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## DEMOCRACY

INSTITUTIONS  
UKRAINE  
PARTIES  
PRINCIPLES  
WAR  
REVOLUTION  
PARLIAMENT  
POPULISM  
AUTOCRACY  
COURT

- WAR AND DEMOCRACY
- LONG-TERM SOLUTIONS
- PEOPLE'S PERCEPTIONS



## DEMOCRACY

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# DEMOCRACIES HAVE TO WIN WARS<sup>1</sup>

*Oleksandra Matviichuk*  
Nobel Peace Laureate

I have travelled here (to Atlanta – ed.) from Kyiv, where I am a human rights lawyer. For many years I have been applying the law to defend people and human dignity. Now I am in a situation where the law does not work.

Russian troops are destroying residential buildings, churches, museums, schools, and hospitals. They are shooting at the evacuation corridors. They are torturing people in filtration camps. They are forcibly taking Ukrainian children to Russia. They ban the Ukrainian language and culture. They are abducting, robbing, raping and killing in the occupied territories. The entire UN architecture of international organisations and treaties cannot stop it.

As a human rights lawyer, I found myself in a weird situation. When someone asks me how to protect people from Russian aggression, I answer – give Ukraine weapons.

I have one question: how we people, in the 21st century, will defend human beings, their lives, their dignity and their freedom? Can we rely on the law — or does only brutal force matter?

It is important to understand this, not only for people in Ukraine, Syria, China, Iran or Sudan. The answer to this question determines our common future.

Because this is not just a war between two states. This is war between two systems – authoritarianism and democracy. Russia wants to convince the entire world that democracy, human rights and the rule of

law are fake values. Because they do not protect anyone in the war. Russia wants to convince that a state with a powerful military potential and nuclear weapons can break the world order, dictate its rules to international community, and even forcibly change internationally recognised borders.



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***This is war between two systems – authoritarianism and democracy***

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If Russia succeeds, it will encourage authoritarian leaders in various parts of the world to do the same. The international system of peace and security does not work anymore. Democratic governments will be forced to invest money not in education, healthcare, culture or business development, not in solving global problems such as climate change or social inequality, but in weapons. We will witness an increase in the number of nuclear states, the emergence of robotic armies and new weapons of mass destruction. If Russia succeeds, and this scenario comes true, we will find ourselves in a world that will be dangerous for everyone without exception.

Unpunished evil grows. Russian military committed terrible crimes in Chechnya, Georgia, Syria, Mali, Libya, other countries of the world. They have never been punished for it. They believe they can do whatever they want.

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1 The original speech was presented at the TEDWomen Conference, 26.10.2023

I have talked to hundreds of people who survived Russian captivity. They've told how they were beaten, raped, packed into wooden boxes, electrically shocked through their genitalia, and their fingers were cut off, their nails were torn away, their knees were drilled, they were compelled to write with their own blood. One lady told me how her eye was dug out with a spoon. There is no legitimate reason for doing this. There is also no military necessity for it. Russians did these horrific things only because they could.

Because for now the law does not work. Although, I trust that it is temporary.

War turns people into numbers. The scale of war crimes grows so fast that it becomes impossible to tell all the stories. But I will tell you one.



***Justice should not depend  
on how and when the war  
ends. Justice must not wait***

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This is the story of 62-year-old civilian Oleksandr Shelipov. He was killed by the Russian military near his own house. The tragedy received huge media coverage, only because it was the first court case since February 24. In the court, his wife Kateryna shared that her husband was an ordinary farmer, but he was her whole universe and now she's lost everything.

People are not numbers. We must ensure justice for all, regardless of who the victims are, their social position, the type and level of cruelty they've endured, and if the international organisations or media is interested in their case. It's possible. New technologies allow us to document war crimes in a way that we could not even dream of 15 years ago. The experience of Bellingcat

and other investigators convincingly proves that we can restore the picture of events without even being on the spot.

People are not numbers. We must return people their names. Because the life of each person matters.

We still look at the world through the lens of the Nuremberg Trials, where the Nazi war criminals were tried only after the Nazi regime had collapsed. But we are living in a new century. Justice should not depend on how and when the war ends. Justice must not wait. The global approach to war crime justice needs to be changed. We must establish a special tribunal now and hold Putin, Lukashenko and other war criminals accountable.

Yes, this is a courageous step. But we must do it because it is the right thing to do.

I have been working with the law for many years, and I know for sure that if you cannot rely on legal mechanisms, you can always rely on people. We are used to thinking in categories of states and interstate organisations. But ordinary people have much more impact than they can even imagine.

Immediately after the invasion, international organisations evacuated their personnel, and so it was ordinary people who supported those in the combat zone; who took people out of ruined cities; who helped them to survive under artillery fire; who rescued people trapped under the rubble of residential buildings; who broke through the encirclement to deliver humanitarian aid.

Ordinary people started to do extraordinary things. And then it became obvious that ordinary people fighting for their freedom are stronger than the second army in the world. That the engagement of millions of people in various countries can change world history faster than UN intervention.

