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# How Russia Is Not Ukraine

## *The Closing of Russian Civil Society*

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The revolutionary events in Ukraine in November–December 2004 highlighted the absence of checks and balances in the Russian political system. What happened in Ukraine is inconceivable in today’s Russia.

In Ukraine, after the votes were counted in the runoff election held on November 21, the electoral commission announced Prime Minister Viktor Yanukovich, the candidate supported by the incumbent government, to be 3 percent ahead of his opposition rival. He could not declare victory, however, until the results were published in the media. The Ukrainian Supreme Court banned the publication of the results and a few days later ruled that the election had been rigged and that Ukraine would have to hold a repeat runoff. Thus, the court defied the Ukrainian president, Leonid Kuchma, who had explicitly rejected a repeat runoff only one day before the court’s decision. The judicial branch in Ukraine demonstrated that it functions as an effective check on the executive power.

This could not happen in Russia. To see why, recall the ongoing case of the oil company YUKOS. During this case, the courts have acted as tools in the Kremlin’s campaign against Mikhail Khodorkovsky, his associates, his company, and, most recently, his medium-rank employees.

Or take the case of the Krasnoyarsk academic, Valentin Danilov, who was charged with espionage. The charges were flimsy, and Danilov was acquitted by a jury. But the Supreme Court overturned the acquittal and ordered a new hearing. Danilov was tried by a new, specially selected jury, convicted, and sentenced to fourteen years in jail. There is little doubt that Danilov’s prosecution—and the prosecution of Igor Sutyagin, a Moscow scholar convicted of espionage earlier in 2004—was used by the state security service to show who’s boss.

In Ukraine, however, the parliament—the Rada—effectively challenged the authority of the executive when it would not recognize the results of the rigged November 21 runoff. Afterward, both sides in the Ukrainian political crisis sought Rada approval of a compromise worked out to resolve the conflict. In Russia, by contrast, the legislature—the Duma—

rubber-stamps any decision that the executive branch makes and ignores initiatives coming from opposition deputies.

### **Authoritarianism on the Rise**

In Russia, the definitive crackdown on democratic checks and balances and on alternative sources of political influence took place in 2003. That year, control over national TV was established, big business was intimidated and subdued, a stable pro-Kremlin majority in the Duma was put in place through the parliamentary election, and political opposition basically ceased to exist.

After the Beslan tragedy in early September 2004, President Vladimir Putin launched an antidemocratic political reform in Russia. It stripped people in the Russian regions of the right to elect their governors and granted the president the right to disband local legislatures.

Vladislav Surkov, deputy head of the Kremlin administration, followed up these proposals with a chilling statement in an interview in *Komsomol'skaya Pravda*, Russia's only national daily. He referred to the critics of the Kremlin policy as "the fifth column...in a besieged country."

This statement, which represented the first time the Kremlin had used the print media rather than television as a propaganda tool, did not lead to direct repression of those critics—at least, not for the time being. The statement was followed, though, by two more pieces in the same daily by progovernment intellectuals elaborating on Surkov's message.

One condemned "the liberal community sponsored from abroad...determined to undermine Putin's authority as a president and as a person." Everyone understands, this author continued, "that what's going on in Russia is not a struggle for freedom of speech or freedom of the press. It is a struggle for the freedom to fight against the traditions of Russian statehood, the right to impede the cooperation and rapprochement of Slavic nations."

The other piece amounted to a manifesto proclaiming that Russia must be a great state and an imperial state. It also offered a list of ideas that, according to the author, should be deemed hostile to Russia. Among these he mentioned calling for talks with the Chechen fighters' leader Maskhadov and suggesting that the Russian economy and politics should be built according to instructions from Western countries and the International Monetary Fund. Those who share these ideas must be regarded as the enemy.

### **Liberal Circles React to Antidemocratic Political Reform**

Putin's political reform and the authoritarian rhetoric used to justify it have dramatically changed the attitude toward Putin in liberal circles. In 2000 and 2001, many liberals supported Putin as an (authoritarian) modernizer; they passionately defended him from his critics. Today barely anyone can be found among the intellectual, liberal, or business elite who has anything but resentment or anger toward Putin and his policies.

