

УДК 323.2(477)

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## POLITICAL POWER DISTRIBUTION IN UKRAINE: DYNAMICS AND PERSPECTIVES

*Political processes in Ukraine attract significant attention both of the researchers and politicians especially after the cancellation of the Association Agreement with EU signing and Euromaidan appearance. Numerous political analyses published by Ukrainian and international scholars still remain often within the behavioral approach leaving aside the logic and perspectives of the Ukrainian political institutions functioning. As the political system in Ukraine is significantly distanced from the society and the political processes seemingly proceed mostly inside the polity it would be more convenient to characterize the system by the political power distribution models. In the article presented is the retrospective analysis of the changes in the structures and procedures of political decision making in Ukraine. It is shown that in making political decisions the Ukrainian political system is more and more influenced by external forces – social organizations, businesses and the International community with the Russian Federation and the European Union as the dominating actors.*

**Keywords:** models of political power distribution, political monopoly, monopolistic system.

### Political power distribution and the models of political decision making before 2010

Ukraine attracts significant attention both among the politicians and the researchers. Paul D'Anieri [2], Taras Kuzio [8], Alexander Motyl [9], Stephen Shulman [6] and some other authors devoted their publications to the Ukraine's political system and political regimes classification, civil society development, democratization processes etc. In these and other papers on the topic the comprehensive analysis was mostly based on the empirical data and contained little theoretical generalization which narrowed the analysts' ability to define driving forces and make prognoses on possible outcomes of the political processes. One of the main uncertainties was expectation of the society reaction on political decisions made by the governing bodies. In 2004 no one sociological and/or expert prognosis forecasted the Orange Revolution. And still remains unanswered the question of why prominently democratic movements and positive conditions created by that Revolution did not result in consolidating democracy afterwards.

It seems that the system of political decisions making both in Russia and in Ukraine operates without taking into account the social needs and expectations which to some extent shows rather authoritarian character of the regime. From the other side highly active opposition and relative freedom of mass-media indicate that strong elements of the democracy yet exist. It was especially evident in the Parliamentary Elections-2012 when the opposition had managed to get victory in the proportional part (totally 121 seats of

225) and in many majority election districts (totally 57 seats of 220<sup>1</sup>) [3]. Ivan Krastev in one of his recent articles [7] shows a contradictory character of the political regime in Russia calling it "Neo-competitive Authoritarianism" and argues that its survival in the more or less democratic environment is conditioned by its non- (or post-) ideological character. Perhaps the same conclusion might be made for Ukrainian political system.

For better understanding the political situation and the political processes in Ukraine it might be more useful to look closer at the system, procedures and driving forces in making political decisions which strongly depend on the character of the political power distribution in the political system. Traditionally four models of the distribution are considered: Marxism (which is referred in the Ukrainian research literature as Monopolism), Pluralism, Elitism and (Neo) Corporatism. In my previous publications (see, for example, [18]) all the models were described theoretically in details. Also the general survey of them might be found, for example, in [4; 17]. Though the models of political power distribution quite well correlate with the basic notions of a political regime in practice we may find different models within similar regimes.

The Marxist political power distribution in Ukraine was actual over several months before the Independence Act in 1991 as the Parliament elected in 1990 contained many non- (and anti-) communist members. The next period might be defined as

<sup>1</sup> In 5 districts voting results were canceled by the Court decision because of a number of violations. Additional voting has taken place on 15 December 2013.

so-called “Pluralism” when at the decision-making table about 30 different political groups were present. Lack of concordance between the MPs caused significant difficulties in the legislature voting for the most of political, economic and social issues. The executive power (initially Council of Ministers, then the Cabinet of Ministers) remained actually unchanged both personally and structurally/functionally since the Soviet times when it dominated in defining all national policies. Numerous conflicts between the Legislative and the Executive powers led to fast worsening of the whole economic and social situation in the country. Hyperinflation (above 10256 % in 1993 was reported [5]), structural changes in the economy, absence of national currency and many other factors were the components of the deep dramatic crisis. The policy decisions were mostly made by the politicians under the pressure of the Government and of the circumstances. It is understandable that the bureaucracy had at that time the highest power as it possessed many professionals in economy and governmental structures, received much more detailed information about the social situation and possible ways of easing it, was clearly structured and disciplined to the opposite of the dissipated and amateur legislative political body. That “Pluralistic” period ended with the beginning of Leonid Kuchma Presidency when he forced the Parliament to sign the Constitutional Agreement in 1995 which gave him a right and authority to make legislative decisions which could become the laws unless the Parliament passed a correspondent bill during 30 days after.