People in Ukraine have survived also because of you. When ordinary people in different countries have supported us. Someone is collecting donations, someone is writing about what is happening, someone is holding rallies, demanding their government supply Ukraine with weapons, someone has closed their own business in Russia, because freedom is worth it.



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***Democracies have to win wars.  
Because only the spread of  
freedom makes our world safer.***

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Be that someone. Support our struggle. Make our voices tangible. Take an active position, not just a pose. There are many things that have no limitations in state borders. Freedom is one of them. As well as human solidarity.

When the full-scale invasion started, democratic countries said, “let’s help Ukraine not to lose”. We must instead think about helping Ukraine to win. Because there is a significant difference between “let’s help Ukraine not to lose” and “let’s help Ukraine to win fast”. Democracies have to win wars. Because only the spread of freedom makes our world safer.

And this is not about Ukraine laying down its arms. People in Ukraine want peace more than anyone else. But peace does not come when the country that was invaded stops fighting. That’s not peace, that’s occupation. And occupation is another form of war. Occupation is not about changing one state’s flag to another. Occupation

means enforced disappearances, torture, deportations, forced adoptions of your children, denial of identity, filtration camps, and mass graves.

I would never wish anyone to go through this experience. Nevertheless, these dramatic times provide us an opportunity to reveal the best in us – to be courageous, to fight for freedom, to take the burden of responsibility, to make difficult but right choices, to help each other. Now like never before we are acutely aware of what it means to be a human being.

And we have no time. For us time is converted into death.

After all, you don’t need to be Ukrainian to support Ukraine. You just need to be a human being.

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# RUSSIAN MILITARY AGGRESSION AS A CATALYST FOR DEMOCRACY TRANSFORMATION: GLOBAL AND LOCAL DIMENSIONS

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*This article aims to highlight the consequences Russia's invasion of Ukraine may have for democracy in the world. It also addresses the issues of the completely different paradigms of social development in Ukraine, where society has shown striking self-organising abilities to repel the enemy and provide assistance and support to those who have got into deep trouble as a result of aggression, and in Russia, where society has actually supported the aggression, being gripped by feelings of resentment, imperial revanchism, and rejection of the rules of the game in a democratic society.*

## Introduction

The Russian military aggression against Ukraine did not start in February 2022, but much earlier, in March, 2014, with the occupation of Crimea and the establishment of quasi-republics in the Donbas. Many people have been viewing this aggression as a regional conflict involving two post-Soviet republics; and there have already been quite a few such conflicts across the globe. However, the 2014 developments were also an ideological conflict, an asymmetrical response to the previous developments in Ukraine referred to as the Revolution of Dignity from November 2013 to February of the following year, when the Ukrainian society's protests against the anti-democratic, in some respects autocratic and overtly pro-Russian President Yanukovich's regime, resulted in its collapse.

Both then and now, we are dealing with the unfolding of a conflict between what we might call 'liberal democratic values' with the corresponding rules of the game, and values based on the so-called 'right to use force', when possession of nuclear weapons determines a country's role and influence in the world, while sovereignty, state independence, and a society-backed system of values are irrelevant.

## What is behind Russia's Military Aggression in Ukraine?

Since Russia began a new stage in the military aggression against Ukraine, we have repeatedly heard former and current world leaders, well-known experts, recognising the fallacy in the West's previous policy towards both Ukraine and Russia. In particular, the 42nd U.S. President Bill Clinton said that he regretted forcing



Ukraine to give up nuclear weapons<sup>1</sup>. German President Frank-Walter Steinmeier admitted the failure of the project to create a pan-European home, with the participation of the Russian Federation, and regretted his commitment to the Nord Stream 2 gas pipeline<sup>2</sup>.

This may indicate a certain reassessment of views and recognition of mistakes, but should we forget that in 1993 the democratically elected Supreme Soviet of the Russian Federation was fired at in Moscow, which happened during the first term of the democratically elected President Yeltsin, and with the open support of the democratic world? Should we forget that Russia has never been punished for the wars it waged against Georgia in 1992 and 2008, or for the barbaric wars against Chechnya in the 1990s?

Aggression against Ukraine was preceded by the Russian leadership's purposeful policy, aimed at restoring Moscow's decisive influence in the former Soviet republics, both during Yeltsin's term of office, and even more so during Putin's presidency. Parts of this hybrid expansion included both the use of 'soft power' – cultural, informational, religious influence, as well as political and economic pressure, and the actual use of force.

It is notable that Putin not only declared that the collapse of the USSR was the greatest geopolitical catastrophe of the century, but also perceived the events of the Orange Revolution of 2004 and the Revolution of Dignity of late 2013 – early 2014 in Ukraine as a personal defeat. Both Ukrainian revolutions emerged from mass

public protests against the anti-democratic practices of the then political leadership, fully supported by Moscow.

The course of Ukraine's further socio-political development was obvious: despite all the contradictory actions of the political leadership, every year Ukrainian society gave more and more support to the democratic way of government. It is worth mentioning that every presidential and parliamentary election in Ukraine was held in dramatic circumstances, but democratically, based on electoral pluralism and political competition.

