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Domestic Power Struggles and War of National Survival in
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Needless to say, I alone am responsible for the book's remaining shortcomings.

A note on transliteration from Cyrillic to Latin. I have omitted the soft sign (ь), usually rendered as an apostrophe ('). Readers familiar with Russian and Ukrainian should be able to interpolate as necessary.

List of Abbreviations and Acronyms

ACA	Anti-Corruption Agency
ATO	Anti-Terrorist Operation
BPP	Blok Petra Poroshenka
BTG	Battalion Tactical Group
CC	Constitutional Court
CAR	Central African Republic
CEC	Central Electoral Commission
CEO	Chief Executive Officer
CSO	Civil Society Organization
DAI	Derzhavna avtomobilna inspektsiia
DBR	Derzhavne biuro rozsliduvan (see SBI)
DNR	Donteska narodna Respublika
DRC	Democratic Republic of the Congo
EU	European Union
FSB	Federalna sluzhba bezpeki
FSU	Former Soviet Union
GDP	Gross Domestic Product
GRU	Glavnoe razvedyvatelnoe upravlenie
HACC	Higher Anti-Corruption Court (see VAKS)
HQCJ	High Qualification Commission of Judges (see VKKS)
IFI	International Financial Institution
IMF	International Monetary Fund
KDAC	Kyiv District Administrative Court
KDB	Komitet derzhavnoi bezpeki
KGB	Komitet gosudarstvennoi bezopasnosti
KIIS	Kyiv Institute of International Sociology
KORD	Korpus Operatyvno-Raptovoi Dii
LNR	Luhanska narodna respublika
MVS	Minsterstvo vnutrishnikh sprav
NABU	Natsionalne antykoruptsiine biuro
NATO	North Atlantic Treaty Organization

NAZK	Natsionalne ahentstvo z pytan zapobihannia koruptsii
NBU	National Bank of Ukraine
NGO	Non-Governmental Organization
NPU	National Police of Ukraine
NUNS	Nasha Ukraina – Narodna samooborona
ODIHR	Office for Democratic Institutions and Human Rights
OP	Office of the President
ORDLO	Otdelnye raiony Donetskoi i Luganskoi oblasti (Russian term for temporarily occupied territory of Ukraine)
PA	Presidential Administration
PF	Popular Front
PGO	Procurator General’s Office
PGU	Prosecutor General of Ukraine
PM	Prime Minister
POTUS	President of the United States
PR	Proportional Representation
RF	Russian Federation
RNBOU	Rada natsionalnoi bezpeky i oborony Ukrainy
ROC	Russian Orthodox Church
SAP	Special Anti-Corruption Prosecutor
SBI	State Bureau of Investigation (see DBR)
SBU	Sluzhba bezpeky Ukrainy
SCJ	Supreme Council of Justice (see VRP)
SMD	Single-Member District
SMSP	Single Member, Simple Plurality
SOE	State-Owned Enterprise
TCG	Trilateral Contact Group
UAH	Ukrainian hryvnia (currency)
UK	United Kingdom
UN	United Nations
UNGA	United Nations General Assembly
UNSC	United Nations Security Council

US	United States
VAKS	Vyshchyi anty-koruptsiinyi sud (see HACC)
VKKS	Vyshcha kvalifikatsiina komisiia suddiv (see HQCJ)
VNSA	Violent Non-State Actors
USSR	Union of Soviet Socialist Republics

Introduction

Generalizing about post-communist Ukraine is a risky business.¹ Which means either that the country, or more exactly its political system, is a total misfit from the perspective of comparative politics or that the tools being used to analyze it are less than adequate, perhaps totally inappropriate. We took the post-Soviet political leaders of Ukraine at their word when they committed themselves to transitioning to democracy and the market and to reorienting towards Europe, but this has not been accomplished fully even after the passage of more than thirty years. There have been three so-called revolutions (in 1991, 2004, and 2013-14), yet none resulted in a fundamental transformation of the way politics is conducted, the composition of the elite, or the relationship between elites and the public. It is a situation of “change without movement, movement without change,” as so well encapsulated by Marta Dyczok.² Whereas the Baltic states, along with the formerly communist states of East Central Europe, have successfully transitioned to democracy and mostly joined the European Union (EU), and nearly all other ex-Soviet republics have reverted to authoritarianism, Ukraine has done neither. What is the explanation for this non-conformity? At the same time, the physical existence of Ukraine as a state has been continuously threatened – never more so than in 2022 – by being at the center of a geopolitical tug-of-war between its neighbor, the Russian Federation, and the United States. Is Ukraine a viable political entity? What has prevented it becoming a stable democracy, and can it survive?