Since that time the Elitist political power distribution emerged. Its main characteristics were: domination of the executive power in the policy processes; de-politicization and de-ideologization of these processes (the Government members did not represent at least openly the political parties); prevalence of group interests over the social ones; and elite personal devotion to the President much more important for the public appointments than professional abilities of the candidates. Even the Opposition representatives being invited to the Government quickly lost ties with their former political parties or groups<sup>2</sup>.

The Presidential Election-1999 and the Parliamentary-2002 additionally enforced the Elitist system of political power distribution due to the administrative resource which had significantly influenced pro-Kuchma political parties and blocks victory. But the consolidation of the Opposition begun in 2000

<sup>2</sup> Oleksandr Lavrynovych who was one of the top leaders in the democratic party Rukh and Ivan Chyzh from the Socialist Party shortly after been appointed to the ministerial positions in Kuchma's Government had broken actually and then formally their relations with these parties. Later O. Lavrynovych had become the member of the Party of Regions.

with the “Ukraine without Kuchma” campaign created the preconditions for the new model of political power distribution.

The Presidential Election and the famous events named “The Orange Revolution” in November – December 2004 had manifested that the (Neo) Corporatist (see, for example, [1]) system of political decisions making emerged. Political power had become almost evenly distributed between the Orange political forces from one side and the Party of Regions together with its left-wing allies – Communists and Socialists – from the other. Instead of legalizing direct orders like it used to be prepared in the executive branch at Kuchma's times the polity had to go through long negotiations on any political decision. Moreover, after the new Constitution was passed in December 2004 the cabinet of Ministers appeared to be subordinated mostly to the Parliament. As a consequence since 2006 the President had to lose a significant part of his means of influence on the political decision making.

To keep the authorities in his hands the President Viktor Yuschenko began building of the Elitist system of governance several months before. First of all he had dismissed the then Prime Minister Yulia Tymoshenko, who was the most independent and active player in the political games. The new Cabinet of Ministers consisted almost exclusively of Yuschenko's close friends and even relatives<sup>3</sup>. Moreover, President Yuschenko had kept his strong influence on the Nasha Ukraina (Our Ukraine) political party and hence – through its fraction in the Parliament – on the political processes.

Since that time the Neo-Corporatism was over. The whole political process was concentrated in the Elite space between the President, the Cabinet of Ministers controlled by him due to personal relations, and a major group of MPs with the Party of Regions as situational allies. The Oranges as the powerful political corporation had quickly converted into the political “clubs” with restricted membership losing their roots at the supporting social groups.

Unlike Leonid Kuchma, Viktor Yuschenko had failed to build a pure elitist system of leadership. After the elections-2006, becoming Viktor Yanukovich the Prime Minister and a lot of conflicts and turmoil in the Parliament President Yuschenko had found reasons to dissolve it and appointed new pre-term Parliamentary elections. Since that the whole process of making political decisions resembled the Pluralistic Era when the only effectively acting political institution was the Executive branch:

<sup>3</sup> There was an expression for these people: “Liubi druzi” – “Darling Friends”.

- the Parliament was almost evenly divided between the ruling coalition and the Opposition under the Party of Regions domination (the majority had advantage in only a few votes which often was insufficient to make decisions);
- the President could veto the Parliament's decisions but the Cabinet of Ministers was keeping relative independence;
- the Constitutional Court also was divided and hence incapable to make any decisions.

In these circumstances the Cabinet's decisions often became rather political than executive or administrative actor. Signing by Yulia Tymoshenko in January 2009 the Agreement which ended the Gas War with Russia was the bright example of such mode of making decisions.