The period between the beginning of Russia's military aggression against Ukraine in 2014, and Russia's full-scale invasion of Ukraine on February 22, 2022 was no exception. Despite the stress in the society caused by the tragic events of the Revolution of Dignity, and despite Russia's occupation of Crimea, and parts of the Donetsk and Luhansk regions, Ukraine held presidential and parliamentary elections in a free and democratic manner in both 2014 and 2019.

The country carried out important reforms and conducted changes, which among others included:

- 1) strengthening the processes of political competition through expansion of parliamentary powers and a return to a parliamentary-presidential republic; this strengthened the dispersion of power, which corresponds to the social psychology of Ukrainians;
- 2) introduction of the electronic declaration system for members of parliament,

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1 Clinton Regrets Persuading Ukraine to Give Up Nuclear Weapons, RTE, 4.04.2023, <https://www.rte.ie/news/primetime/2023/0404/1374162-clinton-ukraine/>

2 German President Steinmeier Admits 'Bitter Failure' of Policy on Russia. Financial Times, 28.10.2022, <https://www.ft.com/content/612262dd-b0e4-4136-90ab-8065f5cd563f>

members of local authorities, civil servants, officials, etc., which is a factor that somewhat narrows the space for political corruption;

3) decentralisation of finances and administrative-territorial reform, which stimulates the development of regions, and creates grounds for increased political competition through the diffusion of power;

4) introduction of a proportional representation electoral system, with regional lists and preferential voting (in accordance with the new Electoral Code adopted in 2019) to the parliament; if implemented, this is a tool to stimulate the renewal of political parties and a new quality of political representation;

5) introduction of the public funding of political parties, which reduces their dependence on oligarchic capital;

6) civil service reform, the main idea of which is to incorporate the philosophy of a service-centred state, and the formation of anti-corruption bodies;

7) significant strengthening of civil society organisations and transformation of the value system, and changes in foreign policy priorities towards European values; here the 'law of communicating vessels' also works in society;

8) strengthening of interpersonal and institutional trust, which has been observed since the beginning of Russia's full-scale invasion, and is the basis for the development of social capital;


9) the policy of de-oligarchisation, which failed to be implemented due to the war, but exposed the problem of the 'privatised state' which never used to be mentioned openly,

hiding behind the facade of democracy, but which emasculated those positive institutional changes that were introduced under the pressure of society and international institutions (EU, IMF, World Bank, etc.);

10) creation of a network of anti-corruption bodies, capable of reducing political corruption in the country.

These transformations, although often implemented in a contradictory way, based on sometimes imperfect legislation, and using outdated practices, were in direct conflict with the interests of Russia, which kept considering Ukraine, firstly, as within its sphere of influence, and secondly, as the basis of its national (imperial) myth.

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***more than 90 per cent of Ukrainians in different regions support democracy as a form of government. This indicates the direct influence of the war unleashed by Russia on society's perception of a particular system of values***

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It is noteworthy that a significant part of these transformations was implemented under direct pressure from civil society, which was strengthened markedly after the Revolution of Dignity and subsequent developments. Since that time, Ukrainian society as a whole, and civil society as its most active part, have become the most important factors in the country's further development. This proves the strengthening of horizontal ties in society and gradual levelling up of its once traditional regional and socio-cultural divisions, the strengthening of which were among Russia's major expectations.

## War and Democratisation

It is obvious that the legal regime of martial law considerably restricts civil rights and freedoms that are traditionally regarded as criteria for a democratic society. This is primarily about freedom of speech, participatory democracy, electoral democracy, and political pluralism. Therefore, the question arises: what kind of democratisation can we talk about at this time, and what are the reasons for this? Therefore, there are sound foundations for optimism, because an unprecedented consolidation of society has been taking place since Russia's full-scale invasion of Ukraine. The emergence of new, and the strengthening of existing horizontal social ties in Ukrainian society is playing a key role.

However, it should be noted that the consolidation of society occurs not around a particular person or group of people, but around the idea of building a modern, prosperous and comfortable country, the very existence of which is now endangered. It is about the interaction between various social groups, the goal of which is the victory of Ukraine. And this means not only a military victory, which will result in the liberation of the territories captured by the invader, but also the country's successful integration into the European political space, where the main governing criteria are the rule of law and democratic choice.

According to the available data<sup>3</sup>, more than 90 per cent of Ukrainians in different regions support democracy as a form of government. This indicates the direct influence of the war unleashed by Russia on society's perception of a particular system of values. Starting from February 24, 2022, a significant section

of Ukrainians began to experience not only Russian military occupation, but also the impact of Russian political values.

Despite all the circumstances, Ukraine has a democratically elected state power structure – the Presidency and the Verkhovna Rada, bodies which feel pressure from society every day. Civil society organisations, communities, and expert institutions initiate discussions on the development of the system and the post-war recovery programmes. The issues of determining the key vectors of the country's future will be discussed on the national level, which also indicates that a time of war is not necessarily incompatible with the continuation of democracy.

Among the challenges Ukraine is facing are the following:

- The possible temptation for political elites to continue the current, war-induced level of consolidation of power around the presidency in the future;
- Possible further postponement of fundamental reforms of the court and law enforcement agencies;
- The possibility of controlling authorities putting more pressure on business;
- The temptation to negate some achievements of the decentralisation reform;
- The temptation to continue controlling the information space after the war;
- The inherent weakness of political parties, which amid the actual cessation of political competition during martial law may lead to monopolisation of political activities.