This book sets out to answer these key questions using a novel approach to get at the fundamental nature of politics in post-Euro-maidan Ukraine, to explain its anomalous character, and to assess its future viability. My initial impulse for offering another explanation of Ukrainian politics after 2014 was stimulated by recognizing

1 I attempted this previously in *Post-Communist Ukraine* (Edmonton and Toronto: Canadian Institute of Ukrainian Studies Press, 2002).

2 Marta Dyczok, *Ukraine: Change Without Movement, Movement Without Change* (Amsterdam: Harwood Academic Publishers, 2000).

the obvious discrepancy between what was actually happening and what had been forecast as the standard pattern by the model of patronal politics as elaborated by Henry Hale.³ According to Hale, the institutionalization of genuine democracy in Ukraine and other post-communist states is prevented by a cyclical, self-perpetuating dynamic of patron-client relations at the top of the political system. This dynamic, however, did not appear to be operating under either President Petro Poroshenko or Volodymyr Zelenskyy, since neither had come to office with a string of clients and did not seem particularly engaged in cultivating one while in office. Had patronalism taken a holiday? To answer that question requires a detailed, day-by-day scrutiny of the behavior of these two presidents' tenure, which is undertaken here. Incorporated into this analysis also is a conception of the political as a more narrowly focused tool than any of those prevailing in the discipline. This is borrowed from Stefano Bartolini.⁴ My approach, which I call the politics of the law, therefore centers on executive decision-making, legal structures and actors, and the challenges of reform. It is intended not as a replacement of other currently employed approaches, but as a supplement, a reminder that a basic feature – the struggle at the apex of power over control of the law – must be taken into account in any true and full explanation of Ukrainian politics post-2014. My methodology consists of indirect observation of political actions through the day-to-day examination of Ukrainian and foreign press reporting from 2014 to 2022. In addition to the obstacles it faces on the domestic front, Ukraine's viability has been and continues to be tested in the international realm, particularly by first the threat and then the reality of war with Russia. The Russian invasion of Ukraine in 2022 has made it a necessary part of the story of post-Euromaidan Ukraine's survival insofar as it comprises a genuinely existential threat.

3 Henry E. Hale, *Patronal Politics: Eurasian Regime Dynamics in Comparative Perspective* (New York: Cambridge University Press, 2015).

4 Stefano Bartolini, *The Political* (London and New York: ECPR Press and Rowman & Littlefield International, 2018).

Previous Studies of Ukraine

When the USSR collapsed in 1991, Ukraine became an unaccustomed object of study as a case of transition from communism to democracy. It was wonderful to see such a large contingent of scholars in the social sciences paying so much attention to Ukraine after a lifetime of neglect. Comparativists began to apply various theories and models of transition to democracy to the newly-independent country on the assumption that it truly was becoming transformed, as its leaders had declared, from a communist party-state into a Western liberal democracy. Western governments accordingly operated from the same assumption, providing material help with institution-building, public administration, financial accounting, and defence and security. But eventually it became clear that neither the Latin American, nor the Mediterranean, nor the Asian, nor the Eastern European models were being followed by the leaders of Ukraine. Transitology gave way to other paradigms: “stuck” or “hybrid” transition, electoral authoritarianism,⁵ competitive authoritarianism,⁶ patronal politics, and the primacy of informal politics. We now know a great deal about Ukraine’s post-communist politics – the literature is massive – but we still have not discovered its trajectory, if it has one.

Perhaps the fundamental problem is the implicit image of politics we carry with us locked into the concepts we employ. Political science is by and large an Anglo-American enterprise. So our terms are actually context- and time-specific, despite our belief that they are objective and timeless; applying them in a context different than the British, Western European or American one we either misinterpret what is really going on or else in effect simply make normative judgments about the things we see. It could also be that our concepts are idealized or outdated or both and do not work even in explaining the workings of contemporary Western liberal

5 Andreas Schedler, ed., *Electoral Authoritarianism: The Dynamics of Unfree Competition* (Boulder and London: Lynne Rienner Publishers, 2006).