In October–November 2004 more than a dozen conferences, roundtables, pickets, and rallies criticized Putin's antidemocratic political reform. Some even took place on the Duma premises, though not on the floor.

Critics have been able to voice their discontent in liberal dailies and weeklies, but not on national television. You will not learn from state-controlled national TV about the campaign against YUKOS or the increasing discord in the cabinet over essential economic policy issues

or about life in Beslan after the tragedy. All these themes have been thoroughly covered by liberal dailies and weeklies, however.

A liberal weekly paper, *Moscow News*, has maintained its editorial line throughout Putin's tenure. One issue, published in the fall of 2004, featured a photo of Nikolay Patrushev, head of the state security service; juxtaposed on the cover was Patrushev's high state award with the more than 900 people killed in terrorist attacks during his years in office. Events in Ukraine have also been thoroughly covered by print media, with dailies and weeklies offering lengthy, sympathetic reports from Kiev.

The print runs of these publications rarely exceed 100,000 copies, while national television reaches practically all of Russia's 145 million people. But there are exceptions. *Moskovsky Komsomolets*, a peculiar daily with mostly tabloid content mixed with critical political coverage, recently ran a series of "letters to the president." Written by a journalist prominent since the perestroika years, these letters are mocking in style and filled with vituperative criticism of Putin's policies. The circulation of *Moskovsky Komsomolets* is about 1.5 million.

Several political web sites offer news, insightful analysis, and independent opinion. *Ekho of Moscow* remains a liberal, highly interactive radio station offering live political discussions, which have long been banished from national TV networks. The liberal TV channel, REN TV, has limited outreach and resources, but it has not been transformed into a propaganda mouthpiece. NTV, which was the crown jewel of the privately owned Media Most group before the state destroyed the group, is different from the fully state-controlled channels even if it is no longer privately owned. NTV may be loyal and even groveling on some issues; on other occasions it has shown a more diverse picture than the two fully state-controlled channels. NTV's coverage of Ukraine, for example, has been thorough and at times quite sympathetic toward the democratic crowds in Kiev's Independence Square.

## **Impact of Remaining Media Freedom**

As Ukraine has demonstrated, powerful opposition may be formed even when national television is under tight control. The real problem with the Russian media is that they do not act as watchdogs. Journalists barely investigate and disclose what the government is up to, and they don't inspire civil society groups to act. Furthermore, in Russia journalists are not roused even if movement is from the other direction: if opposition politicians or civil society groups attempt to act as watchdogs, the media, which did not evolve as a democratic institution, rarely join the effort. In Russia, the media, political parties, and civil society groups are not integrated in a democratic network. There is little connection between media and the public. The media, as it were, act in an empty public space.

In Ukraine the Orange Revolution forced television journalists and executives loyal to the government to rebel against government control. They disobeyed orders and would no longer broadcast censored news. In Russia the public continues to ignore the Kremlin's encroachment upon public space.

Even when a Russian daily or weekly makes important disclosures, the disclosures are not picked up by other publications and do not provoke public discussion or reaction from government officials. The weekly magazine, *Vlast'*, published the results of an independent investigation of the *Kursk* submarine tragedy that was based on log records and other evidence. It showed that the sailors had lived longer than had been previously announced and that the rescue operation had been slow and bungled. The story was published, but there was no reaction. Nobody talked about it, not even in liberal circles.

Another serious problem faced by the Russian media is increasingly limited access to information. Without access to information and without being an integral part of democratic politics, the independent media come across as agents that periodically pop up and cry foul but are generally disregarded.

This makes the remaining independent media somewhat similar to *samizdat*—if with more freedom. In much the same way, liberal politicians in today’s Russia increasingly look like dissidents rather than opposition. They are marginalized and their views and assessments are ignored by the government.

Because the public does not regard the media as a tool with which to hold the government accountable, the media are left at the mercy of the Kremlin. If the Kremlin feels like cracking down on them further, it will easily get away with it. When Raf Shakirov, the editor of the daily, *Izvestia*, was fired over the coverage of Beslan, almost no one protested. In a radio interview in November 2004, Shakirov warned, “All print media that may be used as an electoral resource will be taken under government control.”