3 Socio-political orientations of Ukrainian citizens (May, 2023). Razumkov Center, 22.06.2023, <https://razumkov.org.ua/en/sociology/press-releases/socio-political-orientations-of-ukrainian-citizens-may-2023>

As in previous periods of the country's development, civil society which has proved its strengths and capabilities will act as a safeguard. Therefore, a window of opportunity for fundamental changes is likely to form in Ukraine, and Ukrainian society can act as the main driving force. Qualitative changes in Ukrainian society during the time of war have come at an extremely high cost: the lives of thousands of people. Understanding the price paid will also have long-term consequences for the country.

Political scientists have metaphorically compared the development trajectory of societies in transit, like that of Ukraine, to the turning of a square wheel (according to Brazilian historian Nelson Werneck Sodré), when a very strong push is needed to make it roll to a new facet. The maidan protests constituted such firm pushes for Ukraine. Now an equally strong impetus has been given by the war, incomparable in strength with the maidans, since it is about the very survival of the country and the people, in principle. In terms of influence on the state, political participation, and maidans (mass, often violent, protest actions) are an unconventional form. Such forms of influence (the 'politics of the streets') are characteristic of immature democracies.

On the other hand, the presence of such protest actions indicates a fairly high level of civil society development. Even unconventional forms of political participation are evidence of certain progress in the development of democratisation processes. Russian military aggression became the trigger that, despite all the tragedy, prompted

qualitative changes in the consciousness of Ukrainians. What used to take decades to happen is now changing within months or even weeks. Ukraine turned out to be much stronger than it seemed. Moreover, the national resilience of Ukrainians, as the war showed, is based, above all, on their ability to self-organise. This is the social capital that is almost impossible to construct through social engineering methods.

## Instead of Conclusions

In conclusion, I will present the data provided by one of the leading Ukrainian think-tanks, the Razumkov Centre, regarding the state of democracy in Ukraine<sup>4</sup>. The integral index of democracy in Ukraine improved significantly over the period covered, changing from 4.61 points in 2017 to 3.39 in 2021.

Over the past six years, the assessment by citizens of Ukraine of the level of democracy in the governance of the country has been growing — from 3.8 to 6.2 on a 10-point scale (Razumkov Centre, May, 2023). The average score characterising how democratically our country is governed (on a 10-point scale, where 1 means 'not at all democratic,' 10 means 'absolutely democratic') increased from 3.8 in 2017, to 5.1 in 2020 and to 6.2 in 2023. Two-thirds of the respondents believe that Ukraine is not yet a fully democratic state but is moving towards democracy (the share of such has increased from 54% to 67% compared to 2010)<sup>5</sup>.

As for the global dimension, it is worth noting that, thanks to the clearly determined vector of social development in Ukraine, Russia is no longer considered a factor of stability in the space often

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4 Share of those who consider themselves free in Ukraine up to 84% — poll, Razumkov Center, 23.06.2023, <https://razumkov.org.ua/en/comments/share-of-those-who-consider-themselves-free-in-ukraine-up-to-84-poll>

5 Share of those who consider themselves free in Ukraine up to 84% — poll, Razumkov Center, 23.06.2023, <https://razumkov.org.ua/en/comments/share-of-those-who-consider-themselves-free-in-ukraine-up-to-84-poll>

and mistakenly considered post-Soviet. The NATO strategy adopted in June 2022 states that the Russian Federation is “the most significant and direct threat to the security of allies and to peace and stability in the Euro-Atlantic area.” At the same time, it should be stressed that the global dimension is primarily focused on the war between the force of law and the law of force, where Ukraine is on the front lines today. Its success will largely influence the shaping of a new global agenda, which, we hope, will be based on the observance of fundamental human rights, guaranteeing the peaceful democratic development of every individual and every country.

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# THE END OF DEMOCRACY? HOW DEMOCRACIES NAVIGATE CHANGE

**Maryna Karlevits**

*Foreign policy advisor to a member  
of the parliament of Ukraine*

***In recent decades, democratic societies have faced both internal and external threats that have caused them to struggle. Russia's full-scale war against Ukraine, the COVID-19 pandemic, and Russia's interference in the Brexit vote and the U.S. elections. The world is not only entering a phase of conflicts and wars, but it is additionally on the verge of a new ideological confrontation. The non-democratic regimes are also capable of building strong and resilient economies and military potential mechanisms and institutions. The role of values and institutions we build today is critical. During times of war and crises such as pandemics, how can democratic values and principles be adapted? How should national governments and the international community navigate through these threats and changes? This article aims to address these important questions.***

## Introduction

Since Francis Fukuyama's *End of History*<sup>1</sup>, the most fundamental question on the international agenda is whether democracy is cracking up, and whether it can face the challenges it appears to be unable to address properly. But there is nothing more consistent than something unstable. Thus, the discussions on the crisis of democracy are among the hottest debates noticeable today. In recent decades, the world has faced numerous crises, such as armed conflicts, financial instability and pandemics, so it is important to evaluate how democratic states deal with such challenges.

