile, they continued to remain subservient in the home and were regarded not as equals, but as belonging in traditional roles as housewives and mothers.

In the late 1980s and first half of the 1990s, women became active in national democratic groups, such as Rukh, and formed offshoot NGOs, many funded by Western governments and international endowments. At a time of the prioritization of nation and state building, national democratic groups looked upon women engaged in politics in traditional nationalist terms as "guardians of the hearth" (*Berehynia*), protectors of the family and nation. Gender equality was not on their political agenda.

In the 1990s women's groups continued to grow, but they remained divided and dependent upon Western funding. After initially advancing, women's rights were gradually confined again to issues related to maternity and family. Ukraine, during Kuchma's decade in office, returned to many aspects of Soviet political culture, including the subservient role of women in society and the home. By the late Soviet era fixed quotas ensured that one-half of seats in local councils and a third of the seats in the Supreme Soviet (parliament) were allocated to women in the Ukrainian SSR. In the three parliaments elected in 1990, 1994, and 1998, women's representation initially declined and then slightly increased from 2.9 to 4.6 to 8 percent, but it still lags far behind that of the Soviet era. It has remained at this low figure to the present day. Women's issues continue to remain marginal to the concerns of mainstream political parties in Ukraine and the Party of Regions did not include a single woman in the Azarov cabinet formed in March 2010 after Yanukovich was elected. Prime Minister Azarov became leader of the Party of Regions a month later.

Five of Ukraine's 180 registered political parties are devoted to women's issues. The All Ukrainian Party Women's Initiative (VPZI) was the first of these to be registered in 1997 and is the only party of the five that is based outside Kyiv in Kharkiv. Three others are also small parties—the Women's Party of Ukraine (founded in 1997), the Women's People Party United (1998), and the Solidarity with Women Party (1999). In the 1998 Ukrainian parliamentary elections, only one party, the VPZI, campaigned on a gender platform. Its poor result, only 0.58 percent, placed it twenty-second of the thirty blocs and parties that competed. In the 2002 election, Women for the Future, one of two election parties that had a gender platform, obtained 2.11 percent, coming in eighth out of thirty-three parties and blocs. Women for the Future was never intended to become a real gender-based party, as it is led by individuals with ties to the former Soviet Ukrai-

nian *nomenklatura* and was established to support the Kuchma regime. The ideology of Women for the Future is Soviet and not in tune with gender issues and the women's rights movement in the West. Women for the Future did not oppose the Soviet-era stereotype of women's role in politics being confined to areas such as maternal and child welfare issues.

Tymoshenko has been the exception, rather than the rule, of a woman at the center of what are still male-dominated Ukrainian politics. She rose to prominence in the mid-1990s as CEO of United Energy Systems and entered politics in 1996 as an independent and then two years later within the Hromada Party. A year later she created her own center-left Fatherland Party that remains one of Ukraine's most popular (among Ukrainian parties, Fatherland has the second largest number of regional branches). Fatherland moved to a moderate center-right niche and joined the European Peoples Party political group in the European Parliament, becoming the most active of three Ukrainian parties in that institution. Tymoshenko's first taste of government was under Yushchenko in 2000–2001, where she earned the wrath of the oligarchs by undermining corrupt energy schemes. Her arrest and brief detention in 2001–2003 failed to dampen her antiregime political activity, merely serving to radicalize her further. The Tymoshenko bloc entered the parliament elected in 2002, and she became an important ally of Yushchenko during the 2004 elections and Orange Revolution. The Tymoshenko bloc entered the 2006 and 2007 parliaments after winning second place.

Gender undoubtedly played a role in Tymoshenko's defeat, although it is impossible to know to what degree. During the 2010 elections Yanukovich excused his refusal to debate with Tymoshenko on television by saying that a woman's place is not in politics but in the kitchen. An element of Yushchenko's obsessive dislike for Tymoshenko also lay in his inability to deal with a very self-confident and ambitious woman. A psychological portrait of Yushchenko had found him to hold a patriarchal, traditional view of women that stemmed from his rural background and his rootedness in Ukrainian folk and village culture.

