Civil Society and Post-Electoral Uprisings: The Case of 2004 Ukraine

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REVIEW OF PAUL D'ANIERI (ED.)
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The relationship between civil society and democratic transition remains one of the most intriguing questions in contemporary comparative politics literature. The "neo-Tocquevillian" approach, for example, ascribes a crucial and unambiguous role to civil society in achieving democracy in political transformations. A strong civil society is seen not only as a positive factor, but also as a necessary pre-condition for successful democratization. However, more recent comparative research questions some of the basic assumptions of this approach, including both the relevance of a strong civil society and the actual role of non-governmental actors in political transition.[1] For instance, Weimar Germany in the early 1930s had one of the strongest third sectors in the world; a plethora of clubs and associations were highly active in the inter-war German society, but they did little to hinder the rise of Nazism. Indeed, Hitler's movement was able to utilize the large non-governmental sector for its own, to say the least, non-democratic purposes.[2] At the

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other end of the spectrum, Spain conducted one of the most exemplary and successful transitions from authoritarian rule to democracy with a relatively weak and non-influential civil society.

The present book is a rather important contribution not only to Ukrainian studies, but also to comparative transitology for two reasons. First, Paul D'Anieri compiled a set of outstanding papers from some of the most perceptive observers of post-Soviet Ukrainian affairs. Whoever wants to know about civil society in current Ukraine is well advised to turn to this excellent collection. Second, Ukraine constitutes a particularly fascinating laboratory for testing theories of transition. It has switched more than once between semi-democracy and semi-authoritarianism during the last twenty years, and remains to this date a nation in transition with an unknown future. Aptly, D'Anieri chose the Orange Revolution as a starting point for an evaluation of Ukrainian civil society. This post-electoral uprising of 2004 was one of the biggest actions of mass civil disobedience in modern European history, and is an important episode in the study of post-communist political transformations.

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D'Anieri's introduction is a review of the current state of research into Ukrainian civil society and civil society in general. According to the author, in a country like Ukraine, a weak state with weak rule of law, civil society is the only hope for establishing genuine liberal democracy. However, this hope was never realized in Ukraine because "a political system driven largely by the machinations of government and opposition elites may induce (and may already have induced) a sense that civil society can have little influence over the country's politics." Thus, not only the state itself, but also the civil society, is weak in Ukraine. The Orange Revolution essentially showed that even through election or collective action, citizens are not able to hold the state accountable. D'Anieri's main question for the future is whether Ukraine's "weak state–weak society" model can persist indefinitely and what we should expect in case either facet of this relationship changes.

In the second chapter, Joshua A. Tucker explores, from a rational choice perspective, the reasons for and modes of electoral fraud, corruption,

and protest preceding and following the Orange Revolution. He claims that the protest movement was successful because it overcame the familiar collective action problem. He notes that the interests of citizens against an abusive state are most often not pursued through collective action due to difficulties in coordination and because of the lack of individual incentives to engage in risky protest. In the case of the Orange Revolution, however, electoral fraud was flagrant enough to motivate ordinary people to engage in collective action, thus providing the foundation for a successful mass movement.

In chapter three, Tammy Lynch addresses elite choices and opposition tactics in Ukraine before the Orange Revolution, and in chapter four, Ioulia Shukan analyzes how the popular protest movement was orchestrated. Both writers see the Orange Revolution as less spontaneous than usually assumed. It involved actors, they assert, who had learned from previous failures to organize successful protests, and were thus able to lead a carefully prepared, directed, and monitored event. They assert that civil society was not autonomous, but mobilized by political society, such as opposition leaders like Yulia Tymoshenko and Oleksandr Moroz. In organizing protesters, the previous experience of political elites, and not that of civil activists, was used.

In chapter five, Anna Fournier writes from a constructivist viewpoint about the political culture in the Orange Revolution. Like Tucker, she also addresses the individual motives of the protesters. In a useful and intriguing essay, Lucan Way compares Ukraine and Belarus, focusing on the role of national identity in both protecting and opposing an autocratic regime. Way argues that both former Ukrainian President Leonid Kuchma, and the current Belarusian President Aleksandr Lukashenko were trying to build authoritarianism from 1994 to 2004 and from 1994 until today, respectively. However, Ukraine was culturally too heterogeneous for Kuchma to forge one dominant national identity, whereas Lukashenko was able to accomplish this goal in Belarus. This difference, to a considerable degree, explains the different trajectories of regime change in these otherwise relatively similar post-Soviet republics.

Serhiy Kudelia approaches the Orange Revolution from the standpoint of international relations theory. He uses the game theory approach and focuses on government and opposition perceptions of one another. He argues that conflict was initiated because both incumbent authorities (the "Blue") and the opposition (the "Orange") assumed they had a good chance of winning. As is well known, only the opposition turned out to have an accurate view of the situation.

Kudelia, somewhat like Lynch, seems to view protesters on the ground primarily as instruments of the elites. But was this view overly simplistic? Were "soldiers of the Orange Revolution" (i.e., the civil society activists supposedly instrumentalized by politicians) mere pawns in a higher intra-elite game? It rather seems that the Orange Revolution happened because of the numbers and intransigence of the protesters who were motivated less by political organizers than by feelings of injustice and disrespect. Had the spontaneous dynamics of the street protests been less impressive and intense, the Orange Revolution may not have succeeded, even temporarily.