Once the Cold War was over, there was a common belief that the world was leaning towards globalisation and mutual cooperation, with benefits to all sides being more important than territorial disputes and spheres of influence. International organisations and alliances seemed to become valuable instruments in building stronger communities and responding to emerging threats.

However, the new era has brought new challenges that the liberal democracies have been unable to successfully address. The UK announced its withdrawal from the EU, which became a huge challenge to the

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1 *The End of History and the Last Man* is largely popular book written by Francis Fukuyama, where he states that with the end of the Cold War, the liberal democracy of the Western example is the most universal system which makes future ideological wars impossible.

core idea of European unity. The question of whether EU membership is really that beneficial for a country created a great deal of confusion among the other EU member states, and first of all, the 'first-speed states'.<sup>2</sup> After the results of the voting over Brexit, the world discovered that Russia's troll factories had targeted the UK citizens to vote in favour of Brexit.<sup>3</sup> The likelihood of EU disunity has never been more real.

The COVID-19 pandemic in 2020 has once again opened the door to populists who seized the moment to destabilise those governments which found themselves in a situation that had never happened before. Russia's unprovoked full-scale invasion of Ukraine at the beginning of 2022 shocked the whole world with unprecedented atrocities, and at the same time has once again brought up the question of democratic unity and stability in the world. Authoritarian regimes like Russia, China, and Iran started forming covert coalitions, terrorist organisations like Hamas are being openly backed by Russia and Iran, and the current geopolitical order as we know it is likely coming to an end.

All of the above-mentioned events significantly contributed to destabilising the existing geopolitical system, and massively influenced the rule of law. It has become clear that values and principles should be



**Authoritarian regimes like Russia, China, and Iran started forming covert coalitions, terrorist organisations like Hamas are being openly backed by Russia and Iran, and the current geopolitical order as we know it is likely coming to an end**

inseparable from actions. At the same time, one should have the capability to protect values and principles already declared. Therefore, if modern democracies want to remain in power and continue flourishing and developing, there are three main pillars on which governments should rely: strong institutions, military power, and multilateralism.

## **Institutions and Democracy**

Even the most sustainable democracies might become subject to internal and external threats. Russia's interference in the US elections and the UK vote on Brexit<sup>4</sup> demonstrated how easily the moods in societies can swing, based on targeted ads on social media. Mark Zuckerberg's<sup>5</sup> and Shou Zi Chew's<sup>6</sup> testimonies before the U.S. Congress are illustrative examples of how important data is today, and governments

- 2 By mentioning the "first-speed state", the author means the concept of multi-speed Europe which was widely discussed in the past decades, and which points out that some EU member states develop faster than others, hence, some EU member states enjoy more benefits rather than creating such benefits for the others. M. de La Baume, *Multispeed Europe: the EU's 'Loch Ness Monster'*, POLITICO, 10.03.2017, <https://www.politico.eu/article/multispeed-europe-the-eus-loch-ness-monster-future/>
- 3 C. Mortimer, *If you saw these tweets, you were targeted by Russian Brexit propaganda*, The Independent, 12.11.2017, <https://www.independent.co.uk/tech/brexit-russia-troll-factory-propaganda-fake-news-twitter-facebook-a8050866.html>
- 4 D. Ruy, *Did Russia Influence Brexit?* Center for Strategic and International Studies, 21.07.2020, <https://www.csis.org/blogs/brexit-bits-bobs-and-blogs/did-russia-influence-brexit>
- 5 C. Watson, *The Key Moments from Mark Zuckerberg's testimony to Congress*, The Guardian, 11.04.2018, <https://www.theguardian.com/technology/2018/apr/11/mark-zuckerbergs-testimony-to-congress-the-key-moments>
- 6 K. Paul, J. Bhutan, *Key Takeaways from TikTok hearing in Congress – and the uncertain road ahead*, The Guardian, 23.03.2023, <https://www.theguardian.com/technology/2023/mar/23/key-takeaways-tiktok-hearing-congress-shou-zi-chew>



around the world are either trying to find ways to protect it or to are using it for their own benefit. Various spyware technologies, such as Pegasus<sup>7</sup> or even TikTok<sup>8</sup> are used to destabilise democratic foundations from the inside.



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### ***When a country lacks strong institutions, it seeks charismatic personalities***

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Criminal investigations, two impeachment inquiries and the January 6th Capitol attack – Donald Trump’s presidency definitely was a stress test for U.S. democracy. Nevertheless, the country that introduced the system of checks and balances to the world passed the test successfully. Checks and balances is not only a good political science theory, it is a working mechanism where the separation of powers ensures that the country works as a single organism. When one of the branches fails, it eventually leads to the abuse of power and corruption in the state. If ultimately Donald Trump wins the presidential elections in 2024 again, will the American democratic system pass the test again? Only history will tell.