In 2007–2009 we may see the mixture of at least the three models of political power distribution:

1. **Pluralistic model** when the balance of political powers in the Parliament existed with a few small actors voting occasionally and by the principle of “sticks and carrots”. The only institution possessed real power – the Cabinet of Ministers which worked often in the absence of legal basis trying to solve or at least ease social and economic problems<sup>4</sup>.
2. **Elitist model** with a very narrow circle of people sitting at the making decisions table. Again it may be considered as the absence of politics in its democratic sense: the horizontal components of the political process – both internal and foreign political, economic and social institutions were excluded from the policy making processes.
3. **Neo-Corporatist model** however strange it would look like. Both major political forces/corporations – Bat'kivschyna led by Yulia Tymoshenko and Party of Regions led by Viktor Yanukovich consolidated a significant number of partisans in different parts of Ukraine. It gave them a social basis which later had played a very significant role in the President's election 2009–2010.

### Political monopoly since 2010

Though the Presidential Election-2009–2010<sup>5</sup> was recognized by the international observers as democratic the administrative resource had yet played its negative role. Viktor Yanukovich received

48,95 % of the votes and Yulia Tymoshenko – 45,47 % [13]. Pretty soon after Yanukovich had come into the Office the whole system of political decisions making converted into almost pure Marxist/Monopolistic model.

Immediately after the Election–2010 results were published the Parliament created the vast majority of pro-Presidential MP: the Party of Regions fraction had bought (in a direct sense) or convinced to join them in another ways about 50 representatives from other fractions (these people were called “tushki” – chicken bodies). Having a majority of 250–270 votes the Parliament soon made very important changes first of all in the Constitutional Court to get pro-Presidential majority in this political institute too. The Tymoshenko's Cabinet of Ministers resigned in a month after the Election, and the new Prime Minister Mykola Azarov had hired most exclusively Party of Regions members to the ministerial positions. Since spring 2010 all the political decisions were prepared at the President's Administration and passed by the Parliament without any serious discussions. The last movement towards the Monopoly was on the September 30 when the Constitutional Court “domesticated” by the President decided that the Constitution changes made in December 2004 were illegal because of some procedural violations. The Parliament without any discussions had approved this decision.

In this way all other actors were excluded from the making decisions process. By the logic of the Monopolist/Marxist model the economy issues appeared on the top of priorities. But unlike the classical model when according to Karl Marx the *ruling class* takes everything under its control here we saw the process of concentrating maximum of the economy in the hands of a few oligarchs close to the President and the Party of Regions. The new Taxation Code passed through the Parliament without any discussions for about 10 minutes had made small and medium business unprofitable. As a consequence more than 1 million of private businesses were shut down in several weeks.

In December 2010 a new Maidan<sup>6</sup> exploded in Kyiv and several other cities. This time it consisted mostly from the private entrepreneurs trying to defend their businesses from death. The oppositional political parties tried to bring some political spirit to it but the organizers refused. The power of this Maidan was so strong that in a short time the Parliament made amendments to the Taxation Code which eased the tax burden on these businesses.

<sup>4</sup> In this way the Tymoshenko's Cabinet had managed more or less successfully to moderate the 2008–2009 financial crisis influence on Ukrainian economy.

<sup>5</sup> The Election lasted from the middle of December 2009 till end of January 2010. The last voting happened on February 7, 2010.

<sup>6</sup> By the analogy with the Maidan (Square in Ukrainian) in the 2004 Orange Revolution when from 400 000 to 1 000 000 people were standing on the central square of Kyiv).

The Monoplist system was further enforced by the appointments of regional and local governors in all the regions of Ukraine. These people as well as the heads of regional Police departments, prosecutors, even judges – mostly were not only the members of the Party of Regions but their origin was Donbass area. In this way the President intended to create the whole administrative rigid vertical structure staffed with the persons from his close physical surrounding.

Before the Parliamentary Election-2012 all the legislative, executive and judicial power was in hands of one political force – Party of Regions. The political and executive decisions were previously prepared at the President's Administration. It was expected quite logically that the Election-2012 would be won by the ruling party due to the administrative resources and different means to suppress the Opposition and to change voluntarily the results of voting.

#### **Fail and survival of the monopolist system**

Despite the efforts of the ruling party it failed to win the Election-2012 and to get the Constitutional majority in the Parliament as it received only 30 % of the votes (72 seats in the Parliament) getting less than a half of seats in the proportional part of the Elections. The three oppositional parties (Bat'kivschyna, UDAR and Svoboda) got 121 seats. Together with the results of voting in the one-mandate electoral districts the Party of Regions got 184 seats and even with its allies from the Communist Party (13,18 % – 32 seats) did not create the direct majority. At the same time the opposition had won additional 57 seats in the one-mandate districts and also could not get a majority.

