

**POLITICAL DEVELOPMENT IN UKRAINE  
(1991-2000)**

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**MASTER OF PHILOSOPHY**

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## DECLARATION

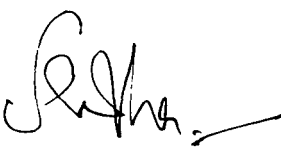
The dissertation entitled, 'POLITICAL DEVELOPMENT IN UKRAINE (1991-2000)' submitted for the degree of MASTER OF PHILOSOPHY of Jawaharlal Nehru University is my original work. This dissertation has not been submitted for any other degree of this or any other university.

  
SATYA PRAKASH

## CERTIFICATE

We recommend that this dissertation be placed before the examiner for evaluation

  
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*Dedicated To  
My Parents*

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*New Delhi*

*21 July, 2005*

*SATYA PRAKASH*

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## PREFACE

Of late, there has been a remarkable renewal of interest in the concept of political development. Analytical debates are traveling much faster than their practical reflections. Not only the developed and developing third world, but also the post communist states like Ukraine have taken a special interest in recognizing an appropriate role of political development in building democratic state. Democratization is the core feature of political development.

Conceptually, political development broadly means the development of institutions, attitudes and values that form the political power system of a society. It comprises anything like consolidation of a democratic system, political stability or orderly change, administrative and legal development, political mobilization and participation and above all, anything having its place in the multi dimensional development of a country. Ukraine is a society in transition and various political upheavals are undertaking for making democratic state. It followed western path of political development for consolidation of democracy. Several institutional and political changes are taking place in Ukraine after its independence in 1991. These changes are taking Ukraine on the path of democratization and state building. Thus, the first chapter of this study delineates about the theoretical framework of political development

The second chapter gives an overview of Ukraine's transition from Soviet system to independence and democracy. It covers the brief analysis of history of Ukraine and obstacle it faced in gaining independence form Soviet Union and aftermath which led her to the path of democracy.

The third chapter analyzes political development in Ukraine that had occurred after its independence in 1991. The focus is on some parameters of political development, like constitutional development and building of democratic institutions in Ukraine.

The fourth chapter deals with the formidable challenges that Ukraine is facing in growth of democratic culture for political development.

The fifth chapter gives the concluding remarks to the overall political development analysis that is going on in Ukraine. It also discusses limitations, problems and prospects of political development in Ukraine.

The study had followed analytical method and based on both primary and secondary sources. The constitution, legislative documents, laws and decrees speeches of political leaders form a bulk of primary sources. However, the study is mainly based on the secondary source material comprising books, articles, newspapers and journals. Access to relevant websites with information about Ukraine has also been used in the study.



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## **CHAPTER-1**

### **Introduction**

- **Political Development: The Concept**
  - a. Political development: A Conceptual Framework
  - b. Concept of Political Development: Some Definitional Problems and Requirements of the New Theory.
  - c. Challenges to Political Development
  - d. Marxian Approach to Political Development
  - e. Political Development in Post-Communist Countries

# CHAPTER 1

## INTRODUCTION

### POLITICAL DEVELOPMENT: THE CONCEPT

The idea that there should be such things as theories of development at all has helped a great deal to overcome the parochialism of individual studies of societies and has helped to relate our conceptual apparatus to the real world. Interest in theories of development was due simultaneously to policy requirements on the part of governments and international organizations, and to the interest taken by academics in the countries newly inducted, somewhat naked and bereft, into the international system. Moreover the study of development has brought political scientists, sociologists and economists some what closer by differentiating between their respective autonomies and contributions.<sup>1</sup>

The original east Slavic state, Kievan Rus, founded in the late 10<sup>th</sup> century, is what's now present Ukraine. It attained independence after the disintegration of the Soviet Union on 24<sup>th</sup> August 1991. Ever since then its evolution as an independent state has been facing formidable challenges of political development. In the present chapter an attempt will be made to analyze the concept of political development in political science. This will enable us to comprehend the political development in Ukraine in proper prospective from 1991 to 2000.

### POLITICAL DEVELOPMENT: A CONCEPTUAL FRAMEWORK

The phenomenal growth of development theory is mainly a post second world war phenomenon, although the ideas of development and progress figured, in an incipient form, even in early sociology and anthropology during late nineteenth and early twentieth century. It was largely expressed in the theory of social change. The change could be conceived as a transmission from simple to complex forms, from less efficient to more

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<sup>1</sup> J.P.Nettl, "Strategies in the study of Political Development" in Collin Lays (ed.), *Politics and Change in Developing Countries* (London: Cambridge University Press, 1969), Pp. 31-32.

efficient forms, or from ordinary to better forms. Development can be identified as a process in which a system or institutions is transformed into stronger, more organized, more efficient and more effective form and probes to be more satisfying in terms of human wants and aspirations. It may be distinguished from progress as development is subject to measurement on empirical scale whereas progress is concerned with moral judgment for which it applies normative criterion.

General theory of development is largely concerned with the economic activity undertaken by a country for the improvement of quality of life of its citizens, its social consequences. Since the developing countries are more concerned about their development, it is the focus of their public policy. In order to secure an overall development a country should also transform its political environment and institutions on the lines of modern nations. The process, which seeks to transform political environment and institutions of a developing country in order to make it more efficient to fulfill the changing needs and aspirations of its citizens, is described as Political Development. Thus, Political Development denotes the process through which political system of a developing country acquires the characteristics of a developed country.

Political Development had, thus, emerged as a new focus in study of Political Science. The immediate problem before the political scientists dealing with the developing states was that of reconciling the huge aggregation of statistical and quantitative data with development in the field of theory. It was possible with the help of statistical data to measure the level of development- political, social, economic, cultural, etc. - in a particular country and not to explain why and how, under what forces and through what stages, the political development took place. But it was hoped that if a theory of political development could be evolved out of the studies being carried out in the developing countries it might enrich the entire theoretical approach, which combine empirical political theory with normative political philosophy.<sup>2</sup>

The concept of political development that in a quite large measure, was spoken about first by the statesmen and policy-makers and then by the scholars of economics and

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<sup>2</sup> S.P.Varma, *Modern Political Theory* (Delhi: Vikas Publishing House, 1975), Pp.271-272.

sociology and has a very important place in the field of comparative politics in spite of the fact that there “is still considerable ambiguity and imprecision in the use of term”.<sup>3</sup>

What prompted the modern political scientists, particularly those belonging to the United States, is the emergence of the large number of independent nation-states in the Afro-Asian and Latin American regions that showed change from one position to another in a very rapid manner and thus inform them to refashion their tools of social investigation. The new generation of political scientists came to realize that they, even though they were different from the western political processes, could successfully study the non-western political processes, against the socio-economic and cultural background they themselves had inherited through out the centuries in the west, and under the influence of which they had been operating now. The fact that these were different from the western political processes, being rooted in and drawing their sustenance from, different cultural backgrounds “induce them to wider their studies to the total context of the cultural and historical settings of the developing states”<sup>4</sup>. The result was that the new approach in the study comparative politics was so expanded as to include, besides the analysis of political institutions and structures, a wide range of ecological forces.<sup>5</sup>

The term ‘Political Development’ lacks a precise and standard definition the reason of which should be traced in the abundant studies made from the inter-disciplinary point of view all impinging on the subject of ‘Growth’, ‘Modernization’, and ‘Development’ of the new states of the third world. The names of Lucian W. Pye, G.A. Almond and a host of other social theorist may be referred to in this connection. They have made vast empirical studies of the nations of the third world in particular from Economic, Social, Psychological, Anthropological and Political standpoints in order to describe the process of change. What is, however especially noticeable about such a massive literature on the subject of political development is that it “illuminates a situation

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<sup>3</sup> Lucian W. Pye, *Aspects of Political Development* (Boston: Little Brown, 1960), P.33.

<sup>4</sup> Varma, n.2, P.270.

<sup>5</sup> *ibid.*

of semantic confusion”<sup>6</sup> and behind this confusion there “does seem to be a certain more solid base of agreement”.<sup>7</sup>

Lucian Pye was among the earlier batch of writer to analyze the concept of political development in depth, and has kept on evolving his ideas on the subject, and has left an abiding impression on the entire literature on political development.<sup>8</sup>

In his earlier writings Pye thought of political development in terms of “cultural diffusion and adopting, fusing and adjusting old patterns of life to new demands”. The first step towards the political development was the evolution of the nation-states system which he treated “as a basic concepts supporting the gradual diffusion through out all societies of what we might call a World Culture”.<sup>9</sup> At this stage he was able to evolve what he regarded as “the key elements of political development”. The science of political development could be traced according to him at three different levels 1) with respect to the population as a whole 2) with respect to level of governmental and general systemic performance and 3) with respect to the organization of the polity.<sup>10</sup>

Lucian Pye presents the case of political development in a quite elaborate form. Before trying to furnish his own interpretation of the term ‘Political Development’ he discussed diverse stand points and goes ahead after accepting some and rejecting some other parts of each definition in the following manner:

**1) Political Development as the Political Prerequisite of Economic Development:** Political Development should be taken as a result of the economic development. Economists like Paul A. Baran, Norman S. Buchanan, have led stress on the point that political and social conditions can play a quite decisive role in impeding or facilitating the economic growth. Pye discovers four weaknesses in this concept of political development. First, it has a negative character in the sense that it is easier to be precise

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<sup>6</sup> Pye, n.3, P.33.

<sup>7</sup> ibid.

<sup>8</sup> Varma, n.2, P.275.

<sup>9</sup> Lucian W. Pye, *Communication and Political Development* (Princeton: Princeton University Press, 1963), P.19.

<sup>10</sup> ibid.

about the ways in which performance of a political system may impede or prevent economic development than about how it can facilitate economic growth. Second, such a concept of political development does not focus on a common set of theoretical considerations, for in some cases it would mean no more than whether or not a government is following intelligent and economically rational policies, while in other situations it would involve far more fundamental considerations about the basic organization of the polity and the entire performance of the society. The problems of the political development would thus vary according to particular economic problems in each country. Third, it should also be taken into account that the prospects for rapid economic development have become exceedingly dimmed in most of the poor countries. Finally, in most of the underdeveloped countries people are clearly concerned with far more than just material advancement; they are anxious about political development quite independent of its effects on the rate of the economic growth. Therefore to link political development solely to economic events would be to ignore much that of dramatic importance in the developing countries.<sup>11</sup>

**2) Political Development as the politics typical of Industrial Societies:** Some social theorists like W.W.Rostow try to identify the process of political development with the pace of Industrialization. Pye rejects it also on the ground that it ignores the role of several other factors like forces that threaten the hold of the vested interests, an appreciation of the values of orderly legal and administrative procedures, and acknowledgement that politics is rightfully a mechanism for solving problems and not an end in itself, a stress on welfare programmes and, finally, an acceptance of some form of mass participation.<sup>12</sup>

**3) Political Development as Political Modernization:** Theorists like James S. Coleman, Karl Deutsch and S.M. Lipset have led stress on the point that political development means a study of developed western and modern countries and their ways that the developing countries are trying to emulate. It means that the advanced western and modern countries are the pace setters of the political development. Pye feels that such a

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<sup>11</sup> Pye, n.3, Pp.33-34.

<sup>12</sup> *ibid.*, Pp.34-35.

view has its own shortcomings in as much as it fails to distinguish between the 'western' and the 'modern' and that it ignores the fact that the backward or developing countries may have their own historical traditions that they may not like to give up for the sake of merely emulating every thing that is western or modern.<sup>13</sup>

**4) Political Development as the operation of the Nation-States:** Some social theorists like K.H.Silvert, Edward A Shills and William McCord have pointed out that political development consists of the organization of political life and the performance of political functions in accordance with the standards expected of the modern nation state. Political Development is thus identified with the politics of nationalism within the context of social and political institutions that modern nation-states must possess. Rejecting this view, Pye says that nationalism is only a necessary but far from being a sufficient condition to ensure political development. Political Development is identifiable with nation building and not merely with a nation state.<sup>14</sup>

**5) Political Development as Administrative and Legal Development:** Some social theorists like Max Weber, Talcott Parson have led stress on the point that political development is intricately linked with the legal and administrative order of a community. Thus, the establishment of the effective bureaucracy is essential for the process of development. The administrative development is thus associated with the spread of rationality, the strengthening of secular and legal concepts and elevation of technical and specialized knowledge in the direction of human affairs. Pye find some weakness in this viewpoint also. It is quite possible that if administration is overstressed, it can create imbalances in the polity that may impede political development. This view also entirely overlooks the problem of citizenship training and popular participation that are one of the essential features of political development.<sup>15</sup>

**6) Political Development as Mobilization and Participation:** Some theorists like Clifford Geertz, Eisenstadt who have stressed the point of role of a politically awakened

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<sup>13</sup> *ibid.*, Pp. 35-36.

<sup>14</sup> *ibid.*, Pp. 37-38.

<sup>15</sup> *ibid.*, Pp. 38-39.



citizenry and the behavior of the people in the direction of an expanded popular participation. Extension of franchise is taken as a mark of diffusion of the decision making process through mass participation. Pye has taken into his consideration the disastrous effects of the politics of mass manipulation and thus pointed out that such a view of political development “is also fraught with the dangers of either sterile emotionalism or corrupting demagoguery, both of which can sap the strength of a society.”<sup>16</sup>

**7) Political Development as the Building of Democracy:** Joseph La Palombara and J. Ronald Pennock are of the view that the case of political development is integrally connected with the building of democracy and inculcating ‘values’ of a democratic order in the minds of the people. Pye differs from this view and he points out that such a concept would exclude the case of those countries where democracy is non-existent and that democracy is a ‘value laden’ concept while development is ‘value free’.<sup>17</sup>

**8) Political Development as Stability or Orderly Change:** Some social theorists like Karl Deutsch and F. W. Riggs have led stress on the point that stability is legitimately linked with the concept of development in that any form of economic or social advancement thus generally depend upon an environment in which uncertainty has been reduced and planning based on reasonably safe predictions is possible. Pye differs from this approach and says that it “leaves unanswered how much order is necessary or desirable and for what purpose change should be directed. There is also a question whether the coupling of stability and change is not something that can occur only in the dreams of a middle class, or at least in societies that are far better than most of the currently underdeveloped ones”.<sup>18</sup>

**9) Political Development as Mobilization and Power:** Theorists like James S. Coleman, G.A. Almond and T. Parson have taken the view that the concept of the

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<sup>16</sup> *ibid.*, Pp. 39-40.

<sup>17</sup> *ibid.*, Pp. 40-41.

<sup>18</sup> *ibid.*, Pp. 41-42.

political development can be evaluated in terms of the level or degree of absolute power which the system is able to mobilize. According to this view, states naturally differ in proportion to their inherent resource base with the result that the measure of development is the degree to which they are able to maximize and realize the full potential of their given resources. Pye is critical of this view also on the plea that such an explanation is applicable to the case of a democratic political system and thus it ignores the case of development in others where the mobilization of power is deliberately kept limited.<sup>19</sup>

**10) Political Development as one aspect of a Multi Dimensional process of Social Change:** Some theorists like Max F. Millikan, Donald L. M. Blackmer and Daniel Lerner have advanced the argument that it is unnecessary and inappropriate to try to isolate too completely political development from other forms of developments. Although, to a limited extent, the political sphere may be autonomous from the rest of the society, for sustained political development to take place it can only be within the context of a multi-dimensional process of social change in which no segment of dimension of the society can lack behind. Pye appreciates this view on the plea that here all forms of development are related, development is much the same as modernization, and it takes place within a historical context in which influences from outside the society impinge on the process of social change just as changes in the different aspects of a society, the economy, the polity and the social order all impinge on each other.<sup>20</sup>

**11) Political Development as a sense National Respect in International Affairs:** Finally, Pye refers to the problem of 'development syndrome' as pointed out by writers like James S. Coleman and Myron Weiner that takes into account the case of post nationalism era where the sense of national self respect and dignity in the international sphere shall inform and the nation state will no longer be used as the basic unit of the political life. Since Pye says nothing about the critical examination of this interpretation, it appears that he either accepts it or ignores it.<sup>21</sup>

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<sup>19</sup> *ibid.*, Pp. 42-43.

<sup>20</sup> *ibid.*, Pp. 42-44.

<sup>21</sup> *ibid.*, P.45.

The meaning of the concept of political development that Lucian Pye offers, after scanning diverse definitions and view-points bears three characteristics:

**Equality:** The subject of political development does suggest mass participation and popular involvement in political activities. Participation may be either democratic or in a form of totalitarian mobilization, but the key consideration is that subjects should become active citizens. At least, the semblance of a popular rule is necessary. It also means that laws “should be of a universalistic nature, applicable to all and more or less in personal in their operation”. Finally, it means recruitment of political offices “should reflect achievement standards of performance and not the ascriptive considerations of a traditional social system.”<sup>22</sup>

**Capacity:** It refers to the capacity of political system by which it can give outputs and the extent to which it can affect the rest of the society and economy. It is also associated with governmental performance and the conditions that affect such performance. It entails the sheer magnitude scope and the scale of political and governmental performance making it like a welfare agency. It also means effectiveness and efficiency in the execution of public policy. Finally it is related to rationality in administration and a secular orientation towards policy.<sup>23</sup>

**Differentiation:** It implies diffusion and specialization of the structures. The offices and agencies tend to have their distinct and limited functions and there is an equivalent of division of labour within realm of government. It also involves the integration of complex structures and processes. Thus, differentiation “is not fragmentation and the isolation of the different parts of the political system but specialization based on an ultimate sense of integration”.<sup>24</sup>

In addition to all this Pye also makes two more points. *First*, all the three characteristics element of political development may, and may not, fit together easily and

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<sup>22</sup> *ibid.*, Pp. 45-46.

<sup>23</sup> *ibid.*, Pp. 46-47.

<sup>24</sup> *ibid.*, P.47.

thus there may, and may not, be tension between the demands for equality, the requirements for capacity and the process of greater differentiation. Thus, a pressure for greater equality “can challenge the capacity of the system, and differentiation can reduce equality by stressing the importance of quality and specialized knowledge.”<sup>25</sup> *Second*, development is clearly not un-linear, nor is it governed by sharp and distinct stages, but rather by a range of problems that may arise separately or concurrently. A study of political development in the wider perspective of comparative politics also shows that while the characteristics of *equality* is concerned with political culture, the problem of *capacity* are related to the performance of the authoritative structures of government and the question of *differentiation* touch mainly on the performance of the non-authoritative structures and the general political processes in the society at large. “This suggests that in the last analysis the problems of political development revolve around the relationship between the political culture, the authoritative structures, and general political process.”<sup>26</sup>

Though much popularized by Pye, the concept of political development underwent a refinement in view of agonizing realization about its deficient conceptual framework in respect of its application to the scenario of developing country of the third world. Leonard Binder came forward with his thesis of political development, which he attributed following implications:<sup>27</sup>

- 1) Change of identity from religious to ethnic and from parochial to societal.
- 2) Change of legitimacy from transcendental to immanent sources.
- 3) Change in political participation from elite to mass and from family to group.
- 4) Change of distribution from status and privilege to achievement and
- 5) Change in the degree of administrative and legal penetration into social structure and to remote regions of the country.

We may also refer to the views of Riggs at this stage that integrated the concept of political development with the forces of ‘environment’. In his view, the term

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<sup>25</sup> *ibid.*

<sup>26</sup> *ibid.*, P.48.

<sup>27</sup> Leonard Binder, *Crisis and Sequences in Political Development* (Princeton: Princeton University Press, 1971), P.66.

'development' in the political context be confined to connote an increasing ability to make and carry out obvious that the ecological dimension which the environment introduces in considerations of political decision making, requires that 'both the cultural and the human environment need to be added to the physical environment in order to form and adequate picture of the ecology political or administrative action'.<sup>28</sup>

It may also be added here that concept of political development also covers the aspect of political decline or decay. That is, as a concept, it does not merely suggest that the movement in a single direction, because institution grow and mature as well as decay and dissolve. The whole idea focuses attention between the ongoing social processes of modernization on the one hand and the strength, stability of weakness of political structures- traditional, transitional or modern on the other. As Samuel P. Huntington says, "The level of institutionalization of any political system can be defined by the adaptability, complexity, autonomy and coherence of its organization and procedures. So also the level of institutionalization of any particular organization or procedure can be measured by its adaptability, complexity, autonomy and coherence. If these criteria can be identified and measured, political system can be compared in terms of their level of institutionalization. Further more, it will be possible to measure increases and decreases in institutionalization of particular organizations and procedures within a political system."<sup>29</sup>

Thus, the concept of political development views the operation of political systems in terms of its increasing democratization, while that of political decay does the same for its regression and disintegration leading to the advent of some form of totalitarianism. Moreover, as the American writers have developed the concept, it is naturally connected with what has happened in an advanced western country like United States. A look at the indices of political development as pointed out by leading writers on the subject shows that "the Anglo American qualities most clearly approximate the model

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<sup>28</sup> F. W. Riggs, *Further Considerations of Development* "Administrative change, vol. IV, no.1 (1976), Pp.2-8.

<sup>29</sup> Samuel P. Huntington, "Political Development and Political Decay" in *World politics*, Vol. XVII, no.3 1965, Pp.393-394.

of the modern political system.”<sup>30</sup> Moreover, as the advanced liberal democracies of the west have been able to solve their gigantic problems and face challenges in an effective manner, the idea of political development also involves the capacity of a political system “ to control and co-ordinate various processes of change in society generated by the socio- demographic and structural changes.”<sup>31</sup>

**Concept of Political Development: Some Definitional problems and requirements of the new theory.**

The concept of political development cannot be precisely defined. As a matter of fact, this concept, as it has developed till now, carries a number of definitional problems that includes:<sup>32</sup>

- a) A set of definitional priorities which constitutes the meaning of development as a process and notion of being developed or underdeveloped as a state;
- b) A set of values which make development desirable, if not mandatory;
- c) The interconnection between the two categories of developed and underdeveloped societies; and
- d) The recognition of an implicit rank order of development, at least in the mind of analysts, but possibly also in that of participants.

All the four problematic situations can be described as,

**Definitional priorities:** the concept of development originated in the discipline of economics and it came to have a wider perspective when social theorists took into their account the fact that several ‘revolutionary’ countries of the world after achieving independence generally opted to socio political priorities, while the ‘democratic’ one went for a more distinctly economic solutions. Some social theorists like S.M Lipset took into account individual diversities and cultural constraints of different societies<sup>33</sup> and as

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<sup>30</sup> G. A. Almond and J. Coleman, *The Politics of Developing Areas* (Princeton: Princeton University Press, 1960), P.536.

<sup>31</sup> S.N.Eisenstadt, *Modernisation: Protest and Change* (New Delhi, Amwerind, 1969), P.1-19.

<sup>32</sup> Nettl, n.1, P.16.

<sup>33</sup> S.M.Lipset, *Political Man* (New York, Oxford University Press, 1960), P.211.