6 Steven Levitsky and Lucan A. Way, *Competitive Authoritarianism: Hybrid Regimes After the Cold War* (Cambridge and New York: Cambridge University Press, 2010).

democracies; they were fashioned in the second half of the 20th century, and they take little or no account of such phenomena as the business-politics-organized crime nexus, the persistence of corruption, or the lawlessness of law enforcement. For example, Ukraine has a multitude of political parties, so-called, yet they are described as weak and neither they nor the party system correspond to the European model.⁷ Presumably such an alignment is necessary for the full transition to liberal democracy European-style. At the same time, however, European parties and party systems have evolved considerably beyond the classic depiction of them by Sartori in 1976, making this subject especially elusive.⁸ Which model, then, should Ukrainian political parties and their leaders be attempting to emulate – the twentieth-century one or the twenty-first? Perhaps the political science discipline needs a different vocabulary altogether.

Many scholars have based their analyses simply and uncritically on terms popularly bandied about quite freely by the general public and the mass media when referring to contemporary Ukrainian politics. These are terms like “oligarch,” “mafia,” “old guard,” “technocrat,” “corruption,” “parliament,” “cabinet,” “nationalists,” “Ukrainian,” “Russian,” and “revolution.” The trouble with these terms is that they are often not, strictly speaking, concepts, just as dictionary definitions should never properly be considered or used as definitions for concepts. Dictionary definitions report usage, and usage is elastic. The terms commonly used to talk and write about and discuss politics in Ukraine today are treated as being implicitly understood and thus remain undefined. They should not be used indiscriminately for scientific work, as they usually are. Concepts need to be data containers capable of capturing entities accurately and to be the building-blocks of theory or

7 Serhij Vasylychenko, “The Negative Consequences of Proportional Representation in Ukraine,” *Demokratyzatsiya* 21, no. 3 (Summer 2013): 430-40; Taras Kuzio, “Impediments to the Emergence of Political Parties in Ukraine,” *Politics* 34, no. 4 (December 2014): 309-23.

8 Luciano Bardi, Stefano Bartolini, and Alexander Treschel, “Party Adaptation and Change and the Crisis of Democracy,” *Party Politics* 20, no. 2 (2014): 151-59; Giovanni Sartori, *Parties and Party Systems: A Framework for Analysis, Volume I* (Cambridge: Cambridge University Press, 1976).

tentative explanations, assuming that theoretical explanation is the object of study. The tendency within political science attempting to present the discipline as more “scientific” would not consider using everyday terms in the analysis of politics. We all do it, but this is not social science at its best.

Some scholars of post-communist Ukraine have taken the institutional approach. They examine entities such as political parties, elections, legislatures, law courts, constitutions, bureaucracies, the force ministries, and the Armed Forces (civil-military relations). This method assumes that such structures and their dynamics are basically similar to their Western counterparts, which is at best questionable. The lack of true symmetry becomes apparent when we discover that politics in Ukraine do not behave normally. We have long accepted, for example, Maurice Duverger’s theory of the interaction between electoral and party systems: proportional representation (PR) produces a multitude of political parties by encouraging them to participate; the single-member-simple-plurality (SMSP) system diminishes the number of parties dissuading all but the two strongest from participating (or two-and-a-half, in the case of Canada). But whenever Ukraine has utilized a mixed electoral system, allowing us to see simultaneously the effects of each type on the proliferation or restriction of parties, the results have been totally the opposite: the PR ballot has produced fewer parties in the legislature, single-member-districts (SMDs) producing more of them. Even after a quarter-century, Ukraine still did not have a recognizable party system.⁹ Formation of coalitions and caucuses in the national assembly, the Verkhovna Rada, has likewise not followed the usual pattern in other democracies. In Ukrainian presidential elections, where the system of runoff between the top two contenders in the first round ought automatically to discourage contestants, dozens of candidates enter the fray every time despite the odds and common sense. To top it off, in 2019, they elected a TV comedian president. Countless anti-corruption drives have been

9 Kostyantyn Fedorenko, Olena Rybiy, and Andreas Umland, "The Ukrainian Party System Before and After the 2013-2014 Euromaidan," *Europe-Asia Studies* 68, no. 4 (June 2016): 609-30.