In such circumstances the only hope of the ruling party was with the self-nominated candidates (42 seats) many of which did not show openly their ties with the Party of Regions. Indeed, several months later almost all these MPs joined the ruling party and it again received a majority. But just the first sessions of the new Parliament had shown absence of the concordance inside the majority – several votes for the bills suggested by the President and the Cabinet of Ministers were banned mostly by this fraction. Such a disagreement manifested actually end of the Monoplist system.

This conclusion was further confirmed in case of the European Integration Plan implementation: the Parliament banned one bill by another. The whole process of political decisions making became less and less transparent as it was difficult to discover which instructions were sent by the President and his Administration to their MPs and to the Cabinet of Ministers.

#### **Political power: too much or not enough?**

As the situation with many issues of political processes both inside Ukraine and in its relations with the outer World becomes more and more unstable and hence uncertain it is worthwhile to discuss the driving forces, reasons and perspectives before, now and ahead.

First of all, describing the system of making political decisions we have shown that it was restricted mostly by the actors sitting directly at the decisions table. The social forces – movements, oppositional parties and organizations, NGOs – all were actually distanced from the processes. Nevertheless, as the decisions changed norms of social behavior to the directions less favorable to many groups of the society these groups began to express more and more often their disappointment: in 2012 number of social protests had grown by 60 % compared to 2011 – to 3636 events of all-Ukrainian and regional scale. The Center of the Society Studies in his report published in 2013 indicated that 43 % were related with the socioeconomic issues whereas the political and ideological issues were the reasons for the protests in 58 % of cases and 17 % of the events were for the human and civil rights [12]. This activity was not taken into account by the ruling forces in the most cases except a few ones when the decisions causing strong protests were changed or abandoned.

Business was another actor external to the official processes of making decisions which also has played its significant role. We need to consider at least two groups of businesses. The first group are the oligarchs with the assets of over \$48 billion [16]. For a long time these people tried to realize their interests by direct personal participation in the political processes through the membership in the Parliament. But in the Election-2012 there were actually no oligarchs in the candidates lists of political parties. The reasons might be different and the answer requires additional studies. Concerning the influence of this group on the political processes we may suggest that the recent turn of the Foreign Policy vector from Russia towards the European Union is strictly caused by the pressure of this group.

Another group is represented by the small and medium private businesses. Their influence on the political/policy processes is much less evident except the Maidan-2 which was mentioned above. Also it might be concluded from the social protest analyses that this group is on the Stand-by position

ready to react on any repressions both of economic and of political character.<sup>7</sup>

And the last (but not the least) powerful actor is the International community represented by the Russian Federation from one side and the European Union together with other Western countries (first of all The United States) from the other. The European Integration process in Ukraine was boosted mostly by the European political institutions at the end of 2012 which was negatively accepted by Russia. In the Summer and Autumn 2013 Ukraine experienced “stick” from the RF and “carrot” from the EU:

- economic blockade of the Ukrainian foods import to Russia;
- political threats to put obstacles for the people mobility between the two countries;
- threats to begin a new “Gas War”;
- opening European markets for the Ukrainian goods;
- easing the visa regime for the Ukrainian citizens travel to Europe;
- suggesting some financial and economic preferences for the Ukraine economy.

But in the mid-December 2013 the roles of these two actors had reversed: the EU declared its readiness for sanctions against the ruling elite and Russia offered money for the support of Ukrainian economy.

### Conclusions

If we compare the dynamics of both the political regime and the system of political decisions making in Ukraine and, specifically, its Northern neighbor Belarus, we may conclude that monopolistic political power in the latter strictly corresponds to the authoritarian regime characteristics [17]. The authors mentioned above [2; 8; 9] all stressed the authoritarian character of Ukrainian polity but presented here analysis of the political power distribution and correspondingly the system of political decisions making proves strong arguments on instability of the regime and the system. It is not sufficient for a political power to get monopoly in political decisions making to dominate in the State so long as in Belarus.

