

A durable state

The 30th anniversary of Ukraine's independence

Tadeusz A. Olszański

On 24 August 1991, Ukraine proclaimed independence, and a few months later (together with Russia and Belarus) it brought about the dissolution of the USSR. At the time of its foundation, the Ukrainian state was a continuation of the Ukrainian Soviet Socialist Republic; on the one hand, this delayed the de-Communistation of the organisational and legal system, but on the other, it saved the country from having to build up state institutions from scratch. After nearly a quarter of a century, the hour of its greatest trial arrived – revolution and war with Russia. Ukraine passed this test: it did not unilaterally implement the political part of the Minsk agreements which posed a direct threat to it, nor has it fallen into the group of 'failed states'. The main threat to its future is not so much the ongoing conflict in the Donbas or the weakness of the economy, but rather demographic collapse: during its nearly thirty years of independence, it has lost a fifth of its population.

The path away from the USSR ...

Contrary to the rhetoric of the nationalists in Lviv and Kyiv, the efforts of the UPA in the 1940s did not lay the foundation of today's independent Ukraine. The state would have arisen without them anyway, although it would have been different in nature. In fact, its roots go back to the Ukrainian People's Republic of 1917–1920 – an inefficient state, not fully formed, but sufficiently capable of defending itself to impose on Bolshevik Russia the idea of being separate from it (albeit within the Empire). Without the political and armed struggle of the Ukrainians (including the Communists) at that time, Russia would not have become a federal state. At most there would have been some form of autonomy for Ukraine, and not a Ukrainian SSR – and it was this which achieved independence in 1991. The Ukrainian state is in every respect its heir and successor: from its status of a founding member of the United Nations, through the administrative, legal and economic institutions it created (a significant part of which are still in force today), right up to the formal continuity of the organs of power. The parliament (*Verkhovna Rada*) of Ukraine, elected during the Soviet period, lasted until the end of its term (1994), and the constitution which replaced the Soviet document of 1978 was not adopted until 1996.



The Ukrainian SSR was a state not only formally – which was of paramount importance for its international recognition in 1991 – but also in fact. It did not enjoy independence, and it had less real freedom to act than many autonomous territories outside the USSR. However, it had almost all the structures that make up modern states, including the central organs (including a legislative body), clearly defined borders, as well as state symbols and a state language in which it officially functioned – albeit not always in reality. This state was in many respects a simulacrum, one of the levels of governance within the Soviet Union, but its political class (*nomenklatura*) did have an awareness, if not of its individuality, then at least of the specificity of its own group interests. It also tried to implement these interests, even though right up until the twilight of 1990 it did not see independence (the separate identity of the state) as a realistic option.

At the time it declared independence, Ukraine was characterised by two very significant structural weaknesses: it lacked both diplomatic personnel and a supreme

” **At the time it declared independence, Ukraine was characterised by two very significant structural weaknesses: it lacked both diplomatic personnel and a supreme command for its armed forces.**

command for its armed forces (although the appropriate ministries did exist). The first issue was remedied quite easily, by attracting numerous diplomats from the old Soviet Ministry of Foreign Affairs to Kyiv and intensively training younger cadres. The second problem was not overcome: the Ministry of Defence and the General Staff proved to be weak, and the more politically-minded part of the generals were concentrated in Moscow. As a consequence, before 2014 the construction of the armed forces was a slow process, and they remained politically passive: the military did not play even the most minor role in any of the crises of the last thirty years.

Independence was brought to Ukraine primarily by the development of events in Moscow: the rivalry between the Soviet Russian *nomenklatura* and the union’s centre (the USSR’s highest authorities), which led to the break-up of the federation. It was primarily the Russian political class – the only one that did not have its own republican central bodies – which wanted to ‘be at home’ and pursue its own interests. Kyiv followed in Moscow’s steps for almost all the time, cautious, sometimes even procrastinating. How much opportunism and fear were a part of this, and how much conscious policy – this does not matter. What does is that the evolution of both the *nomenklatura* and society as a whole enabled the peaceful dissolution of the USSR and the abolition of the Communist system of government.