## Ethnic Relations

Ukraine inherited a disunited polity from the former USSR with a wide diversity of regions. This regionalism was compounded by the lack of strong statehood traditions, a weak national identity of the majority of the population, and a severe socioeconomic crisis. It was also complicated by the lack of resolution of the division of powers until the adoption of a new constitution in 1996 and laws on self-government and state administration in 1997 and 1999 respectively. As the economy plummeted and the center proved to be weak and inept, regional demands grew and reached their peak in 1993–1994. Regional elites saw their salvation in greater regional devolution, both as a means to enrich themselves through free economic zones (closed by the 2005 Tymoshenko government) and to overcome poor economic policies promoted by the center. These developments were echoed by growing demands to revive economic and political ties to the CIS, grant greater regional economic autonomy, and allow regions to hold on to more of their budgetary receipts. These demands were especially strong in Crimea and to some extent in eastern Ukraine, where calls for separation and federalism were the most acute.

Regionalism in Ukraine is *not* ethnically driven. Separatism has remained muted, except in Crimea in the first half of the 1990s. Ukraine does not possess one regional divide but many that overlap and remain mutually reinforcing, and the central issue facing Ukraine is reconciling regionalism with national integration.<sup>12</sup> As is evident in numerous other countries, such as Canada, Belgium, Spain, and Italy, regionalism is never likely to disappear completely. The key question is *not*, therefore, if Ukraine will continue to exist, but rather in what form and how it will be structured.<sup>13</sup> Regionalism in Ukraine is *not* along ethnic lines but reflects different regional political cultures that have arisen due to historic, climatic, and economic factors. The eastern and southern parts of Ukraine are overwhelmingly Russophone, while the western and central regions of the country are primarily Ukrainophone, but the majority of Ukrainians are bilingual, especially in the swing region of central Ukraine.

In the 1990s Ukraine had a broad elite consensus in favor of a decentralized unitary state that simultaneously rejected what were regarded as two extremes—federalism and a centralized unitary state. The compromise option of a decentralized unitary state recognizes the need to foster national integration based upon shared values and common institutions that would bridge regional disparities. It also rejects the archetypal French model of a highly centralized and homogenized nation-state by accepting that Ukraine is composed of different regions.

Support for federalism in Ukraine has never been high, as it is widely believed that it would hinder national integration. Few political parties in elections advocate federalism, and polling data also confirm the lack of public support for federalism. The Party of Regions has flirted with federalism out of power but when in power has acknowledged that it is unpopular. Only 9 percent of Ukrainians favored federalism, with support ranging from as low as 4 percent in the west to 11 and 16 percent in the east and south respectively.<sup>14</sup> All of Ukraine's regions—including the east and south—were willing to delegate greater authority to the center. Western Ukrainians were more inclined to favor regional devolution than other regions.<sup>15</sup> Other surveys found majorities in Lviv and Donetsk against federalism. A clear majority in both cities believed that the unity of Ukraine was more important than regional issues and linked the fate of their region to Ukraine.

Despite these regional differences, interethnic relations have been exemplary, and no ethnic conflicts between Russians and Ukrainians have been reported. A sizable number of Ukrainians are Russian speakers, and an even greater number are bilingual, using both Russian and Ukrainian interchangeably. Two Ukrainian nationalists, but no ethnic Russians, have been murdered in Ukraine, one in 2000 in Lviv and another in Odesa in 2009.

Crimea is unique in Ukraine because it is the only region with an ethnic Russian majority. In 1944 its autonomous status within the Russian SFSR was abolished after the Crimean Tatars were forcibly removed from their homes and relocated to Central Asia. A decade later the region was transferred to the Ukrainian SSR. Only in 1990–1991 did Crimean elites seek to upgrade and return their status to an autonomous republic within Ukraine. This demand was granted after a Crimean referendum overwhelmingly approved the decision in January 1991. Relations between Crimea and Ukraine were strained between 1992 and 1995. At issue was the desire on both sides to either minimize the delegation of powers to Crimea (the view of Kyiv) or maximize these powers (the view of Crimea). Two of Crimea's three politi-

cal forces—centrists and the KPU—supported the maximum delegation of powers to Crimea but opposed separatism. Only Russian nationalists advocated the separation of Crimea from Ukraine and its return to Russia. A Russian nationalist-separatist, Yury Meshkov, won the newly created Crimean presidency in January 1994, and his allies took control of the Crimean Supreme Soviet, but this influence proved short-lived. In March 1995 Kuchma issued a presidential decree abolishing the Crimean presidency, an event that, together with infighting within the Russian nationalist coalition, progressively marginalized Russian nationalists. The KPU and centrists in Crimea were able to reach agreement with Kyiv on the parameters of a new Crimean constitution that was adopted in October by the Crimean parliament and ratified in December 1998 by the Ukrainian parliament. The constitution recognized Crimea as part of Ukraine. In 1998–1999 both houses of the Russian parliament also recognized Ukraine's borders after Crimea had adopted its constitution.