Rostow says, some people saw development as having to do with what was hopefully describes as the attainment of specific and identifiable societal goals. What further added to the confusion was that while some writers referred to the progress made by some advanced western countries in all walks of life as the subject matter of development and that should be taken by all developing societies as a model to emulate if not by specific institutional or quantitative replication but at least through functional equivalence. <sup>34</sup>

**Set of values:** The subject of political development is made confused and perplexing when certain terms like ‘traditionality’, or ‘modernity’, or ‘free’, or ‘closed societies’, ‘developed’ and ‘developing’ social systems and the like acquire normative dimensions and there by make the entire concept value-laden that should otherwise remain like a value-free subject on account of being a matter of empirical investigation. The result is that while some developing countries appreciate the western model of development, some do not. Some view “the western model as destructive.” The immutability of the western world as a value in itself was also challenged from within western society; far from the state of ultimate perfection which it appeared to be so long as it was a model for developing countries, it look instead to be heavy with problems of its own. A new emphasis on societal goals on the part of leaders in developed countries was matched by academic pre-occupation with the problems and the values of so called ‘post-modernity’.<sup>35</sup>

**Connection between the Developed and less Developed World:** A theory of political development must include within its range the entire world whether eastern or western, developed or developing since there is interdependence between the two.

**Rank order for Development:** Though the subject of the development originated from the discipline of economics and later became a fashionable tool at the hands of sociologists, it would be wrong to lay much emphasis on the predominance on any such discipline.

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<sup>34</sup> W.W.Rostow, *The Stages of Economic Growth* (London: Cambridge University Press, 1960), P.52.

<sup>35</sup> Nettl, n.1, Pp.19-20.

Apart from throwing focus of the economic and sociological aspects, due emphasis should also be attached to the organizational criteria like capabilities of the political system to control or coerce, or on a wide sweep of economic, social, political and cybernetic indices which provide hard facts without any specific commitment to professed institutional or processual emphases. If development is indeed, a highly differential process according to particular societies and their goals, then rank ordering comparison become meaningless<sup>36</sup>.

Having discussed the problems of political development and going for a precise definition of the term political development, four requirements that ought to be taken into account while explaining its meaning,

a) *Inter-Related World*: The social theorists must understand this point that the world as a whole has inter related countries and the study of development has an inter-disciplinary focus.<sup>37</sup>

b) *Stability and Instability*: Political development does not merely imply progress towards stability or growth; it also covers the case of drifting of things towards instability or disintegration where it becomes identifiable with, what S.P. Huntington calls, political decay.<sup>38</sup>

c) *Population*: The social and political consequences of the demographic explosion need their special attention in study of development. The population explosion creates several tedious problems that the nation states have to tackle in a way that affords enormous material for the study of development.<sup>39</sup>

d) *Race*: The theories of development eventually attempt to accommodate racial conflicts and racial differences. The Marxist have committed mistake by reducing the nature of social conflicts to the denominator of class struggle; the anti Marxists have committed the error by ignoring the factor of racial differentiation all together. There “is an immediacy of primary identification and inter personal conflict which is quite lacking in class formation and confrontation between classes; the very violence of personal conflict

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<sup>36</sup> ibid., P.22.

<sup>37</sup> ibid., P.25.

<sup>38</sup> ibid., P.28.

<sup>39</sup> ibid., P.29.



between black and white obviates the intervention of sociological collectivist notions as a means of creating identities and then hostility”.<sup>40</sup>

Thus political development is a very comprehensive and multi faceted subject that cannot be defined precisely owing to certain technical difficulties and that certain factors should invariably be take note of while a social theorists make an attempt in this direction. Nettl has reacted against the tendency of laying too much importance on the development of a country United States or on a particular discipline like economics.

Though political development cannot be defined precisely, but certainly its broad features can be outlined. David M Wood makes an apt observation that, most commonly, political scientists studying the phenomenon of modernization “have treated what they call political development as a dependent variable, using other facets of modernization as independent variable”.<sup>41</sup>

It should be looked into as to what leads to the development of the political system. The answer is that the events that lead to political development “come from the international environment, from domestic society, or from political elites within political system itself”.<sup>42</sup> It follows that events going on in international sphere like wars or aggressions bring about conditions of change in the political systems. Besides, events taking place within the system may also have the same affect. Development results when the existing structure and culture of the political system are unable “to cope with the problem or challenge which confronts it without further structural differentiation and cultural secularization”.<sup>43</sup>

### **Challenges to Political Development**

The *challenges* that may lead to Political Development are:

*Problem of State Building:* The problem arises when there is a serious threat coming from

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<sup>40</sup> *ibid.*, P.31.

<sup>41</sup> David M. Wood, “Comparative Government and Politics” in Stephen L. Walsby, *Political Science: The Discipline and Its Dimensions: An Introduction* (Calcutta: Scientific Book Agency, 1970), P.504.

<sup>42</sup> *ibid.*

<sup>43</sup> G. A. Almond and G.B. Powell, *Comparative Politics: A Development Approach* (Boston: Little Brown, 1966), P.34.

the side of domestic or international environment and the very question of survival of the state comes into the forefront.<sup>44</sup>

*Problem of Nation Building:* It refers to the process where by people transfer their commitment and loyalty from smaller tribes, villages or petty principalities to the large central political system.<sup>45</sup>

*Problem of Participation:* There are various interest groups in the society that strives to have a share in decision-making process. Thus, political infrastructure comes into being in the form of political parties, groups, cliques, factions, etc. It leads to the expansion of demands also for participations in the process of decision making so as to favour the interest of claimants.<sup>46</sup>

*Problem of Distribution:* Finally, there arises the problem as to how national income or wealth should be distributed or opportunities be given to all without any artificial discrimination on the grounds of religion, caste, creed, colour, etc. <sup>47</sup>

The problems of political development analyze through Structural-Functional approach hint at five major factors, they are:

1. *Nature of Problems Confronting a Political System:* The stability or instability, or the development and decay, of a political system very much depend on the nature of problems that a political system is confronted with. Different people demand different forms of participation, national integration, economic betterment, situations of law and order and the like. Since advanced countries have solved most of these problems over the years, the burden on their political system is not so heavy. The case of backward and developing societies are different, where such demands have come up suddenly and their effect is cumulative and reinforcing. Thus, it is generally recognized that major problem in the new nations today “is the cumulative revolution they must face”<sup>48</sup>.

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<sup>44</sup> ibid. Pp.35-36.

<sup>45</sup> ibid. P.36.

<sup>46</sup> ibid. P.34.

<sup>47</sup> ibid.

<sup>48</sup> ibid. P.39.

2. *Resources of the System*: A political system has to satisfy demands made upon it. It may be possible that the load of demands is too great that political system may not bear or may do so at a heavy expense.<sup>49</sup>

3. *Effect of Foreign Social System*: When an economy develops, new capabilities, new systems of production and distribution, the loading of the political system with demand for welfare may significantly reduced and thereby affect political development. It is also possible that international institutions like the International Monetary Fund or World Bank may develop a regulative or distributive capability that reduces the pressures on the domestic political system. Thus, the existence or the development of capabilities in other social system may affect the magnitude of the challenges confronting political systems.<sup>50</sup>

4. *Functioning Pattern of the System*: It means that a political system may, or may not, cope with the burden of inputs. It may be resilient enough to bear the stress of loads and thus keep itself going, it may also be weak enough to break down under the pressure of demands. It is not necessary that all political systems may be geared for change and adaptation in an equal measure.<sup>51</sup>

5. *Response of Political Elites*: It is possible that powerful elites may change their goals in response to the pressure of demands and their by save the political system from decay, or they may misjudge the seriousness and intensity of input fluctuation and thus either radically modify the system or fail to respond until it is too late with the result that there is the break down of the system itself.<sup>52</sup>

From the discussion it is clear that the concept of Political Development is burdened with certain crises that may be enumerated as under,

**Identity Crisis**: The people should identify themselves with their political system. That is they must recognize their national territory as their homeland and they must feel that their own personal identities are in part defined by their identification with their territorially delimited country. It is found that there is a lot of contradiction between, the traditional political culture having its roots in the loyalties of the individuals towards their

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<sup>49</sup> ibid.

<sup>50</sup> ibid., p.40.

<sup>51</sup> ibid.

<sup>52</sup> ibid.

community, tribe, religion, etc. and a modern political culture requiring that they should sacrifice their primordial loyalties at the altar of their national commitments.<sup>53</sup>

**Legitimacy Crisis:** It refers to the problem of achieving agreement about legitimate nature of authority and proper responsibility of government.<sup>54</sup>

**Penetration Crisis:** It refers to the problem of government in reaching down to the society and effecting basic policies. The problem arises when an endeavor of the government, in this direction, leads to the inculcation of demands explosion that it feels hardly capable of solving.<sup>55</sup>

**Participation Crisis:** It occurs when there is uncertainty over the appropriate rate of expansion and when the influx of new participants creates serious strains on the existing institutions. A question arises as to whether freedom should be allowed for various political parties and groups to operate with a view to influence the decision making process, or what restriction should be imposed so that they are prevented from becoming anomic organization.<sup>56</sup>

**Integration Crisis:** It deals to an extend to which the entire polity is organized as a system or interacting relationships, first among the officers and agencies of government and then among various groups and interests seeking to make demands upon system and finally in the relationships between officials and articulating citizens.<sup>57</sup>

**Distribution Crisis:** It refers to the questions about how governmental powers are to be used to influence the distribution of goods, services and values through out the society.<sup>58</sup>

The nature of these crises determines the sequence of political development in different countries of the world. It is therefore necessary that ultimately any useful theory

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<sup>53</sup> Pye, n.3, P.62.

<sup>54</sup> *ibid.*, P.63.

<sup>55</sup> *ibid.*, P.64.

<sup>56</sup> *ibid.*, P.65.

<sup>57</sup> *ibid.*, P.66.

<sup>58</sup> *ibid.*, P.67.

of political development “must come to grips with the tights of problems that may subsume under the category of crisis”.<sup>59</sup>

## MARXIAN APPROACH TO POLITICAL DEVELOPMENT

Marxian approach to political development mainly relies on the movement from a discredited bourgeois order to a fully socialist system in which the state is required during the transitional phase so as to accomplish the ideal of a classless society that would eventually culminate in a stateless condition of life. The agent of development is the bourgeois class in the first instance and the working class in the second, “the crucial essential middle element in the pattern of development is the bourgeoisie”.<sup>60</sup>

The essential Marxian position holds three assumptions; (1) social class structure follows the distribution of the economic forces; (2) socialism cannot emerge until the working the working class exists; and (3) consequently, socialism cannot be brought to the working class.<sup>61</sup> If applied to the study of the third world countries it signifies that a switch over from the so-called liberal-democracy to the genuine people democracy should be treated as the mark of political development.

Communist system is the main predetermined goal of Marxism. Though one may discover some difference of emphasis at the hand of the great Marxist like Lenin, Stalin, Tito, Mao, Fidel Castro etc; all are of one view so far as the crucial issue of the overthrow of the status quo and its substitution by a new social order under the ‘dictatorship of proletariat’. The most striking feature of this approach should however be traced in the fact that its protagonist “are much more convinced than most liberal democrats that history is on their side. Not only is the end of political development is clear; the achievement of the end of state is to some degree beyond their control, or at least, they must work within certain limits laid down by the Marxist interpretation of history”.<sup>62</sup>

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<sup>59</sup> ibid.

<sup>60</sup> C. H. Dodd, *Political Development* (London: Macmillan, 1972), P.16.

<sup>61</sup> ibid., P.19.

<sup>62</sup> ibid., Pp.11-12.

An analysis of study of political development, led that the concept lacks a precise definition. Even after studying the enormous literature on this subject one cannot come to final conclusion to what to include or what to exclude. Studies on the subject of political development “suffers from the absence of any coherent political model of the developmental processes and that the entire analysis is left at the point where extra political factors have set the stage for the political change”.<sup>63</sup> The concept does not offer a model that may be uniformly applicable to all countries of the world and so the social theorist of both liberal and Marxist have appreciated it.

Despite several drawbacks in the approach, it has certainly broadened the scope of empirical political investigations by aligning the frontier of comparative politics with those of other sister sciences and also by engaging the attention of a host of new social theorists towards the study of political condition of the new and developing societies of the third world. The concept of political development cannot be identified with a rigid or fixed pattern within which the over all development of country must take place. As a matter of fact, political development “is dependent upon the evolution of society from incoherent homogeneity to coherent homogeneity”<sup>64</sup>. We may appreciate the view of Gunnar Myrdal who takes development as “a movement upward of a whole system of interdependent conditions as a complex process in which economic growth is only one of several categories of causally relevant conditions”<sup>65</sup>.

## **POLITICAL DEVELOPMENT IN POST-COMMUNIST COUNTRIES**

After analyzing so much literature on Political Development concept, the relevance of the concept in the Post-Communist states (especially Ukraine) who owed their independence in the late 1990s is put on question in various research fields. The following arguments will help us to come on conclusion for the relevance of Political Development concept and its various elements in Post-Communist countries.

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<sup>63</sup> David M. Wood, n.41, p.506.

<sup>64</sup> V. R. Mehta, “Political Development” in J. S. Bains and R. B. Jain (eds.), *Contemporary Political Theory* (New Delhi: Radiant, 1980), p.145.

<sup>65</sup> Gunnar Myrdal, *The Challenges of Poverty* (London: Cambridge University Press, 1970), p.408.

Samuel Huntington attributed the global trend toward democratization after 1974 by combining international, cultural and structural factors, including United States support for democratic regimes and the withdrawal of Soviet protection for Eastern European dictatorships. He predicted that countries in the middle income range (\$1000 to \$3000 per capita GNP in 1976) were the most likely to democratize or liberalize significantly.<sup>66</sup>

An updated version of modernization theory arguing about the social foundations of a stable and effective democracy not on the pillars of traditional values or parochial loyalties, but on the commitment to democracy and its elements, widely gained acceptance. This view was supported by the emerging middle class in Southern Europe, Latin America, East Asia and Eastern Europe. They rejected the corporate organization of political parties and interest groups and they supported for a free press, rule of law, civil society and insisted on their rights as citizens to elect their leaders freely.<sup>67</sup>

Political Development as a field began and advanced with four main currents, Structural Functionalism, Modernization, the politics of the developing areas and a Teleological view of political progress. It would be problematic to treat political development simply as the study of the less developed countries. Although these countries are useful as case of political development as they provide greater variation in political change, but there is no particular justification for excluding studies of advanced industrial democracies from the field. Historical and contemporary studies of these societies have generated theoretical advances in political development.

The levels of wealth could be a possible criterion for study of political development, but a nation's economic prospects can shift quickly, with relatively wealthy countries becoming destabilized and today's poor countries may grow rapidly, indeed, cases of political development are intrinsically a moving target. The most fertile case studies of political development in the next decade may not be from the areas that

<sup>66</sup> Samuel P. Huntington, *The Third Wave: Democratization in the Late Twentieth Century*, (Norman: University of Oklahoma Press, 1991), p.63.

<sup>67</sup> Frances Hagopian, "Political Development, Revisited", *Comparative Political Studies*, vol.33, no.6/7, August/September 2000, Pp.880-911.



contributed so much to the field's growth but from below Post-Communist and other countries undergoing market oriented reforms.<sup>68</sup>

Political development could be viewed as the growth in the capacity of societies to organize for political action and for states govern. Political development studies could focus on the development of patterns of political associations, channels of political participation formal and informal institutions of political representation and governance.

In the development of political institutions, markets, and new ways of organizing and mobilizing societies represents what is most exciting in political development, then the conceptual frontier of political development may lie at the border of the post-communist states of Easter-Europe and Central-Asia. Just as political development made theoretical sense in the 1950s and 1960s to focus on the new states because they were traveling the road from tradition to modernity, it now makes sense to watch the post-communist societies to develop new identities, patterns of political competition and political representation , and decentralize government decision making- from public to the private spheres, from the center to the periphery, and from a select few ministries to a broader range of governmental agencies and institutions.<sup>69</sup>

Thus the study of political development in post communist country like Ukraine will give us new research on democracy and markets and changes in the state that have taken place due to political economy of development.

The second chapter gives an overview of Ukraine's transition from Soviet system to independence and democracy. It covers the brief analysis of history of Ukraine and obstacle it faced in gaining independence form Soviet Union and aftermath which led her to the path of democracy.

The third chapter analyzes political development in Ukraine that had occurred after its independence in 1991. The focus is on some parameters of political development, like constitutional development and building of democratic institutions in Ukraine.

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<sup>68</sup> *ibid.*, P.901.

<sup>69</sup> *ibid.*, P.903.



The fourth chapter deals with the formidable challenges that Ukraine is facing in growth of democratic culture for political development.

The fifth chapter gives the concluding remarks to the overall political development analysis that is going on in Ukraine. It also discusses limitations, problems and prospects of political development in Ukraine.

## **CHAPTER 2**

- **Ukraine's Transition from Soviet system to Independence and Democracy**
  - a. History 8<sup>th</sup> to 15<sup>th</sup> Century
  - b. Period: 1667-1916
  - c. 1917 February-October Revolution and After
  - d. Perestroika Period: 1985
  - e. Rukh Movement and Independence

## CHAPTER 2

### UKRAINE'S TRANSITION FROM SOVIET SYSTEM TO INDEPENDENCE AND DEMOCRACY

The Republic of Ukraine is situated in East-Central Europe. Its border touches Poland, Slovakia, Hungary, Romania and Moldova to the west, by Belarus to the north and by Russia to the north east and east. To the south lie the Black Sea and the Sea of Azov. The climate is temperate especially in the south. The north and northwest share, many of the continental climatic features of Poland or Belarus and the Black Sea coast is noted for its mild winters. The official state language is Ukrainian. Russian is widely spoken in the region, particularly in the south and the east. Most of the populations are adherents of orthodox Christianity (which has three separate jurisdictions in Ukraine) and there are many adherents to the Roman Catholic Church (mostly Greek Catholics, followers of Eastern rites). There are also number of Protestant churches, and small communities of Jews and Muslims. The national flag has two equal horizontal stripes (proportions 2 by 3) of pale blue over yellow. The capital is Kiev (Kyiv).<sup>1</sup>

Modern Ukraine is deeply divided society with a pronounced pattern of regional diversity. In the modern era, an independent Ukrainian polity has existed only briefly in the late seventeenth century and in 1917-20, but in neither period was it a secure entity, with firm control overall the territory in the present day Ukraine.

Ethnically, Ukrainian lands have therefore tended to be subsumed in empires and/or dispersed among several states, with at least four separate 'partitions' occurring after 1240, in 1667, in 1772-95 and in 1920-21. The post 1991 borders of the independent Ukrainian state inherited from the Ukrainian SSR as defined by Stalin's wartime conquests, correspond more closely to Ukrainian ethno-linguistic territory than

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<sup>1</sup> *Europa World Year Book-2004*, vol. II, (London: Europa Publications, 2004), P.4205.

at any time in the modern era, but the fit is still not exact, and different paths of historical development have left profound differences between Ukraine's regions.<sup>2</sup>

### **History: 8<sup>th</sup> to 15<sup>th</sup> Century**

What is now present Ukraine has been home to a variety of both nomadic and settled peoples, including the Trypillians (3500-2700 B.C), Cimmerians (1150-750 B.C.) and Greeks (from 8<sup>th</sup> century BC). The origins of the modern Ukrainian ethnics lie in the various Slavic tribes, which migrated to the region from the fifth century AD onward, establishing political unity under Viking (varangian) influence in the ninth century.<sup>3</sup> The leading role in establishing the old Rus state was played by the Polianian principality with its centre in Kiev.

The kingdom established by the local Riurikid dynasty became known as Kievan Rus, after prince Oleh and established its capital at Kiev, probably in 882. Under its two greatest rulers, Volodymyr the great (980-1015) and Yaroslav the wise (1036-54), Rus was both an integral part of Europe and a centre of religious civilization, which flourished through its control of the main trade routes from Scandinavia to Constantinople. At its height, Rus spread from the Carpathian Mountains in the southwest to Novgorod in the north, encompassing most of modern Ukraine, Belarus and north-western Russia.<sup>4</sup>

The first partition of Ukraine began after the sack of Kiev by the Mongols in 1240 (repeated in 1416 and 1482), and Rus disintegrated into several rival principalities. Kievan Rus was the cradle for all three modern east Slavic peoples (Ukrainian, Russians, and Belarusians).

The lands of southern Rus were partitioned between several states in the fourteenth century. Hungarian king Stefan I occupied Transcarpathia in the eleventh century,

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<sup>2</sup> Andrew Wilson, *Ukrainian Nationalism in the 1990s* (Cambridge: Cambridge University Press, 1997), P.1.

<sup>3</sup> *ibid.*, P.2

<sup>4</sup> *ibid.*

Galicia was seized by the Polish king Kazimierz III in 1340-09, and after 1362, Volhynia and Kiev fell under Lithuanian rule. Lithuanian rule formalized the separation between the Kievan territories and the northern principalities of Novgorod and Muscovy, especially after the latter fell temporarily under the control of the Golden Horde.

The Cossacks Movement and Bohdan Khmel'nyts'kyi's rebellion, a small group lived on the Polish-Lithuanian commonwealth's steppe borders and centered on the Zaporozhian Islands south of the river Dnieper, was a result of the Union of Lublin. In 1648 a full scale uprising took place, led by a disaffected noble, Bohdan Khmel'nyts'kyi's, who succeeded in establishing an embryonic Cossack-orthodox polity on the both the left and right banks of the Dniiper, thus restoring a form of self government to Kiev for the first time since the thirteenth century.

Khmel'nyts'kyi's death led to widespread internal feuding, making it difficult for the Cossacks to develop alternative alliances. The Kievan Metropolitinate was placed under the authority of Moscow in 1685-86, and the fledgling national church rapidly declined. In the second half of the eighteenth century the Hetmanate came to be seen as an unnecessary obstacle in the way of Russia's drive to the south, and its administrative autonomy was progressively diminished, vanishing altogether by 1783. Later, the region of Cossack settlement was dissolved into 'New Russia' (Novorossia).<sup>5</sup>

### **Period: 1667-1916**

In 1667 Ukraine was divided into two regions; east of the Dniipro become part of the Russia, while Western Ukraine was annexed by Poland and the western regions were acquired by Austria. Russia gained more Ukrainian lands because of subsequent partitions of Poland (1793 and 1795) and in the south from the Ottoman Empire.

After 1667 the right bank of the Dniiper, along with Galicia and Volhynia, was once again under Polish control. Nevertheless, elements of a distinct proto-Ukrainian

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<sup>5</sup> *ibid.*, P.7.

(Ruthenians) consciousness survived, although for different reasons than on the left bank.

Old Rus, Cossack, Little Russian or Ruthenian identity and culture in the early nineteenth century, seemed to be things of the past. The very proliferation of names seemed to invalidate the idea that Ukrainians formed a unified ethnic group, despite the political boundaries that separated them. Even the term Ukrainian was itself a product of the national revival, and only gained widespread popularity in the later nineteenth century as an alternative to the Russians linguistic monopoly on the claim of descent from Kievan Rus and to the little Russian idea that local and Pan Russian identities were perfectly compatible.