Economic and social efficiency of the Pluralistic model appeared to be quite low in case of Ukraine which was proved by the extremely serious crisis in 1991–1995. Then building the Elitist model by Leonid Kuchma helped to stop it and to recover the economy in 1995–2001. We may suggest that is was due to the system capability to make urgent decisions

for reacting on the economic and social challenges. Neo-Corporatist period in 2004–2006 also showed ability of the system to provide economic and social growth. Then the attempts of Viktor Yushenko to re-establish Elitist model led Ukraine to stagnation and recession in 2007–2009. Slow economic recovery in the second half of 2009 was actually due to the Timoshenko’s government actions as neither President nor the Parliament were eager to assist.

After the political turmoil period the establishment by Viktor Yanukovich of a simple and solid Monopolist system of decision making was expected to bring a new socioeconomic rise. Instead Ukrainian economy has shown even more serious recession than in previous 2007–2009 period. Even official data of the Ministry of Finances<sup>8</sup> showed +7,0 % of GDP in 2012 compared with 32,5 % in 2007 and 31,5 % in 2008 [4]. At the same time the independent experts indicate that in 2012 actual rise of GDP was only 0,2 % [15]. Together with falling down another index – industrial production – it says about improper functioning of all the governance system and perhaps first of all – the system of making political decisions.

Together with the mass-media and experts’ messages about gaining wealth of the President’s Family and his closest friends the facts shown here point out on pursuing rather private interests in making political decisions than the national ones. This may explain numerous appointments of professionally margin individuals to administrative positions both in the Center and in the regions.

The article would not be finished without considering the future perspectives of monopolistic system. Unlike political and administrative monopoly of the Communist Party in the USSR the current system experiences lack of any ideology which would help to mobilize citizens and to “substitute” deficit of economic wellness. According to the recent sociological pools the ruling party’s support falls down even in the Donbass region. One of the sociological institutions Research and Branding Group has published the sociological results which had shown that in September 2013 the Party of Region support was 22 % (in the Election-2012 this party received 30 % of votes) and the President Yanukovich would get 20,8 % compared to 48,95 % in 2010 [14].

Leonid Kuchma’s attempts to establish a political monopoly in 1999-2004 failed due to the Orange Revolution but the beginning of the end was in 2000 with the Movement “Ukraine without Kuchma” in which more than a million people took part. The

<sup>7</sup> This article was written before the events of December 2013 which has shown tremendous support of Maidan from the small and medium businesses. In average the financial and goods support is about 400.000 hryvna (\$50.000) daily.

<sup>8</sup> The word “even” is used because the official data of Ukrainian government during last several years appeared not to reflect real situation in economy.

Yanukovich's monopolistic system has no public support. Hence it might be expected that it will dissipate even before the Presidential Election-2015. The logic of the political decision making system dynamics we may expect return to the Pluralism but with much less actors. The Belarussian scenario will hardly be implemented keeping in mind rising strength of the opposing political forces and the public protests potential.

### The last minute comments

This article was written in September – October 2013. But while it was under final editing the events in Ukraine have proved the main conclusions – Marxist system is incapable to survive long. In my next studies I'll try to discuss specificity of this model in the modern society and to explain logic of its creation and collapse.

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## ПОДІЛ ПОЛІТИЧНОЇ ВЛАДИ В УКРАЇНІ: ДИНАМІКА І ПЕРСПЕКТИВИ

*Політичні процеси в Україні привертають значну увагу як дослідників, так і політиків, особливо після скасування підписання Угоди про асоціацію з ЄС та появи Євромайдану. Численні публікації українських та зарубіжних учених відбуваються в межах поведінкового підходу, залишаючи осторонь логіку та перспективи функціонування українських політичних інститутів. Оскільки політична система в Україні значно дистанціювалася від суспільства, а політичні процеси відбуваються всередині державних інститутів, було б зручніше характеризувати політичну систему через політичні моделі розподілу влади. У статті представлено ретроспективний аналіз змін у структурах і процедурах ухвалення політичних рішень в Україні. Показано, що при ухваленні політичних рішень українська політична система все більше залежить від зовнішніх сил – громадських організацій, бізнесу та міжнародних відносин з Російською Федерацією та Європейським Союзом як домінуючих акторів.*

**Ключові слова:** моделі політичного розподілу влади, політична монополія, монополістична система.

*Матеріал надійшов 26.12.2013*