Interethnic tension in Crimea exists between eastern Slavs and Muslim Tatars who began returning in the late 1980s. By the end of the Kuchma era, Tatars numbered 15 percent of the Crimean population. The 2001 Ukrainian census showed the progressive decline of ethnic Russians in Crimea to 58 percent, down from 65 percent in the 1989 Soviet census, due to out-migration of Russians and in-migration of Tatars.

## Foreign and Security Policy

In the first half of the 1990s, Ukraine was largely ignored by the West because of its orientation toward Russia, which was the only CIS state at the time with a reformist president, Boris Yeltsin. Ukraine under Kravchuk placed greater emphasis on nation and state building and the security of the state, principally vis-à-vis Russia, than on economic and political reform. This influenced its slow nuclear disarmament until 1996 and failure to integrate into the transatlantic structures.<sup>16</sup>

From the mid-1990s, relations between the West and Ukraine improved dramatically. When Kuchma was elected president in 1994, he initially supported reforms and agreed to denuclearize Ukraine. In December 1994, Ukraine signed the Nuclear Non-Proliferation Treaty, which paved the way for denuclearization in 1994–1996, transforming Ukraine into an important strategic ally of the West. In the second half of the 1990s, the United States sought to support Ukraine both bilaterally in a “strategic partnership” and multilaterally through NATO as a “keystone” of European security.<sup>17</sup> Ukraine's geopolitical importance to the United States in curbing Russia's imperial ambitions within the CIS and acting as a buffer between Russia and Central and Eastern Europe and Ukraine's support for two rounds of NATO enlargement were strategically important in U.S. policy toward Central and Eastern Europe. During the Bill Clinton administration Ukraine became the third largest recipient of U.S. assistance and was the most active CIS state within NATO's Partnership for Peace (PfP), which it joined in January 1994.

During Kuchma's second term in office, several factors led to poor relations between Ukraine and the West. First, the West became exasperated by the widening gap between rhetoric and reality in Ukraine's domestic and foreign policy. The executive claimed in its foreign policy rhetoric that it was in favor of deeper political and economic reforms and “returning to Europe.” However, Ukraine's record on human rights and democratiza-

tion increasingly was assessed negatively by Western governments and experts. Ukraine's international image was also severely damaged by the Gongadze murder and increasing restrictions on the media.

Kuchma's constantly shifting and often contradictory domestic and foreign policies contributed to the image of a country unable to decide on its foreign orientation. Although Ukraine's elites portrayed the country's multivector foreign policy as a well-thought-out and pragmatic response to the country's geopolitical realities, this policy received little international respect. Instead, it became a tool for the elites to adjust the country to short-term changes in the international environment that benefited them personally. In other words, strategic foreign policy objectives (such as EU or NATO membership) were merely rhetoric to mask a foreign policy that served as a tool of corrupt elites. In 2002, Ukraine officially declared its intention to seek NATO membership. But the government did little to pursue this declared objective. During the 2004 election year, a wide-ranging anti-American campaign was orchestrated against Yushchenko, whose wife was then still an American citizen, by the Yanukovich campaign, even though his government was officially in favor of NATO membership.

From 2000 to 2004, the U.S.-Ukrainian strategic partnership that developed under Clinton foundered. After the September 11, 2001, terrorist attacks on the United States, Ukraine could no longer play off Russia against the United States to obtain geopolitical advantages. The United States, under George W. Bush, shifted its strategic alliance to Russia and away from the close relationship Clinton had built up with Ukraine. Assistance was reduced, high-level summits were not organized, and Kuchma was isolated. U.S. foreign assistance to Ukraine declined by nearly half. As Kuchma became progressively isolated, he partially reoriented Ukraine toward Russia and the CIS. He became the first non-Russian to head the CIS Council of Heads of State. Ukraine also agreed to join a CIS Single Economic Space (SND YEP) with Russia, Belarus, and Kazakhstan. The SND YEP was to be created in three stages: free trade zone, currency union, and customs union. Russia, Belarus, and Kazakhstan sought to join all three stages; Ukraine claimed it would only go as far as stage one. The Ukrainian opposition condemned the SND YEP as a threat to Ukraine's declared objectives of Euro-Atlantic integration.