... and towards independent Ukraine

The Ukrainian independence movement was very small, and weak in organisational terms; it only enjoyed greater support in eastern Galicia around 1986–8, and did not play a major role in the development of later events. More important was the influence of the bloodshed in Vilnius (January 1991), and more broadly the determination of the elites and societies of the Baltic republics. But it was the independence movement that gave the Kyiv *nomenklatura* a new narrative at the dawn of the 1990s: that the demand for independence could be used in the course of negotiations on a new union treaty. And then – in a critical situation – you could reach out to grasp it.

The road to independence began in July 1990, when the Supreme Council of the Ukrainian SSR adopted a declaration of *suverenitet* (specifically, of independence within the federal state). Kyiv followed the example of the Russian Republic, which had proclaimed its own *suverenitet* a month earlier. The declaration gave the republic/state the name of Ukraine, without any additions specifying the constitutional form of this entity. It then began, cautiously at first, to give the already existing Soviet-Ukrainian legislation a national form.

This process acquired a new dynamism in October 1990 with the so-called 'revolution on granite' (*revoliutsiya na hraniti*), a series of student protests supported by mass demonstrations from Kyiv residents (this was the first 'Maidan'). Their clearly formulated demand – to reject the new union treaty which had been negotiated in Moscow – already constituted a demand for full independence. Six months later, in March 1991, the all-union referendum showed overwhelming support for remaining in the Soviet Union (only Eastern Galicia voted against, unanimous in its desire for independence). But this support was conditional: not for the USSR as it then was, but for a new, somehow reformed union (this is how the question was formulated). Simply asking the question about the future of this creation incidentally brought the question of its dissolution onto the agenda.

After the failure of the Yanayev coup in Moscow, the Ukrainian Communist elites decided to declare independence. They were terrified by the dissolution of the CPSU in Russia and the collapse of

the Soviet system in the Baltics. It is therefore hardly surprising to state that by proclaiming independence on 24 August 1991, Kyiv was choosing the path of continuity, not a coup: the declaration did not include any reference to a Ukrainian People's Republic, as some deputies had demanded. Moreover, independence was to be 'ratified' in a subsequent referendum, which was associated with the need to nullify the results of the March plebiscite. The referendum brought impressive support (90.3%) for what was already *de facto* independence, and the simultaneous presidential election was easily won by Leonid Kravchuk, until recently the deputy secretary of the Central Committee of the CPSU/CPU, a skilful politician, and leader of the pro-independence wing of the Ukrainian *nomenklatura*.

The Ukrainian political class found itself divided and, above all, confused. A few months ago, it had been fighting the very idea of independence, but now – on the orders of the leadership of the recently deceased republic, and what was now a state (but with the same leadership!) – it had to build this very independence. Regardless of whether it did so with greater (in the west) or less conviction (in the centre and in the east) – or without it at all (in Crimea) – in this first phase it did turn out to be very effective.

Negotiations on the union treaty were still ongoing in Moscow, and the preservation of the USSR was still a possibility. The Western powers also expected such a solution to be reached (on 1 August 1991, US President George H.W. Bush criticised the idea of Ukraine's independence in Kyiv).

Yeltsin and Kravchuk played a skilful game to frustrate this project: on 8 December 1991, representatives of the three founding nations of the Soviet Union (Russia, Ukraine and Belarus) decided that it had ceased to exist. The President of the USSR, Mikhail Gorbachev, accepted this decision, and the Western world had no choice but to recognise the new geopolitical situation, including the independence of Ukraine.