The great wave of industrialization that began in the late nineteenth century affected Ukraine profoundly by drawing non-Ukrainian (primarily Russians) immigrants into the expanding cities. Thus, the rural overpopulation intensified and millions were forced to emigrate eastward in quarter century before 1914 creating the large Ukrainian Diaspora in Siberia and Kazakhstan.

The new territories of southern and eastern Ukraine were not fertile ground for the national movement. The northern Black Sea littoral became a trading hinterland for the new imperial economy, and was transformed by the influx of a multi-ethnic settler population, including Greeks, Germans, Serbs, Bulgarians and Gagauz alongside Ukrainians and Russians. Odessa in particular became famous as cosmopolitan city with a large Jewish Population. On the other hand, eastern Ukraine, especially the Donbass region, became a leading centre for the mining and metallurgical industries, the vast majority of whose workers were either ethnic Russians or Russian speaking.

### **1917 February-October Revolution and After**

In the Tsarist Empire it was the events of 1917-20 that gave real stimulus to the Ukrainian national movement. In the wake of the February revolution, at least four simultaneous movements swept through Ukraine. Nationalist revolution, Socialist

revolution, Peasant uprising and in Southern Ukraine a strong Anarchist movement under Nestor Makhno sought to avoid entanglement with all other forces.

The changing political landscape of the Russian Revolution and civil war did not simply wash over the great mass of peasantry with the ebb and flow of battle lines and governments. Not only were the attempts made to mobilize the peasantry on behalf of one or another interested party, but also villages autonomously sought to understand and manipulate the fluid political situations to their own advantage. The Revolution in the non-Russian Western borderlands was at once a national and social movement, injecting an additional dynamic into a complex political situation. Ukraine presents a unique case, distinct from Russia proper since the political situations that evolved were significantly different and revolved largely around the Ukrainian peasantry.<sup>6</sup>

Three short lived governments formed by Ukrainian nationalists in the period: the Ukrainian People's Republic (November 1917 to April 1918), the Hetmanate (April to December 1918) and the Directorate (December 1918 to December 1919), but Ukrainian rule was always precarious and frequently interrupted by the Red or White Armies. The use of the term Ukrainian Revolution to describe the period is therefore somewhat misleading as it implies that the attempt to create a national state was the one and only unfolding on Ukrainian territory.<sup>7</sup>

The Ukrainian intelligentsia responded rapidly to events in St Petersburg, and in March 1917 established a Central Rada (council) in Kiev under the Historian Mykhailo Hrushevs'kyi, which initially supported the provisional government and confined its demands to Ukrainian autonomy within a democratized Russia. Over the summer of 1917 however, the Rada's confidence grew. As other Ukrainian organizations pledged their support, including the Ukrainian National Congress held in April and two assemblies Ukrainian soldiers and peasants in May and June, and it began to claim for itself the right to speak for the Ukrainian nation. After the failure of the June offensive against the Germans left the provisional Government looking decidedly weak and the

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<sup>6</sup> Evan Ostryzniuk, "The Ukrainian Countryside During the Russian Revolution, 1917-19: The Limits of Peasant Mobilisation", *The Ukrainian Review* (Toronto, Canada), vol.44, no.1, Spring 1997, Pp.54-63.

<sup>7</sup> Andrew Wilson, n.2, P.11.

Transcarpathia became part of the new Czechoslovak state and Bukovyna went to Romania.<sup>10</sup>

The Treaty of Riga, which formally ended the Soviet-Polish war in 1921, assigned territories in western Ukraine to Poland, Czechoslovakia and Romania. Eastern and Central lands formed the Ukrainian SSR, one of the founding members of Union Soviet Socialist Republics (USSR) in December 1922.

The 1920s was a period of National Development for Ukrainian as in particular the use of Ukrainian language was encouraged and literacy improved. However, the collectivization of agriculture from 1929 had severe consequences for the Republic, and many people died of famine in 1933. In 1930s advocates of the wider use of the Ukrainian language, or of greater autonomy for the republics were arrested and by the late 1930s almost the entire Ukrainian cultural and political elite had been imprisoned killed or expelled. Amidst the immense human and social toll of World War II, a second attempt was made to establish national independence. Stalin annexed most western Ukrainian land to the Ukrainian SSR, at the First temporarily in 1939-41, and later in 1945. As a result of Nazi-Soviet pact, Galicia and Volhynia were seized in 1939, followed by Northern Bukovyna and Southern Bessarbia in 1940. The Soviet Czechoslovak Treaty of 1945 ratified the incorporation of Transcarpathia. The Soviet rule in the region, both in 1939-41 and decade after war was exceptionally harsh. Hundreds of thousands of people were killed or deported and all civic institutions were suppressed. In the subsequent years the Soviet authorities maintain a tight grip on the region, but were unable to destroy the nationalists' forces completely. Ukraine also suffered greatly during the Second World War, which resulted in great material losses. Soviet victory in the war and annexing of territories from Czechoslovakia, Poland and Romania resulted in the uniting of the Western and the Eastern areas of the Ukraine and the Republic gained representation nominally separate from that of the USSR, at the UN. In 1954 Crimea formerly part of the Russian federation the Tatar inhabitants of which

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<sup>10</sup> Andrew Wilson, n.2, P.14.



had been deported en masse to Soviet Central Asia in 1944 was transferred to Ukrainian control.

A new Ukrainian political elite comprising of individuals with modern skills had come into being in the early 1960s. It found itself prevented from politically and economically hyper centralized system, which refused to recognize it as a force or share power with it. The new elite sought its own ideology to justify its claims and found sources of legitimacy in its own unique national heritage. At the same time, there was an increase in opposition to the regime manifested in the production of the independent publication known as 'Samvydav'. In 1972, however there was widespread repression of dissidents and a purge of the membership of the ruling Communist Party of Ukraine (CPU). In 1973, Petroselhest first secretary leader of CPU who has been accused of tolerating dissent in the republic was replaced by Vladimir Shcherbitsky a loyal ally of the Soviet leader Leonid Brezhnev.

#### **Perestroika Period: 1985**

The contemporary political situation in Ukraine took roots during Mikhail Gorbachev's Perestroika, introduced in 1985. The accession of the reformist Mikhail Gorbachev to the Soviet leadership had little initial effect in Ukraine largely owing to the authoritarianism of Shcherbitsky administration. Police harassed the Dissidents, independent political and cultural groups were not granted legal status and the Republican media was under the strict control of the CPU. 'It is no secret-nor was it in the past that Soviet journalism almost solely functioned as a funnel for agitation and propaganda, rather than a means of access to objective information'.<sup>11</sup>

On 26 April 1986, a serious explosion occurred at the Chernobyl Nuclear power station in northern Ukraine killing large number of people. 'Instead of issuing immediate health warnings to the population down wind, Soviet officialdom embarked as far as its own citizens were concerned, on a policy of misleading silence. It was only

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<sup>11</sup> "Ukraine's Media: A Cog in the State Wheel?", *The Ukrainian Review* (Toronto, Canada), vol.42, no.3, Autumn 1994, Pp.5-11.

eighteen days after the accident that Mikhail Gorbachev appeared on All Union Television, admitting to the fact of the accident'<sup>12</sup>.

Official secrecy surrounding the Chernobyl accident led to greater public support for opposition movements in Ukraine particularly the environmental group Green World. The nationalist movement was partially influenced by the political events, which were taking place in the Baltic's Republics of Estonia, Latvia, and Lithuania.

### **Rukh Movement and Independence**

In November 1988 a group of prominent writers and intellectuals founded the liberal nationalist Ukrainian people's Movement for Reconstructing (Rukh), which was in real sense true struggle for independence in Ukraine. 'Rukh was born during the furious communist counter attack as a democratic umbrella organization, and later Ukraine's first political parties: the Ukrainian Republic Party, the Ukrainian Democratic party, the party for Democratic Rebirth of Ukraine and others, in all more than 30, although many of them remained in a state of flux'<sup>13</sup>. Despite official opposition, Rukh's manifesto was published in 1989, and local branches were established throughout the republic. Further more, economic problems contributed to a growing militancy among the mining communities in the Donbass region (around Donetsk, in eastern Ukraine), producing 11 strikes in the first three months of 1989. The revival of hitherto 'underground' religious groups from 1988 also assumed a national character in Ukraine. The Ukrainian (Byzantine rite) Catholic Church was legalized in December 1989 when Gorbachev met Pope John Paul II.

Schshcherbitsky was dismissed in September 1989 as he failed to curtail the growing influence of Rukh on people demanding for national democracy. Volodymyr Ivashko was elected in his place. The political situation in Ukraine in 1990s gives a very complex picture. The group such as Rukh, the Ukrainian Language society, the

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<sup>12</sup> Vera Rich, "Chernobyl: Ten Years On", *The Ukrainian Review* (Toronto, Canada), vol.43, no.1, Spring 1996, P.21.

<sup>13</sup> Volodymyr, F. Pohrebennyk, "The Present Political Situation in Ukraine", *The Ukrainian Review* (Toronto, Canada), vol.39, no.4, Winter 1991, Pp.3-10.

Ukrainian Helsinki Union (which later recognized into Ukrainian Republican Party), the Ukrainian Christian-Democratic Front, the Memorial Society, the Lev Society and the Union of Independent Ukrainian youth become more and more open in their activities and prominent in public Ukrainian life.

The early months of 1990 prior to 4 March elections witnessed the continuation of the national rebirth in all spheres of public and even private life. Publicly, the time preceding the elections saw creation of various political parties and organizations, youth and student groups, cultural and religious organizations, all of which had strictly Ukrainian character and supported the concept of Ukrainian independence, autonomy and freedom of choice in all affairs.<sup>14</sup>

In local and republican elections, held on 4 March 1990, candidates supported by the democratic bloc, a coalition led by Rukh won 108 of the 450 seats in the Verkhovno Rada (Supreme Soviet – Republican Legislature). Independents supported by the bloc won about 60 seats, giving the opposition parties some 170 votes, although an estimated 280 supported the CPU leadership. The bloc was particularly successful in western Ukraine, but performed poorly in the Russian speaking communities of eastern and southern Ukraine.

The election campaign was the clear demonstration of mass scale movement that further revived the national sentiments. The Nationalist Democratic Force's success in the election was perceived by the communist as a threat, which forced them to make a strategy to remain in power. While the people were demonstrating popular support for the Democratic Block, the communist authorities were busy ensuring that power remained in their hands at least at the national level. Thus the Ukrainian communist party tried to capitalize on the tide of independence oriented nationalism thereby gaining votes, by proclaiming its independence from Moscow based party.<sup>15</sup>

In June 1990, Ivashko was elected chairman of the Verkhovna Rada (the highest state post in the republic). In response to protests by deputies of the democratic Bloc, he

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<sup>14</sup> Eugene Kachmarsky, "Ukraine in 1990: The Empire Strikes Back", *The Ukrainian Review* (Toronto, Canada), vol.39, no.1, Spring 1991, Pp.3-9.

<sup>15</sup> *ibid.*, P.5.

resigned later in the month as first secretary of the CPU. On 16 July, the Verkhovana Rada adopted a declaration of sovereignty, proclaiming the supremacy of republican authority within the Ukrainian SSR. Also in July Ivashko was appointed as the deputy general secretary of the communist party of the Soviet Union, precipitating his resignation as chairman of the Verkhovana Rada.

The new chairman of the Verkhovana Rada was Leonid Kravchuk, hitherto second secretary of the CPU. A well known hard liner and Sovietophile who was interpreted in Ukraine as a step backward, and thus the democratic nationalists began to augment their anti-Soviet campaign. The Ukrainian SSR Supreme Soviet passed a 'Declaration of Sovereignty' on the 16<sup>th</sup> July to dispel the fears from the minds of the people and change the direction of the nationalist movement. The Ukrainians were not ready to compromise less than implementing Declaration of Sovereignty, and its transformation into concrete action legalized by law.

In October 1990 Vitaliy Masol resigned as chairman of the council of ministers (Prime Minister); Vitold Fokin, who was regarded as a supporter of moderate reforms, succeeded him. The Government participated in negotiations on a new union treaty in march 1991. The Government also agreed to conduct the All-Union referendum on the future of the USSR but appended a further question to the referendum asking if Ukraine's 1990 declaration of sovereignty should form the basis for participation in a renewed federation. Of the electorate, 84% participated in the referendum, 70% of which approved Gorbachev's proposal to preserve the USSR as renewed federation. However Ukraine's own question received greater support (80%), and an additional question in certain regions of western Ukraine which asked voters if they supported a fully independent Ukraine, gained the support of the 90% of those voting.

Following the attempt Coup d'état in Moscow on 19 August 1991, led by the conservative communist state committee for the state of emergency, the Verkhovana Rada, on 24 August adopted a declaration of independence, pending confirmation by a referendum on 1 December, when direct presidential elections were also scheduled; the CPU was banned at the end of August. Despite his background in the CPU, Kravchuk's

support for Ukrainian independence ensured his election as president of the republic on 1 December 1991, with 62% of the votes cast.. His closest rival, Vyacheslav Chornovil, a member of Rukh and a former dissident who had been imprisoned by the authorities under Brezhnev and Shcherbitsky, received 23% of the votes. In the referendum held concurrently, with presidential election, some 90% of the electorate voted in favour of independence, (84% of the electorate participated), which thereby took effect. Out with Crimea, where 54% voted in favour of Ukrainian independence, more than 20% of the electorate voted for independence in every administrative region of Ukraine. In early December an independent Ukrainian armed force was established, on the basis of those Soviet troops operative on Ukrainian territory at that time. In January 1992 a new interim currency coupon, which retained the Ukrainian name of Soviet currency, the Karbovanets, was introduced, and government adopted new national symbols early that year.

In June 1992, the government narrowly avoided defeat in a vote of no confidence in Verkhovana Rada in particular as the results of its economics policies this criticism intensified as inflation increased sharply following the withdrawal of subsidies from food stuffs in July. The government resigned in September having been conclusively defeated in the second vote of no confidence in October Leonid Kuchma, hitherto Director General of the pivdenne/yuzhnoye missiles factory in Dnipropetrovsk and who had been first elected as deputy in 1990 was appointed prime Minister. The new government consisted largely of moderate reformers.<sup>16</sup>

In November 1992, the Verkhovana Rada granted Kuchma special power to rule by decree for a period of six months. He proposed an extensive programme of economic reforms including privatization and severe reduction in government expenditure in that month Ukraine withdrew from the so-called Rouble zone. These measures were strongly opposed by left wing groups including the Socialist Party of the Ukraine (SPU) which had been formed from elements of the CPU and which in association with other left wing Groups began campaign to rescind the ban on the CPU.

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<sup>16</sup> *Europa World Year Book-2004*, vol. II, (London: Europa Publications, 2004), P.4215.

In January 1993 Victor Yushchenko a leading exponent of market reforms was appointed governor of the National Bank of the Ukraine (NBU).

The election to the new 450 member of Verkhovana Rada were held on 27 March 1994 with two subsequent round of voting in April in constituencies where candidates had failed to secure 50% of the votes cast. The CPU which had been permitted to contest the elections in advance of its subsequent re-legalization pending the outcome of parliamentary discussions won 86 seats more than any other group and in alliance with the SPU and the Peasants Party of Ukraine (PPU) formed the largest bloc in the Verkhovana Rada. Although independent candidates were more numerous with 170 seats Rukh won 20 seats and other moderates nationalists parties received 13 seats. A notable political division between western Ukraine where left wing parties obtained greater support and west of the countries where moderate nationalist party won the greatest share of the votes was evident in the election result. Further round of voting held in late 1994 to fill the 112 vacant seats failed to elect candidates in more than 50 seats which thus remained empty.

In July 1995 a major government reshuffle was initiated, in which several reformist ministers were demoted and more conservative politicians, known as red directors', including several regarded as close allies of Kuchma were appointed. A constitutional commission completed work on a draft constitution that proposed an increase in the powers of the president; in March 1996; this text was rejected by Verkhovana Rada. Following lengthy discussion the new constitution was adopted on 28 June. It confirmed extensive new powers of appointed granted to the President in the Interim Constitutional Agreement, including the right to nominate the Prime Minister and inter-alia, guaranteed the right to private ownership.<sup>17</sup>

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<sup>17</sup> ibid.

## **CHAPTER-3**

- **Political Development in Ukraine since 1991**
  - a. Constitutional Development
  - b. Institutional Structure of the Political System
    - President
    - Parliament (Verkhovna Rada)
    - The Government of Ukraine
    - Judiciary
    - Political Parties
    - Elections and Participation
    - Civil Society

## CHAPTER 3

### POLITICAL DEVELOPMENT IN UKRAINE SINCE 1991

The theoretical analysis of political development that we have dealt in the first chapter, gives an overview of political-development concept. It broadly means the development of institutions, attitudes and values that form the political power system of a society. Political development within itself comprises anything like consolidation of a democratic system, political stability or orderly change, administrative and legal development, political mobilization and participation and, above all, anything having its place in the multi dimensional development of a country.

In the light of the concept of political development the focus will be on the following aspects of political development in Ukraine after its independence in 1991:

- **Constitutional Development**
- **Democratic Development**
  - Institutional structure of the Political System.
  - Rise and Growth of Political Parties
  - Elections and Participation.
  - Civil Society

Ukraine attained independence on 24th August 1991, and embarked on a process of democratization. As an independent entity Ukraine chose to establish a liberal democratic polity and a market economy. Ukraine has been a political success since the collapse of the Soviet Union. It can be argued that Ukraine has been more successful than most of the other states of the former Soviet Union in facing the challenges of nation building and Democracy.<sup>1</sup>

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<sup>1</sup> Peter Ferdinand, "Nation and State Building", in Taras Kuzio (ed.) *Contemporary Ukraine* (Armonk: M.E Sharpe, 1998), P.1.



The Soviet Union's collapse produced an independent Ukraine, but collapse also saddled it with institutions and elites that precluded a rapid transition to democracy, civil society, rule of law and the market. Like most other Soviet successor states, Ukraine was forced down to the path of sequential and, hence slow and evolutionary change.<sup>2</sup>

The Soviet Political system consisted of two conceptually distinct parts: empire and totalitarian state. The USSR was an empire in which a Russian core exerted effective political control over non-Russian Peripheries. Centralized Russian organizations ruled both Russia and the republics, while non-Russian organizations vertically dependent on the center only on administration.<sup>3</sup>

The non-Russian Politics that emerged from the USSR in late 1991 bore the birthmarks of their Soviet pasts. They lacked genuine states, inheriting only administrative pieces of the Soviet Union's ruling organizations. They lacked market economies, civil societies, rule of law and democracy, and in most cases full fledged nations. Like other non-Russian politics, Ukraine's post imperial, post-totalitarian administrative agencies were woefully under-staffed and under-funded, their functionaries were under-trained, and their relations with one another were undefined.

After independence, Ukraine's incipient state institutions were immediately seized by former Communist Party functionaries who retained their positions of central, regional, and local dominance. Institutional legacies combined with elite realities to make the rapid, radical reform recommended by western policy makers were impossible.

The self proclaimed task before Ukraine was to introduce democracy, rule of law, civil society, and the market. Each of these goals represents a cluster of institutions absent from the *Imperial –Totalitarian system*.<sup>4</sup>

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<sup>2</sup> Alexander Motyl; "State, Nation, and Elites in Independent Ukraine" in Taras Kuzio (ed.), *Contemporary Ukraine, Dynamics of Post Soviet Transformation* (Armonk: M.E. Sharpe, 1998), P.3.

<sup>3</sup> Roman Szporluk, "Reflections on Ukraine after 1994: The Dilemmas of Nationhood", *The Harriman Review*, vol.7, no. 7-9 (March-May) 1994, Pp.3-9.

<sup>4</sup> John Mueller, "Democracy, Capitalism, and the End of Transition", in Michael Mandelbaum (ed.), *Post Communism; Four perspectives* (New York: Council on Foreign Relations, 1996), Pp.102-109.

Democracy involves an effective division and balance of governmental powers, elite circulation by means of elections, and the aggregation of popular interests in parties. Rule of law entails regularized and transparent procedures for running state agencies and their relations with society. Civil society refers to a matrix of inter-connected social institutions existing independently of the state. The market presupposes private property and a set of legal procedures for exchanging capital, land and labour.<sup>5</sup>

It was very difficult task and hard enough for Ukraine to construct all these institutional clusters, where after independence, the former communists became fervent nationalists and retained their influence within the government, economy and society. The lack of a coherent ideology also played its role and nationalism provided a readymade agenda for national consolidation.

### **Constitutional Development**

Constitutions serve as an organizing principle in the modern state. They set up the parameters of political relationships by delineating the boundaries of authority between institutional actors, citizens and the state. Constitutions define means of peaceful, structural conflict resolution and provide conditions for accountability; under which those decision makers that have not been elected by Universal suffrage should be accountable to those that have been an indispensable attribute of representative democracy. It is facilitated by the implementation of the principles of the 'Separation of Powers' and 'checks and balances', which, although an ambiguous set of concepts, are recognized as inherently linked to representative democracy.<sup>6</sup>

Russia's steps towards sovereignty and the departure of the Ukrainian Communist Leader Valodymyr Ivashko to Moscow, on 16 July 1990 the Ukrainian Council (Verkhovna Rada) announced its declaration of Sovereignty, which serve as a basis for new Ukrainian Constitution. Formally, the constitution making process started in October 1990, when the Supreme Rada resolved to form a constitutional commission. The body

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<sup>5</sup> Alexander J. Motyl, *Dilemmas of Independence: Ukraine after Totalitarianism* (New York: Council on Foreign Relations, 1993), Pp.51-55.

<sup>6</sup> See, H.J.C. Vile, *Constitutionalism and the Separation of Powers* (Oxford: Clarendon Press, 1967).

prepared the 'Concepts of the New Constitution', which after fierce debates in parliament, were officially endorsed in June 1991.<sup>7</sup>

On 17 September 1991 the 1978 Ukrainian Soviet Socialist Republic's Constitution became the Constitution of Ukraine following only minor amendments by the Supreme Rada (*Verkhovna Rada*). The independent Ukraine inherited the institutional infrastructure of the Soviet era, with the institution of the Presidency added in July 1991. According to the constitution, the Supreme Rada was the highest state authority, with huge powers, a Presidium and Chairman performing some higher executive functions, and a Prime Minister as the head of government. The cabinet was the highest executive body, subordinated to the President and accountable to the Supreme Rada. At the local level, the Radas (Soviets) were representative organs, which in accordance with the principle of Soviet Centralism were subordinated to the rada at a higher level.

After the referendum on independence in December 1991, in which over 60 percent elected Leonid Kravchuk as President, it soon became clear that urgent changes to the machinery of government were necessary not only in terms of running a modern state but also in terms of turning formal independence into a reality; the existing constitution was incapable of meeting these tasks.<sup>8</sup>

The first draft prepared by the Constitutional Commission was published for consideration and discussion in June 1992. It dealt with the President's enormous power as head of state and of the executive branch. It proposed a compromise between Presidential and Parliamentary systems i.e. one with a unicameral legislature and the other a bicameral legislature, but with concentration of powers in President.