### **The Kremlin’s Civil society Project**

Elites have been subdued, politics are kept under control, and the overall atmosphere of loyalty is undisturbed by the remaining independent media. Yet, the Kremlin is far from relaxed. The next Kremlin objective is to control civil society groups. From Putin down to lower-level government officials and local governors, Russian authorities are talking about the importance of building and consolidating civil society. Civil society has become the new Kremlin passion.

The obsession with civil society seems to be driven by the Kremlin’s desire to mobilize public energies while keeping the public loyal and under control—a design that goes back to the Soviet idea of active masses, although so far without Soviet oppression. The Kremlin aims to marginalize the existing, relatively significant human rights groups and other civil society organizations and to co-opt loyal organizations and bring them under the auspices of the state.

### **Human rights Activists and Network Organizations Marginalized**

Human rights organizations can be easily marginalized because Russian society is so highly atomized. Unlike in Latin America, for example, where human rights groups are part of strong networks with the Catholic church, in Russia these groups have very weak ties to the public and to other institutions. Therefore, they have little impact.

One way to marginalize such groups is to discredit them. In his state of the nation address in May 2004, Putin charged that civil society groups that are being funded from abroad “would not bite the hand that feeds them.”

This was followed by a wave of negative, vilifying articles in the media on human rights organizations and the activists. The Duma also drafted a bill limiting the ability of foreign funds to sponsor non-government organizations and activities. So far the bill has not been enacted, but it will be if the Kremlin deems it expedient.

The Kremlin has also tried, as it were, to strangle the activists in the government’s embrace. Early in Putin’s tenure, he invited human rights activists to work with him on the Commission for Human Rights. Human rights activists couldn’t say no because they had

insisted they wanted to cooperate with the government to improve Russian laws and practices.

Once they were with the Kremlin, however, they had to bring their grievances to Kremlin aides. The Kremlin chief of staff and sometimes even the president politely listened to them. High officials sometimes made promises but little, if anything, was ever done. A prominent human rights activist, Svetlana Gannushkina, the winner of an Amnesty International award in 2003, said recently, “We may be strong and uncompromised and wouldn’t bend to government pressure, but in fact we’re very weak, since none of our demands are implemented.”

Early in the fall of 2004, the national television academy was to give annual awards. In an act of unusual disloyalty, the academy granted awards to a number of shows that had earlier been cancelled for political reasons. In addition, awards were granted to a REN TV political commentator very critical of Kremlin policies.

One academy member then suggested that the academy make a public statement expressing discontent over government censorship of television. He also suggested that the statement be read at the televised award ceremony. The leadership of the academy decided that the statement would be read on TV, but only if more than 50 percent of the academy members signed it. Only about 25 percent signed, and the statement appeared in print media but was not read on TV. Vladimir Pozner, the top TV star and the academy leader, was asked by a reporter whether he had signed; he responded with a “no comment.” This was an odd response because the question concerned a public act, and the answer came from a public figure par excellence. Pozner must have been either too scared of the government authorities to admit that he had signed or too embarrassed to admit to his colleagues that he hadn’t.

Later in 2004 Pozner was invited by President Putin to join the expanded committee for the promotion of civil society and human rights where he reportedly talked about the crackdown on the freedom of speech and tried to persuade Kremlin officials of the detrimental effect of censorship. Thus, he does not make his case in public, and the Kremlin is fully protected against potential risk of critical sentiments being aired in public by somebody as popular as Pozner.

### **Genuine Civic Activism Neutralized by Parallel Organizations**

Another method of marginalization is to create parallel or imitation organizations. These groups overshadow and neutralize the impact of the actual civil society groups. The Civic Congress, held in Moscow on December 12, 2004, is an example of such a situation.

The Civic Congress was organized by liberals and human rights activists who sought to join forces in opposition to Putin’s increasingly authoritarian policy. It brought together a variety of political and civil society activists and groups—altogether about 1,500 people from Moscow and the provinces. The congress passed tough declarations demanding that the government adhere to the constitution, and it established a committee for civic action. The function and goals of the new committee are not yet clear, so it is too early to say whether it will be able to break the silence and apathy of the public and emerge in the future as the leading force of a democratic public movement.