Russia openly intervened in Ukraine's 2002 and 2004 elections. In the 2002 election, Russian media and Russian officials attacked Yushchenko and labeled his Our Ukraine bloc "anti-Russian." Russian president Vladimir Putin visited Ukraine on the eve of rounds one and two of the 2004 elections to demonstrate his support for Yanukovich. Russian political technologists worked on behalf of the Yanukovich campaign and were behind many of the dirty tricks used against Yushchenko. In 2005 the Party of Regions and the Unified Russia party, President Putin's party of power, signed an agreement on cooperation.

Yanukovich's election will improve the relations with Russia that had deteriorated significantly under Yushchenko as his policies are more pro-Russian than were Kuchma's. Yanukovich has supported President Dmitri Medvedev's proposals for a new European security treaty (that would replace NATO and remove it and the United States from Europe), the twenty-five-year extension of the Sevastopol Black Sea Fleet base to 2042, and removal of the goal of NATO membership from Ukrainian foreign policy and national security legislation. Kuchma was neither pro-Russian or anti-Russian, but he recognized

Russia could be a threat to Ukraine's national security, a belief that Yanukovich does not hold. Where Yanukovich is similar to Kuchma is in their mutual support for EU membership while at the same time undermining this goal by pursuing undemocratic domestic policies.

The election of Yanukovich closes the door on Ukraine's path to NATO membership. Yanukovich is opposed to NATO membership and already, as prime minister in September 2006, told NATO that Ukraine had no interest in a Membership Action Plan. Yanukovich cited low levels of popular support for NATO membership that had declined from a third in the 1990s to 20 percent in the Yushchenko era, with especially low levels of support in eastern-southern Ukraine. The high levels of cooperation between Ukraine and NATO that existed in the Kuchma and Yushchenko eras are also likely to be reduced. During the Yushchenko era, Russian nationalists in the Crimea allied to the Party of Regions in the local parliament repeatedly blocked joint military maneuvers with NATO under Partnership for Peace.

NATO membership was the first step toward EU membership for postcommunist states, and Yanukovich's rejection of NATO membership leaves Ukrainian foreign policy in a dilemma. Could Ukraine really become the first postcommunist state to follow Austria, Ireland, Finland, and Sweden in only seeking EU membership—or is this mere rhetoric to camouflage a fundamental reorientation of Ukrainian foreign policy toward Russia and Eurasia?

The EU has never considered Ukraine or any other CIS state to be potential future members. The Partnership and Cooperation Agreement (PCA) signed by Ukraine and the EU in 1994 and ratified four years later ended in 2007 and never included membership prospects. A three-year Action Plan with the EU signed in 2005 was completed at the same time as the PCA in 2007–2008. In fall 2008 Ukraine began negotiations with the EU for an Association Agreement, but, unlike those signed in the 1990s with Central and Eastern Europe, it did not offer membership prospects. The EU and Ukraine began negotiations at the same time for a free trade zone, a step made possible by the Tymoshenko government taking Ukraine into the World Trade Organization in May 2008.

In 2008, the EU enacted the Eastern Partnership that brought together six post-Soviet states, rather than all of the EU's neighbors, as was the case with the European Neighborhood Policy (ENP). As with the PCA, the ENP has suffered from a lack of clear goals by the EU. Ukraine's democratic path is therefore faced with domestic difficulties compounded by the lack of external encouragement from the EU as it remains unwilling to provide it with a membership option. The election of Yanukovich makes it less likely that the EU will offer Ukraine membership.

## Critical Challenges

The Orange Revolution and two subsequent elections have produced a democratic breakthrough that has transformed Ukraine from a post-Soviet and Eurasian state to one that is squarely in the East European world. Ukraine's 2004 democratic revolution and the election of Yushchenko in January 2005 brought democratic gains for Ukraine in a number of key areas, such as media pluralism and the holding of free and fair elections, making Ukraine's transition different from that of Russia and the authoritarian

majority of CIS states. Constitutional reforms transforming Ukraine from a presidential to a parliamentary system, a system that has successfully consolidated democracies in Central Europe and the Baltic states, also reinforced Ukraine's democratic path. Ukraine has held four free elections, in December 2004, 2006, 2007, and 2010.

Ukraine's state institutions and democracy nevertheless remain weak. Political instability and elite infighting has led to Ukrainians equating democracy with "chaos," and all of the 2010 presidential candidates had higher negative than positive ratings. There has been no progress in the battle against corruption. Politicians are seen as distant from voters, out of touch, and corrupt. State institutions and political elites have little public trust.