Constitution making in Ukraine was a distinctively elitist enterprise, albeit conducted in the name of popular sovereignty. In Ukraine, the Political elites not only

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<sup>7</sup> Roman Sochanyk, "Ukraine considers a New Republican Constitution" *Report on USSR*, Vol.3, no.23, 7 June 1991.

<sup>8</sup> Kataryna Walczuk, "The politics of constitution making in Ukraine" in Taras Kuzio (ed.), *Contemporary Ukraine, Dynamics of Post Soviet Transformation* (Armonk: M.E. Sharpe, 1998), Pp. 121-122.

reflected the existing social disunity, but deepened it by emphasizing ideological differences and acting as a magnifying glass for societal cleavages.<sup>9</sup>

After a nationwide discussion, the new constitutional draft prepared in 1993 reflected that elites reduced their trust in Kravchuk's leadership. It foresaw a form of government based on the principle of a division of powers combined with the principle of unity. It also gave the superiority of bicameral legislature (Vse Narodna Rada) over the executive branch and a more limited, symbolic and representative role for the President as the head of state.<sup>10</sup> But the amended 1993 draft was never tabled in the Parliament.

In 1994, the first free parliamentary elections were held. Leonid Kuchma became the President of Ukraine. After the election the constitution making process got under way again. In the elections, political parties were disadvantaged aiming to an electoral law which in terms of the consolidation of the party system was a step backwards. As a result, less than half of the members elected had formal party affiliations.<sup>11</sup> In a short span of time, numerous parliamentary factions emerged with many of them having no clearly defined social constituency. Thus, Parliament comprised of three political blocs: Left, Right and Center. Leonid Kuchma could be best classified as a centrist. He favoured close ties with CIS and Russia and supported political and economic Reforms. Kuchma demanded more executive power to implement political and economic reforms, challenging the leftist agenda which advocated the reincarnation of the Soviet era systems of *Radas* and the strict centralization of the economy.

The tug of war over spheres of authority continued between the President and the Parliament. In June 1995, in an attempt to end the confirmation Kuchma announced a referendum on trust in the President and trust in Parliament. In a parliamentary initiative to avoid the referendum 240, deputies together with the President signed a so-called 'constitutional agreement' which was to regulate the spheres of authority until a new constitution could be adopted.

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<sup>9</sup> Kataryna Walczuk, "Constituting Statehood: The New Ukrainian Constitution", *Ukrainian Review*, vol.45, No.3, Autumn 1993, Pp. 19-36.

<sup>10</sup> *Holos Ukrainy*, 18 March 1992.

<sup>11</sup> Kataryna Walczuk, n.8, P.22.

The agreement dealt only with the structure of government and amended the relevant sections of the 1978 constitution. It significantly expanded the powers of the President, granted him the right to appoint the Cabinet of ministers unilaterally, to issue decrees on economic issues and to appoint executive structures in localities, to oversee Local Self-Government.

Since the Agreement was adopted by simple majority, there continued to be conflicts over interpretations of this compromise agreement, as it was only an interim and quasi-legal solution to the constitutional crisis. The agreement remained in force for one year, after which a new constitution, prepared by a special commission was to be adopted.

In spring 1996, the constitutional process became the main political battleground in Ukraine. The constitutional commission representing the President, the Supreme Rada and the Judicial Branch tabled a draft constitution in Parliament in March 1996. Kuchma put it, that it was intended “to end Soviet rule in Ukraine once and forever”.<sup>12</sup> It provided for a Bicameral Legislature (*natsyonalnizbory*) with legislative and budget functions. The Upper Chamber – the Senate was more representative of the regions and was given extensive nominative authority, mostly to approve Presidential candidates for top state posts.<sup>13</sup> The draft envisaged strong executive Presidency with enormous legislative power. Several projects were discussed in Parliament and compromise – seeking commissions were set up to try to find a common platform.

The bone of contention was the delineation of the respective powers of President, government and parliament; the degree of local self-government, especially in Crimea, the state symbol, and the principle of private property. The main line of confrontation separated the left wing forces of the Parliament on one side from the moderates, national democrats and President on the other. Those supporting President Kuchma’s position

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<sup>12</sup> Kataryna Walczuk, n.8, P.23.

<sup>13</sup> Roman Sochanyk, n.7, P.129.

were in the majority, but had to win over uncommitted members to secure the 300 votes necessary to adopt each article of the constitution.

In an atmosphere of heightened passions and numerous lengthy debates, the Ukraine's New Constitution was adopted as a whole on 28 June 1996. The qualified majority was reached with 315 votes in favour and 36 against, 12 abstentions and 30 non-voters.<sup>14</sup>

**Table: 3.1**  
**Voting results from the Adoption of the Ukrainian Constitution**  
**(28 June 1996)**

	For	Against	Registered Abstentions	Did not Participate
<b>LEFT</b>				
The Communists	20	29	10	20
The Socialists	17	6	2	0
The Agrarians	21	0	0	2
<b>CENTRE</b>				
Inter-Regional Bloc for Reforms	23	0	0	1
Independents	22	0	0	0
Social Market Choice	23	0	0	3
Yednist (Unity)	24	0	0	1
Tsentr (Centre)	26	0	0	1
Agrarians for Reforms	25	0	0	0
<b>RIGHT</b>				
Reforms	29	0	0	1
Rukh	26	0	0	1
Derzhavnist (Statehood)	25	0	0	0
<b>NON AFFILIATED</b>	34	1	0	0
<b>TOTAL</b>	<b>315</b>	<b>36</b>	<b>12</b>	<b>30</b>

Source: The Supreme Rada of Ukraine.  
"Constituting Statehood: The New Ukrainian Constitution", *Ukrainian Review*,  
vol.45, no.3, Autumn 1998, p.25.

<sup>14</sup> *Summary of world Broadcast*, Part I, 29 June 1996.

The main reason why the constitution was adopted was the threat given by President Kuchma that if Parliament proved unable to adopt the constitution, he would try to have it adopted by referendum. This was a real threat to the anti- Kuchma forces in parliament as they would have lost their chance of negotiating a better deal by adopting the constitution in parliament. Thus, constitution making in Ukraine was a distinctively elitist enterprise, albeit conducted in the name of popular sovereignty.

The voting result was a product of a temporary relinquishing of the principal position by some deputies of the leftist bloc rather than the emergence of consensus following the conclusion of a rational and thoughtful debate on contested issues. The ratification of the constitution was immediately interpreted as a triumph of pro-reform centrists, national democrats, and President Kuchma and the defeat of the anti-national, conservative communist faction.<sup>15</sup>

According to the new constitution, it provided for a Semi-Presidential System, which balances Parliamentary and Presidential powers<sup>16</sup> slightly favouring the head of the state. The new constitution adopted has 161 articles, divided into 14 chapters and accompanied by a special transitional chapter with 14 points.<sup>17</sup>

The nominative functions of the Senate were placed with the Supreme Rada. The President was not given the right to dissolve Parliament and his legislative power to issue decrees on economic issues was limited to a period of three years; yet the Presidential veto on parliamentary laws, which required a two-thirds majority to be overridden was continued. The legislature was given the right to vote the government out of office under certain circumstances, while the President could be dismissed only in a complex criminal–legal procedure of impeachment. The right to appoint the constitutional court was given to President, Parliament, and judiciary. The status quo of Crimea was confirmed, as evidence by its title, Autonomous Republic of Crimea, although Ukraine

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<sup>15</sup> Roman Sochanyk, n.7, P.134.

<sup>16</sup> Oleh Protsyk, “Troubled Semi-Presidentialism: Stability of Constitutional System and Cabinet in Ukraine”, *Europe-Asia Studies*, vol.55, no.7, 2003, Pp.1077-1095.

<sup>17</sup> Ihor Dloboha, “New Constitution of Ukraine, At least it’s a beginning”, *Ukrainian Review*, vol.43, no.3, Autumn 1996, Pp.30-34.

was designated a unitary country. The Ukrainian language was the only state language, whereas Russian and languages of national minorities are entitled to develop freely. Finally, the transitional provisions stipulated that the parliamentary and Presidential elections were to be held in 1998 and 1999 respectively, hence affirming that the President and Parliament would serve their full terms.<sup>18</sup>

Thus, under Ukraine's first Post-Soviet constitution, power is formally divided between three branches of government – the Executive, National Legislature and the Judiciary.

### **Institutional Structure of The Political System**

Institutionalization is central to the entire process of democratization. Institutions are defined as societally stabilized patterns of behavior and interaction. Democracy places institutions for above everything else because what it regards as important is not government but governance, not men but institutions.<sup>19</sup>

Any account of democracy can expect to be asked about the institutions that will house it. In a system and a model of democracy where governance but not government is central, these institutions will not be only governmental organizations. Discourses are intertwined with institutions, if formal rules constitute institutional hardware, then discourses constitutes institutional software. Discourses play an invaluable role in coordinating action and achieving governance. By preparing the ground for a discussion of possibilities, they allow for reflection and reconstruction under democratic conditions.<sup>20</sup>

Democracy thrives on institutional plurality. Institutions stabilize the predictability of actions by narrowing the choice of actions possible or permitted. In so doing they make actions possible. Without institutions meaningful and directed action

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<sup>18</sup> Roman Sochanyk, n.7, P.134.

<sup>19</sup> Fritz Plasser, *Democratic Consolidation in East-Central Europe* (London: Macmillan Press, 1998), P.13.

<sup>20</sup> John S. Dryzek, *Deliberative Democracy and Beyond* (Oxford: Oxford University Press, 2000), Pp.122-135.



would be difficult. This dual functions, of providing for actions and limiting actions in democracy can only be effective if all the actions involved generally adhere to, support and allow themselves to be governed by the rules, procedures and structures. Their actions must be in accordance with decisions reached with the help of these institutions; they must support them both normatively and in their political action.

Thus institutionalization is a process which refers to three levels, establishing norms, rules and structures, supporting them through behavior expectations and normative attitudes and reinforcing them functionally and instrumentally.<sup>21</sup>

Samuel P. Huntington's criterion of political development is the institutionalization of political organizations and procedures. His identification of political development with institution building based on the approach, that a well institutionalized polity would be marked by high levels of adaptability, complexity, autonomy and coherence- might not stand a very close scrutiny but it is important in so far as it highlights the key role of institution building.<sup>22</sup>

Before 1991, the Communist USSR had been in possession of Ukraine for nearly three and half centuries.<sup>23</sup> In the communist period, although there were institutions, but they were just a formal facade of democracy of little importance and mere very weak. The real locus of power was in the Communist Party organs such as, the Politburo and Central Committee and not in the state bodies such as the Cabinet and Parliament.

With the euphoria of independence, Ukraine anxiously sought ways to secure its new freedom against Russian hegemony. Ukraine successfully laid out the framework for the development of vital democratic institutions- a balance of power between Parliament,

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<sup>21</sup> Ibid., Pp.3-7.

<sup>22</sup> Samuel P. Huntington, "Political Development and Political Decay", *World Polity*, vol.17, April 1965, Pp.386-93.

<sup>23</sup> Roman Szporluk, "Ukraine: From an Imperial Periphery to a Sovereign State", *Daedalus*, vol.126, no.3, Summer 1997, Pp.85-118.

President and an independent judiciary; the provision for Local Self-Government, and Constitutional guarantees of Human Rights and the like.<sup>24</sup>

## **President**

Beginning of the Ukrainian democracy has been originated in Cossack period but its rapid development and establishment of the institution of Presidency started in the tenths of the 20<sup>th</sup> century. In time of the Central Rada (Council) activity four edicts had been issued that had to be foundations for democracy of the Ukrainian society. The Central Rada (Council) proclaimed complete political independence of Ukraine from Russia with the last edict of January 22, 1919. On April 29, 1918 this body elected Mykhailo Hrushevsky as the president of the Ukrainian National Republic. On December 1, 1991 another significant event had taken place in the history of the Ukrainian Presidency. That day people voted for proclamation of Ukraine's independence and elected the first President of a New Ukrainian state- Leonid Kravchuk.<sup>25</sup>

In 1994, people elected the next President of Ukraine by means of elections, which were held for first time after independence. Leonid Danylovykh Kuchma became first elected President after independence.

With the effort of the second President Leonid Kuchma, the new constitution was adopted, which clearly defined status of President and Election procedures.

The chapter V of the constitution of Ukraine adopted at the fifth session of the *Verkhovna Rada* of Ukraine, on 28 June 1996, stipulated the rights and responsibilities of the President as the head of state, the election procedure, and provides for the possibility of his from office and termination of his authorities.<sup>26</sup>

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<sup>24</sup> Serhiy Holovaty, "Ukraine at the Crossroads: Perspectives on Independence, Democracy and Reform", accessed online at [www.art-ukraine.com/ua/html](http://www.art-ukraine.com/ua/html).

<sup>25</sup> "President of Ukraine", [www.trilateral.org/html](http://www.trilateral.org/html).

<sup>26</sup> Oleh Protsyk, n.16, P.4.

Article 102 of the chapter V of the constitution stipulates that President is the Head of the state. He is the guarantor of state sovereignty, its territorial unity, the leadership of constitution, rights and freedom of people and citizens.<sup>27</sup>

According to Article 103, the citizens of Ukraine elect the President of Ukraine for a five-year term, on the basis of universal equal and direct suffrage, by secret ballot. The citizen of Ukraine who has attained the age of thirty-five, has the right to vote, has resided in Ukraine for the past ten years prior to the day of elections and has command of the state language, may be elected as the President of Ukraine one and same person shall not be the President of Ukraine for more than two consecutive terms.<sup>28</sup>

The President's authorities regarding the country's internal policy are defined in Article 106 of the constitution of Ukraine. The President of Ukraine ensures state independence national security and the legal succession of the state. He addresses the people with messages and the *Verkhovna Rada* of Ukraine with annual and special messages on the domestic and foreign situation of Ukraine.<sup>29</sup>

The President represents the state in International relations, administers the foreign political activity of the state, conducts negotiations and concludes International Treaties of Ukraine. The President adopts decisions on the recognition of foreign states and appoints and dismisses heads of diplomatic missions of Ukraine to other states and to International Organizations. He accepts credentials and letters of recall of diplomatic representatives of foreign states, designates an All-Ukrainian referendum regarding amendments to the constitution of Ukraine and proclaims all-Ukrainian referendum on popular initiative, terminates the authority of the *Verkhovna Rada* of Ukraine if the plenary meetings fall to commence within thirty days of one regular session.<sup>30</sup>

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<sup>27</sup> "Constitution of Ukraine", *Ukrainian Review*, vol.43, no.4, Winter 1996, Pp.3-47.

<sup>28</sup> *ibid.*, P.28.

<sup>29</sup> *ibid.*

<sup>30</sup> *ibid.*

In accordance with article 106 of the constitution, President appoints the Prime minister of Ukraine with the consent of the *Verkhovna Rada* of Ukraine, terminates the authority of the Prime Minister and adopts a decision on his or her resignation.

President appoints the Procurator General of Ukraine to office with the consent of the *Verkhovna Rada* of Ukraine, and dismisses him or her from office. He appoints one half of the composition of the council of the National Bank of Ukraine.

President superiority is seen from cabinet when he revokes acts of the cabinet of ministers of Ukraine and acts of the council of minister of the Autonomous Republic of Crimea.

The President is the Commander in Chief of the Armed Forces of Ukraine. He appoints to office and dismisses from office the high command of the Armed Forces of Ukraine and other military formations. On the question of National Security, the President administers in the spheres of National Security and defence of the state.

He heads the Council of National Security and Defence of Ukraine. He forwards the submission to the *Verkhovna Rada* of Ukraine on the declaration of a state of war and adopts a decision on the use of armed forces in the event of armed aggression against Ukraine.

The President uses his emergency powers, when he adopts a decision in the event of necessity, on the introduction of a state of emergency in Ukraine or in its particular areas, and also in the event of necessity, declares certain areas of Ukraine as zones of an ecological emergency situation with subsequent confirmation of these decisions by the *Verkhovna Rada* of Ukraine.

As far as President's Judicial Power is concerned, he appoints one third of the composition to the Constitutional Court of Ukraine, establishes courts by the procedure determined by law.<sup>31</sup>

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<sup>31</sup> *ibid.*

Citizenship is not only concerned with legal and socio economic rights, it also defines the nature and terms of belonging of an individual to a political community. On the question of citizenship, the President adopts decisions on the acceptance for citizenship of Ukraine and the termination of citizenship of Ukraine and on the granting of asylum in Ukraine and exercises other powers determined by the constitution of Ukraine.<sup>32</sup> The President of Ukraine, on the basis and for the execution of the constitution and the laws of Ukraine, issues decrees and directives that are mandatory for execution on the territory of Ukraine.<sup>33</sup>

### **Parliament (*Verkhovna Rada*)**

Formation of the highest legislative body of Ukraine was a complicated process. The first period of the Ukrainian State system building dates back to the time of the Central Council Foundation in March 17, 1917 passed the first legislative act – Decree I. Legislative basis for Independent Ukrainian state was Universal IV, January 22, 1918, which determined the creation of the constitution of Ukraine as one of the most important objectives. A constitution draft of the Ukrainian People's Republic was adopted at the last session of the Central Council on April 29, 1918.<sup>34</sup>

The second period is connected with the Hetjman's period. On April 29, 1918, a meeting of grain growers took place in Kyiv with participation of 8000 delegates, at which Pavlo Skoro Padsjkyj was unanimously elected Hetjman of Ukraine. That day laws on interim political system of Ukraine were proclaimed, which were supposed to serve a constitution of state still the *Sejm* convocation. But the *Sejm* was never convoked. According to this interim constitution the power in Ukraine belonged to *Hetjman*, which appointed otaman of cabinet council, and otaman, in his turn, submitted his cabinet for approval.<sup>35</sup>

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<sup>32</sup> Louise Jackson and Kataryna Wolczuk, "Defining Citizenship and Political Community in Ukraine", *Ukrainian Review*, vol.44, no.2, Summer 1997, Pp.16-27.

<sup>33</sup> Oleh Protsyk, "Ruling with Decrees: Presidential Decree Making in Russia and Ukraine", *Europe-Asia Studies*, vol.56, no.5, July 2004, Pp.637-660.

<sup>34</sup> "The Political System of Ukraine", [www.ukremb.ca/ukraine/ukraine/html](http://www.ukremb.ca/ukraine/ukraine/html).

<sup>35</sup> *ibid.*

The sole body of legislative power in Ukraine is the parliament – the *Verkhovna Rada* of Ukraine. Chapter IV of the constitution from Article 75 to Article 101 deals with the powers and functions of the *Verkhovna Rada* of Ukraine. According to Article 76, the constitutional composition of the *Verkhovna Rada* of Ukraine consists of 450 National Deputies of Ukraine who are elected for a four year term on the basis of universal, equal and direct suffrage, by secret ballot.<sup>36</sup>

*Verkhovna Rada* is a Unicameral Assembly. Regular elections to the *Verkhovna Rada* of Ukraine take place on the last Sunday of March of the fourth year of the term of authority of the *Verkhovna Rada* of Ukraine.

Article 82 and 83 of the constitution of Ukraine stipulates, the *Verkhovna Rada* of Ukraine works in sessions. It assembles for its first session no later on the thirtieth day after the official announcement of the election results. Regular sessions of the *Verkhovna Rada* of Ukraine commence on the first Tuesday of February and on the first Tuesday of September each year.<sup>37</sup>

The authority and objectives of *Verkhovna Rada* given in article 85 is to, introduce amendments to the constitution of Ukraine within the limits and by the procedure envisaged by chapter XIII of this constitution [Chapter XIII deals with Introducing Amendments to the Constitution of Ukraine] and<sup>38</sup>

- Designating an All-Ukrainian referendum on issues demanded by Article 73 (issues of altering the territory of Ukraine) of this constitution.
- Adopting laws.
- Approving the state Budget of Ukraine and introducing amendments to it.
- Determining the principles of domestic and foreign policy.
- Approving national programmes of economic, scientific and technical, social, national and cultural development.

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<sup>36</sup> “Constitution of Ukraine”, n.27, P.20.

<sup>37</sup> *ibid.*

<sup>38</sup> *ibid.*, Pp.20-23.

- Designating elections of the President of Ukraine and concluding peace, approving the decision of the President of Ukraine on the use of the Armed Forces of Ukraine and other military formation in the event of armed aggression against Ukraine.
- Removing the President of Ukraine from office in accordance with the special procedure of impeachment.
- Considering and adopting the decision in regard to the approval of the programmes of Activity of the Cabinet of Ministers of Ukraine.
- Giving consent to the appointment of the prime minister of Ukraine by the President of Ukraine.
- Exercising control over the activity of the cabinet of Ministers of Ukraine in accordance with this constitution.
- Appointing to office and terminating the authority of the members of the Central Electoral commission on the submission of the President of Ukraine.
- Confirming the general structure and numerical strength and defining the functions of the Armed Forces of Ukraine, the security service of Ukraine and other military formations created in accordance with the laws of Ukraine.
- Appointing one-third of the composition of the constitutional court of Ukraine.
- Electing judges for permanent terms.
- Terminating prior to the expiration of the term of authority of the *Verkhovna Rada* of the Autonomous Republic of Crimea, based on the opinion of the constitutional court of Ukraine that the constitution of Ukraine or the laws of Ukraine have been violated by the *Verkhovna Rada* of the Autonomous Republic of Crimea, designating special elections to the *Verkhovna Rada* of the Autonomous Republic of Crimea.
- Designating regular and special elections to bodies of local self-government.

The *Verkhovna Rada* of Ukraine elects from among its members the chairman of the *Verkhovna Rada* of Ukraine, the First Deputy Chairman and the Deputy Chairman of the *Verkhovna Rada* of Ukraine. The Chairman presides at meetings of the *Verkhovna Rada* of Ukraine and organizes the preparation of issues for consideration at the meetings

of the *Verkhovna Rada* of Ukraine. He signs acts adopted by the *Verkhovna Rada* of Ukraine. He represents the *Verkhovna Rada* of Ukraine with other bodies of State Power of Ukraine. Lastly, he organizes the work of the staff of the *Verkhovna Rada* of Ukraine.<sup>39</sup>

The *Verkhovna Rada* of Ukraine confirms the list of Committees of the *Verkhovna Rada* of Ukraine and elects chairmen to these Committees. The Committees perform the work of Legislative Drafting, prepare conduct the preliminary consideration of issues ascribed to the authority of the *Verkhovna Rada* of Ukraine.<sup>40</sup> The *Verkhovna Rada* of Ukraine adopts laws, resolutions and other acts by the majority of its constitutional composition, except in cases envisaged by this constitution.

### **The Government of Ukraine**

The Cabinet of Ministers of Ukraine is the highest body of the Executive power in Ukraine. They are responsible to the President of Ukraine and is under the control of and accountable to the *Verkhovana Rada* of Ukraine.

