



"Where the willingness is great, the difficulties cannot be great."
Machiavelli

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The Ugly Truths of Ukraine's Election Results, 2004 and 2006

By Taras Kuzio



Orange voters in Ukraine and abroad did not have a good summer. After four months of tortuous, non-transparent and back channel negotiations, neither of the two coalitions that everyone had expected materialized; neither a revived Orange nor a "grand" coalition of Our Ukraine and the Party of Regions.

Instead, Orange supporters were stunned to see the return of Viktor Yanukovich. It was bad enough, we had all thought, that the "bandits" had slipped through the net of the prosecutor's office during President Viktor Yushchenko's many foreign visits in 2005. But, that they had even entered parliament and were now back in government! Of Ukraine's 13 Prime Minister's since independence, Yanukovich is the only Prime Minister to serve a second term.

Unlike his twelve predecessors, who served an average of only 12-15 months each, Yanukovich could well stay prime minister until the next election cycle in 2009-2011. Following constitutional reforms, the president no longer has the option to dismiss the prime minister if, for example, the incumbent's popularity becomes too high, a common cause for the government's dismissal prior to 2005.

Ironically, Yushchenko used this power for the last occasion in September 2005 when he dismissed the Yulia Tymoshenko government after a record of only seven months in government. Even if the parliamentary National Unity coalition were to collapse, the government would not automatically fall. Following a host of tactical mistakes after Yushchenko came to power, Yanukovich could well be with us for the medium term.

Kravchuk-Yushchenko

Disillusionment among Orange voters first appeared in September 2005 when



the Tymoshenko government was removed and President Viktor Yushchenko signed a memorandum with Viktor Yanukovich. In other words, the Universal signed on August 3 between all of the parliamentary forces, except Tymoshenko, is already the second of such documents.

In both September 2005 and July-August 2006, President Yushchenko was willing to sacrifice his

principles by signing deals with Yanukovich when his back was against the wall; the first when his candidate for prime minister (Yuriy Yekhanurov) failed to win parliamentary approval and the second when he had to choose between two unpalatable steps, early elections or putting Yanukovich forward as prime minister. In both cases, Yushchenko had been boxed into a corner by his own team's tactical mistakes and poor strategy.

This is also the second occasion in Ukraine's history when the Communists have entered government, the first being in 1994 with Prime Minister Vitaliy Masol and the second in 2006. The dates are not coincidental, as President Yushchenko increasingly resembles former President Leonid Kravchuk.

Kravchuk brought back Masol to replace Leonid Kuchma in a vain attempt to attract Communist voters in the summer 1994 presidential elections. Kravchuk's betrayal of his post-1991 shift towards Ukrainian statehood by bringing in a representative of a party that opposed Ukrainian statehood failed to lead to his re-election for a second term.

Yushchenko and Our Ukraine insisted that the Communists be removed from the Anti-Crisis coalition before they would consider joining it. The coalition members refused, the Communists stayed in the coalition and government, and Yushchenko nevertheless approved the entrance of Our Ukraine into government.

The confusion that surrounds Ukrainian politics since this year's elections has therefore not disappeared; Our Ukraine is both in "opposition" and in government, an untenable position.

Both Kravchuk and Yushchenko will be remembered for having brought about independence (Kravchuk) and the Orange Revolution (Yushchenko). But, Kravchuk failed to be re-elected in 1994 and Yushchenko is unlikely to be re-elected in 2009 because they both proved to be weak, indecisive and non-listening presidents.

Voters in 1994 did not think of independence achieved three years earlier, but were instead preoccupied with the previous years' hyperinflation and incompetent economic policies of the Kuchma government. They went on to punish Kravchuk by not re-electing him for a second term. Similarly, in the 2009 elections, Orange voters will not remember the Orange Revolution but instead the fact that President Yushchenko permitted Yanukovich (the "bandit" and twice former convict in Yushchenko's 2004 election rhetoric) to return to government, thus permitting defeat to be snatched from the jaws of victory.

Yushchenko Not Playing by His Own Rules

Some Western academic experts have downplayed the significance of the return of Yanukovich. After all, they argue, the Orange Revolution has changed the rules by which Ukrainian politics is played.

To reach this conclusion one has to possess a very optimistic view of the ability of human personalities to quickly change. Of the 24 members of the government, only four are new people, while 20 are representatives of the Kuchma era or were in the Tymoshenko government, such as Minister of Justice Roman Zvarych, who proved to be very economical with the truth about his U.S. education.

Five areas point to Yushchenko failing to play by the rules of the Orange Revolution but instead by rules initiated by his opponents since 2000 when he first entered politics. As one commentator wrote in *Ukrayinska Pravda* (August 10), "there are grounds to believe that in August 2006, Yushchenko lost the elections begun in 2004. The triumphant inauguration in January 2005 was only the victorious "end of the first phase."

First, Ukraine has a multi-party coalition that includes representatives from four out of five of parliament's political factions. All four - Regions, Our Ukraine, Socialists and Communists - signed the Universal.

When Yushchenko was prime minister in 2000-2001 he refused to accept demands from pro-Kuchma centrists to create a multi-party coalition government. National democrats and centrists had removed the left-wing leadership of parliament in a "velvet revolution" in January 2000 and created, for the first time in Ukraine's history, a non-left parliamentary coalition.