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The second part of the book goes beyond the Orange Revolution to look at subsequent developments in Ukraine. Berenson discusses tax compliance (or lack thereof) in Ukraine to illustrate a lack of trust and its implications for state-building. Jessica Allina-Pisano builds on Andrew Wilson's view of post-Soviet affairs as "virtual politics," and argues that democracy is not only purposefully faked, but that institutions are victims of ritualistic modes of behavior learned during the Soviet period that undermine the functions and purposes of modern institutional procedures.

Adriana Helbig explores the role of transnational actors in promoting values of civil society. Building on her own research into Western support for Roma community organizing, she shows that, despite their good intentions of promoting inclusion, transnational actors ended up unintentionally reinforcing ethnic separation through their targeted engagement with the Roma leaders.

Vlad Naumescu focuses on Ukrainian religious pluralism. He argues that because Ukraine does not have a dominant church, religious groups act similarly to NGOs, in contrast to Russia, where the Moscow Patriarchy has become a powerful quasi-state church. The churches in Ukraine, therefore, are politically less relevant than the hegemonic churches of Poland and Russia. One might add, however, that since Viktor Yanukovych became president, the authorities have been giving more attention to one particular church in Ukraine, the Moscow Patriarchy of the Russian Orthodox Church.

In the opinion of this observer, one can better understand the Orange Revolution by looking at the current status of Ukrainian civil society.

Before the Orange Revolution, as correctly pointed out by some authors, civil society actors saw themselves as being part of the political opposition, and were seen as such by members of the political elite. The Orange Revolution's success may have to do with the parallel interests of certain political elites and civil society. However, after the seemingly successful uprising, civil activists were confronted with a difficult task. They now had to decide whether they should continue to oppose those in power, even if they were their former allies, or whether to avoid interference with their political actions. Civil society in Ukraine was haunted by the legacy of having developed under, and in opposition to, a semi-authoritarian regime where it understood its role as a force countering the increasing centralization of power under President Kuchma.

Had civil society been as active and demanding immediately after the 2004 events as it is today, maybe the Orange Revolution would not have ended in failure. After the successful post-electoral uprising, the political elites were free to engage in petty internal quarrels. With relative media freedom from 2005 to 2010, journalists were very critical toward new power-holders and worked to expose their flaws. However, this criticism appears to have been in vain as civil society did not manage to translate it into concrete demands concerning, for instance, the various dealings of the oligarch Petro Poroshenko[3] or the scandalous behavior of Viktor Yushchenko's son.[4] Though civil society was the main driving force of the Orange Revolution, it also bore responsibility for the partial failure of socio-political modernization in its aftermath.

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After 2004, third-sector activists had to reinvent themselves as proper civic actors engaged less in strictly political confrontation, and more in pressuring the authorities and working to resolve issues concerning specific social challenges.

Today, after the recent political regression, civil society seems to be slowly finding its new role. Civic activists have become more focused in their actions, dealing less with general political issues and more with concrete social issues. One recent example of relatively successful collective public advocacy was the campaign for the adoption of the Law on Access to Public Information. A concerted effort by various mass media

outlets, non-governmental organizations and international partners made it possible for the law to be pushed through parliament and signed by the president, against the obvious preferences of the new power-holders.

Civil society in Ukraine, along with international organizations, is today the main factor in constraining the authoritarian impulses of the regime. In a strange way, the recent political regression might have exerted a positive effect on the development of post-Soviet Ukrainian society. It depoliticized the third sector, redirecting Ukrainian NGOs toward their core task of providing efficacious channels for citizens to influence the government and solving clearly defined problems of various social groups.

Recent popular uprisings in Tunisia and Egypt are also labeled "revolutions." While events in these countries have a number of similarities to the Orange Revolution, there are also important differences. The Arab revolutions happened in the absence of strong political oppositions. They were not organized by politicians, but by popular grassroots movements. Also, they were spontaneous in their nature—unlike the Orange Revolution, which started as a protest against rigged elections that were predictable as such (though not on that scale). In the Arab case, the revolutions were of a negative nature rather than supportive of concrete alternative political forces. Therefore, the process of transition to democracy in these countries and building a more modern society is going to be even more complex and less predictable than in the Ukrainian case. For example, in Egypt, political elites of the ancien régime are trying to co-opt representatives of the April 6 Movement in order to utilize them within the new political situation. In light of such challenges, there are high risks that, in both Tunisia and Egypt, the remnants of the old system will facilitate the restoration of some form of authoritarian rule.

However, as in the case of the Orange Revolution, the manifestations of people power in Tunisia and Egypt also had a countervailing, and perhaps even irreversible, effect on the political regimes of these countries. The future rulers of these countries will, presumably, be more cautious in the use of authoritarian methods, as they will be aware of the possibility of a new uprising. The recent events in North Africa and the Near East had the effect of making ordinary people proud to be citizens of their countries. They will be more demanding of their next governments. It will be fascinating to observe and systematically compare the transitions of this new wave of democratic revolutions in the post-Soviet space and Arab world. ■

ENDNOTES

1 Ariel C. Armony, *The Dubious Link: Civic Engagement and Democratization* (Stanford, CA: Stanford University Press, 2004).

2 Omar G. Encarión, "Civil Society and the Consolidation of Democracy in Spain," *Political Science Quarterly* 111 (1) (2001): 53-79.

3 In 2005, the head of Presidential Administration Olexader Zinchenko accused the head of the National Defense and Security Council Petro Poroshenko of corruption and exceeding his powers.

4 Although a university student, Viktor Yuschenko's son started driving a luxurious BMW valued at EUR 130,000 after the Orange Revolution.