launched since 1992, but without appreciable results. During the Petro Poroshenko presidency, 2014-19, new institutions to curb political corruption which are effective in other jurisdictions were established with foreign help and began operating in difficult circumstances; by 2020 his successor was allowing their dismantlement by entrenched interests.¹⁰ Then there were those three “revolutions” that failed to produce revolutionary results. If one is relying on the standard toolkit of comparative politics, it seems that practically every entity taken up as an object of study must be designated in quotation marks or the prefix “would-be” to properly capture Ukraine’s political virtuality.¹¹

Other scholars, Taras Kuzio among them, have endeavored to combine the theoretical approaches of comparative politics with deep local knowledge of current affairs to produce more credible explanations for aspects of Ukrainian politics.¹² Sometimes the theoretical is more like window-dressing so as to give the research greater credibility within the political science community. Sometimes it still comes across as good history or descriptive political science. Occasionally, recourse has even been had to concepts seemingly picked out of thin air, as with Lucan Way’s pioneering “rapacious individualism” (which recalls C. B. Macpherson’s “possessive individualism” of a now bygone era).¹³

10 Daryna Krasnolutska and Volodymyr Verbyany, “Ukraine’s Leader is Being Broken by the System He Vowed to Crush,” Bloomberg, 16 December 2020, on the Internet at <https://www.bloomberg.com/news/articles/2020-12-17/Ukraine-s-...>, accessed 18 December 2020.

11 Andrew Wilson, *Virtual Politics: Faking Democracy in the Post-Soviet World* (New Haven and London: Yale University Press, 2005).

12 Kuzio, “Nationalism in Ukraine: Towards A New Framework,” *Politics* 20, no. 2 (May 2000): 77-86; idem, “Regime Type and Politics in Ukraine under Kuchma,” *Communist and Post-Communist Studies* 38 (2005): 167-90; idem, “Nationalism, Identity and Civil Society in Ukraine: Understanding the Orange Revolution,” *Communist and Post-Communist Studies* 43 (2010): 285-96; and idem, “State-led Violence in Ukraine’s 2004 Elections and Orange Revolution,” *Communist and Post-Communist Studies* 43 (2010): 383-95.

13 Lucan A. Way, “Rapacious Individualism and Political Competition in Ukraine, 1992-2004,” *Communist and Post-Communist Studies* 38 (2005): 191-205. Cf. C. B. Macpherson, *The Political Theory of Possessive Individualism: Hobbes to Locke* (Oxford: Clarendon Press, 1962).

A major contribution, however, to the melding of comparative politics and Ukrainian studies has been achieved by the contributors to a collective volume edited by Henry Hale and Robert Ortung.¹⁴ Focusing on the obstacles to and prospects for political reform, its authors closely examine what Ukraine has done in several key policy areas, rigorously comparing this with the experience of other countries in the same spheres. Drawing up the volume's conclusions, the editors emphasize that a way forward requires: not assuming that institutions in Ukraine work as they do elsewhere; distinguishing between deeply embedded and contingent obstacles; concentrating reform efforts on fundamentals; and taking into account the interests of the actors.¹⁵ The "most fundamental reform challenges," emerging from the analyses, therefore, are: the "communist legacy," Ukraine's identity divide, (neo)patrimonialism leading to corruption, and—until 2014—the absence of a foreign threat.¹⁶ None is considered by them as insurmountable. Also, "some of Ukraine's problems arise from highly contingent choices that could have been made differently along the way,"¹⁷ which prompts the idea of critical turning points that could be used to explain Ukraine's developmental path. Thus, the Hale and Ortung volume helps identify critical factors determining Ukrainian politics: choices; actual operation of institutions; actors' interests; and fundamental (legacy, identity, corruption) as opposed to transient features of the political system. Their volume's findings are therefore incorporated into the present study as a means of specifying the critical areas of public policy decision-making by Ukrainian presidents in the post-Euromaidan era that demand attention.

Within the past decade, of course, there also has been a recognition of the importance of the informal side of Ukrainian politics as opposed to the formal. One might even say the predominance of the informal over the formal. This is no doubt an exaggeration, but

14 Hale and Robert W. Ortung, eds., *Beyond the Euromaidan: Comparative Perspectives on Advancing Reform in Ukraine* (Stanford: Stanford University Press, 2016).