The war: Ukraine's greatest trial

23 years later, at the beginning of 2014, Ukraine was facing internal collapse. The ongoing fighting in Kyiv could have led to a split within the militia and the army. President Viktor Yanukovich's escape from the country tipped the scales. Immediately afterwards, Moscow's politically inept attempt to destabilise the country, together with the shock after the May clashes in Odessa, ended the internal dispute. The annexation of Crimea and Russia's instigation of the rebellion in the Donbas marked the beginning of a war for which Kyiv was completely unprepared. The Ukrainian armed forces, which

” At the beginning of 2014, in the twenty-third year of independence, Ukraine was facing internal collapse. Its armed forces, which had been systematically dismantled under Yanukovich, were incapable of action.

had been systematically dismantled under the Yanukovych administration, were unable to respond in spring 2014, and the Ministry of Internal Affairs' more efficient troops were demoralised after the Revolution of Dignity, during which they had failed to defeat the 'civilian' uprising.

However, the people themselves stood up to fight the Russian aggression in the Donbas: the volunteers who undertook direct

” Ukraine has passed the test posed by Russian aggression, and has not broken up into 'Ukraine' and 'Malorossiya', as Moscow had intended.

military confrontation, and the volunteers who supported them (and later the regular army) with supplies of all the necessary *matériel*, including boots and helmets. In the first phase of the fighting, the Ukrainians were fronted by paramilitary militias – volunteer formations – who resisted and repelled the enemy's pressure until the army regained its ability to act for itself and take up its duties. Later, when regular units with heavy artillery appeared on the enemy side, the volunteers paid a very high, bloody price. Contrary to the repeated claim, these people were not 'Banderites'; in the first phase of the fighting, inhabitants of eastern Ukraine, including the Donbas itself, predominated among their numbers. These were largely Russian speakers, often ethnic Russians. They fought for their country, their land – their Homeland. The composition of these voluntary formations was (among other things, of course) a testimony to the success of the state education programme, especially in the schools.

By their deeds, the citizens of Ukraine confirmed that an independent state was essential to them – no matter how little it fulfilled their aspirations – and that Moscow posed a threat to them. The enthusiasm of the volunteers subsided after the active phase of the war ended in February 2015. The senseless exhaustion of the trenches and the lack of prospects for an end to the fighting resulted in conscripts and reservists avoiding military service, and the rise of a more general aversion to the war. But that initial effort, both military and civilian, left a mark on the nation's consciousness: if another push comes, a rapid resurgence of these attitudes can be expected.

The 'Russian spring' of 2014, and then the attempt at a 'hybrid conquest' of Ukraine's entire south-east, were stopped not only by ordinary citizens (including mid-level officials), but also by some oligarchs. Ihor Kolomoyskyi, one of the leaders of the Ukrainian Jewish community, then living in Switzerland, supported the first volunteer battalions financially and organisationally. In this way, he and other local tycoons proved that the Ukrainian state was vitally important to them. Rinat Akhmetov, the richest man in Ukraine (as a person of Kazan Tatar origin, he was a patriot not so much for the country as for his native Donetsk), did not dare to side with the rebellion, but nor did he actively try to resist it.

The conflict in the east of the country continues, albeit to a more limited degree. Paradoxically, this represents a success for Kyiv. Ukraine lost the military clash with Russia (and could never have won it), but did not capitulate. Kyiv formally accepted the so-called Minsk agreements, agreed by Germany, France and Russia, because it could not reject them – but it ruled out the possibility that it would unilaterally implement the arrangements, which threatened its sovereignty. By choosing to continue the limited war in the east, Kyiv considered it a lesser evil than allowing an autonomy within the state's borders that would give its enemy the power to intervene legally in its domestic and foreign policy.