The Cabinet of Ministers of Ukraine is composed of the Prime Minister of Ukraine, the First Vice Prime Minister, three Vice Prime Ministers and the ministers. The Prime Minister is appointed by the President with the consent of more than one half of the constitutional composition of the *Verkhovna Rada*. The President on the recommendation of the Prime Minister appoints other Ministers. The Prime Minister of Ukraine manages the work of the Cabinet of ministers and directs it for the implementation of the programme of activity adopted by the *Verkhovna Rada* of Ukraine.<sup>41</sup>

The Cabinet of Ministers of Ukraine tenders its resignation of the newly elected President of Ukraine. The Prime Minister of Ukraine and other members of the Cabinet of ministers of Ukraine have the right to announce their resignation to the President of Ukraine. The resignation of the Prime Minister of Ukraine results in the resignation of the

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<sup>39</sup> "Political system of Ukraine", [www.ukremb.com/politics/html](http://www.ukremb.com/politics/html).

<sup>40</sup> "Verkhovna Rada of Ukraine", [www.President.gov.ua/eng/President/constitution.html](http://www.President.gov.ua/eng/President/constitution.html).

<sup>41</sup> "Constitution of Ukraine", n.27, Pp.32-33.



entire Cabinet. The adoption of a resolution of no confidence in the Cabinet of ministers of Ukraine by the *Verkhovna Rada* of Ukraine results in the resignation of the Cabinet of ministers of Ukraine. The Prime Minister of Ukraine is obliged to submit a statement of resignation of the Cabinet of ministers of Ukraine to the President following a decision by the President of Ukraine or in connection with the adoption of the resolution of no confidence by the *Verkhovna Rada* of Ukraine.<sup>42</sup>

The role and functions of Cabinet of ministers of Ukraine is given in detail in chapter VI, Article 116 of the constitution of Ukraine.

The Cabinet of ministers of Ukraine ensures the state sovereignty and economic independence of Ukraine, the implementation of domestic and foreign policy of the state, the execution of the constitution and the laws of Ukraine and the acts of the President of Ukraine. They takes measures to ensure human and citizens rights and freedoms, ensures the implementation of financial, pricing, investment and taxation policy, the policy in the spheres of labour and employment of the population, social security, education, science and culture, environmental protection, ecological safety and the utilization of nature.

The Cabinet of Ministers elaborates and implements national programmes of economic, scientific and technical and social and cultural development of Ukraine ensures equal conditions of development of all forms of ownership; administers the management of project of state property in accordance with the law.

The Cabinet of Ministers has legislative powers in drafting law on the state Budget of Ukraine and ensures the implementation of the state Budget of Ukraine approved by the *Verkhovna Rada* of Ukraine, and submits a report on its implementation to *Verkhovna Rada* of Ukraine.<sup>43</sup>

Measures to ensure the defence capability and national security of Ukraine, public order and to combat crime are taken by Cabinet of ministers.

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<sup>42</sup> *ibid.*, P.33.

<sup>43</sup> *ibid.*

Organisation and implementation of the foreign economic activity of Ukraine are in the hands of cabinet. Direction and co-ordination of ministers and other bodies of executive power is another important function of cabinet. They perform other functions as such determined by constitution and the laws of Ukraine and by the acts of the President of Ukraine.<sup>44</sup>

## Judiciary

Justice in Ukraine is administered exclusively by the courts. The Jurisdiction of the courts extends to all legal relations that arise in the state.

The Constitutional Court of Ukraine initiated its activity on October 18, 1996. It was connected with the 'Constitution of Ukraine' adopted by *Verkhovana Rada* in 1996. The first decision was adopted on May 13, 1997. The Constitutional Court of Ukraine is the only body of constitutional jurisdiction in Ukraine. "Visnyk of the constitutional court of Ukraine" is a printed body.<sup>45</sup>

Beginning of the Arbitration Courts establishment in the territory of Ukraine, in present day understanding, can be considered the Commercial Court, was established at Odessa in 1809. Later, such courts had been established in Feodosiya (1819) and Ismajil (1824). The Emperor of the Russian Empire Mykola I had issued on 14 May 1832 nominal decree on commercial courts establishment and statute of legal procedure ratification. In this way a system of commercial courts of the Russian Empire has been founded – predecessors of the contemporary Arbitration courts.<sup>46</sup>

The Commercial Courts functioned till 1917. Provisions of USSR on Higher Arbitration Commission establishment in Ukraine had been approved on November 1922. The law of Ukrainian SSR has been adopted on June 4 1999. In the history of USSR an independent system of Arbitration Courts in separate republic was founded. According to Article I of the constitution of Ukraine on 'Arbitration Courts', Arbitration

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<sup>44</sup> *ibid.*

<sup>45</sup> "Ukraine political system", [www.ukrainianstudies.uottawa.ca/pdf/C\\_Pisano.pdf](http://www.ukrainianstudies.uottawa.ca/pdf/C_Pisano.pdf).

<sup>46</sup> *ibid.*

Court is an independent judicial body in consideration of all economic disputes emerging between judicial persons, state and other bodies. The Arbitration Court is authorized to try cases against complaints of juridical persons, entrepreneurs, state and other bodies, public prosecutors, who appeal in the interests of the state.<sup>47</sup>

Supreme Court of USSR started since March 11, 1923. The history of the activity of judicial bodies of Ukraine as well as the Supreme Court of Ukraine was not simple. Under conditions of political monopolism the courts acts as a compound part of the state bodies system, carried out such functions and in such functions and in such forms, which have been determined by higher governmental structures of the power system.

Proclamations of the Ukrainian sovereign, legal democratic state, carrying out of different procedures in this direction have fundamentally changed the status of courts and judges. The understanding that the level of democracy determined by court place in the state becomes more and more confirmed in the society. According to the constitution of Ukraine, the state is responsible to people, for its activity. Statement and guarantee of human rights and freedom is a principle obligation of the state. Human and citizen's freedoms right are to be protected by the court. To ensure reliable protection of human and citizens rights and freedoms as requires the fundamental law of Ukraine and can only be protected by the judicial system that will operate exclusively on the basis determined by the constitution. Lawfulness, equality of all participants in a trial before the law and court, legal proceedings, publicity, competitiveness of parts, abidance by presumption of innocence etc, in conditions of judge's independence and immunity. To reform the judicial system and judicature is not a simple and rapid process, particularly taking into account existing problems in the state. But the constitution of Ukraine determines the guidelines. Though on these conditions the Supreme Court of Ukraine acts as highest judicial body in the system of general courts on the basis of present legislation and will provide by its activity the law, right and justice prevalence in the society.<sup>48</sup>

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<sup>47</sup> *ibid.*

<sup>48</sup> *ibid.*

Judicial system in Ukraine has been dealt in chapter VIII and Chapter XII of the new constitution in Ukraine. The Constitutional Court (chapter XII) and Courts of General Jurisdiction perform judicial proceedings in Ukraine.<sup>49</sup>

The people directly participate in the administration of justice through people assessors and jurors. Judicial decisions are adopted by the courts in the name of Ukraine and are mandatory for execution throughout the entire territory of Ukraine.

In Ukraine, the system of courts of General Jurisdiction is formed in accordance with the territorial principle and the principle of specialization.

The Supreme Court of Ukraine is the highest judicial body in the system of courts of General Jurisdiction. The respective High Courts are the highest judicial bodies of specialized courts. Courts of Appeal and Local Courts operate in accordance with the law. The creation of extraordinary and special courts is not permitted. The independence and immunity of judges are guaranteed by the constitution and the laws of Ukraine. Influencing judges in any manner is prohibited. A judge shall not be detained or arrested without the consent of the *Verkhovna Rada* of Ukraine, until a verdict of guilty is rendered by a court. Judges hold office for permanent terms, except judges of the Constitutional Court of Ukraine, and judges appointed to the office of judge for the first time.

A judge is dismissed from office by the body that elected or appointed him or her in the event of:

1. the expiration of the term for which he or she was elected or appointed,
2. the judge's attainment of the age of sixty five,
3. the impossibility to exercise his or her authority for reasons of health,
4. the violation by the judge of requirements concerning incompatibility,
5. the breach of oath by the judge,
6. the entry into legal force of verdict of guilty against him or her,
7. the termination of his or her citizenship,

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<sup>49</sup> *Summary of World Broadcast*, part I, 16 May, 1999.

8. the declaration that he or she is missing, or the pronouncement that he or she is dead,
9. the submission by the judge of a statement of resignation or of voluntary dismissal from office.

The authority of the judge terminates in the event of his or her death. The state ensures the personal security of judges and their families.

Justice is administered by professional judges and, in cases determined by law, people assessor and jurors. Professional judges shall not; belong to political parties and trade unions, take part in any political activity, hold a representative mandate, occupy any other paid positions, and perform other remunerated work except scholarly, teaching and creative activity. A citizen of Ukraine not younger than the age of twenty five, who has a higher legal education and has work experience in the sphere of law for no less than three years, has resided in Ukraine for no less than ten years and has command of the state language, may be recommended for the of judge by the qualification commission of judges.

Persons with professional training in issues of jurisdiction of specialized courts may be judges of these courts. These judges administer justice only as member of collegiums of judges. Additional requirements for certain categories of judges in terms of experience, age and their professional level are established by law. Protection of the professional interests of judges is exercised by the procedure established by law.

The first appointment of a professional judge to office for a five year term is made by the President of Ukraine. All other judges, except the judges of the Constitutional Court of Ukraine, are elected by the *Verkhovana Rada* of Ukraine for permanent terms by the procedure established by law. The chairman of the Supreme Court of Ukraine is elected to office and dismissed from office by the plenary assembly of the Supreme Court of Ukraine by secret ballot, by the procedure established by law.<sup>50</sup>

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<sup>50</sup> "Constitution of Ukraine", n.27, P.37.

In the administration of justice, judges, are independent and subject only to the law. Judicial proceedings are conducted by a single judge, by a panel of judge, or by a court of the jury. The main principles of judicial proceedings are:<sup>51</sup>

1. legality,
2. equality before the law and the court of all participants in a trial,
3. ensuring that the guilt is proved,
4. adversarial procedure and freedom of the parties to present their evidence to the court and to prove the weight of evidence before the court,
5. Prosecution by the procurator in court on behalf of the state,
6. ensuring the right of an accused persons to a defence,
7. openness of a trial and its complete recording by technical means,
8. ensuring complaint of a court decision by appeal and cassation, except in cases established by law and,
9. the mandatory nature of court decisions.

The law may also determine other principles of judicial proceedings in courts of specific judicial jurisdiction. Persons guilty of contempt of court or of showing disrespect toward the judge are brought to legal liability.

The state ensures funding and proper conditions for the operation of courts and the activity of judges. Expenditures for the maintenance of courts are allocated separately in the state budget of Ukraine. Judges self management operates to resolve issues of the internal affairs of court.

The High Council of justice operates in Ukraine, whose competence comprises:

1. forwarding submission on the appointment of judges to office or on their dismissal from office,
2. adopting decisions in regard to the violation by judges and Procurators of the requirements concerning incompatibility,
3. exercising disciplinary procedure in regard to judges of the Supreme Court of Ukraine and judges of High Specialized Courts, and the consideration of

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<sup>51</sup> *ibid.*, P.38.

complaints regarding decision on bringing to disciplinary liability judges of Courts of Appeal and Local Courts, and also Procurators.

The High Council of justice consists of twenty members. The *Verkhovna Rada* of Ukraine, the President of Ukraine, the Congress of judges of Ukraine, the Congress of advocates of Ukraine, and the Congress of representatives of higher legal educational establishments and scientific institutions, each appoint three members to the High Council of justice and the All Ukrainian Conference Employees of the Procuracy – two members of the High Council of justice.

The chairman of the Supreme Court of Ukraine, the Minister of justice of Ukraine and the Procurator General of Ukraine are ex officio members of the High Council of justice.

According to article 134, the Constitutional Court of Ukraine is the sole body of constitutional jurisdiction in Ukraine. The Constitutional Court of Ukraine decides on issues of conformity of laws and other legal acts with the constitution of Ukraine and provides the official interpretation of the constitution of Ukraine and the laws of Ukraine.

The Constitutional Court of Ukraine is composed of eighteen judges of the Constitutional Court of Ukraine. The President of Ukraine, the *Verkhovna Rada* of Ukraine and the Congress of judges of Ukraine each appoint six judges to the Constitutional Court of Ukraine. A citizen of Ukraine, who has attained the age of forty on the day of appointment, has a higher legal education and professional experience of not less than ten years has resided in Ukraine, for the last twenty years, and has command of the state language, may be a judge of the Constitutional Court of Ukraine. A judge of the Constitutional Court of Ukraine is appointed for nine years without the right of appointment to a repeat term The chairman of the Constitutional Court of Ukraine is elected by secret ballot only for once three year term at a special plenary meeting of the Constitutional Court of Ukraine from among the judges of the Constitutional Court of Ukraine.<sup>52</sup>

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<sup>52</sup> *ibid.*, P.44.

Judges of the Constitutional Court of Ukraine are subject to the guarantees of independence and immunity and to the grounds for dismissal from office envisaged by article 126 of his constitution, and the requirements concerning in compatibility as determined in Article 127, paragraph two of this constitution.

The authority of the constitutional court of Ukraine comprises.

1. deciding on issues of conformity with the constitution of Ukraine (constitutionality) of the following:
  - a) Laws and other legal acts of the *Verkhovna Rada* of Ukraine.
  - b) Acts of the President of Ukraine.
  - c) Acts of the cabinet of Minster of Ukraine.
  - d) Legal acts of the *Verkhovna Rada* of the Autonomous Republic of Crimea.
  - e) the authorized Human Rights representative of the *Verkhovana Rada* of Ukraine.
2. The official interpretation of the constitution of the Ukraine and the laws of Ukraine;

On issues envisaged by this article, the constitutional court of Ukraine adopts decisions that are mandatory for execution throughout the territory of Ukraine, that are final and shall not be appealed.<sup>53</sup>

The Constitutional Court of Ukraine, on the appeal of the President of Ukraine of the Cabinet of Ministers of Ukraine, provides opinions on the conformity with the constitution of the Ukraine of International treaties of Ukraine that are in force, or the International treaties submitted to the *Verkhovna Rada* of Ukraine for granting agreement on their binding nature.

On the appeal of the *Verkhovna Rada* of Ukraine, the Constitutional Court of Ukraine provides opinion on the observance of the constitutional procedures of

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<sup>53</sup> *ibid.*, P.45.



investigation and consideration of the case of removing the President of Ukraine from office by the procedure of impeachment.

Laws and other legal acts, by the decision of the Constitutional Court of Ukraine, are deemed to be unconstitutional in whole or in part, in the event that they do not conform to the constitution of Ukraine, or if there was a violation of the procedure established by the constitution of Ukraine, for their review, adoption or their entry into force. Laws and other legal acts, or their separate provisions, which are deemed to be unconstitutional, lose legal force from the day constitutional court of Ukraine adopts the decision on their unconstitutionality. Material or moral damages, inflicted on physical and legal persons by the acts or actions deemed to be unconstitutional, are compensated by the state by the procedure established by law. The procedure for the organization and operation of the Constitutional Court of Ukraine, and the procedure for its review of cases, are determined by law.<sup>54</sup>

### **Political Parties**

The emergence of independent, competitive parties and development of party government has been one of the most significant aspects of recent change in Post Communist countries. Political Parties appear as one of the most prominent institutions of modern Liberal democracy. It is hardly possible, in practice if not in theory, to conceive of a functioning representative democracy without some kind of competitive party system. The development of a range of reasonably effective parties is a prime indicator of the democratization of the former communist countries.

Parties help to anchor the recently established democratic regimes in a broader society and contribute to their stability amidst multiple process of rapid social and economic change. Effective constitutions and the diverse processes involved in the law are strengthened by the possibilities parties offer for the development of a more active citizenry and the emergence of a robustly democratic political culture.<sup>55</sup>

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<sup>54</sup> "Constitution of Ukraine", n.27, P.45.

<sup>55</sup> Paul G.lewis, *Political Parties in Post-Communist Eastern Europe* (London: Routledge, 2000), P.1.

A political party is an association organized in support of some principles or policy which by constitutional means it endeavors to make the determinant of government.<sup>56</sup> Political Parties acts as linkages between government and the governed in modern societies, between electorate and representative institutions. Parties act as the transmitter of ideas, opinions and approaches to social needs and national goals in a political system. They subscribe to certain ideas and ideology and promote certain political values.

Political Parties provide political education to the citizens, help them in widening their awareness of social problem, mobilize them for political participation and elections and provide alternative models of socio – economic development. Parties are organized in order to contest elections to assume political power.

The main function of Political Parties can be summed up as, representation, elite formation and recruitment, goal formulation, interest articulation and aggregation, socialization and mobilization and organization of government.

The one party regime that evolved within the Soviet dictatorship and subsequently spread to other parts of the world, had little in common with the experience of liberal democratic competitive party politics and contributes little to the general study of modern party politics. During the Soviet period, there was only one party, the Communist Party, which controlled each and every sphere of life. With the emergence of Rukh in 1989, many political parties emerged on the scene of political spectrum in Ukraine.

The law of Ukraine on Political Parties given in chapter I Article I, is citizens right to associate in political parties and they can freely associate in political parties to exercise and protect their rights and liberties, and to satisfy their, political, economic, social, cultural and other interests as determined and guaranteed by the constitution of Ukraine.<sup>57</sup>

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<sup>56</sup> R. M. MacIver, *The Web of Government* (New York: The Free Press, 1965), P.213.

<sup>57</sup> “Law of Ukrainian Political Parties”, [www.nau.kiev.ua.html](http://www.nau.kiev.ua.html).

During the period since independence four main strands of Ukrainian Political Parties have developed: the National Democrats, the Moderates, the Leftist Parties and the Radical Nationalists.<sup>58</sup>

### **The National Democrats**

Rukh was founded in September 1989. From then until spring 1992 it was the main opposition force in Ukraine. It was from the outset not a political party but rather a broad-based 'umbrella organization' of political parties, cultural organizations and others, all united against the Communist regime and in favour of Ukrainian independence. At its third congress in March 1992, a split occurred between those who preferred to stay in opposition to President Kravchuk, led by Vyacheslav Chornville, and those who took the view that in this critical period of establishing independence it was necessary to support President Kravchuk, led by Mayhill Horyn and Ivan Dratch. A compromise was, however, forced through at the Congress by a representative of the Ukrainian Diaspora in the West, whereby all three were elected joint leaders of Rukh. The representative of the Ukrainian Diaspora could do this because Rukh's activity was to a great extent financed by the Diaspora. The collective leadership did not work, however: Dratch pulled out and Horyn became leader of the Ukrainian Republican Party, and at Rukh's fourth congress in December 1992 Chornville was elected as the sole leader of Rukh. Rukh was officially registered as an ordinary political party in February 1993.<sup>59</sup>

Politically, Rukh can be characterized as a centre-right party. It works for Western-style democracy and market economics, and puts special emphasis on questions of Ukrainian rebirth: consolidating independence, strengthening the position of the Ukrainian language and Ukrainian culture, etc. It also argues for the immediate withdrawal of Ukraine from the Commonwealth of Independent States (CIS).

In the Ukrainian parliamentary elections of 1994, Rukh performed badly, winning only 27 seats, these representatives constitute a separate faction in the parliament.

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<sup>58</sup> Tor Bukkvoll, *Ukraine and European Security* (London: Royal Institute of International Affairs, 1997), Pp.4-24.

<sup>59</sup> *Ibid.*, P.10.

## **The Ukrainian Republican Party (URP) and the Democratic Party of Ukraine (DPU)**

The URP was established in April 1990 by the famous Ukrainian dissident Levko Lukyanenko, who had spent 26 years in Soviet prisons. It took only nine seats in the 1994 elections. The DPU was established in December 1990. It is viewed as a party of intellectuals and is led by the charismatic leader Volodymyr Yavorivsky. It took just six seats in the 1994 elections. Together with several independent deputies and other more radical nationalists from UNA-UNSO (The Ukrainian National Assembly and Ukrainian National Self-Defense) and CUN (Congress of Ukrainian Nationalists), these two parties formed the parliamentary faction Derzhavnist (Statehood), which is supported by 28 deputies. Ideologically, URP and DPU are both close to Rukh on most major issues.<sup>60</sup>

### **The Moderates**

#### **New Ukraine (Centre-Left)**

The New Ukraine block was formed in June 1992. Its main initiator, the Party of Democratic Rebirth of Ukraine (PDRU), was established in December 1990 on the basis of the so-called Democratic Platform that broke away from the Communist Party. Together with two social-democratic parties, the Green Party and many other groupings, the PDRU tried to make New Ukraine into the main force in the 1990-94 Parliament promoting market reform. Among the other organizations in New Ukraine were the Ukrainian League of Companies with Foreign Capital, the Ukrainian Confederation of Industrialists and some trade unions. The social democrats later left New Ukraine, and after 1993 the block gradually lost its dominant position within the moderate camp to the Liberal Party of Ukraine. In July 1995, however, there were attempts at a revival of New Ukraine, in which several leading Ukrainian politicians, for example the deputy speaker of the parliament, Oleg Demin, and former Presidential adviser Valeriy Pustovoytenko, took prominent positions. In February 1996 the driving forces behind New Ukraine, PDRU and the Ukrainian Worker's Congress (UWC), decided to merge the three bodies into a new political party, the People's Democratic Party of Ukraine (PDPU). This has

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<sup>60</sup> *ibid.*, Pp.10-11.

left New Ukraine in a very unclear situation. It is not disbanded, but it has become increasingly clear that work within New Ukraine will be given little priority by the PDRU and UWC elements in the PDPU.<sup>61</sup>

### **The Liberal Party of Ukraine (Centre-Right)**

The Liberal Party of Ukraine was established in Donetsk in 1991 by the local businessman Ihor Markulov. Its social base was at the outset limited to eastern Ukraine, but by summer 1995 the party had developed an all-Ukrainian profile. Support from business circles means that party finances are solid, and a number of prominent Ukrainian politicians, including the former Ukrainian President Leonid Kravchuk, have either joined the party or declared their affiliation with it. Although the Liberal Party did not win a single seat in the 1994 parliamentary elections, it has been able to organize a group of twelve Deputies into the Market Choice and parliamentary faction.

During spring 1996 there were persistent rumours of a forthcoming merger between the Liberal Party and two other centre-right parties: the Party of Economic Recovery and the Interregional Block for Reforms.

In economic policy New Ukraine has a social-democratic orientation, whereas the Liberal Party is of a more liberal tendency. Both, however, seem increasingly to have moved closer to the national democrats on questions of Ukrainian independence and statehood. At its fourth congress in July 1995 New Ukraine came out in favour of a Unitarian - as opposed to a federal- state structure, and of Ukrainian as the country's only state language. In January 1995 the Liberal Party chose the outspoken defender of Ukrainian statehood, Oleh Soskin, as its leader. His political views were, however, hard to accept for the party's eastern and southern Ukrainian majority, and in May 1995 he resigned as party leader. The new leader of the Liberal Party was Volodymyr Shcherban, chairman of the *Oblast* Council of Donetsk.<sup>62</sup>

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<sup>61</sup> *ibid.*

<sup>62</sup> *ibid.*, P.12.