15 Hale and Ortung, "Conclusion: The Comparative Politics of Reform and Lessons for Ukraine," in *Beyond the Euromaidan*, 267-8.

16 *Ibid.*, 268-9.

17 *Ibid.*, 268.

widening of one's field of vision is a needed corrective to the conventional approach of treating Ukraine's political institutions as though they exemplified the same basic features and embodied the same activities as their Western counterparts. Exemplary of such work is Henry Hale's on "patronal politics," and Jessica Allina-Pisano's on "Potemkin politics."¹⁸ Hale in particular has made a very important advance in the study of post-Soviet politics.¹⁹ Addressing the puzzle of why most of the USSR's successor states have not made the "transition to democracy," he proposes they be examined under the heading of "patronal politics."²⁰ By this he means their politics should be understood as based on patron-clientelism with the president as chief patron. Usually all elites cluster under the president in a single pyramid of hierarchically arranged networks. Occasionally, when the president is weakened, other networks form under potential challengers. One of these latter following an election then becomes president-patron and proceeds to restore the single pyramid. This dynamic is facilitated by having a single-executive constitution, and conversely obstructed by a dual-executive constitution (president and prime minister). Challengers will be driven by their expectations about the incumbent's chances of duration in office, which will determine their loyalty and the likelihood of their launching rival pyramids of patron-client ties.²¹ Such systems are thus not static, nor are they principally engaged in "transitioning to democracy." They are rather involved in constant, but fluctuating, struggle for power that specifically involves

18 Hale, *Patronal Politics*, and Jessica Allina-Pisano, "Legitimizing Facades: Civil Society in Post-Orange Ukraine," in *Orange Revolution and Aftermath: Mobilization, Apathy, and the State in Ukraine*, ed. by Paul D'Anieri (Washington, D. C.: Woodrow Wilson Center Press; Baltimore: Johns Hopkins University Press, 2010), 229-53.

19 And which has been taken up by others, including the contributors to Hale and Orttung, eds., *Beyond the Euromaidan*, for example.

20 "Patronal politics refers to politics in societies where individuals organize their . . . pursuits around the personalized exchange of concrete rewards and punishments through chains of actual acquaintance, and not primarily around abstract, impersonal principles such as ideological belief or categorizations like economic class that include many people one has not actually met in person." Hale, *Patronal Politics*, 9-10. Emphasis in the original.

21 *Ibid.*, 34-36.

patronage, patron-client networks, expectations, resources, elections, and a constitutional framework. There is a cyclical pattern to these interactions – from single-pyramid and more authoritarian to competing-pyramid and more open competition and back again – linked to a country’s electoral cycle. Hale has traced these processes in all twelve of the ex-Soviet states (excluding the Baltics) as well as four statelets (Abkhazia, Nagorno-Karabakh, South Ossetia, and Transnistria), sixteen in all.

There is little to disagree with in Hale’s massive and masterly study, as the processes he traces are empirically accurate. One might quibble, however, with some of the concepts and their operationalization. He justifies introducing a new term “patronalism” in place of such familiar ones as clientelism, (neo)patrimonialism, or informal politics, as being more comprehensive.²² His depiction of patron-clientelism is a one-way, top-down relationship, overlooking the important element of reciprocity emphasized in the classic works on the subject.²³ The “logic of collective action” is invoked by him to explain patron-client relations as well as the emergence of expectations,²⁴ but as mentioned in a later chapter I have reservations about such logic. “Expectations” have to be attributed to the actors concerned in this narrative, but there is no way to confirm their true existence. Hale’s study throughout deals with individuals – explicitly so in its theoretical expositions. Individuals are never treated as part of society, indeed, “society” is merely a label for the human population of a country. Hale specifically rejects using categories such as “clans” and “ethnic groups” in his analysis on the grounds that they are not unified blocs, and that interests are liable to prevail over the bonds within such entities. He seems almost to deny that bonds exist, or that they exist within society. Terms such as “machine politics” and “lame duck,” which

22 Ibid., 22-26.

23 Hale specifically points out that “in characterizing the relationship between patrons and clients, if anything, it [patronalism] emphasizes the power of patrons more than that of the clients. . . . This is appropriate given that the inequalities these [patronalistic] societies feature tend to favor the patrons relative to clients.” Ibid., 27.

