

Juliane Besters-Dilger (ed.)

Ukraine on its Way to Europe

Interim Results
of the Orange Revolution



PETER LANG

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Introduction

While Ukraine under President Kuchma steered a political course that continually oscillated between the pursuit of rapprochement with the European Union and the unswerving loyalty to Russia, the Orange Revolution in November 2004 has unambiguously determined the future orientation of Ukraine: joining the European Union has become top priority, Ukraine is on the way to Europe.

Concepts such as “Europeanisation” or “European Integration of Ukraine” neglect the fact that, according to geographic and historical criteria, Ukraine has always been a part of Europe. But they are justifiable if one uses as a base a normative concept of Europe as conceived by the European Union (respect for human and civil rights, rule of law, division of powers, separation of church and state, parliamentary democracy, sovereignty of the people, open and pluralistic society, welfare state, etc.). The European Union has set up the European Neighbourhood Policy and has already been negotiating successfully with Ukraine for several years on the harmonisation of law, but there is a considerable gap between such a formal harmonisation and its translation into the practice of everyday life. The leadership under President Yushchenko wants to bridge this gap. Important tasks have been or still are the fight against corruption on all levels, the strengthening of media rights, the introduction of minimum standards of a welfare state, the encouragement of western investment, etc., and also the initiation of a certain change of the elites, since there is to date a clear continuity in this field.

This publication, which involves authors from five faculties of Vienna University, two other Austrian scholars, five specialists from Germany and one from Norway, is based upon the hypothesis that the rapprochement with the European Union depends on numerous cultural constants that shape Ukraine, and will only be successful if they are taken into consideration. In this context, “constant” does not mean that there is no possibility of change; it concerns in fact the non-material cultural heritage of a different age, which is still influential and can acquire new significance in new contexts. This heritage can hinder, but can also be conducive to the rapprochement with the EU.

The publication has two aims:

- a critical analysis and evaluation of the efforts of Ukraine under President Yushchenko to bring about a change in direction toward a rapprochement with the European Union,
- the identification of the cultural constants that either hinder or are conducive to the rapprochement; these are strongly marked by the Kuchma era and the Soviet era, but in part they are much older. Thus the contributions investigate the area of conflict and tension between, on the one hand, “decreed” modernisation and orientation toward the European Union (their organisation, realisation and, above all, their acceptance), and, on the other, tradition, i.e. mental, institutional and social conditioning. Although the specific conditions and circumstances must be taken into consideration in every single case, this theme is of vital importance for all states of eastern and south-eastern Europe that aspire to join the European Union. But it is obvious that not all contributions in this volume can take the cultural constants into consideration to the same extent.

The book is based on the results of the research project “(Re)integration of Ukraine into Europe”, funded by Vienna University. The programme “Research foci (Forschungsschwerpunkte)” of Vienna University aims to promote interdisciplinary cooperation across the boundaries of the faculties of this university. In this project, the manifold capacities of Vienna University in the field of research on Ukraine are therefore interlinked for the first time. When indispensable aspects of the general theme could not be addressed by Viennese colleagues, additional researchers were invited to cooperate, and were chosen according to topic. They are all from Europe. The reason is that the “European view”, rather than the American or Ukrainian, takes centre stage in this case, because this view provides the norm. Nearly all project participants have long-standing contacts with corresponding Ukrainian centres of research, which served as cooperation partners.

The general theme has been broken down into different aspects, which, according to the scientific literature and Ukrainian informants, are the most urgent and/or the most important. Such a choice is always to a certain extent arbitrary, one could surely find more or slightly different topics. But some other issues, such as the nation-building process and its problems or the dispute with Russia about energy costs, have been explored very often (among others by some of the project participants), and play only a secondary role for Ukraine on its way to Europe.

The arrangement of the contributions follows a specific line. The book starts with an article by Gerhard Simon serving as introduction to the whole topic. He shows that, despite all pessimistic opinions, the foundations of a democracy have been laid in Ukraine. Ingmar Bredies explains the constitutional reform of De-