## **The Left Parties**

### **The Socialist Party of Ukraine**

The Socialist Party of Ukraine (SPU) was established in October 1991 after the Communist Party had been banned as a result of the failed Soviet coup. Its political programme was originally in favour of a return to the past, to a planned economy, to abolition of the multi-party system and a renewed federation with the republics of the former Soviet Union. It has since moderated its position on most of these issues, and is today advocating a mixed economy with strong social guarantees, and an independent Ukraine in close cooperation with the other former Soviet republics. The Socialist Party took 26 seats in the 1994 parliamentary elections, and its leader is the Parliamentary Speaker, Aleksandra Moroz.

At the SPU's third congress in February 1996 a small core of orthodox Marxists left the party because, according to them, it had 'adopted social liberal positions'. These Marxists, led by Natalya Vitrenko and Volodymyr Marchenko, later established the Progressive Socialist Party of Ukraine (PSPU).<sup>63</sup>

### **The Communist Party of Ukraine**

The Communist Party of Ukraine re-emerged on the Ukrainian political scene only in October 1993, but soon became a political success story. In a short time it re-established its organizational structures, and it now has local branches in all *Oblasts* and most large and medium-sized towns. In the 1994 parliamentary elections the Communist Party gained the largest number of seats of any single party - 87. A major weakness, however, is that most of its support is among older people. Although a member of the party's presidium, Yevgeniy Marmazov, reacted to remarks about the average age of party supporters by retorting 'pensioners are not enemies', it is a problem for any political party to appeal almost only to older people.

The Communist Party advocates closer cooperation with the other former Soviet

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<sup>63</sup> *ibid.*

republics. It accepts all forms of property, but states that priority should be given to collectively owned property. In questions of Ukrainian statehood it has, however, increasingly been forced to take into account the position of Communists in western and central Ukraine. The party is split over the status of the Russian language, and has had to accept that Ukraine should be a sovereign state. Its unity may also be under threat on questions of economic reform. According to Victor Sukiyaki, a deputy from the pro-reform parliamentary faction, the present Communist parliamentary grouping consists of one part ideologically motivated old-time communists and one part pragmatists. Several from the latter group have themselves become considerable owners of property.

The Ukrainian Communists naturally pinned high hopes on a Communist victory in the 1996 Russian Presidential elections. Vasiliy Arestov, a Communist activist, said in June 1996 that in the event of a such a victory in Russia, 'Ukraine would become the only Black Island among Red and Reddening surroundings', suggesting that such a situation would not last long Y. Zyuganov's defeat was therefore probably felt as a hard blow by Ukrainian as well as Russian Communists.<sup>64</sup>

In March 1998 Parliamentary elections the communist party won 124 seats which made them the biggest single party faction in the parliament.<sup>65</sup>

### **Agrarian Party of Ukraine**

The Agrarian Party was established in the southern Ukrainian city of Kherson in January 1992, as an equivalent to the Socialist Party in the Ukrainian countryside, and to counterbalance the radical nationalistic Ukrainian Democratic Agrarian Party. The agrarians did well in the 1994 elections, gaining 35 seats. However, their parliamentary faction split in two in June 1995, when twenty deputies who were dissatisfied with the faction's anti-reform policy left and established a new parliamentary faction called 'Agrarians for Reforms'.<sup>66</sup>

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<sup>64</sup> *ibid.*, P.13.

<sup>65</sup> *Summary of World Broadcast*, Part I, 31 March 1998.

<sup>66</sup> *ibid.*

## **The Radical Nationalists**

In Ukraine, political extremism has been a fairly marginal phenomenon since independence. Most probably it will remain so, but the rise of one extreme group, the Ukrainian National Assembly and its paramilitary wing the Ukrainian National self Defense, still merits attention.<sup>67</sup>

## **The Ukrainian National Assembly-Ukrainian Self Defence Force (UNA-UNSO)**

Ukrainian Inter-Party assembly, which changed its name to the Ukrainian National Assembly (UNA), was formed in September 1991. Its goal was authoritarian nation state, but they elicited support across ethnic and Linguistic barriers. The UNA party was skilful populists.

UNA founded its own paramilitary wing, the Ukrainian Self Defence Force for revolution of values and the establishment of a national corporate state to provide Law and order, a protectionist route to national economic recovery and a strong hand against internal rivalry. UNSO was modeled on similar militias active in Ukraine in 1917-21 and 1941-1944, which quickly gained notoriety for its participation in the Dniester and Abkhazian conflicts. Three leaders of party were elected Deputies in the 1994 elections.<sup>68</sup>

## **Congress of Ukrainian Nationalists (KUN)**

KUN was established in October 1992. It was changed version of Congress of Ukrainian Nationalists (OUN). The aim of KUN was to use the OUN historical prestige and financial clout to unite all for right groups under one roof, possibly later linking up with Rukh to form one catch all national party. KUN elected eight members as Deputies in the 1994 elections and supported the election of a further eight.<sup>69</sup>

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<sup>67</sup> *ibid.*

<sup>68</sup> Andrew Wilson, *Ukrainian Nationalism since 1990s* (Cambridge: Cambridge University Press, 1997), P.121.

<sup>69</sup> *ibid.*



### **Ukrainian Conservative Republican Party (UCRP)**

UCRP was led by the veteran dissident Stepan Khmara after his expulsion from the Ukrainian Republican Party in 1992. Despite the party's small size, Khmara kept it going by his high profile, populism, outspoken Russophobia and advocacy of nuclear Ukraine. Khmara and his colleague Roman Kuper were elected deputies in 1994.<sup>70</sup>

### **Socialist-National Party of Ukraine (SNPU)**

SNPU first appeared in L'viv in 1991 amongst radical students who provided escorts at nationalist rallies and rose to prominence in summer 1992 as the shock troops for the 'Nationalist Block' ( a local alliance of ultra nationalist group led by Moroz), which unsuccessfully attempted a violent take over of the local branch of Rukh in October 1992. Its seven members were local deputies in 1995 in L'viv *Oblast* (region).<sup>71</sup>

In Ukraine a common characteristic of party system is that they are regionally divided. Nationalist political parties in Ukraine are weak and fractious. This is due to the historical legacy carried by post-communist states. The relative intensity of ethno-national sentiment amongst the nationally conscious Ukrainian minority has at least facilitated political mobilization in comparison to Russophone Ukrainians, who remain as yet an amorphous group without strong tradition of political leadership.

### **Elections and Participation**

Election is the contrivance through which a modern state creates amongst its citizens a sense of involvement and participation in public affairs. It is through popular elections that the authority of government is clouded with legitimacy and peaceful and orderly transfer of authority to new leaders is ensured. A good electoral system is bedrock of genuine representative government.

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<sup>70</sup> *ibid.*

<sup>71</sup> *Holos Ukrainy*, 31 October 1992.

Elections were particularly conspicuous and revealing aspects of most contemporary political systems. They highlight and dramatize a political system bringing its nature into sharp relief and providing insight into other aspects of the system and the basic nature and actual functioning of the system as a whole.

Elections are complex events involving individual and collective decision which directly affect, and are affected by, the total political and social process. They open up channels between the polity and society between the elites and the masses, between the individual and the government. They are major agencies of political socialization and political participation.

Elections may not in themselves be a sufficient conditions for political representations, but there is little doubt that they are necessary conditions. Elections can be portrayed as the very heart of democracy, as an institutional arrangement, as a means of filling public office by a competitive struggle for the people's vote.<sup>72</sup>

The main functions of elections are to recruiting politicians, making governments, providing representation, influencing policy, educating voters, building legitimacy and strengthening elites.<sup>73</sup>

Chapter III of Ukraine constitutions adopted at the fifth session of the *Verkhovna Rada* of Ukraine on 28 June 1996 gives, that the expression of the will of the people is exercised through elections, referendum and other forms of direct democracy. Citizens of Ukraine who have attained the age of eighteen on the day of election have the right to vote at the election. Elections to bodies of local self government are free and are held on the basis of universal, equal and direct suffrage, by secret ballot. Voters are guaranteed the free expression of their will.<sup>74</sup>

The first serious test of Ukrainian Public Opinion in the modern era was the all union elections of March 1989. Although revolutionary for the time they were far from

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<sup>72</sup> Joseph Schumpeter, *Capitalism, Socialism and Democracy* (London: Allen and Unwin, 1942), P.241.

<sup>73</sup> Andrew Heywood, *Politics* (New York: Palgrave, 2002), Pp. 224-245.

<sup>74</sup> "Constitution of Ukraine", n.27, P.17.

being fully democratic. The communist, the Kosovo and related organizations had reserved seats, the mass media remained a one party preserve, and awkward candidates were filtered out by a selection process largely controlled by local Communist Party Committees.<sup>75</sup>

The voter's turnout in this election was very high 93.4 percent. The overwhelming majority, about 88 percent of those elected were from CPSU/CPU. Non-Communist Organizations were not allowed to put up their candidates.

The next test of Ukrainian people participation comes in the March 1991 referendum, called by Mikhail Gorbachev on the future of USSR. A deep split developed within the CPU between those who wanted to maintain the Soviet Union and those (most prominently, the CPU chairman of the parliament Leonid Kravchuk) who wanted to hold on to power by adopting the nationalist and democratic agenda of the opposition.<sup>76</sup>

Appeals were made to preserve the USSR. The Central Committee of the Communist Party of Ukraine appealed to all the people of the republic to support the idea of preserving the USSR as a renewed Federation of Sovereign Republics at the all union referendum on March 17. On the other hand Democratic Nationalists were in favour of Commonwealth of Sovereign States. Yuri Badzyo member of the committee, 'Referendum Sovereign Ukraine' and Chairman of the Ukrainian Democratic Party's National Council said that the main slogan appealed to the citizens of Ukraine, is to say 'No' to a renovated Federation and to say 'Yes' to a Commonwealth of Sovereign States. The most perfidious aspect of this action was that the results of the referendum, according to the USSR Supreme Soviet's resolution, would be valid on the whole of the USSR's territory, i.e., the people of one republic will decide the future of another republic.<sup>77</sup>

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<sup>75</sup> *Report on the USSR*, 24 May 1989.

<sup>76</sup> Seven Holder, "Torn Between East and West: The regional Factor in Ukrainian politics", *Post Soviet Geography*, (Columbia, USA), vol.XXXVI, no.2, February, 1995, P-112.

<sup>77</sup> *Summary of World Broadcast*, part 1, 2 March 1991.

Thus, in March 1991 referendum, the Ukrainian electorate responded to two questions (a) future of the Soviet Union, and (b) whether Ukraine should be part of the USSR on the basis of the Declaration of State Sovereignty from July 1990. Thus, the Ukrainian electorate responded to the two questions. But the additional question “Whether Ukraine should be fully independent or not” – added to the ballot in Galicia (Lviv, Ivano Frankivsk and Ternopil) so they had to answer three questions since the local authorities were dominated by Rukh and Ukrainian Republican Party.<sup>78</sup>

Galicia, where the voters had a clear choice between full independence or a renewed Soviet Union, people voted for the former. But in other parts of Ukraine the voting scenario was different. However, in the rest of Ukraine, people generally appear to have followed the electoral tradition from the communist past turning out in large numbers and voting ‘Yes’. Though the results were in favour of the Ukrainian people but in the beginning voters were quite confused owing to the nature of the question as seen in the following: “The wordings of (1) the USSR, and (2) the Ukrainian sovereignty question were; (a) Do you think it is necessary to preserve the USSR as a renewed federation of equal sovereign republics in which the rights and freedoms of the person of every nationality will be fully guaranteed? (b) Do you agree that Ukraine should be a part of the USSR on the basis of the Declaration of Sovereignty of Ukraine?”<sup>79</sup>

Given the wordings of the referendum questions, and in the political context of the times, it probably was unclear to most voters whether they voted for independence for Confederation, for a new kind of Federation, or for the old kind of Soviet Federation. The data in the accompanying table (Table 3.2) presents the results of the referendum. Of the eligible voters 84 percent of the electorate participated in the referendum.

The Independence Referendum of 1 December 1991 was the next test of people’s opinion in Ukraine. By that time the political situation has changed.

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<sup>78</sup> Seven Holder, n.74, P.113.

<sup>79</sup> *ibid.*

The declaration of independence and the formal dissolution of the CPU meant that there was no challenge to the new nationalists/national communist consensus in favour of national independence. Although many nationalist opposed a referendum either because they argued that there was no need to confirm parliament decision or

**Table 3.2**  
**RESULTS OF THE REFERENDUM OF THE STATE OF THE SOVIET UNION AND UKRAINE, MARCH 1991**

Region/Oblast	(In percentage)		
	USSR Question	Sovereignty Question	Independence Question
<b>Western Ukraine (Galicia)</b>			
Lviv	16.4	30.1	90.0
Ivano-Frankvisk	18.2	52.1	90.0
Ternopil	19.3	35.2	85.3
Rivne	54.3	79.6	
Volhynia	53.7	78.0	
Transcarpathia	60.2	69.5	
Chernovitsi	60.8	83.2	
<b>Central Ukraine</b>			
Kiev (city)	44.6	78.2	
Kiev (oblast)	66.9	84.6	
Poltava	78.8	88.7	
Sumy	78.8	87.1	
Chernogov	83.4	90.3	
Kirovograd	83.4	89.5	
Cherkassy	77.3	88.8	
Vynnitsa	81.2	89.2	
Zhytomyr	81.7	88.5	
Khmelnyskyi	77.7	87.9	
<b>Estern Ukraine</b>			
Donetsk	84.6	86.2	
Lugansk	86.3	88.8	
Kharkov	75.8	83.9	
Zaporosche	79.8	86.6	
Dnepropetrovsk	77.5	85.1	
<b>Southern Ukraine</b>			
Nikolayev	84.2	87.7	
Kherson	81.0	87.4	
Odessa	82.2	84.5	
Crimea	87.6	84.7	
Sevastopol city	83.1	84.2	
<b>Total</b>	<b>70.2</b>	<b>80.2</b>	<b>88.4</b>

Source: Post Soviet Geography , (Columbia, USA), vol. XXXVI, no., 2 February 1995 P. 120.

**Table 3.3**  
**RESULTS OF THE REFERENDUM ON THE DECLARATION OF INDEPENDENCE,**  
**DECEMBER 1991**

Region/Oblast	Percentage Voting 'Yes'	Percentage voting 'No'
<b>Western Ukraine</b>		
Lviv	97.5	01.9
Ivano-Frankivsk	98.7	00.8
Ternopil	98.4	01.0
Rivne	96.8	02.6
Volhynia	96.3	02.3
Transcarpathia	92.6	04.5
chernovisti	92.8	04.1
<b>Central Ukraine</b>		
Kiev(city)	92.7	05.3
Kiev(oblast)	95.5	02.9
Poltava	94.9	03.7
Sumy	92.6	04.9
Chernogov	93.7	04.1
Kirovgrad	93.9	04.4
Cherkassy	96.0	02.8
Vynitsa	95.4	03.0
Zhytomyr	95.1	03.6
khmelnytskyi	96.3	02.6
<b>Eastern Ukraine</b>		
Donetsk	83.9	12.6
Lugansk	83.9	13.4
Kharkov	86.3	10.4
Zporosche	90.7	07.3
Dnepropetrovsk	90.4	07.7
<b>Southern Ukraine</b>		
Nikolayev	89.5	08.2
Kherson	90.1	07.2
Odessa	85.4	11.6
Crimea	54.2	42.2
Sevastopol	57.1	39.4
Total	90.4	0.76

Source: *post-Soviet Geography*, vol. XXXVI, no.2, February 1995, P.123.

because they feared a majority would be difficult to obtain. Even the newly formed socialist party fell into line. Anti-Nationalist regional groups, such as the Democratic movement of the Donbas and the Republican movement of the Crimea were still struggling to get off the ground and had little support.<sup>80</sup>

Popular support for independence therefore steadily rose from 63 percent in September 1991 to 71 percent in the first week of October and 88 percent in mid November, before finally reaching 90.4 percent in the actual vote on 1 December. The total turnout was 84 percent. Only 7.6 percent actually voted against independence.<sup>81</sup>

The results of the referendum on independence indicated that most people voted 'yes'. The only region where a significant minority voted 'No' was Crimea. (See Table 3.3)

In the period between August 24, 1991 (Declaration of Independence) and 1 December (the Referendum of Independence), the top Soviet leadership (both Liberal and Conservative) and many Russian Republican Leaders mounted a very strong campaign against Ukraine's Independence.<sup>82</sup>

Ukraine's first ever democratic Presidential election was also held on 1 December 1991. Six candidates were on the ballot. Leonid Kravchuk now stood unambiguously for independence, but his official Programme 'A New Ukraine', emphasized its likely economic benefits and traditional socialist themes of work and welfare for all.<sup>83</sup> Kravchuk was opposed by Volodymyr Hrynov, deputy chairman of the Ukrainian parliament, who put himself forward as the candidate of Ukraine Rusophone population. He declared in his Programme that centuries of common history between Russia and Ukraine should not be buried, and propose Russian as the second state language for Ukraine. He also proposed Federal System of government and a 'Common Economic

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<sup>80</sup> Andrew Wilson, n.68, P.128.

<sup>81</sup> *ibid.*

<sup>82</sup> Peter J. Potichyni, "The Referendum and Presidential Elections in Ukraine", *Canadian Slavic Papers*, vol.XXXIII. no.2, June 1991, P.123.

<sup>83</sup> *Holos Ukrainy*, 31 October 1991.

Space' with the rest of the former USSR. Hrynov was supported by the Party for Democratic Revival of Ukraine (PDRU), the Leftist United Social Democratic Party, the Ukrainian Kadets, and several of the Donbas mines strike Committees.<sup>84</sup>

Viacheslav Chornovil argued that Ukraine's national revolution should be accompanied, as in Russia, by an anti communist political and economic revolution, and won the support of Rukh' Grand Council as the official Rukh candidate.<sup>85</sup>

Rukh's political council backed Levko Lukianenko, who advocated a 'Grand Bargain' between Nationalists and National Communists.<sup>86</sup> The other candidates were L. Taburianskyi and Ihor Yukhnovskyi.

The main fight was between Kravchuk and Rukh supported Chornovil. The split in opposition helped Kravchuk in gaining absolute majority, 61.6 percent of the total vote and substantial majority throughout the centre, east and south.<sup>87</sup>

The Presidential election held in June and July 1994 demonstrated the near impossibility of winning Ukrainian elections on a nationalist ticket. The incumbent Leonid Kravchuk attempted to polarize the election around the basic issue of support for Ukrainian independence by painting his main opponent, former Prime Minister Leonid Kuchma, as he leader of a Russophone fifth column, but still lost decisively by 45 percent to 52 percent (on a turnout of 72 percent in the second round).<sup>88</sup>

The parliamentary elections of March and April 1994 were the first multi-party elections to be held in modern Ukraine. The most striking feature of the 1994 elections was that overall results barely diverged from the pattern already established in 1989-91.

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<sup>84</sup> *Holos Ukrainy*, 4 November 1991 and 23 November 1991.

<sup>85</sup> *Holos Ukrainy*, 23 October 1991 and 23 November 1991.

<sup>86</sup> *Holos Ukrainy*, 30 October 1991.

<sup>87</sup> Seven holder, n.74, P.114.

<sup>88</sup> Andrew Wilson, n.68, Pp.142-43.



In the Ukrainian Parliamentary elections of 1994 the Communist Party gained the greatest number of seats.<sup>89</sup>

The communist Party of Ukraine won 86 seats, more than any other group and in alliance with Socialist Party of Ukraine and Peasants' Party of Ukraine (PPU), formed the largest bloc in Verkhovna Rada. Rukh won 20 seats and other Moderate Nationalist Parties received 13 seats.

Ukraine's March 1998 Parliamentary elections were the first to be held under a Dual System of Representation, in which half of the Rada's 450 seats were filled in single-mandate elections and half by national party list Proportional Representation. They presented voters with a confusing array of party lists. Many of the thirty parties and blocs that qualified to have lists placed on the ballot did not exist a few months prior to the balloting and some shared labels that would confuse even the most politically astute voter. It was adopted in a hope to encourage a coherent party system and to aid the re-election of those already holding seats in the Rada. Ukraine adopted this electoral procedure that was nearly same as Russia's method for filling seats in its state Duma.<sup>90</sup>

A total of 30 parties and electoral blocs contested the elections to the *Verkhovna Rada* held on 29 March 1998, in which 70.8 percent of the electorate participated. The result of the elections demonstrated widespread support for left wing parties, including the CPU, which obtained total of 123 seats, becoming the largest party in legislature. The CPU won 24.68 percent of the votes in the proportional representation system and 84 proportional seats. Rukh won 9.40 percent of the votes, 47 seats in all, and 32 proportional representative seats.<sup>91</sup>

Eight parties exceeded the 4 percent threshold required to secure representation on the basis of party lists, some 136 deputies were elected.

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<sup>89</sup> Sarah Birch, "Electoral Systems, Campaign Strategies, and Vote Choice in the Ukrainian Parliamentary and Presidential Elections of 1994", *Political Studies*, vol.XLVI, 1998, Pp.96-114.

<sup>90</sup> Melvin J. Hinich, Valeri Khemelko, and Peter C. Ordeshook, "Ukraine's 1998 parliamentary Elections A Spatial analysis", *Post Soviet Affairs*, vol.15 (2), 1999, Pp.149-185.

<sup>91</sup> Serhiy Tolstov, "Elections 1998 in Ukraine: Expectations and Results", *Ukrainian Review*, vol.45, no. 2, Summer 1998, Pp.3-24.

In January 1999, *Verkhovna Rada* approved a law on the Presidential elections to be held in October-November, stipulating that candidates must be supported by one million signatures from Ukrainians eligible to vote.

In early 1999, Rukh split into two factions. Viascheslav Chornovil formed the Ukrainian People Movement-Rukh (UPM-R), while former minister of Foreign affairs, Hennadiy Udovenko, Continued to head the People's Movement of Ukraine-Rukh (PMU-R).

As campaigning for the Presidential elections got under way, in mid 1999 Leonid Kuchma, a Presidential candidate, was accused of irregularities including the illegal use of state funds to finance his campaign, in October, 1999, in a coordinated attempt to inhibit the chances of Kuchma gaining re-election, four left wing nominees for the Presidential elections- Marchuk, Tkachenko, Moroz and Volodymyr Oliynyk, announced their intention to unite around the candidacy of Marchuk. However, Moroz subsequently decided not to withdraw his candidacy, and Tkachenko declared his support for the candidate of the CPU, Petro Symonenko.