Institutions, not personalities, guarantee that a country functions properly, addresses the challenges it faces, and gets the support it needs. In 2022, Ukraine surprised the world and surprised itself: not only did the country not fall to Russia in the first 24, 48 or 72 hours, but it continued to fight in the

following days and months, the banking system continued to work, and the mobile phone network did not crash. People laid aside all their complaints and arguments with the state, the gap between the coalition and the opposition disappeared, and was replaced by a united parliament and a united country instead.

One of the main reasons why the U.S. and the EU are helping Ukraine is because the country is still functioning even under the existential threat from the largest nuclear armed country in the world. Would Ukraine have been supported that strongly if its government had left the country and fled abroad? Most likely, the current situation would look much like the support given to the modern governments in exile like those of the Belarus opposition and The Chechen Republic of Ichkeria. This would be enough just for occasional reminders of the nation’s struggle at international conferences, but not to win the war.

When a country lacks strong institutions, it seeks charismatic personalities. On October 30th, TIME magazine published an article underlining the key role of Ukraine’s president in this war.<sup>9</sup> The article itself seems to be rather critical (which is no surprise given the author’s articles on Ukraine back in 2014<sup>10</sup>) and full of false narratives. But at the same time, it raises questions about the corruption, possible reforms and struggles which followed Zelenskyy’s latest visit to the USA. The foreign partners are constantly reminding us about the necessity to carry out substantial reforms to maintain the country’s well-being, and to ensure the

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7 *Pegasus and similar spyware and secret state surveillance.* PACE resolution 2513, Assembly debate 11.10.2023, <https://pace.coe.int/en/files/33116/html>

8 B.Fung, *Lawmakers say TikTok is a national security threat, but evidence remains unclear*, CNN Business, 21.03.2023, <https://edition.cnn.com/2023/03/21/tech/tiktok-national-security-concerns/index.html>

9 S. Shuster, *‘Nobody Believes in Our Victory Like I Do.’ Inside Volodymyr Zelensky’s Struggle to Keep Ukraine in the Fight*, TIME, 30.10.2023, <https://time.com/6329188/ukraine-volodymyr-zelensky-interview/>

10 S. Shuster, TIME <https://world.time.com/author/simonshuster/>



recovery of its economy in the future.<sup>11</sup> The message is very clear: statehood and strong institutions are the things that have to be developed further.

Can personal leadership be useful? Of course it can. When it comes to giving a clear and simple signal to foreign audiences, this is truly a beneficial and effective tool. This is what happened when the full-scale invasion of Ukraine started: the president of Ukraine became the war leader and was even compared to Winston Churchill,<sup>12</sup> who led his country through the horrors of war to ultimate victory. This is a catchy and easy to comprehend message for those countries that are far away from Ukraine: this one is the good guy and that one is the bad guy.



***The populist offers quick solutions to difficult issues, and true democracy offers hard-fought and long-term solutions with long-term results***

However, in the long run, the country needs a clear vision, a long-lasting strategy, and a working system. Personalities come and go; they leave their trace on the pages of history books. Politicians have to invest in the institutions rather than in their political image. This is what ensures that the country can work, and this is what would be their greatest political achievement.

Dynamic personalities can also easily be found among populists, who offer quick and easy solutions to difficult issues. When Donald Trump promises to end the war in Ukraine in one day with one phone call if he's elected again<sup>13</sup>, the average American taxpayer finds it a great outcome. They do not want to get into much detail about the reasons for and consequences of such a decision; they need an easy solution to a complex problem.

The populist offers quick solutions to difficult issues, and true democracy offers hard-fought and long-term solutions with long-term results. You can either lose weight by taking a magic pill in two weeks, or do regular sport and follow the steps to good nutrition, and find a steady way to a solution. Obviously, everyone would want the former, without having to think of the consequences, but the latter definitely works better.

## **Military and Democracy**

“Democracy needs to be backed up militarily”; this is what Latvia's Foreign Minister Krišjānis Karins said at the PACE session in October 2023.<sup>14</sup> Once the Cold War was over, the world believed that the era of globalisation and interconnectivity had begun, and would remain the same for years to come. Such a state of things led to the belief that the majority of the world was seeking democracy, however, this is a common misperception. According to the V-Dem study in 2022, “dictatorships are on the rise and harbour 70% of the world

11 *Statement on Proposed List of Priority Reforms*, U.S. Embassy in Ukraine, 25.09.2023, <https://ua.usembassy.gov/statement-on-proposed-list-of-priority-reforms/>

12 A. Marr, *Zelensky Doesn't Know the End of His Story. Churchill Didn't Either*, The New York Times, 23.03.2022, <https://www.nytimes.com/2022/03/23/opinion/zelensky-churchill.html>

13 Watch: Trump Says as President He'd Settle Ukraine War Within 24 Hours, Wall Street Journal, 11.05.2023, <https://www.wsj.com/video/watch-trump-says-as-president-hed-settle-ukraine-war-within-24-hours/>

14 Latvian Foreign Minister calls for support to Ukraine, continued dialogue on current issues, PACE News, 11.10.2023, <https://pace.coe.int/en/news/9241/latvian-foreign-minister-calls-for-support-to-ukraine-continued-dialogue-on-current-issues>

population – 5.4 billion people.”<sup>15</sup> This makes democracy only one of the options which a country can voluntarily choose as the model for its development.