cember 2004, mentioned in Simon's article and in others, which entailed a significant reallocation of institutional competences. Dieter Segert comes to the conclusion that political parties, despite their increased importance, are still tools in the hands of self-interested economic and political elites. Walter Rechberger deals with the fundamental question of judicial independence in Ukraine and evaluates it on a comparative basis, relating to EU and international standards. Åse Berit Grødeland, our Norwegian colleague, is a specialist in research on corruption. She makes clear that the Orange Revolution has not contributed to the reduction of corruption; furthermore, she understands corruption in Ukraine as a cultural constant formed by national traditions and mentality. The next topic, the political role of the oligarchs, is closely associated with political corruption. Heiko Pleines concludes that the new role of the oligarchs after the Orange Revolution consists in a pro-EU political stance and a contribution to political competition, but that oligarchs use undemocratic means to promote their interests. Martin Schauer and Anna Lawrenjuk have chosen the Ukrainian legacy concerning the joint stock company as an example of the attempt to adapt to European legal standards and reveal that Ukrainian law is characterised by hypertrophy, unclear and contradictory provisions and many gaps. Bettina Haidinger discovers a substantial increase in social payments since the Orange Revolution, which led to falling poverty rates, but criticises the fact that the role of women in society tends to be limited to their activities as carers. The most prominent measure, the maternity benefits for the birth of a child, cannot replace the necessity of a rising minimum wage, which would reevaluate women's work. Kerstin Zimmer's contribution on migration is one of the most critical. She sees Ukraine as being unprepared to counter its demographic crisis, oriented only on preventing emigration, remaining passive and waiting for EU initiatives with respect to refugees and asylum policy, and unable to fulfil its international obligations. Susan Stewart sums up the position of the NGOs in Ukraine: although their financial situation is precarious, it has been slightly improved and strengthened by the Orange Revolution and is becoming more and more complex, with the involvement of business increasing. My own contribution deals with media policies and shows that the aims of the Council of Europe in the media sphere (e.g., the introduction of public-service broadcasting) and of the Ukrainian government (e.g., the limitation of the Russian influence) do not fully correspond with one another.

After these contributions mainly concerning domestic policies, we look at the relations of Ukraine to other countries, especially Russia and Poland. Andreas Kappeler presents the current Ukrainian view of the Polish, Russian and Austrian impact on Ukrainian history and its use for political aims. This is an article which, by investigating myths and collective memories, contributes significantly to research on what we call "cultural constants". He sums up that Poland and

Austria are viewed in general positively, whereas there are disagreements about the historical role of Russia, which is often activated and instrumentalised. Martin Malek concludes that the European Neighbourhood Policy is insufficient and cannot replace a perspective of accession to the EU and that Nato and Yanukovych both dislike Yushchenko's push for membership of Nato for the same reason – the consideration of Russia's position. Lina Klymenko investigates the external and internal factors that lead to Ukrainian-Polish cooperation. She concludes that the determining internal factors are the relations between the two presidents rather than between political parties and that the partnership exists more on the level of political elites than of the societies; an external factor is, among other things, the EU, where Poland remains an advocate of Ukraine's EU and Nato membership.

The final three contributions are devoted to the cultural situation of Ukraine in a more narrow sense. Alois Woldan opens this section with an application of Geerd Hofstede's concept of cultural dimensions to Ukraine's mentality and identity and shows that in many ways Ukraine occupies an intermediate position between Russia and Poland. This article is fundamental, because it provides a possible explanation for some phenomena described in other contributions. Renate Pillinger deals with the question of how Ukraine treats its inheritance from early Christianity in the southern part of the country (the Crimean peninsula) and concludes that there is no protection of the cultural assets and that foreign researchers, as well as grave robbers, are pursuing their own interests. And Igor Gordyi points out that the three main churches of the Byzantine rite in Ukraine have different stances towards the country's Europeanisation and that the Orthodox church of the Moscow Patriarchate has the most reservations.

Information about the authors can be found in the end of the book.

When we compare all contributions, it is impossible to give an overall answer to the question raised at the beginning of the project, i.e. how far Ukraine is on the way to Europe. The areas touched on in this book show different degrees of Europeanisation. While in some of them the Orange Revolution has had a significant impact (e.g., social security, foreign policy), in others no improvement can be observed since 2004 (e.g., corruption).

Cultural constants are also effective to a different extent in different areas. Theoretically we can distinguish three levels of internal cultural factors influencing the current socio-political situation of Ukraine: typical post-Soviet features, as they have been evaluated by several researchers worldwide (e.g., formal democracy, competitive authoritarianism, passivity and atomisation of the society, intolerance of other opinions), the inheritance of the Soviet era (e.g., self-

censorship of journalists), and a pre-Soviet formative influence (e.g., power distance, collectivism). Since they interact, a precise attribution of a phenomenon to one specific level is often difficult. However, they mainly have a negative impact on Ukraine's rapprochement to the EU.

Finally, we would like to stress that all fields presented here are interlinked. Just one example: without a reliable, independent and functioning judiciary most of the attempts to Europeanise Ukraine will not be successful. This concerns the migration problem, the oligarchs and many other questions. The media, for example, can act as the "fourth power" with a controlling function in the state only when journalists can be sure that they will not be convicted for investigative journalism.

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Juliane Besters-Dilger