The rate of participation in the first round of voting on 31 October 1991 was 70 percent. Kuchma won the largest proportion of the votes cast for any candidates, with 26.5 percent. The second rounds of voting were to be held in 14 November, and his opponent was Symonenko with 22.2 percent vote share. Moroz was the third placed candidate, with 11.3 percent of votes.<sup>92</sup>

In early November Kuchma undertook a number of measures that were regarded as being intended to ensure his re-election in the second round. The governors of three Oblasts (regions), in which the popular vote had supported Symonenko or Moroz, were dismissed. Later, Kuchma appointed Marchuk as Chairman of the National Security and Defence Council. In the following days Nataliya Vitrenko (a first round candidate and leader of the Progressive Socialist Party of Ukraine) and Moroz announced their supported for Symnenko.

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<sup>92</sup> Europa World Year Book-2004 (London: Europa Publications, 2004), Pp.4216-4218.

In the second ballot, on 14 November, Kuchma retained the Presidency, with some 57.7 percent of votes. Synonenko received 37.8 percent.

The regional division in voting patterns as evident in earlier Presidential and Parliamentary elections was not repeated. Leonid Kuchma was inaugurated with Presidentship on 30 November 1999 and in accordance with the constitution was immediately dismissed, pending the nomination of a new prime minister.

The striking factor about all the elections held between, 1989–2000, is both continuity and conformity with the historical legacy. Differential levels of support for nationalists politics in Ukraine's historic regions are stark and for the moment at least remarkably stable. In all the elections, socio-economic factors do not seem to have been as influential as historic ones in patterns of support for nationalism.

## **Civil Society**

The promise of popular engagement is poised to breathe a new meaning and life to the very concept of democracy. Witness the political languages that have erupted recently on the political scene: globalization instead of imperialism, governance instead of politics, social capital and trust instead of struggle and finally civil society instead of revolutionary imagination. The renewal of democracy acknowledges civil society as the prime force, supposed to ease the burden of government and secure international and human cooperation under the banner of 'third way'<sup>93</sup>, Civil Society plays a significant role in building up a concrete democratic political order.

Civil Society is the modern conceptualization and a renovated concept of the earlier version of society. It is identified with the people centered participatory approach of development, through voluntarism, self help, development from below and social education, while civil society is identified with a vibrant democracy, popular participation seems necessary, but not a sufficient condition for the attainment of substantive democracy. Empowerment and encouragement for this practical engagement

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<sup>93</sup> Jeff Faux, "Lost on the Third way", *Dissent*, vol.46, no.2, Pp.67-76.

popular participation can be made possible by strengthening the institutions of civil society. For this reason, these institutions are the instruments of people's participation.

Civil society is the out growth of historical development in social progress. It comes into existence, when the conscious members of the society notice the gap between social aspirations of people and opportunities given to them by state. For John Locke the establishment of civil society rests on the 'act of will'.<sup>94</sup> His core idea was civil political society, that comes into existence, when men possessing natural rights (of life, liberty and property), came together, sign a contract and constitute a common public authority for the benefit of all the member of the society. In all his theories he emphasized, the 'primacy of rights'<sup>95</sup> that was subsequently used to challenge the existing patterns of social and political discrimination. For Hegel civil society was a 'form of ethical life'<sup>96</sup>. Italian Marxist Gramsci sets himself against the purely economic interpretation of civil society, associated with Marx. For Gramsci, civil society is not to be found in the sphere of production or economic organization, but in the state. State is combination of political society and civil society. While the political society is the arena of coercion and domination, civil society is the arena of consent and freedom<sup>97</sup>. Civil society organizes and educates people for political participation, as an expression of the whole civilizing vision of the modern society. It is the 'society of civility' in the conduct of members towards each other.<sup>98</sup>

In the light of the above discussion, the term civil society can be defined as the set of intermediate associations, which are neither the state nor the family. It includes voluntary associations and firms and other corporate bodies.<sup>99</sup> It is the sphere of social life where people as private citizens interact with each other, creating their own

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<sup>94</sup> John Locke, *Two Treatise of Civil Government* (London: J. M. Dent and Sons Ltd., 1962), P.194.

<sup>95</sup> C.B. Macpherson, *Political theory of possessive Individualism: Hobbes to Locke* (Oxford: Oxford University Press, 1979), Pp. 247-250.

<sup>96</sup> Robert C. Solomon, *In the Spirit of Hegel: A study of Hegel's Phenomenology of Spirit* (New York: Oxford University Press, 1983), Pp.546-552.

<sup>97</sup> Antonio Gramsci, *The Modern Prince and Other Writings* (New York: International Publishers, 1983), P.186.

<sup>98</sup> Edward Shills, "The virtue of civil society", *Government and Opposition*, vol. 26, no. 1, Winter 1991, P.9.

<sup>99</sup> *The Concise Oxford Dictionary of Politics* (Oxford: Oxford University Press, 2002) p.82.

organizations not controlled by state<sup>100</sup>. The organizational structure of civil society composes of voluntary associations, social movements (ethnic, human rights, environmental and other socio-economic movements), religious and cultural institutions (church, religious gatherings and authorities, theatres, educational institutions), informal groups and media. These represent the values of autonomy, solidarity, common responsibility in sharing the interests concerns of the collective, in not for all. So civil society is a sphere of common values, where balance between self interest and common responsibility is advocated and demonstrated.

The role of civil society is to be posited between the public and private spheres. As a sphere of action, it exists out of compulsion from the private interests of individuals, but stands autonomously as the representative of collective interests that symbolizes the public interests. So, civil society is the site of expressed politics where individuals in association integrate with each other and receives values and opinions through deliberation and debates. It is the site of 'negotiations' where the dialectic between the private and public are compromised. It creates the space where the 'state intervenes to shape public opinion and perceptions' in order to create consent for its own policies. It is treated as 'the economic forum', where the institutions of market and the site for crucial social processes provide for a much needed vital context for production. Lastly, it is being treated as 'the political forum', where the domain of rights-bearing individual brings into existence a political community that has the liberty to engage in debates and discussions about interval arrangements of society<sup>101</sup>.

The inherent contradictions of communism and its eventual collapse as a political system undeniable stimulated a resurgence of the civil society in the post- communist countries. In the post communist context of democratization, it swamped by a wave of political party systems, public opinion and economic reform.<sup>102</sup>

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<sup>100</sup> Vladimir Shlapentokh, *Private and Public Life of the Soviet People: Changing Value in Post Stalin Russia* (New York: Oxford university press, 1989), P.190.

<sup>101</sup> Neera Chandoke, *State and Civil Society: Explorations in Political Theory* (New Delhi: Sage Publications, 1995), Pp. 78-95.

<sup>102</sup> Andrew T. Green, "Comparative Development of Post-Communist Civil Societies", *Europe-Asia studies*, vol.54, no.3, 2002, Pp. 455-471.

Civil society is a dominant theme in post-communist politics. It was a prominent discourse in much of the anti-communist dissident literature, and in the past-decade scores of works have been produced celebrating civil society's role both in bringing down communist regimes and in serving as a foundation for a new democratic order.<sup>103</sup>

The question of civil society in Ukraine has been raised and discussed since the time of *Glasnost*. An embryonic civil society began to emerge only during *Perestroika* after totalitarian state started crumbling under the impact of Mikhail Gorbachev's reforms and their unintended consequences<sup>104</sup>.

Several of informal groups arise after 1986 were the first manifestations of autonomous social activity. It was only with the establishment of popular fronts and political parties, with the freeing of the churches and other forms of religious activity, freeing of media, involvement of Non-Governmental Organizations, and with the transformation of some informal groups into functioning organizations, civil society starts getting legitimacy in Ukraine.

The crucial year for Ukraine was 1989, as it saw the emergence of Rukh. Ukrainian Language Society founded under official sponsorship in 1989, on the understanding that it confines itself to a largely cultural agenda. In October, 1991 it renamed itself *Prosvita*. The name change symbolized a broadening of functions from dissemination of Ukrainian language media to a new emphasis on political lobbying and promoting the Ukrainisation of public life. *Prosvita* became the leading advocate of law's after 1992.<sup>105</sup> The Union of Officers of Ukraine (UOU) was established at two congresses in July and November 1991. Its aim was establishment of Independent Ukrainian Armed Forces and to promote the Ukrainisation of the Armed Forces<sup>106</sup>.

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<sup>103</sup> Paul Kubicek, "Civil Society, Trade Unions and Post-Soviet Democratization: Evidence from Russia and Ukraine", *Europe-Asia Studies*, vol. 54, no.4, 2002, Pp. 603-624.

<sup>104</sup> Wsevolod W. Isajw, "civil society in Ukraine: Toward a sociological Research Agenda", *Paper presented Chair of Ukrainian studies, University of Ottawa, (Canada)*, 15-16 October 2004.

<sup>105</sup> *Holos Ukrainy* 14 December 1993.

<sup>106</sup> Andrew Wilson, n.68, *ibid*, P.82.

The first cracks in Ukraine's monolithic communist era unions began to appear in 1989, when the miners strike in Donbass region. The wave of strikes led to the formation of Independent Miners Union (NPG) in 1990 in Ukraine. In 1991, all Ukrainian workers solidarity was formed to help workers in their working place.<sup>107</sup>

The Ukrainian Federation of Trade Unions (FPU) was formed in 1990 and is the dominant trade union body in the country. It is the successor to the Soviet-era unions, and it unites 40 branches and 26 regional unions. In 2000, it claimed, to have 14.4 millions members.

In addition to FPU, there are some smaller new trade unions in Ukraine, in the sectors like, mining, transport, railways, and airlines. All these unions are plagued with many problems, like lack of resources, pressure from management, political authorities and internal divisions. To solve all these disputes Confederation of Free Ukrainian Trade Union (KVPU) was established in 1997.<sup>108</sup>

The Parent industrial body in Ukraine is the Ukrainian Union of Industrialists and Managers (UUIM), formed in late 1991, under the patronage of then deputy premier Vasyl Yevtukhov and taken over by former Prime Minister Leonid Kuchma in December 1993.<sup>109</sup> The UUIM was analogous to and had close links with, the heavy industrial lobby in Russia.

Two other industrial lobbies, Union of Independent Industrialists established in February 1993 and National Association of Businessman of Ukraine set up in March 1993, favoured the creation of national market economy oriented more toward European markets and was close to Liberal National Democrats<sup>110</sup>.

Youth, and in particular student politics in Ukraine is as fractious as its adult counter parts. A variety of nationalist youth organizations emerged in the early 1990s, but

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<sup>107</sup> *ibid.*, P.83.

<sup>108</sup> "Civil Society, Trade Unions and Post-Soviet Democratization: Evidence from Russia and Ukraine", *Europe-Asia studies*, vol. 54, no. 4, 2002, Pp. 602-624.

<sup>109</sup> *Holos Ukrainy*, 21 December, 1993.

<sup>110</sup> *Holos Ukrainy*, 3 February and 30 March, 1993.

none of them had more than a few thousand members. The first openly nationalist group was the Union of Independent Ukrainian Youth, established by younger members of the Helsinki Union in May 1990.<sup>111</sup>

More than 6 million Ukrainians lived in other Soviet republics according to the 1989 Soviet census, and approximately 3 million lived elsewhere in the world. To forge links with Ukrainian Diasporas, the authorities in Kiev sponsored a congress of Ukrainians of the Former USSR in 1992, followed by an All-World Forum of Ukrainians in the same year. In October, 1993, Federation of Ukrainians in Russia was formed in Moscow.<sup>112</sup>

In Ukraine, politics has virtually always dominated over religion. Throughout Ukrainian history, regardless of which power currently held sway in Ukraine, the religious leadership provided its basic support. The political overlords as a rule required not a church, which in every possible way, mirrored the national traits of the Ukrainian ethnos, but one comfortable to its political aspirations which would not contradict the secular power. The new legal regulations governing the activities of religious organizations in Ukraine, state assurance of the necessary material and social conditions for their functioning, and the democratization of the sphere of church-state relations had made possible significant changes in the attitude of the religious organizations towards the authorities. In particular, these changes have been demonstrated by those religious organizations which have a specifically Ukrainian nature- the Ukrainian orthodox church- Kyiv patriarchate and the Ukrainian Greek-Catholic church. These have become a means of support for the process of the building of Ukraine as an independent, democratic state, and have assumed a responsibility for the fate of the Ukrainian nation.<sup>113</sup>

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<sup>111</sup> Taras Karpalo, *The Ukrainian student movement: A Brief Account* (London: Ukrainian Central Information Service, 1991), Bulletin no. 120.

<sup>112</sup> Ukrainian weekly, 31 October, 1993.

<sup>113</sup> Anatoly Kolodny, "Church and state in Ukraine Past and Present", *Ukrainian Review*, vol.42, no.4, winter 1995, Pp.33-44.



The national renaissance in democratic Ukraine has not only stimulated the revitalization of the religious activities of the various churches but also put on the agenda the question of the place of religion in the national life of Ukrainians.

Until the early 1990s, Ukraine lacked a true national church. Since independence, the churches banned in the past have renewed their activities in particular the Ukrainian Greek-Catholic and Ukrainian Autocephalous Orthodox Churches, the Union of Christians Evangelical Faith, the Society of Jehovah's witnesses, and All-Ukrainian Alliance of Evangelical-Christian Baptist Associations. In today's independent Ukraine, the denominations enjoy the right to free canonical, catechetical and preaching activities.<sup>114</sup>

Democracy seeks people's opinion on various issues of common concern. This is so because democracy derives its authority from the people and claims its legitimacy from the consent of the governed. Public opinion ensures democratic communication. Media acts as a main element in contributing to building and communicating public opinion.

The collapse of communism and the dissolution of Soviet-Union have reshaped the institutional context for media development in Ukraine. Against the backdrop of changes in the political, economic and legal spheres, the media set out on the path of transformation from a party adjunct to democratic institutions. The route to media democratization is full of road blocks and U-turns in Ukraine.<sup>115</sup>

The Soviet media were subordinated to the Communist Party because of Lenin's basic idea of the press as a propaganda tool, 'little cog in the state mechanism'.<sup>116</sup> This definition was considered as a rule during the whole Soviet lines and it was a basis for the concept of the soviet Journalism. Soviet Journalism was mainly government information officers and those who attempted to provide independent coverage, were imprisoned or exiled.

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<sup>114</sup> *ibid.*

<sup>115</sup> Olena Nikolayenko, "Press Freedom During the 1994 and 1999 Presidential Elections in Ukraine: A Reverse Wave", *Europe-Asia Studies*, vol.56, no.5, July 2004, Pp.661-686.

<sup>116</sup> Oksana Hasiuk, "Ukraine's Media: A Cog in the State Wheel", vol.42, no.3, Autumn 1994, Pp.5-11.

Mass Media in Ukraine are regulated by the Law on Information (1992), the Law on Print Media (1992), the Law on Television and Radio (1993), the Law on News Agencies (1995), the Law on Advertising (1996) and series of others. Article 15 of the 1996 constitution put a symbolic end to state propagation of a compulsory ideology and to censorship. Article 7 of the Law on Presidential elections (1999) stipulated the objective coverage of election campaigns by media and guaranteed unrestricted access of journalists to public events.<sup>117</sup>

The immediate post-independence period saw a sharp increase in the number of news papers. New media outlets sprang up to satisfy public hunger for information and entertainment, whereas the circulation of former communist-run periodicals shrank. L'viv based post, *Post Up* printed its first issue in April 1989, *Respublika* was launched in 1991 and *Kievskie Vedomosti* was founded in July 1992.<sup>118</sup>

According to an official figure, the circulation numbers almost doubled from 1990 to 2000 of the newspapers.

NGOs (Non Governmental Organizations) are private associations, federations, unions, societies and groups that are not established by a governmental entity or international agreement<sup>119</sup>. When it comes to servicing, providing low cost service, building grass roots organizations and adapting or creating innovative programs to meet local needs, it is clear that in many instances, NGOs can often accomplish more than government agencies.

Since independence of Ukraine, there were two basic types of NGOs. There were the older organizations that had been for need before 1987, like Chernovyl Union and the Pioneers.<sup>120</sup> The newer NGOs were created after 1987. The largest growth of NGOs has

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<sup>117</sup> "Media Legislation in Ukraine", [www.internews.ua/dd/catalog](http://www.internews.ua/dd/catalog).

<sup>118</sup> Nikolayenko, n.115, *ibid*.

<sup>119</sup> see, n.99, *ibid*.

<sup>120</sup> [www.eurocom.org/eurocom/jordan/ngomentsecond/galkov/html](http://www.eurocom.org/eurocom/jordan/ngomentsecond/galkov/html).

taken place since 1991. The newer organizations have fewer resources, but they have more creative way than the older organizations.<sup>121</sup>

In Ukraine NGOs are still atomized, and the activity is overregulated. The number of NGOs has grown quickly. Most Ukrainian NGOs are advocacy groups for Women, Children, Families, the Poor, the disabled and Human Rights. Several Ethnic groups have created their own civic and cultural NGOs. About 200 environmental NGOs have also emerged in Ukraine. By 2000, some 28,000 different NGOs were registered in Ukraine, although participation is very low.

The organizational capacity of Ukrainian NGOs has improved, both in public and policy making. Communities have shown an increasing awareness of the role of NGOs. They have also received interests and support from some local authorities and governmental institutions. The role of NGOs is gaining importance, especially when there are personnel connection between NGOs leaders and government officials. Many of the NGOs in Ukraine have to depend on support from outside agencies, like United States, United Nations and others.

Civil Society in Ukraine can be characterized as weak, under developed and heavily burdened with a post communist legacy. A fragmented party system has abysmally failed in providing coherence to the political system and thus affecting the growth of civil society. Neither political nor economic Liberalization has created so far, the sufficient conditions for the emergence of full fledged civil society. A weak civil society has compounded the problem of democratization in Ukraine and thus affecting the political development in Ukraine.

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<sup>121</sup> "NGOs save Ukraine", *The Ukrainian Weekly*, Vol. LXV, no.35, 31 August 1997. P.7.

## **CHAPTER 4**

- **Challenges to Democratic Political Development in Ukraine**

- a. Social construction and Identities
- b. Presidential System
- c. Internal Structure of the Parliament (*Verkhovna Rada*)
- d. Political Parties
- e. Elections and Electoral System
- f. Civil Society
- g. Media
- h. Social Instability
- i. Multiculturalism
- j. Corruption
- K. The Nomenklatura and the Rise of the Oligarchs

## **CHAPTER 4**

### **CHALLENGES TO DEMOCRATIC POLITICAL DEVELOPMENT IN UKRAINE**

The concept of Political Development views the operation of Political System in terms of its increasing Democratization. The subject of Political Development suggests mass participation and popular involvement in political activities with key considerations of active citizenry. The laws should be universal and impersonal in operation, with codified legal system and explicit legal procedures and should be applicable to all. The political office should reflect achievement standards of performance. The concept also deals with the effectiveness of political system that further affects the society and economy. The good political system is associated with governmental performance and the conditions that affect such performance.

Political Development in performance of its capacity entails all the sheer magnitude, scopes and scale of political and governmental performance. Developed systems are presumed to be able to do a lot more and touch upon a far wider variety of social life than less developed systems can. In a sense, with development government moves from the stage of being a social preoccupation to becoming an industry, effective and efficient in execution of public policy, rational in administration and secular orientation towards policy. Government's actions are guided more by deliberations and justifications that seek to relate ends and means in a systematic manner. Planning thus becomes possible.

Political Development implies differentiation and specialization in the analysis of institutions and structures. Offices and agencies tend to have their distinct and limited function, and there is an equivalent of a division of labour within the realm of government and at the same time there is integration of complex structure and processes.

All these characteristic elements of Political Development may not necessarily fit easily together. On the contrary, historically, the tendencies has usually been that there

are acute tensions among all these elements, and challenge the capacity of the system and differentiation can reduce the other elements of Political Development by stressing the importance of quality and specialized knowledge.

Thus, development is not an unlinear process nor it is governed by sharp and distinct stages, but rather by a range of problems that may arise separately or concurrently. The problems of political development revolve around the relationships between the political culture, authoritative structures and the general political process.<sup>1</sup>

Ukraine enjoyed a brief period of independence after World War I and regained its independence in 1991. With the collapse of the Soviet Union it set the task of creating a modern, democratic and economically prosperous state. Ukraine's success in this endeavor has been fairly uneven.

Ukraine adopted a new Constitution on 28 June 1996, which paved the way for laying out framework for development of vital democratic institutions, which bring it at par to political development. Liberal democracy indeed had helped Ukraine in political development but it has confronted enormous difficulties in establishing the institutions for political development including rule of law.

Having dealt with aspects of political development in Ukraine after its independence, here the attempt will be made to identify the formidable challenges that Ukraine is facing in the process of democratic political development.

### **Social Construction and Identities**

The fundamental transition of political and socio-economic systems, culture, psychological attitudes and way of life, currently taking place in almost all the newly independent Post-Communist states. All of these states face the problem of seeking their own identity (cultural, ethnic and political). All of them have officially declared their political transformation to democracy and market economy. A great process of social construction of new cultural, ethnic and political entities is taking place, which is

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<sup>1</sup> Lucian .W. Pye, *Aspects of Political Development* (Boston: Little Brown, 1966), Pp. 31-43.

primarily associated with the political transition towards a democratic order and new civic culture. The problem of building democratic state is being faced by all these new post-communist states.<sup>2</sup>

Ukraine is a typical transitional society. However, the transition to the new system of basic values, way of life, structure and type of social institution, a legitimation of social order etc is taking place amid a set of undefined, but clearly political, socio-economic and socio-cultural orientations. The search for a future social and political perspective is now personified at the top level of the Ukrainian policy making process.<sup>3</sup>

The Ukrainian state which was proclaimed in 1991 does not possess a stable and developed tradition of statehood. This is due to; people have not developed a political and civic culture. In such conditions, social solidarity and mobilization pose a major problem. The socio-economic failures have put in question the very existence of an independent Ukrainian state.<sup>4</sup>

The Ukrainian State and its policy makers face the problem of forming a new ethno-cultural community- a Ukrainian nation in the sense not only of an ethnic but also a civic unit. It is assumed that the social and cultural background of this new entity will consist of Ukrainians and other people and ethnic groups.

Ukraine as a state and culture occupies a position on the border between Central and Eastern Europe and Russia and therefore, by virtue of geography it represents a traffic of political cultural, historical, ethnic and religious influences between the east (Russia) and the near west, and between the south (Turkey and the Balkan countries) and the north (the Baltic countries and Scandinavia).<sup>5</sup> A fusion of all these cultures and eminent position of Ukraine are one of the major problems in the smooth working of Ukraine.

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<sup>2</sup> Victor Stepanenko, "The Social Construction of Identities", *Ukrainian Review*, vol.45, no.2, Summer 1995, Pp.9-24.

<sup>3</sup> *ibid.*, P.9

<sup>4</sup> *Holos Ukrainy*, 13 October 1994.

<sup>5</sup> Stepanenko, n. 2, *ibid.*, P.10.

