

END NOTE

THE COMMUNIST PARTY, THE EXECUTIVE, AND UKRAINE'S APPROACHING
ELECTION

By Taras Kuzio

Two recent decisions by the Constitutional Court and the executive in Ukraine have again raised the question of the relationship between the Communist Party of Ukraine (KPU) and the executive. The timing of those decisions, during the run-up to 31 March parliamentary elections, is in itself suspicious.

First, on 29 December 2001 the Constitutional Court rejected as unconstitutional a decade-old ban on the KPU and stated that only the courts have the power to declare political parties illegal. The KPU was suspended and subsequently banned by two resolutions of the parliamentary presidium on 26 and 30 August 1991. All KPU property and other assets were nationalized by the Ukrainian state, although the Constitutional Court rejected calls for these assets to be returned to the post-Soviet KPU. The Constitutional Court's December 2001 ruling was the result of a motion submitted by 139 left-wing deputies as far back as 23 January 1997.

With 3.5 million members, the KPU was the largest republican communist party in the USSR until the Russian SFSR created its own republican branch in 1990. The KPU was fortuitously registered as a party independent of the Communist Party of the Soviet Union only on 22 July 1991, a month before Ukraine declared independence and the KPU was banned. Allowed to re-establish itself in October 1993, the current KPU claims to be the direct descendant of the Soviet-era KPU. Nevertheless, it has only managed to attract approximately 150,000 members, or less than 5 percent of its Soviet-era membership.

The relative weight of the KPU within Ukraine's multiparty system is therefore less due to its size than to Ukraine still being an unconsolidated democracy, the weakness and diffusion of Ukraine's remaining 129 political parties, and the ideological amorphousness of the oligarch center. Support for the KPU during the 1990s has declined from approximately 30 percent to 20 percent of the electorate, and is drawn mainly from pensioners and veterans (former Prime Minister Viktor Yushchenko's Our Ukraine bloc is the first Ukrainian political force to be more popular than the KPU). This support ranges from its high concentration of voters and members in the industrialized east and the Crimea, to very low support in western Ukraine.

Throughout the 1990s, pro-statehood ideas evolved across the Ukrainian political spectrum from the center-right, which propelled Ukraine to independence, through the oligarch center to the center-left (including the Socialist Party). The only main party to escape this

evolution was the KPU. Ukraine's ethnic and linguistic divisions have prevented the evolution of the KPU into a postcommunist or national communist party (the national communists left in 1990-1991). The Socialist Party has therefore taken upon itself the role of a pro-statehood, left-wing postcommunist party.

At its height, the combined left bloc had 170-180 deputies in the 1998-2002 parliament, still less than a majority but more united than the factitious nonleft. This unity of the left was ended in November 2000 by the "Kuchmagate" scandal that opened a wide gulf between the KPU and the Socialist Party, which played a central role in the crisis and remain one of the two wings of the radical anti-Kuchma opposition. Mykola Melnychenko, the presidential guard who recorded audio tapes of conversations in Kuchma's office, is to run for election on the Socialist Party list.

The second recent development concerns the relationship between the executive and the KPU. President Leonid Kuchma has repeatedly reiterated that "there is only one real opposition in Ukraine," the KPU, and has refused to recognize any non-KPU opposition to his "pragmatic centrism." Kuchma identifies "opposition" to him in the Soviet sense as opposition to the state he supposedly personifies. Consequently, by definition only the KPU can be in "opposition" as it is the only major party that is opposed to Ukraine's independence.

The KPU had shielded Kuchma from blame during the height of the Kuchmagate crisis by not supporting parliamentary votes of no-confidence in Prosecutor-General Mykhaylo Potebenko. This was despite Potebenko's inept and unsympathetic investigation of the murder of opposition journalist Heorhiy Gongadze in September-November 2000. Commenting on Potebenko, KPU leader Petro Symonenko said this month that "there is nothing to reproach him for." The KPU will again abstain from the parliamentary vote of no-confidence in Potebenko's record as prosecutor-general in the near future. Potebenko is No. 20 on the KPU list of candidates to be elected by proportional voting. He has refused to relinquish his post before the March election. In return for shielding Kuchma, the KPU has been promised executive "support" in the March elections, the prosecution of young nationalists who seized the party's Kyiv headquarters on 9 March 2000, and recognition that it "the sole opposition party" in Ukraine.

The KPU ceased to be a threat to the executive following Kuchma's defeat of KPU leader Symonenko in the second round of the presidential elections in November 1999. The executive had always wanted to be challenged by the KPU — not Socialist Party leader Oleksandr Moroz — in that round. A KPU candidate provided negative votes for Kuchma (who could not count solely on positive votes to win a victory) because of the KPU's hostility to independence and its hard-line Marxist ideology.

After Kuchma began his second term, the KPU complained that "anticommunist hysteria" was sweeping Ukraine. The left had been removed from the parliamentary leadership in a "velvet revolution" in the spring of 2000 and, for the first time, the nonleft had created a majority in parliament. At the same time, oligarch Oleksandr Volkov initiated the launch of a rival pro-statehood KPU(o) (revived) on behalf of the executive. The KPU also accused the executive of being behind a split in the Komsomol when a new Communist Youth Union was created in March 2000. Later that year, the Kuchmagate scandal led to the collapse of the

nonleft parliamentary majority, and no more has been heard of the executive-backed KPU(o) ever since.

The need for a pro-executive KPU(o) to split the communist vote would not have arisen if the nonleft parliamentary majority were still united and able to do the executive's bidding. Since the collapse of this majority the executive is facing — for the first time — a bigger threat from Yushchenko, whose popularity rating has fluctuated between a high of 60 percent and its current 30 percent. The executive has therefore resumed its mutually beneficial relationship with the KPU because, together with the oligarchs, the KPU represents a second anti-Yushchenko force. This oligarch-KPU alliance successfully worked together during the Kuchmagate crisis and brought down the Yushchenko government on 26 April 2001.

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