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US democracy assistance programs in Ukraine after the Orange Revolution



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ARTICLE INFO

Article history:
Available online 24 January 2014

Keywords:
Democratization
Democracy assistance
United States
Ukraine
Orange Revolution

ABSTRACT

The 2004 Orange Revolution failed to skyrocket Ukraine into the ranks of consolidated democracies. Some previous research claimed that, in the similar case of post-Rose Revolution Georgia, its vague democratic perspectives can be explained by, among others, a negative impact of politically biased US democracy assistance programs. This article examines five groups of US programs (electoral aid, political party development, legislative strengthening, NGO development and media strengthening) implemented in Ukraine in 2005–2010, and concludes that US diplomatic support for the pro-Western "Orange" leadership did not translate into political bias of US-funded democracy assistance programs.

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The 2004 democratic breakthrough, also known as the Orange Revolution, was a dramatic moment in the evolution of Ukrainian post-communist political regime. Mass rallies against election fraud helped Ukrainian citizens to regain basic political rights and civil liberties. However, the Orange Revolution fell short of skyrocketing the country into the ranks of consolidated democracies.

During his five-year term (2005–2010), President Viktor Yushchenko and his team could not overcome two major obstacles. First, the "Orange" leadership failed to reform state institutions and go beyond a mere personnel change. In the wake of the Orange Revolution, President Yushchenko and other "Orange" leader, Prime Minister Yulia Tymoshenko replaced some 18,000 government officials on the grounds of political loyalty (Bogomolov and Lytvynenko, 2009: 78) but, at the same time, the number of draft laws submitted to parliament by the executive branch was the lowest ever for any one legislative session since independence (Arel, 2005). Second, the "Orange" leadership devoted little effort to entrench the rule of law. On the contrary, President Yushchenko abused his authority over the judiciary, even going so far as to abolish the court which ruled in favor of his political opponents (Human Rights Watch, 2008). Both ruling and opposition politicians continued to bribe judges, arbitrarily sack them and even storm the courthouses (Trochev, 2010). In sum, the overall failure to establish a clear division of power and effective system of checks and balances has left Ukraine vulnerable to sliding back toward authoritarian

The academic community has widely discussed possible reasons that could account for the less-than-satisfactory outcome of the 2004 democratic breakthrough in Ukraine. The research focused on both internal and external factors. Some authors pointed to mistakes of the new ruling elite (Kalandadze and Orenstein, 2009) and individual leaders (O'Brien, 2010). Others highlighted the weakness of Ukrainian civil society and its exclusion from the post-revolution political process (Tudoroiu, 2007; Laverty, 2008). The institutional legacy of "competitive authoritarianism" was also examined as a negative internal factor (Kubicek, 2009). Finally, some scholars questioned whether the Orange Revolution represented any revolutionary

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change at all (Hale, 2006; Katchanovski, 2008; Lane, 2008). Among the external actors, the European Union (EU) drew the most of academic scrutiny. Many authors investigated the EU conditionality and its impact on democratic reforms in Ukraine (Kubicek, 2005; Solonenko, 2009; Casier, 2011). Others focused on a "negative" external actor, Russia, arguing that its policies weakened the democratic perspectives in Ukraine (Ambrosio, 2007; Tolstrup, 2009). Some scholars designed their research so as to capture the overlap of EU and Russian influences (Jonavicius, 2009; Petrov and Serdyuk, 2009).

Surprisingly enough, very little attention has been devoted to the policies of the United States (US) and their impact on democratic consolidation in Ukraine after the Orange Revolution. Such an omission raises eyebrows because the activities of US donors were judged to be instrumental in setting the stage for the Orange Revolution (Wilson, 2005, 2006: 183–189; Prescott, 2006). Did US donors continue with democracy assistance programs after the 2004 democratic breakthrough? Did they revise their strategies? Did those programs protect democratic process or particular political groups?