*

Ukraine has passed the test posed by the Russian aggression (although the supreme command of the armed forces came off worst), and the country did not break up into 'Ukraine' and 'Malorossiya' [Lesser Russia], as Moscow had intended. The Ukrainian state did not plunge into the anarchy of a 'failed state', and in 2019 it carried out a democratic replacement of its political elites. Importantly, this change – contrary to the fears of many – did not modify Kyiv's political priorities, which proves

the maturity and stability of the state as a system. President Volodymyr Zelensky have to continue the main elements of Petro Poroshenko's strategy towards Russia, because this was what the political, bureaucratic and economic elites, as well as the politically active part of society, expected him to do. For all of them, the survival and stabilisation of the state in its present constitutional form, even at the cost of the 'little war' in the east, turned out to be the overriding goal – not for idealistic reasons (although I do not question their patriotic motivations), but because this is in their vital interest. The oligarchs (and also the smaller entrepreneurs) need the state to protect their interests, primarily against Russian competition; and the bureaucrats need it to guarantee their regulatory and control power, as well as the monopoly of the state language, which is their basic working tool. The political class loses its *raison d'être* without the state.

However – like many other countries – Ukraine is deeply politically divided. Such divisions are in the nature of democratic societies. However, the citizens of Ukraine are (almost) unanimous that they want to live in their own independent state, and that this state, with all its faults, should endure.

An attempt to sum up: the challenges

The Ukrainian state, understood as a set of institutions and procedures, has proved to be durable, and capable of both self-defence and self-regulation. At the same time, Ukraine is not an efficient or well-governed country (in this respect it is one of very many such states in the modern world). Nor is it a liberal state in the contemporary Western European understanding of liberalism, and nothing indicates that it will evolve in this direction. However, the central and local authorities do control the territory of the country (apart from the areas occupied by Russia); they enact and enforce the law, and they govern social and economic life. Gradually, albeit slowly, the relics of the Soviet institutions are being abolished.

Like many other countries, Ukraine has problems with organised crime (including international crime); it struggles to cope with the various consequences of globalisation, and has responded poorly to the

” The Ukrainian state, understood as a set of institutions and procedures, has proved to be durable, capable of both self-defence and self-regulation. At the same time, however, Ukraine is not an efficient or a well-governed country.

growing environmental and climate threats (the effects of global warming are becoming an increasingly serious challenge in the south of the country). So far, it has avoided the problems generated by mass migrations from the Middle and Far East.

However, the foundation of the state – the people itself – is weak and becoming weaker: not because of any elements of their consciousness, but because of a deepening demographic collapse. According to data from the State Statistics Committee of Ukraine, at the end of March 2021 the country (excluding Crimea) was inhabited by 41.5 million people (a decrease of 100,000 from the beginning of the year). Since the proclamation of independence, the population has therefore decreased by a figure of about 10 million, i.e. by one fifth. In fact, the true state of affairs may be even worse: while admittedly the inhabitants of Crimea should be included in that figure, one should also subtract the number of emigrants, who have not been registered in the state's statistics. The Russian authorities estimate the number of the former at 2.2 million; the latter remains a mystery, but it certainly runs into the millions. One should also add that the estimates of the special governmental commission in 2019 reported that 37.3 million citizens reside in the part of Ukraine under Kyiv's control. It is hardly surprising that the rulers are afraid of revealing the actual population figures by a census (a recent plan to conduct one was once again postponed, this time until 2023).

The emigration of the younger generation, mainly to the countries of Central Europe (led by Poland) has taken on dramatic proportions. It is mainly the most active people, unencumbered by the legacy of life in the Soviet state, who are leaving: and an increasing number of them are choosing to remain abroad permanently, thus weakening the social capital of the 'old country'. Most of their children are unlikely to be Ukrainian citizens.

The loss of the younger generation already poses a threat to the modernisation of the state, and in the future it may inevitably cause the atrophy of social life at the current level. In the next few decades, Ukraine will have to accept immigration on a scale that will significantly change the country's ethnic structure. These are not forecasts: the number of potential parents for the next decades is already determined – it can only continue to decline.

As a result, the demographic situation has become a key problem for Ukraine, much more serious than developing a *modus vivendi* with the Russian Federation and the European Union. Unfortunately, there is no reflection in Kyiv right now on how the state should adjust to it.