The Yushchenko presidency will be remembered as one of tremendous missed opportunities. Yushchenko claims as his credit the democratization of Ukraine (i.e., free elections, media pluralism) and his strong commitment to nation-building issues, such as reviving Ukraine's historical memory (i.e., the 1933 *holodomyr*). The downside is that while Ukraine advanced in battling corruption in 2005–2006, according to Transparency International, from 2007 its rankings began to progressively slip back to Kuchma-era levels. The rule of law (prosecutor general and judiciary) is in a state of chaos and highly corrupted, even more so than in the Kuchma era. Until the prosecutor general's office is reformed there can be no hope of the elites becoming accountable before the law. Finally, Ukraine's political party system is in worse condition with fragmentation on the center-left and particularly on the center-right.

Yushchenko fought the 2010 elections with few of his allies from the 2004 elections and Orange Revolution and after most of his political party supporters had deserted him. The strongest political party to emerge from the Yushchenko era was the Party of Regions, which, unlike national democrats, consolidated eastern-southern Ukrainian voters into a powerful political and financial machine. The continued strength of the Party of Regions in the 2006 and 2007 elections and Yanukovich's election in the 2010 elections gives cause for doubt about Ukraine's democratic path. The Party of Regions could transform itself from a pro-oligarch and formerly pro-authoritarian party into a centrist, pro-business democratic party. But the jury is still out, as such transformations of political parties take place over medium, not short, terms. The election of Yanukovich may mitigate the evolution of the Party of Regions as his election would consolidate oligarchic control of the economy and polity. The first one hundred days of the Yanukovich administration indicate that his presidency, as his candidacy in 2004, may well be a threat to Ukraine's young democracy. The return of censorship, police, and Security Service repression of the opposition, and political corruption to buy up deputies in parliament all suggest that the country may be heading back to the semiauthoritarianism of the Kuchma era.

The constitutional reforms enacted in 2006 have been disappointing, and elites and voters associate parliamentarism with institutional and personal conflict between parliament, government, and the executive. The institutional and personal conflicts of the Yushchenko presidency, repeated attempts to hold preterm elections, and constitutional crises led most candidates in the 2010 elections to support a return to a presidential system. President Yanukovich de facto returned Ukraine to a presidential referendum without changing the constitution by subordinating the government to him and pressuring the Constitutional Court to support membership of the coalition by both factions and individuals, contrary to its 2008 ruling that only factions could establish coalitions.

The new ruling encourages political corruption by permitting the buying up of individual deputies from opposition factions.

Ukraine's foreign and security policy may eventually return to the multivectorism of the Kuchma era, although in the short term Yanukovich is proving to be more pro-Russian. Ukraine's dilemma is that EU membership is popular in Ukraine but is not on offer, whereas NATO membership is on offer but is unpopular among Ukrainians, and President Yanukovich has removed it as a strategic objective. NATO membership will only become a reality if elite consensus is reached on attaining this goal, and therefore remains unlikely. The EU could move toward offering Ukraine membership in the medium term after the EU resolves its internal problems and if democratic progress takes place in Ukraine. However, Yanukovich's election may lead the EU to believe that it will not need to offer Ukraine membership.

Yanukovich is the first of four Ukrainian presidents to move Ukraine to a single vector pro-Russian foreign policy, which in effect signifies a 180-degree reversal of the foreign policy conducted by Yushchenko. Under Yanukovich, Ukraine will continue to strive to maintain good relations with Russia and increase its involvement in the CIS through economic cooperation that could expand to political and even security fields. The downside is that Russia under Putin has had increasingly poor relations with the West, has become increasingly imperialist in its foreign policy toward its neighbors (as seen in its invasion of Georgia in August 2008), and remains non-democratic at home. None of this is likely to change soon. A majority of Ukrainians desire good relations with Russia, integration with Europe, and respect for their sovereignty and territorial integrity. Yanukovich's foreign policy, like Yushchenko's but in the opposite direction, tips too far in one direction, which does not have popular support. A single vector foreign policy, whether Westwards under Yushchenko or to the East during the early part of Yanukovich's term in office, is unsustainable in the medium to long terms and Yanukovich will come under pressure to eventually revert back to Kuchma-era multivectorism.

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4. See Kerstin Zimmer and Olexiy Haran, "Unfriendly Takeover: Successor Parties in Ukraine," *Communist and Post-Communist Studies* 41, no. 4 (December 2008): 541–61.
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