The constant striving of democratic states to seek negotiations and express their ‘concerns’ is only perceived by dictators as weakness, and permission to move further. The world was so inspired by the promises of the new Russian government which appeared to be seeking the democratic development of the country, that it ignored the Chechen wars. It later ignored Russia’s invasion of Georgia in 2008, being unsure about whether Georgia had provoked the war or not. Once again, the world ‘condemned’ and ‘shared its concerns’ but rejected any military response to the unlawful actions, for the sake of not escalating the conflict further.<sup>16</sup> It took eight years and the full-scale invasion of Ukraine for the world to start realising that the Russian Federation is not interested in becoming a democratic European state. In fact, it seeks to conquer, and destabilise the democratic world as much as possible.

After Russia invaded Ukraine in 2014, it faced sanctions from the EU and the US. In 2022, it became the most sanctioned country in the world,<sup>17</sup> overcoming the previous leader, Iran. It has become almost as isolated as North Korea, and the Council of Europe became the only organisation that managed to suspend Russia’s membership, as it was not upholding its principles.

Has this helped Ukraine to liberate the occupied territories, or to make the Russian

army leave Ukraine? Not that we are aware of. What definitely helped Ukraine to perform important and magnificent military operations was ammunition, tanks, fighter jets and a professional army. This is the power that stops an enemy at the border and protects democratic values.

From the outset of the full-scale invasion of Russia against Ukraine, the NATO allies realised that it was not only compromise and negotiations but tanks and missiles that were necessary for their countries’ well-being. The states that are closest to the borders of Russia and Belarus are among those which are most actively pushing the alliance for higher defence spending.<sup>18</sup> It is an irony of fate, but Russia’s intentions to destroy democracy in Europe, and not to have NATO at its borders has ended up making the European continent more militarised and more united than ever before.

We are entering (or have already entered) a phase of all-out wars and political conflicts. Whether we like it or not, the geopolitical system we are used to is falling apart. A complete reconstruction is needed as soon as possible. World War III will not be the same as the previous two, as it is likely to be decentralised, with numerous hot spots around the globe that will be connected between each other.

Hamas’ unprecedented attack on Israel on October 7th, 2023 has already been named as the biggest failure in the history of the Israeli Mossad, their intelligence services. Hamas has a long-lasting history of relations

15 V-Dem Institute at the University of Gothenburg, *Democracy Report 2022: Autocratization Changing Nature?* [https://v-dem.net/media/publications/dr\\_2022.pdf](https://v-dem.net/media/publications/dr_2022.pdf), p.6

16 B. Smith, *U.S. pondered military use in Georgia*, POLITICO, 02.03.2010, <https://www.politico.com/story/2010/02/us-pondered-military-use-in-georgia-032487>

17 F. Zandt, *The World’s Most-Sanctioned Countries*, Statista, 22.02.2023, <https://www.statista.com/chart/27015/number-of-currently-active-sanctions-by-target-country/>

18 A. von Nahmen, *More NATO Members Pushing for Higher Defence Spending*, Deutsche Welle, 16.01.2023, <https://www.dw.com/en/more-nato-members-pushing-for-higher-defense-spending/a-64402123>

with Iran<sup>19</sup> and Russia,<sup>20</sup> and this proves the following. Even though the Russia-Ukraine war and the Arab-Israeli conflict are of a totally different nature, today they are both connected by the involvement of those authoritarian regimes that are seeking to destabilise the existent geopolitical order.

The militarisation of democracies should be smart; democratic states should think outside the box to be able to protect themselves, and to remain in their positions in the changing geopolitical world; just as the British came up with the idea of the tank during The First World War,<sup>21</sup> which drastically changed the course of that war.


Dictators perceive seeking compromise and negotiations as a weakness. Power is the only thing they can understand. Therefore, modern democracies have to invest in armies and the military sector, and not be fooled by those countries that want us to believe that they are capable of changing without providing any evidence of it.

## Multilateralism and Democracy

The members of the United Nations Human Rights Council<sup>22</sup> are surely chosen based on a geographical basis and are elected by secret ballot, yet a number of those announced recently are known to have big problems safeguarding human rights within their countries. The General Assembly adopted a resolution on upholding

humanitarian obligations in Palestine<sup>23</sup>, yet it has no mention at all of Hamas, which caused the recent escalation in the conflict. And the work of the UN Security Council is being paralysed because of the aggressor state, Russia, which holds a permanent membership seat, having acquired it in a way which has been described as 'illegal'.<sup>24</sup> All the above-mentioned examples sound surreal, but this is one of the by-products of the multilateralism of the past.

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***The militarisation of democracies should be smart; democratic states should think outside the box to be able to protect themselves, and to remain in their positions in the changing geopolitical world***

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The diplomatic clichés of 'being concerned' and 'condemning unlawful actions' have become the bases of memes and jokes. Organisations such as the UN are considered to only exist to express their concerns and to condemn something unacceptable. In fact, international organisations have become so bureaucratic that they have forgotten the main reason why they were founded.

