

END NOTE

UKRAINE ONE YEAR AFTER 'KUCHMAGATE'

By Taras Kuzio

Exactly one year ago, on 28 November, Socialist leader and former parliamentary Chairman Oleksandr Moroz released to a stunned parliament tape recordings made illicitly by a former presidential guard, Mykola Melnychenko, within President Leonid Kuchma's office. Melnychenko, an expert in counter-surveillance, had regular access to Kuchma's office over many years.

The tapes contain what appear to be discussions of many illegal acts, including undeclared sales of weapons abroad, rigging the October-November 1999 presidential election and April 2000 referendum on reducing powers to parliament, persecution of independent journalists, manipulation of U.S. money-laundering investigations, high-level corruption, and misuse of public funds.

What subsequently became the "Kuchmagate" crisis has affected Ukrainian politics in many ways and revealed the stark contradictions between the declared and virtual worlds of Ukrainian politics. Initially the Ukrainian leadership denied that the tapes were authentic. Then after doubts concerning their authenticity were demolished, they changed track and now claim different parts of the tapes were spliced together to provide incriminating quotations out of context. Moroz and Melnychenko both offered to submit to a lie detector test to establish whether they were telling the truth, and the FBI recently administered a lie detector test to Melnychenko, which he passed. The anti-Kuchma opposition has suggested to President Kuchma that the best way to repair his reputation would be for him too to take a lie detector test, but to date he has refused to do so. A poll conducted last month revealed that 86 percent of Ukrainian citizens believe the tapes are authentic.

Thrown off balance by the taped revelations, the Ukrainian leadership was at a loss how to react. Criticism from Western governments and media was dismissed as "arm twisting." National Security and Defense Council Secretary Yevhen Marchuk recently told "Nezavisimaya gazeta" that criticism by Western media threatens Ukrainian security. For the first time since the collapse of the Soviet Union, RFE/RL's Ukrainian Service was jammed because it broadcasted extracts from the tapes. In addition, Kuchma condemned as an "anti-Ukrainian action" the threat by the Council of Europe in April 2001 to suspend Ukraine's membership over the matter.

Street protests began in December 2000 to demand clarification of the taped revelations. The authorities used every means at their disposal to counter the surge of popular protests triggered by the release of the tapes. Public funds were used to print free, mass-

circulation newspapers in support of the president. Journalists were sacked from the media if they published "Kuchmagate" materials. State employees, such as teachers, were forced to demonstrate in support of the "constitutional order" or face dismissal; these demonstrations were then presented as a demonstration of mass support for the president. Soviet-style congresses of mainly oligarch, centrist political parties were held that pledged their allegiance to the president.

In a 15 February statement, President Kuchma, Parliamentary Chairman Ivan Plyushch, and Prime Minister Viktor Yushchenko accused those demonstrating against the president of posing a threat to "national security" and claimed that their actions could lead to "anarchy." State television poured scorn on the protesters in a manner not seen since the anti-"bourgeois nationalist" campaigns of the Soviet era. President Kuchma resorted to Soviet-era language, describing "Kuchmagate" as a "conscious provocation and clearly planned" campaign led by "pseudo oppositionists" and "professional revolutionaries," whom he compared with a "herd of cattle" and a "circus" that represented unemployed "bomzhyky" [homeless persons] paid by organizations abroad. Their actions, Kuchma continued, were based upon unpatriotic motives and threatened Ukraine's independence and territorial integrity because they are "extremists," "national socialists," and "a brown [fascist] plague."

The mass arrests of opposition activists and students after the 9 March anti-Kuchma demonstration, Ukraine's largest ever, were accompanied by beatings and illegal detentions. Students, many of whom were from Western Ukraine and Kyiv, were threatened with expulsion if they continued their antipresidential activities. Opposition to the president was portrayed as opposition to the Ukrainian state. This conflation of state and president reflects a corporatist view where the private and public domains are ill defined and there is a lack of transparency in the political and economic process. On 6 March, a presidential decree demanded that state officials sympathetic to the opposition should resign, a demand that was condemned by the EU as "inconsistent with the principles of human rights and the rule of law." Also in the wake of the 9 March demonstration, state television aired for the first time anti-Western programs alleging that the West was plotting with Melnychenko to install Yushchenko as president in place of Kuchma.

The long-term effects of "Kuchmagate" upon Ukrainian politics have been six-fold. First, public trust in Ukrainian institutions and elites has dropped even lower. The Soviet-era elite continues to rule Ukraine, and minimal turnover since 1992 has left in place a deep Soviet mentality that came to the surface during "Kuchmagate." Members of that old Soviet elite, such as Borys Paton, head of the Academy of Sciences since the Brezhnev era, Soviet-era Ukrainian prime ministers, and others were wheeled out to drum up support for the president. Second, over 1,000 members of the "Young Ukrainian" intelligentsia signed a damning indictment, itself a reflection of the disillusionment of young people with the regime in Ukraine. Third, the alliance between former national communists turned oligarchs and the national democrats, who led Ukraine to independence, has been irrevocably undermined. Antioligarch national democrats are now grouped within the "Our Ukraine" (Yushchenko) and "Front for National Salvation (Tymoshenko)" blocs formed to contest the March 2002 elections.

Fourth, a gulf has emerged between the pro-statehood, anti-Kuchma Socialists and the antistate Communists who came to Kuchma's rescue on many occasions during "Kuchmagate." Yushchenko, the liberal pro-Western reformer, was seen as more of a threat to the Communists than Kuchma.

Fifth, plans to implement the April 2000 referendum results to reduce parliamentary powers and increase those of the executive have collapsed because this would require a non-Left parliamentary majority made up of oligarchs and national democrats. Finally, although Kuchma has managed to stay in power, he remains fearful that the parliament elected next year will not grant him a peaceful retirement and immunity from prosecution after his term ends in October 2004.

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