24 Ibid., 22 and 34-36.

originated in the US political system, are applied liberally in this study, as though America were the template for politics in the post-Soviet world as well. Indeed, America as a model comes to mind when the author at one point sums up on presidential ousters with the unsurprising statement that “once a single-pyramid system was initially built in a post-Soviet presidentialist polity, patronal presidents have fallen primarily as they simultaneously encountered a lame-duck syndrome and low popular support.”²⁵

Of all sixteen entities examined, Hale finds Ukraine exceptional in not following the general pattern.²⁶ In the first place, it experienced a brief episode of genuine (or as close as possible to) democracy (2005-10) when lame-duck President Leonid Kuchma was succeeded by Viktor Yushchenko.²⁷ Secondly, every president since has lost office after just a single term, regardless of constitutional order, instead of as a lame duck at the end of the second term. Thus the regular cycle of re-establishing a single pyramid has been unfulfilled, contrary to Hale’s theoretical expectations. Hale seems to have difficulty accommodating the Euromaidan Revolution of Dignity, which he labels “irregular,” because it does not fit the elite-driven patronal politics scheme.²⁸ From the latter perspective, Yanukovych fell because he was too hasty in building a single-pyramid system; he was brought down by unsympathetic expectations (not by the revolution). Hale’s analysis ends in 2014, at which point he concludes:

Overall, as the logic of regime cycles would predict, Ukraine . . . was clearly experiencing political closure until the outbreak of the Euromaidan protests. . . . The logic . . . would lead us to expect this eventually to promote competing-pyramid politics in Ukraine, although it is far too early to tell as of 2014.²⁹

Subsequent events invite further research into the Ukrainian anomaly, where there have now been three presidents in a row who have

25 Ibid., 241.

26 Ibid., 325-50, and 370-71.

27 Ibid., 13.

28 Ibid., 234-38.

29 Ibid., 350.

failed to build a single-pyramid system. Neither Yushchenko, nor Yanukovych, nor Petro Poroshenko was a lame duck. Poroshenko was defeated by the novice Volodymyr Zelensky who brought no network of clients or other tangible political resources with him into office. Whether one agrees wholly with Henry Hale's analysis of post-Soviet politics or not, the case of Ukraine certainly warrants investigation—either Ukraine is a permanent misfit, or the theory of patronal politics is lacking in some important aspect. The puzzle demands exploration: what kind of political system does Ukraine have? Does patronalism hold back democracy in post-Euromaidan Ukraine? Hale's elaborate theory provides a springboard for the present study, for confirming or disconfirming the theory, and for proposing an alternative in the latter case.

Conceptual Clarification of the Political

To avoid getting bogged down—which inevitably results from assuming that politics is everything and anything—as well as conceptual stretching,³⁰ it is best to settle on a quite specific definition of the concept of politics to begin with. A novel such definition has been proposed and elaborated by Stefano Bartolini.³¹ It allows us to narrow down the political more accurately than is customarily possible, to identify the relevant actors, and to plot the dynamics of the political process more exactly. According to Bartolini, *the political should be conceived of as a category of intentional action – distinct from interest, morality, and honor – which aims to secure compliance by others*. In addition, political action needs to be seen not only as intentional, but also independent of goals, means, or consequences.³² Postulating that there are two fundamental conditions for political action—confinement and monopolization—each being either open or

30 Giovanni Sartori, "Concept Misformation in Comparative Politics," *American Political Science Review* 64, no. 4 (1970): 1033-53.

31 Bartolini, *The Political*.

32 *Ibid.*, chap. 2. Specifically, "political action is that type of action whose aim is to achieve the obedience, the acquiescence or the acceptance of other actors." And again, he offers what he calls "a minimal definition. Politics is the behavioral domain in which, unlike all other domains, people act with the explicit intention to achieving compliance by others." *Ibid.*, pp. 38 and 45.

closed, he derives four types of fields of interaction: anarchic, authority, natural, and governmental. The governmental field is one where there is no opting out and a single center of command exists.³³ In this conceptualization, “politics” is “understood as the production and distribution of ‘behavioural compliance,’ as opposed to the view of politics as a distribution of values, an aggregation of preferences or a solution to social dilemmas.”³⁴