Yushchenko's refusal to transform his government by including representatives from the different political groups in the parliamentary coalition, principally centrists, had two ramifications. Tymoshenko was arrested in January 2000, spending 3 weeks in jail.

In April 2000, parliament voted no confidence in the Yushchenko government and replaced it with one led by Anatoliy Kinakh. As is common with all Ukrainian political groups, Kinakh first joined the pro-Kuchma "For a United Ukraine" bloc in the 2002 elections and then defected to Yushchenko in round two of the 2004 elections.

Second, during the Orange Revolution, Yanukovich proposed as a solution to the crisis that he continue as prime minister while Yushchenko become president. But, Yushchenko refused to have any dealings with what he then termed "bandits".

Following the creation of the National Unity parliamentary coalition and government, Yushchenko and Yanukovich are jointly running the country.

Government competencies are divided between Yushchenko (humanities, culture, law enforcement, foreign and defense policy) and Yanukovich (economics, energy).

Third, regional divisions inflamed by Russian political technologists, the shadow Yanukovych campaign (run by Deputy Prime Minister Andriy Kluyev) and Viktor Medvedchuk's presidential administration were successful in creating a near 50:50 split in the vote. Yet, even in the relatively free re-run of round two of the elections on December 26, 2004, Yushchenko won by only 8 per cent. Compare this to the 97 percent won by Mikheil Saakashvili in the January 2004 Georgian elections where his opponents received less than 2 per cent each. In Georgia there is little chance of Saakashvili's opponents returning to power.

The Razumkov Ukrainian Center for Economic and Political Studies, which provided many of the analysts for the 2004 Yushchenko campaign, points out that President Yushchenko did nothing to resolve Ukraine's regional divide between coming to power in January 2005 and the March 2006 elections. If he had undertaken steps during this fifteen-month period, it would have been welcomed as the sincere efforts of a president with political will.

The Razumkov Center states, "In addition, Viktor Andriyovych did not wish to recognize the problem, described it as contrived, and spoke in the name of the nation himself," (*Zerkalo Tyzhnia*, August 19-25). Yushchenko only sought the mantle of President Lincoln as "unifier" after his back was against the wall and he had to choose between two unpalatable choices. The regional divisions inflamed by the 2004 elections, coupled with the failure to heal them following those elections, were in the end successful in bringing Yanukovych back to power.

Fourth, only one reprivatization has taken place following the Orange Revolution. After only a week in power, the Yanukovych government issued instructions to the State Property Fund, Security Service and Prosecutors Office to halt further investigations of past privatizations.

The Orange Revolution was about many factors, including blocking Yanukovych from becoming president, anger at the treatment by the authorities of the population in the 1990s and support for democratic rights and freedoms.

What it was also about was removing "bandits" from government and society. It was never made clear who these "bandits" were, but Orange supporters assumed they were Kuchma era senior officials and oligarchs.

The oligarchs can now rest easy as they are, in former Prime Minister Yuriy Yekhanurov's words, "national bourgeoisie". Rinat Akhmetov and Hryhoriy Surkis were both included by President Yushchenko in this year's honor's lists for state medals.

Fifth, constitutional reforms to transform Ukraine from a presidential to a parliamentary republic were first developed by Socialist leader Oleksandr Moroz in 2000-2001 during the Kuchmagate crisis. These were then developed by Kuchma and Medvedchuk in 2002-2003, failing to find parliamentary approval in April 2004, but were then agreed to in a "compromise package" in December 2004 and introduced in January 2006.

Yushchenko won a breathing space for himself by ensuring that constitutional

changes would not take place until 2006, rather than immediately following the 2004 elections, as Kuchma, his centrist allies and the left pushed for.

Yushchenko therefore had a whole year, at his insistence, with Kuchma's extensive powers.

Yet, surprisingly, these powers were barely used; the one occasion when they were was when he removed the Tymoshenko government. In reality, Yushchenko's detached personality is more comfortable as a president under the new constitution, rather than as the micro manager Kuchma under the 1996-2005 constitution.

Unpacking the Yushchenko Myth

Why has Ukraine developed in this way since the Orange Revolution? To understand this we need to first and foremost unpack the myths about Yushchenko. Yushchenko has been unable to become a revolutionary president and we are right to dismiss the comparison made by the presidential secretariat between US President Abraham Lincoln and Yushchenko. President Lincoln never compromised on his principles, such as abolishing slavery, and never countenanced appointing the leader of the confederacy as his vice president.

President Yushchenko, whose career developed during the thirteen years of the Kravchuk and Kuchma eras, has been unable to institute a break with the Kuchma era and introduce a new system of governance in Ukraine. The Razumkov Center wrote, "Who then won? Leonid Danylovych won! We saw a Ukraine without Kuchma, and it resembled something similar to Ukraine with him (Kuchma)," (Zerkaklo Tyzhnia, August 19-25).

Yushchenko was unable to utilize the possibilities offered to him by the Orange Revolution to become an Abraham Lincoln and John F. Kennedy in one, having no truck with the personalities and policies of the Kuchma era while proposing a new democratic and European vision for Ukraine. Yushchenko may escape having to face early elections but Ukraine will still have a new president in 2009. Only this time Ukrainian voters will be able to choose for the first time between a man and a woman.

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