The Russian administration did not interfere with the organization of the congress. By not interfering, the Kremlin has maintained the appearance of freedom of speech and assembly. Yet, on the same day as the congress was holding its session in a Moscow hotel, another forum—apparently staged by the Kremlin—with a similar name and agenda was held at

another Moscow venue. It was organized by a politician who portrays himself as an opposition figure yet is believed to act often on the Kremlin's orders. According to newspaper reports, participants at the imitation forum were remarkably indifferent to the proceedings. In all likelihood, those present at the imitation congress had been specially delivered to the event, which would not have attracted any audience on its own.

This kind of imitation can be used to mislead public and foreign observers who might not be able to tell which forum is real and which is imitation. The parallel organization also can be useful should the Kremlin deem it necessary to radically neutralize the genuine liberal organization.

Beyond competing with the Civic Congress, the Kremlin sought to discredit it by organizing a rally in which perhaps 15,000 loyalists carried pro-Putin signs and denounced as traitors the participants in the Civic Congress. A couple days after the Civic Congress was held, a group of journalists from Barnaul, the home city of Duma deputy Vladimir Ryzhkov—one of the “traitors”—complained that they were being forced by local authorities to discredit Ryzhkov in their stories.

### **Loyal Civil Society Groups and Leaders Co-opted**

The Kremlin is also launching an effort to co-opt loyal civil society groups and organizations. An official close to the Kremlin recently explained, “The president seeks to strengthen the vertical of power and at the same time he is concerned about the processes going on in the civil society and about its weakness.” “Vertical power” is Kremlin lingo for heavily centralized subordination of government authority. Because civil society is about horizontal ties, this whole process seems to be about subordinating the horizontal to the vertical, which comes down to enfeebling everything that does not fit in the Kremlin scheme.

This effort to co-opt civil society goes back to 2001, when the Kremlin organized the Civic Forum to bring together public organizations and nongovernmental organizations in a single hierarchy under Kremlin leadership. The effort did not quite succeed at the time, but it was then taken to the regions, where the governors tried to create their own civil society structures: regional civil society groups are encouraged to apply for grants, regional authorities hold a contest to determine who gets the grants, and the winner is then given financial support from the regional budget or loyal businesses. Civil society groups are contracted by the regional authorities to carry out a variety of social and cultural projects and, thus, are discouraged from advocacy activity—discouraged, in fact, from anything that smacks of politics.

### **Public Chamber Initiative Created**

One of the most recent big-time projects to co-opt civil society is the creation of the so-called Public Chamber, *Obshchestvennaya Palata*. The idea was first mentioned in Putin's May 2004 state of the nation address, and afterward a bill was framed. The rationale behind the project is mixed—on one hand, it co-opts the leadership of the public organizations in a government-sponsored institution, and, on the other hand, it provides feedback from the grass roots to the government.

The bill suffers from a contradiction: how do you keep genuinely in touch with the grass roots and, at the same time, keep organizations created to stay in touch under strict government control? The bill says that the government will not be involved in the operation

of the newly created bodies, yet one-third of the chamber will be named by the president and the remaining two-thirds by the president's men from nominations made by regional and federal public organizations. The chamber will also be financed from the government budget.

The chamber is supposed to check up on government operations by holding hearings and providing expert appraisal of legislative bills. One would think that evaluation of legislation is what a parliament is supposed to do; however, since the Duma has become a Kremlin rubber stamp, the quality of lawmaking has seriously deteriorated. This causes the Kremlin concern, which is another rationale for the creation of the Public Chamber.

The bill, however, limits the access of the Public Chamber to government documents; the chamber will not have the right to see anything that constitutes a state secret or attend closed court sessions. Its resolutions will have only the status of recommendations. Overall, the authority of the newly constituted body seems to be vague, but it may be a good vehicle with which to co-opt active, ambitious people from public organizations operating in the regions and keep them under Kremlin control.