Following this reasoning, the decisions of government are obligations that act like guarantees of entitlements, of “political warranties” recognized by all.³⁵ There is also a differentiation between activity directed at gaining a position of public authority and competing for allocation of goods and values. There is as well a stratification into: the political class, politically relevant actors, and ordinary subjects or citizens.³⁶ The interplay amongst actors, commonly seen as a rather distasteful “struggle for power,” acquires more meaning and clarity under Bartolini’s scheme based as it is on the concept of politics as action, intention, and compliance, as well as the notion of fields of political action. It becomes understandable in terms of intent, conditions and command – rather than as a free-for-all contest. There are observable patterns to this contestation which can help to define or to characterize the political system as such, provided we focus on the elements identified for us by Bartolini’s approach. As he puts it, “the political process is characterized by actors continually fighting to confine and de-confine other actors with the aim of achieving command of limiting the process of competing instigations.”³⁷ Therefore, “the political scientist needs to analyze the entire political process with special attention to [1] the constant dynamics of command versus competing instigations, [2] the corresponding confinement/deconfinement of actors and [3] transformations of one type of field into another. This,” he emphasizes, “is the *political meaning* and what is crucially at stake in the

33 Ibid., chaps. 3 and 4.

34 Ibid., ix.

35 Ibid., 119-24.

36 Ibid., 132.

37 Ibid., 135.

midst of the infinite number of goods, decisions and policies constantly produced and redefined by the political process.”³⁸

By adopting this point of view it becomes immediately obvious that the conditions for political action in post-Euromaidan Ukraine have not yet been sufficiently consolidated within the governmental field: actors are not confined, nor has command been effectively monopolized. Ukraine’s is an unsettled political system. Most obviously, Kyiv since 2014 has been unable to secure compliance in Crimea and the self-declared “people’s republics” of Luhansk and Donetsk (LNR/DNR). The locus of decision-making is unclear, being contested by the president, legislature (Verkhovna Rada, or Supreme Council), and Constitutional Court, among others. Anticorruption policies implemented under Poroshenko were being challenged and dismantled by Zelenskyy. Police reform was initiated, but then aborted, with the same interior minister presiding throughout since 2014. The search for compliance, involving law, rule-making, and rule-application appears to be the key problem area. This is not to say that the dynamics of patronalism and electoral or competitive authoritarianism are of no account. But a focus on politics as search for compliance might help to complete the picture and to help us understand Ukraine’s exceptional status.

Bartolini cautions that “the ‘governmental field’ is not the ‘government’ but a constellation of specific actors who are both confined and under a monopolistic provider of compliance.”³⁹ This warning is especially applicable to any examination of Ukrainian politics, where it seems the actors are not confined and there is no monopolization of compliance. Instead, law-makers, law-enforcers, and law-courts operate at cross-purposes. Each actor uses his institution to advance his own or his patron’s interests. Each institution is like a personal fief. The search for compliance is not always universal, but targeted. Why and how is this happening? Presidents Kuchma and Yanukovych were notorious for using the law and law-related institutions for political purposes as a personal weapon. What about Kravchuk, Yushchenko, Poroshenko, and

38 Ibid., 136. Original emphasis.

39 Ibid., 107.

Zelensky? Resources are essential, regardless of their type. To quote Bartolini once more, “compliance eventually results from a credible threat to enforce. There is a general tendency, therefore, for the ruler to accumulate resources that guarantee the enforcement of his compliance requests.”⁴⁰ Did the one-term presidents in Ukraine fail to accumulate adequate resources which would have ensured their re-election? Where exactly does patron-clientelism fit within the store of resources, and is it decisive?

What This Book is About

Drawing upon and combining the themes outlined above – the notions of challenges and critical factors (Hale and Orttung), patronal politics (Hale), and politics as the search for compliance (Bartolini) – this book sets out to analyze the post-Euromaidan trajectory of Ukraine. It is addressed primarily to an academic audience, but general readers should find it informative as well. It focusses on leadership, choices, interests, and interactions among the principal and proximate actors as well as the general public. In particular, it examines how Poroshenko came to power and what happened thereafter. Were patronal politics at work before, during, and after his election? What were his chief political initiatives, and how did they turn out? We look at his record of: appointments; relations with the Verkhovna Rada, the oligarchs, and the electorate; and steps taken in the fields of law, the constitution, corruption, confinement of other actors, and monopolization of power. Why did he fail to be re-elected in 2019 – was he abandoned by his clientele, or was he stymied by the interior minister’s use of the police? We then investigate Zelenskyy’s win and his subsequent performance in office in a parallel manner. Did he benefit from patronal politics? Did he build up a patronal network while in office? What were his interests and priorities on assuming the presidency? How and why did these change? What were his initiatives and how did they work out? What were his relationships with other actors? Why did he allow the return of the Yanukovich gang, and the dismantlement of