The world as a whole (including Ukraine) is experiencing fundamental swift into a new stage of social development. The definition of that stage cannot be fitted into a simple, two way choice between 'socialism' and 'capitalism'. Sometimes this New World order is defined as the post industrial society. But at the same time the practical realities of democratic state building and social development in Ukraine, as well as the ideological legitimization of those processes, have not superceded the old ideological discourse. The debate over Ukraine's future courses belies within the Ukrainian nation to identify its place in the world. Ukraine's history of foreign domination, colonial servitude and divided rule has left deep scars on the national psyche. It has left the new state unprepared to define its national ideals and objectives in the new world. The country's leadership, Ukraine's legacy from the Soviet Union is more interested in pursuing and preserving selfish commercial and financial interests than it is in defining and securing Ukraine's strategic interest and in building a prosperous, democratic nation for the benefit of present and future generations. Direction less and poverty-stricken, Ukraine is sinking into a morass of creeping despotism.<sup>6</sup>

### **Presidential System**

Ukraine had opted for a 'Semi-Presidential' constitution model.<sup>7</sup> These constitutional arrangements and the norms prescribed by these arrangements proved to be difficult in practice. The first Post-Communist decade in Ukraine was plagued with numerous conflicts among branches of government, political polarization and dangerous challenges to democratic legitimacy.<sup>8</sup> The semi-Presidential institutional framework, Ukraine's constitutional choice made at the earlier stages of democratic transition had profoundly affected the political process and structure in Ukraine. This particular institutional setting influenced the motivations of politicians occupying the different branches of government

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<sup>6</sup> Serhiy Holovaty, "Ukraine at the Crossroads: Perspective on Independence, Democracy and Reforms", [www.trilateral.org.html](http://www.trilateral.org.html).

<sup>7</sup> Maurice Duverger, "A New Political System Model: Semi-Presidential Government", *European Journal of Political Research*, no.8, 1980, Pp.165-187.

<sup>8</sup> Bohdan Harasymiw, *Post Communist Ukraine* (Toronto: CIUS Press, 2002), Pp.23-44.



and it contributed to high levels of intra-executive conflicts, cabinet instability and executive-legislature confrontation.<sup>9</sup>

The number of Presidential decrees issued in Ukraine is very large. Presidential decree making dominated the political process and the design of public policy in Ukraine during the first Post-Communist decade. The leadership President of Ukraine tried and were often successful in shaping various political, economic and social outcomes by issuing policy related decrees, making hundreds of key political appointments and giving secret executive orders.

Presidential decree making has been challenged in several ways. On one hand, the successive Presidents increasingly realized the limitations of ruling by decree. The growing willingness to search for ways of implementing Presidential initiative through the Parliament is one manifestation of attempts to build broader societal support for the policies of the executive. On the other hand, Presidential authority in general and decree powers in particular remains politically and legally frequently contested. In Ukraine, the constitutional debates are as strong today as ever and design of the entire Semi-Presidential constitutional framework is under a great deal of scrutiny, the Presidential ability to issue decrees has been increasingly questioned.<sup>10</sup>

The new constitution adopted in 1996 has hardly made any dent in the power of the President. All the real power is concentrated in the Presidential chain of command. The legislative and judicial branches of the government are subordinated to the Presidency. The failure of the institutions like Parliament, political parties to play their respective roles under the constitution has resulted in the enormous power and de-facto position of the President.

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<sup>9</sup> Oleh Protsyk, "troubled Semi-Presidentialism: Stability of Constitutional System and Cabinet in Ukraine", *Europe-Asia Studies*, vol.55, no.7, 2003, Pp.1077-1097.

<sup>10</sup> Oleh Protsyk, "Ruling with Decrees: Presidential Decree Making in Russia and Ukraine", *Europe-Asia Studies*, vol.56, no.5, July 2004, Pp.637-660.

### **Internal Structure of The Parliament (*Verkhovna Rada*)**

There has been progress in the development of the Verkhovna Rada as a legislative institution since independence, but various problems arising in the legislative process, the Budget process, the committee system and faction organisations has led to pose major challenge to the *Verkhovna Rada* as an effective vehicle for representation.

These problems has occurred due to the economic turmoil and the political instability engendered as a result of the fundamental regime change, and the continuing struggle between right and left for dominance over government, and the direction and pace of economic and governmental reform. A review of the element of the institutions reveals that much remains to be done before Parliament can effectively aggregate the interests of the public and function as an effective legislative body.<sup>11</sup>

Many deputies of Parliament (*Verkhovna Rada*) have come to conclusion that the capacity of the Parliament itself is an important political issue. The tussle between the President and the ministers is one of the major problems confronting inside Parliament. The Parliament must function to impact real policy and they cannot do that unless the institution as a whole fulfills its law making responsibilities more effectively. As such, some institutional changes are required for the smooth working of the Parliament.

### **Political Parties**

After a decade and more, strong and politically vibrant parties have developed in Ukraine, although such growth has by no means uniform throughout the region. Party development has been particularly weak in Ukraine and has faced major obstacles to growth as an autonomous force. Authoritarian tendencies have remained strong there.<sup>12</sup>

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<sup>11</sup> Charles R. Wise, "The Internal Development of the Ukrainian Parliament", *Public Administration and Development*, vol. 16, 1996, Pp.265-279.

<sup>12</sup> Paul G. Lewis, "*Political Parties in Post-Communist Eastern Europe*" (London, Routledge, 2000), Pp.151-155.

Political parties have not generally established a firm base among the Ukrainian electorates or regular place in Parliament sufficient to give them any predictable level of political representation in the few elections that have been held till the year 2000.

Nationalist political parties and social organisations in Ukraine remain weak and fractious and inter-confessional divisions strong. The weakness of political parties is a common factor in virtually all post communist states<sup>13</sup> but in Ukraine, it is also a reflection of the specific historical legacy.

Communist parties with strong roots in the old regime are major political force in Ukraine and win election during 1998. In the wake of degeneration of the Soviet system, however, it is not the old communist political organization that has held center stage so much as national parties of power representing an amorphous and non ideological group consisting of a non party President. They are party only in a looser sense, and do not stand for office in election on their own account, but rather act as apolitical buffer and stand between the more politicized forces of the reformed communist on the left and the nationalist on the right. Such an informal power sharing body has been seen to lie behind the otherwise relatively fragmented Ukrainian legislature, with its large number of formally non party deputies. In some ways it can also be identified as a Presidential party, and it is certainly more characteristic of Presidential than Parliamentary system. The close identification of Leonid Kravchuk with such forces did not, however, prevent him losing the Ukrainian Presidential election in 1994.<sup>14</sup> Despite winning a second term as President in 1999, too, Leonid Kravchuk remained highly dissatisfied with his powers of political leadership and tabled a successful referendum proposal in April 2000 to further restrict the capacity of Parliament to block the much needed reform process.<sup>15</sup>

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<sup>13</sup> Maurizio Cotta, "Building Party System after the Dictatorship: The East European case in Comparative Perspective", in Geoffrey Pridham and Tatu Vauhanem (eds.), *Democratization in Eastern Europe: Domestic and International Perspectives* (London: Routledge, 1994), Pp.99-127.

<sup>14</sup> Sarah Birch, "Electoral Systems, Campaign Strategies, and Vote Choice in the Ukrainian Parliamentary and Presidential Elections of 1994", *Political Studies*, vol. XLVI, 1998, Pp.96-114.

<sup>15</sup> Lewis, n. 12, P.156.

## **Elections and Electoral System**

In late 1997, mixed systems of electoral system were introduced in Ukraine, which was to be used in 1998 Parliamentary elections. It was first-past-the-post plurality system and part proportional representation system. As a result of these electoral reforms, the election included huge number of components.

The central electoral commission registered 30 out of the 32 parties and blocs who had submitted applications to take part in proportional representation part of the elections. To get on the proportional representation list, parties had to submit a petition with signatures of 20,000 electors to be collected in 14 administrative territorial regions and units of Ukraine. It had been hoped that not more than 8 to 10 parties would manage this much amount of electors. But many of the smaller parties made use of a loophole in the law on elections, which permitted a citizen to sign the petition of more than one party. Many political [parties gathered requisite number of signatures simply by copying each other list and so managed to passed the stipulated work. Parties which could not collect the necessary signatures in some regions came to a mutual arrangement about sharing and swapping lists.<sup>16</sup>

This electoral process loophole showed the inefficiency of Parliament in law making and legislation. Also, with so many political parties (30 parties in 1998 elections) the creation of a politically based Parliament and society would be far more complicated.

The results of 1998 elections showed that the attempt of the government to prevent the mixed system election and to get a compliant Parliament clearly failed. A state of unstable equilibrium has been established in Parliament, in which no faction or coalition has sufficient power to carry out a steady legislative policy. As regard to socio-political and socio-economic orientations, the new Parliament has in fact generated more structures than the previous one. The evident cleavage of Parliament into pro-Presidential

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<sup>16</sup> Serhiy Tolstov, "Elections 1998 in Ukraine: Expectations and Results", *Ukrainian Review*, vol.45, no.2, Summer 1998, Pp.3-24.

and opposition parts may considerably complicate or even block altogether the passage of the most controversial bills and ratification of politically important decisions.<sup>17</sup>

### **Civil Society**

The status of civil society development in Ukraine may be defined as, weak, underdeveloped and of medium health. It is heavily burdened with post-communist legacy and its root has taken in post-totalitarian Ukraine. Neither political nor economic liberalization has created any sufficient conditions for the emergence of full-fledged civil society.<sup>18</sup>

There is an unequal distribution of civil society in rural and urban areas. There is insufficient resource base of civil society in Ukraine, which inhibits its sustainable development. Public participation in civil society is very poor, due to distrust of people in civil society's capacity to social needs. Civil society lacks transparency in Ukraine due to complicated administrative procedures. The human resources available in the form of paid employees as well as volunteers as the most important resource for civil society are in critical short supply in Ukraine. The major sources of funding are government, private philanthropic donations and foreign financing- is very restricted due to lack of skills in social partnership building and general governance patterns in Ukraine. Media attention to development in civil society is still low.<sup>19</sup>

The impact of political liberalization on the emergence of civil society in Ukraine proved to be also ambivalent if not ambiguous. The Post-Communist elite that replaced the pro-Moscow Nomenklatura in Kiev in 1990-91 did not dismantle the former political structures. A number of old arrangements still exist and especially in economic sphere, they are the most visible. To a large degree, Ukrainian independence meant just a rearrangement within the confines of the polity. The Nomenklatura ostensibly adopted

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<sup>17</sup> *ibid.*

<sup>18</sup> Mykolo Riabchouk, "Civil Society and Nation Building in Ukraine", in Taras Kuzio (ed.), *Contemporary Ukraine, Dynamics of Post Soviet Transformation* (London: M. E. Sharpe, 1998), Pp.81-98.

<sup>19</sup> [www.art-ukraine.ua.html](http://www.art-ukraine.ua.html)

the Democrats slogans of independence, Democracy, market reforms and western orientations.<sup>20</sup>

## Media

An important contribution to democratic theory is provided by Huntington's seminal work, *The Third Wave: The Democratization in the Late Twentieth Century*. He argues that a wave of democratic expansion is likely to end with a reverse wave of democratic breakdowns.<sup>21</sup> To some extent, the dynamics of political Development in Ukraine follows this pattern. Although the third wave of democratization reached the former Soviet-Union in the 1990s, it has not resulted in the consolidation of democracy in Ukraine. Moreover, fragile democratic institutions have been weakened in the past years. The argument of reverse wave thesis can be taken as a point of departure for analyzing the dynamics of Media democratization in Ukraine.<sup>22</sup>

The freedom of the press has been very limited and many owners of the private newspapers in Ukraine have preferred to hide their names from the public. The media's ability to gather news has been affected deeply by interference from oligarchs. Likewise, the media has been subject to Presidential pressure and thus reluctant to criticize the executive branch. Ukraine has no opposition television channel or an opposition newspaper with mass circulation until the period of 2000.

The media owner tends to exercise great authority over the editorial content. Several official newspapers lavished biased coverage on those politicians who were endorsed by the newspaper founders- the cabinet of minister and Parliament. Journalists were not free to depart from the party line and use their own sense of news judgement. Investigative reporting was strongly discouraged by the ruling elite through resort to semi legal and blatantly illegal means.

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<sup>20</sup> Risto Alapuro, "Civil Society in Russia?" in Jyrki Iivonen, (ed.), *The Future of the Nation State in Europe* (Aldershot and Brookfield: Edward Elgar, 1993), P.199.

<sup>21</sup> Samuel P. Huntington, *The Third Wave: The Democratization in the Late Twentieth Century* (Norman: University of Oklahoma Press, 1991), Pp.15-17.

<sup>22</sup> Olena Nkolayenko, "Press Freedom During 1994 and 1999 Presidential Elections in Ukraine: A reverse Wave", *Europe-Asia Studies*, no.5, July 2004, Pp.661-686.

The content of Ukrainian State-owned newspapers reflected the persistence of Soviet rhetoric in post-communist societies. The publication of lengthy speeches, fictitious letters to the editor and false progress reports resembled the so-called discussion campaigns orchestrated by chief ideologists on the eve of the major political event in the Soviet Union. The presence of such newspaper content was visibly higher in the year 2000 than in 1991. Thus, press freedom continued to be restrained in the post-Soviet era.<sup>23</sup>

### **Social Instability**

Social instability has the potential to jeopardize the further democratization of Ukraine, threatening its territorial integrity or in some way disrupt Ukrainian-Russian relations. The standard of living of the majority of Ukrainians has fallen dramatically since independence. In May 1996, 67 percent of the respondents in a countrywide survey characterized their material situation as bad or very bad. The same percentage also thought that every thing in Ukraine is going in the wrong direction.<sup>24</sup>

Dissatisfaction by itself is no threat to further democratization, however, if it is combined with a wide spread belief that a non-democratic regime would turn things for the better, and, or with popular willingness to resort to non-democratic means to political action, then it may lead to social instability threatening democratization.

### **Multiculturalism**

Multicultural citizenship, which separates ethnic and political identity, seems to be well suited to Ukrainian circumstances taking into account the multi ethnic composition of its society. Thus, amongst post communist states, Ukraine has been praised for its progressive legislation on ethnic minorities, which declares the pluralist model of the state. The multiethnic Ukrainian state, where citizens are free to participate in their

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<sup>23</sup> *ibid.*, Pp.680-681.

<sup>24</sup> Tor Bukkvoll, *Ukraine and European Security* (London: Royal Institute of International Affairs, 1997), Pp.17-18.

national or ethnic communities, has declared its aim to forge a new territorial, civic identity. But, at the same time, the construction of the political, non-ethnic nation is taking place together with the assertion of the leading role of the eponymous majority. At the same time, the basic linguistic groups (Russophones and Ukrainophones) which cut across constituent communities (ethnic Ukrainian and Russians) have not been formally recognized. The ethnic minorities are guaranteed extensive minority rights and their duties are predominantly defined in terms of loyalty to the state, the obligation to cultivate and deepen Ukraine's cultural distinctiveness and sense of solidarity seems to fall on ethnic Ukrainians. Thus while considering citizenship policies, one has to appreciate that the Ukrainian state is still highly amorphous and weak and the Ukrainian society is highly fragmented, making implementation policy difficult.<sup>25</sup>

### **Corruption**

Corruption in Ukraine is widespread. The roots of Ukrainian corruption are similar to other Post-communist countries. The wealth is concentrated in the hands of small elite whose livelihood depends on its relations with patrons in government. Corruption has been neatly tied to all levels of politics and the new government is facing great challenges in keeping the under the table payoffs eliminated, especially as in polls conducted in March 2000 by the Ukrainian Centre of Economic and Political Studies, 60.5 percent of respondents confessed that they had bribed officials to receive services to which they are entitled by law.<sup>26</sup>

### **The Nomenklatura and the Rise of the Oligarchs**

The response to these questions goes to the heart of the Soviet legacy in Ukraine. A defining characteristic of post-Soviet society is the continued depth and breadth of power exercised by the state over every aspect of a citizen's life. The Soviet nomenklatura was

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<sup>25</sup> Louise Jackson and Kataryna Wolczuk, "Defining Citizenship and Political Community in Ukraine", *Ukrainian Review*, vol.44, no.2, Summer 1997, Pp.16-27.

<sup>26</sup> See, n.19, *ibid.*



able to retain power in Ukraine upon independence in 1991. During Soviet times, it wielded tremendous administrative control over the lives and activities of the people.

Today, the Nomenklatura continues to exercise a virtual monopoly on state power, its decisions immune from public scrutiny. With control by the Communist Party over its activities now only a distant memory, its actions are practically accountable to no one. As a result, the nomenklatura is now the unfettered arbiter of the distribution and use of state property.

This phenomenon has bred rampant corruption in every branch of the civil service, degraded the development of democratic institutions, retarded the constitutional imperative of decentralizing authority to the regions, and stymied economic reform in Ukraine.

Over the past five years it has also fostered the emergence of another post-Soviet phenomenon: the “oligarchs.” Ukraine has effectively become a closed joint stock company caught in the grip of the oligarchs.

The oligarchs were initially content to merely become obscenely rich. However, the allure of power proved too strong. In the Parliamentary elections held in Ukraine, the oligarchs emerged from the shadows to run for seats in Parliament. They invested heavily in their campaigns, attracted by the immunity their commercial activities would enjoy, the veneer of respectability they would gain, and above all, the direct power and influence they would wield not just over the distribution of state property, but the direction of the economy as well.

The result has been the effective criminalization of the Verkhovna Rada. From an institution of democracy, the Ukrainian Parliament is being transformed into a shelter for the criminally inclined.<sup>27</sup>

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<sup>27</sup> n.6, *ibid.*

**CHAPTER 5**  
**Conclusion**

## CHAPTER 5

### CONCLUSION

The concept of Political Development has revisited the Post-Communist states after 1990s. The case study of Ukraine in this perspective has broadened the scope of political development. The future of political development in Ukraine will depend on its ability to chart the process of political change including extraordinary changes of political regime, development of economic resources, democratic norms and institutions and the integrity of nation.

Ukraine emerged as an important nation among the former Soviet Republics. After the disintegration of Soviet Union and precluded a rapid transition to democracy, civil society, rule of law and market. Its strategic location along with the accumulated stockpiles of nuclear weapons and desire to remain a nuclear power state attracted worldwide attention. The mounting pressure on Ukrainian leadership from the nationalist forces to join hand with West for its economic, political and security reasons and Russian attempt to foil it, made the study of this area more challenging and interesting.

Historically Ukraine is said to be the cradle of eastern Slavic civilization. The original east Slavic state, Kiev Rus , founded in the late 10th century , was located in what now Ukraine and was precursor of Russia, Belarus and Ukraine. Historical and political background of Ukraine makes it sufficiently clear that from the time of Kiev Rus itself, the idea of an independent Ukrainian state had been crystallizing among the native Ukrainian people. The first attempt to form an independent Ukrainian nation state was made just after the fall of Russian principalities in the 13th and 14th centuries. This attempt, however, failed and Ukraine had eventually to be incorporated in the Russian empire in 1654. But in spite of that the Ukrainians retained a strong feeling of national distinctiveness and respect for their cultural values. The same feeling later helped in the nation state formation during the 16<sup>th</sup> - 17<sup>th</sup> centuries after the decline of serfdom in

Europe and neighboring states. For almost 200 years Ukraine was under Tzarist rule. When the Tzarist Empire collapsed a Central *Rada* (Central council) was set up by the Ukrainian nationalist to demand Ukrainian autonomy for the provisional government in Petrograd. In 1917, after the Bolshevik Revolution, the *Rada* proclaimed an Ukrainian people's Republic. In December 1920 an Ukrainian Soviet Socialist Republic (USSR) was established and with the formation of the Union of Soviet Socialist Republic (USSR) in December 1922, the second successful independent state came to an end. Yet another attempt to achieve statehood was made in 1941-42 though without success.

The emergence of contemporary Ukraine as an independent state may be traced in the developments following Gorbachev's perestroika - *Glasnost* introduced in 1985. The series of events in the wake of *Perestroika* helped raise the public opinion in favour of independence. This was further accelerated by a serious explosion at Chernobyl nuclear plant in northern Ukraine in 1986. The accident greatly aroused public sentiments thereby contributing to the opposition movements in Ukraine. The real struggle for Ukrainian independence however, started with the formation of Rukh, a popular movement of Ukraine, in November 1988 by a group of prominent writers and intellectuals.

The development process was not an easy task and had to face several difficulties. On 17<sup>th</sup> September 1991 Ukraine adopted the 1978 Ukrainian Soviet Socialist Republics constitution with minor amendments by the *Verkhovna Rada* (the central council). The framing of the new Ukrainian constitution however, took a good deal of time before it was promulgated at the 5<sup>th</sup> session of the *Verkhovna Rada* on 28<sup>th</sup> June 1996 which replaced its predecessor, the soviet era constitution originally approved on 12<sup>th</sup> April 1978.

Ukraine was not ready for independence in December 1991, either professionally or psychologically. It inherited quasi state, no united nation, few experts, and no international strategy. Due to legacy of external domination and inheritance of an unevenly developed national consciousness, the costs of the economic and political transition became particularly dangerous for Ukraine.

Ukraine faced a number of difficulties when it became independent from former USSR. These includes, moving from a command administrative system to social market economy. Shifting from a totalitarian political system to democracy with a civil society including providing guarantees for human rights and liberties, free elections, peaceful transfer of power and civilian control of security forces, making the transition from a subject of empire to an independent state, evolution from a country possessing an uneven national identity to one with civic, unified nation and political culture.

The systematic transition of Ukraine is inevitably both an evolutionary process and a non-linear one. This is due to, firstly, there was a general lack of readymade policies that could be applied to all post-communist states and secondly, inherited specific legacies that made it very different from Russia and many other post-communist countries. Ukraine has to undergone four transitions of nation building, state creation, democratization and economic transformation. Ukrainian leaders have to be more multidimensional in their outlook to achieve these goals.

Ukrainian experience of transition has been very much contradictory in nature. There has been conflict between different institutions in political system due to contrasting interests and ideologies, the exercise of influence by dominant interest and lobby groups, and a lack of understanding of the principles of transition. There has been also the development of various contradictory economic models, which are in conflict between themselves in many ways for the requirements of transition. A weak system of law has been developed there, which has attracted gross violations and of contempt for the rule law.

The most significant identifiable markers of political development in Ukraine during past over one decade may be broadly categorized in two groups - domestic and external. In the domestic field the major concern of the post-Soviet Ukrainian leaders has been to spearhead political and economic reform to achieve smooth transition from command system to democracy and market economy. The country has indeed faced formidable challenges in these efforts and has yet not been able to overcome them.

Externally, Ukraine has conducted a foreign policy whose objective has been to resist any greater integration in to CIS and to ensure deeper cooperation with NATO and the EU. The unique geographical location of Ukraine in the heart of Europe has been the motivating factor in its heightened desire of playing a significant role in the European politics. Nationalism has been yet another dimension of political development in Ukraine. While on the one hand nationalism has helped the concretization of identity and national distinctiveness among the Ukrainians, it has also been an effective weapon for them to fight what they call the Russian hegemony.

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