### **Potential for Kremlin Control over Civil Society**

The Kremlin stands ready to preempt any civic initiative and neutralize any activity that may be deemed even vaguely challenging to government authority. With the people atomized and generally apathetic and with a lot of money at the Kremlin's disposal, this effort may well succeed. Although the Kremlin may lack competence and efficiency in handling economic and foreign policy and emergency situations, it seems to excel in dealing with apathetic and fragmented Russian society, which shows no desire to challenge, let alone resist, Kremlin initiatives. The Kremlin may not have full control over society, and its rhetoric may be tougher than the actions it has taken, but in its resources, initiative, strategy, and scope of its activity, the Kremlin has a strong advantage over civil society.

Public passivity and deep disbelief that people can make a difference is part of the legacy of the Communist terror and oppression. Ukrainians were able to break free of this legacy as they came together to stand up against a government that ignored their democratic will and attempted to steal an election.

Since the Orange Revolution succeeded in Ukraine, the Kremlin has been all the more determined to preempt any civic initiative and neutralize any activity that may be deemed even vaguely challenging to government authority. The transformation of a subdued nation into responsible citizens may be easier to achieve in Ukraine than in Russia (see BOX), but unless and until the Russian people overcome their own Communist legacy as their Ukrainian counterparts did and stand up to defend their rights, democratic institutions will progressively degenerate and authoritarianism will grow. ■

## More Differences than Similarities

Ukraine appears to have obvious similarities with Russia. Both are former constituent republics of the USSR with Slavic populations. A large part of Ukraine is Russian speaking, and many Ukrainian citizens are ethnic Russians.

For an explanation of the 2004 democratic revolution in Ukraine, however, what counts most are the dissimilarities between the two Slavic neighbors. Both countries struggle to overcome the disastrous legacy of the Communist police state, but in Russia this legacy is deeper and more pervasive than in Ukraine. Following are some dissimilarities:

The divergence between the eastern and western parts of Ukraine, with their different histories and cultures, has called for more sophisticated domestic politics. Throughout Ukraine's post-Soviet history, Ukrainian presidents have had to play a balancing act, trying to reconcile the mostly Europe-leaning West with the predominantly Russia-leaning East.

The western part of Ukraine, which used to be part of the Hapsburg empire (in the period between World War I and World War II certain parts of Ukraine belonged to Poland and other countries in central Europe), has a bourgeois nationalist European past. It was under Communist rule for about five decades compared with seven for Russia and eastern Ukraine, which makes western Ukraine more like Poland, Hungary, and the Czech Republic: once these countries liberated themselves from Soviet dictatorship, they knew where they wanted to go. Kiev, the capital of Ukraine, is not part of the Ukrainian West either geographically or culturally; it is also largely Russian speaking. As a big urban center, it is more open to European influence, which is reinforced by the European-ness of the western regions of Ukraine.

After the collapse of the Soviet Union, Russia emerged as the successor state of the USSR, while Ukraine declared independence of the Soviet Union. This is why people of Russia have preserved some of the imperial attitude of the Soviet Union. USSR, while Ukrainians haven't. This makes it possible—at least, for part of the Ukrainian people—to regard the Communist dictatorship as imposed from the outside. Russia, by contrast, does not have an external enemy on whom to blame the decades of Communist terror. Russians are forced, as it were, to tug themselves by the hair from the grip of the Communist past.

Ukraine is not engaged in the Chechen war and has nothing like the Russian problems of continuing terrorism and an explosive Caucasus. Ukrainian people have not gone through the dehumanizing experience of a decade-long atrocious war (about one million Russian men have participated in the Chechen war over the past decade); and the Ukrainian government, for all its corruption and antidemocratic practices, has still had no need to resort to nationalist militarist rhetoric or to bring back the Soviet great-power mentality.

Ukraine's genuine economic growth does not depend on oil or gas. Russia's economy makes Russia look increasingly like a petrostate.

After the collapse of the USSR, Ukraine relinquished the Soviet nuclear weapons deployed on its territory. Giving up these weapons has helped Ukraine rid itself of Soviet militarism and has facilitated a more flexible foreign policy.

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