40 Ibid., 74.

Poroshenko's anti-corruption measures? How did the Verkhovna Rada operate and co-operate under Zelenskyy's single-party majority, as compared to previous administrations? Were patronal politics still in operation during his term? Was the governmental field, as Bartolini calls it, broadened or narrowed under Ukraine's post-Euromaidan presidents? I demonstrate that Ukraine's political system has been rendered less consolidated by a combination of choices made by the country's political class and its citizens, all working at cross purposes, and that this rather than patronalism has basically characterized post-Euromaidan Ukrainian politics.

The book also deals with Russian President Vladimir Putin's war on Ukraine and its effects on the fundamental features of the country's politics: the Soviet-Communist legacy, national identity, and patronalism and corruption. While some consolidation around the national idea has been observed in the population, loss of control of territory cannot be counted as successful politics. How did Poroshenko cope with this challenge, and how has Zelensky coped? Have there been differences in approach, and in results? Is Ukraine now to become simply a project of Russian instead of American foreign policy? In any case, the Ukrainian political system that existed under Poroshenko and Zelenskyy, in both its domestic political configuration and dynamics, as well as its relationship with Russia, will have to be transformed.

The Plan of the Book

Chapter 1 makes a brief digression to address the question of whether Ukraine should be considered a "failed state." In a climate where common discourse passes as analysis and false news as revealed truth, however, it is essential to dispose of this noxious canard. A close examination of the "failed state" literature reveals its own failure to deliver a satisfactory and genuinely convincing explanation for the condition of Ukrainian politics. Instead, the term is either a pejorative label, a practical recipe for either interference or non-interference by foreign policy-makers, sometimes a propaganda cudgel, but not a theoretically-relevant concept useful for analysis. For Russian trolls, it may be a hoped-for self-fulfilling

prophecy. Indeed, Ukrainian politics may lack stability, but that is not state failure, any more than Italy's political instability is indicative of a failed state.

In chapter 2, I review some of the foremost literature characterizing post-communist Ukraine's political system, pointing out its strengths and limitations. This literature seems to suggest that every president puts his own stamp on the political system, so that successive interpretations require constant revision. I advocate a redefinition of politics, following Bartolini's lead, and its application to discern the dynamics of post-Euromaidan Ukrainian politics where earlier approaches appear to fall short. This requires taking a natural history approach, which I do here: observing, examining, classifying, and hypothesizing—basically looking for instances of action directed at control and identifying who has it. The general reader may wish to skip this chapter.

Chapters 3 and 4 are the heart of the book, examining the Poroshenko and Zelenskyy presidencies in terms of the aforementioned questions, comparing them with their predecessors and delineating the patterns of politics in their respective terms of office. Putin's war on Ukraine is the subject of chapter 5, and what it means for the viability of the Ukrainian polity. The conclusion in chapter 6 draws together the various predominant threads and summarizes the dynamic patterns within Ukrainian politics post-2014. What to expect and what not to expect next, in light of the war with Russia, is outlined from this author's perspective.

My sources are drawn from a daily culling over the period 2014 to 2022 of the Ukrainian and foreign press, supplemented with the relevant secondary literature. Despite the critical observations made above, I am forced to make use of a great many everyday terms—such as “oligarch,” “parliamentarian,” and “political party”—in place of more accurate concepts. This is a descriptive study, looking for patterns in the empirical evidence of day-to-day politics, with only the most basic conceptual and theoretical guidance. It is interpretive, more like natural science in its primary stage of observation, classification, and clarification than like physics or economics. By its rudimentary nature it may contribute to more accurate, authentic (as opposed to abstract and superficial) knowledge of Ukrainian politics in its current manifestation and long-term path. I hope my story has some validity nonetheless.