The last question refers to the similar case of Georgia which is much better investigated. As documented by Mitchell (2006, 2009), Muskhelishvili and Jorjoliani (2009), Lazarus (2010) and Omelicheva (2010), US donors reoriented their support from democratic projects to state-building initiatives after the 2003 Rose Revolution. The mentioned scholars concluded that the US, as a key external actor, was partly responsible for Georgia's stalled transition to consolidated democracy. On the one hand, by redirecting their assistance, US donors undermined the ability of Georgian political opposition and civil society to monitor and control policies of President Mikheil Saakashvili and his team. On the other hand, the unconditional US support to the Georgian government fueled the sense of self-righteousness and impunity among the "Rose" leadership and failed to prevent abuses of power.

This article looks into US democracy assistance programs implemented in Ukraine after the Orange Revolution (between 2005 and 2010). Based on theoretical insights and previous research on the Georgian case, it is hypothesized that US-funded democracy assistance programs were burdened by US security interests and biased in favor of the US-friendly leadership. To test this hypothesis, the following five groups of programs will be examined: electoral aid, political party development, legislative strengthening, development of non-governmental organizations (NGOs) and independent media strengthening. The findings will answer the question whether US democracy assistance programs in Ukraine have been distorted by US political support for particular Ukrainian leaders. This research will also provide material for further comparative studies of the US role with regard to democratization in the post-Soviet area.

1. Democratization goals and security interests

It should be admitted that democratization can never be the sole foreign policy objective of any donor country. Even in the US, which tends to promote democracy with a missionary zeal, democratization must coexist with other objectives and interests: curbing the spread of weapons of mass destruction, combating terrorism, dampening regional rivalries and developing better economic relations (Lowenkron, 2007: 202). Unavoidably, all these foreign policy goals not only coexist but also conflict with each other.

Most situations when the democratization goal conflicts with other security interests can be described as one of the two interrelated dilemmas. The first dilemma occurs if donor's efforts to promote democracy may lead to destabilization in the recipient country. In this case, the donor country must choose between promoting more democratic or more efficient governance (Spanger and Wolff, 2005). Consequently, the donor country may prefer a stronger executive branch at the expense of political competition. The second dilemma occurs if the democratic process in the recipient country may bring to power political groups that are perceived by the donor country as hostile to its interests. In this case, the donor country may intervene by supporting political allies or by inhibiting the ascent of those forces that oppose the influence and interests of the donor country (Boudreau, 2007). Consequently, democracy assistance programs funded by the donor country may become politically biased.

These theoretical assumptions have been verified by the previous research on Georgia. The Rose Revolution brought to power young reformers who appeared to be pro-democratic, pro-Western and fully aligned with US security interests in the region. From the very beginning, the George W. Bush administration demonstrated a firm commitment to support Saakashvili government. As a side effect, US governmental donors scaled down or closed many democracy assistance programs that were prioritized before the Rose Revolution. Certain US-funded organizations withdrew from sectors of electoral aid, political party building, NGO building and independent media strengthening because the opposition to the Saakashvili government and control over its activities was no longer considered as necessary (Mitchell, 2009: 130). What is more, US donors started to discriminate certain elements of Georgian civil society depriving of funds those NGOs that continued to criticize the government (Muskhelishvili and Jorjoliani, 2009: 695).

In Ukraine, the rise to power of pro-democratic and pro-Western Yushchenko was welcomed by the US government equally warmly. During his first visit to the US, President Yushchenko was honored by the opportunity to address a joint session of the US Congress and his speech was interrupted by applause 26 times – five times with standing ovations (Nynka, 2005). Most importantly, the US government saw Yushchenko as the only reliable ally among Ukrainian political leaders in its effort to bring Ukraine into NATO. His value to the US was further reinforced by increasing public support for the pro-Russian and NATO-skeptic Party of Regions and its leader Viktor Yanukovych. The linkage between the democratization goals (consolidating gains of the Orange Revolution) and security interests (preserving the US-friendly executive) created preconditions for a political bias in US-funded democracy assistance programs in Ukraine. It is hypothesized in this article that

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