The paralysis of the UN gives a sense of déjà vu from the time of its predecessor

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19 H. Esfandiari. *Hamas and Israel: Iran's Role*, Wilson Center, 10.10.2023, <https://www.wilsoncenter.org/article/hamas-and-israel-irans-role>

20 Press release on Foreign Minister Sergey Lavrov's meeting with Head of Hamas Politburo Khaled Meshaal, Ministry of Foreign Affairs of the Russian Federation, 3.08.2015, [https://www.mid.ru/en/foreign\\_policy/news/1512358/](https://www.mid.ru/en/foreign_policy/news/1512358/)

21 *How Britain Invented the Tank in The First World War*, Imperial War Museums, <https://www.iwm.org.uk/history/how-britain-invented-the-tank-in-the-first-world-war>

22 *General Assembly Elects 15 Members to Human Rights Council*, United Nations Meetings Coverage and Press Release, 10.10.2023, <https://press.un.org/en/2023/ga12543.doc.htm>

23 *General Assembly Adopts Resolution Calling for Immediate, Sustained Humanitarian Truce Leading to Cessation of Hostilities between Israel, Hamas, United Nations Meetings Coverage and Press Release*, 27.10.2023, <https://press.un.org/en/2023/ga12548.doc.htm>

24 S. Sydorenko, *Russia Has Illegally Gained UN Security Council Seat. It Should Be Fixed*, European Pravda, 8.02.2022, <https://www.eurointegration.com.ua/eng/articles/2022/02/8/7133682/>

the League of Nations. The initial idea of creating an international organisation which would ensure long-lasting peace through communication and dialogue seemed to be perfect. However, the lack of mechanisms to carry these out and the subjectivity of its members caused its failure. The environment of mutual cooperation and understanding has led to false attempts to try to understand the reasoning behind aggression instead of finding ways to punish and prevent it in the future. It is time to recognise the mistakes of the past and to right the wrongs before it is too late.



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***The world is not only entering a phase of conflicts and wars, but it is additionally on the verge of a new ideological confrontation. The non-democratic regimes are also capable of building strong and resilient economies and military potentials***

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There is nothing more sustainable than constant change. Just as the presence of the Russian Federation as a permanent member of the UN Security Council highlights the drawbacks of the system, the behaviour of countries like Hungary shows where the European Union should be reformed. One state cannot hold the whole organisation hostage, and one man cannot hold 700 million people hostages. Therefore, Hungary's warm ties with Russia and Belarus despite the political position of the EU make it clearer for the European community as to where and how it should be reformed. It is impossible to hold onto the old geopolitical order, it is time to get to work on a new one.

The world is not only entering a phase of conflicts and wars, but it is additionally on the verge of a new ideological confrontation. The non-democratic regimes are also capable of building strong and resilient economies and military potentials. The best approach to handling the COVID situation is yet to be determined, but studies show that both democracies and autocracies were capable of efficient responses to COVID with modern technologies.<sup>25</sup> The doctrine of 'spreading democracy' does not work anymore and, in fact, it never really worked. To avoid democracy's decline, we should communicate and find common ground with the countries of Asia, Africa and Latin America, by developing strategies that take into account the specific features of those countries and regions. The same recommendation applies not only to the distant states and those on other continents, but also to the Balkans, Eastern Europe and others. There is no universal strategy, but there is the power of multilateralism in diversity.

It is a fact that not all countries seek democracy. It should be recognised that the world is much bigger and more diverse than just the EU, the United States and other democratic states. A sound economy is certainly an important sphere of our lives which allows governments to make their people's lives easier and ensure the well-being of the country. It is important to have something in common to be able to trade and develop each other's economies, as the world is now too interconnected to return to isolationism.

However, it is also important to bear in mind the consequences of such actions. Staying ignorant of a state's behaviour in the international arena while using its economy

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<sup>25</sup> For instance, *Time* names Taiwan and Singapore as the countries with the best COVID response, when they used aggressive and immediate response using modern technologies. Ian Bremmer, The Best Global Responses to the COVID-19 Pandemic, 1 Year Later, TIME, 12.06.2020, <https://time.com/5851633/best-global-responses-covid-19/>

as an excuse diminishes the effect of the mechanisms that are created for deterrence. Imposing sanctions, isolating states and using other tools to influence the behaviour of states that breach their promises to the world – this is the only way they will understand that democracies are not going to tolerate anything that threatens them.

At the same time, those nations which strive to develop democratic values and principles should be supported. This should be a consistent policy of the democracies around the world. It should be done not only through capacity-building projects, but there should be a strong political will to do so. This is the only way to win the hearts and minds of those who are still hesitant or under the influence of nefarious propaganda.

## Conclusion

So how does democracy navigate change? It has to adapt, to try to address the challenges and issues at hand, but instead it mostly reacts to circumstances but not being proactive. Democratic institutions are going through major changes, but they have been doing so since their first appearance in history. Today's democracy is again threatened by authoritarian tendencies, the world is becoming more and more fragmented and we seem to have returned to Hobbes' "world of all against all." Maintaining democracy is never easy. It is always about discussions and arguments, issues and challenges. It is about constantly looking for compromise and consensus, and

there is never a correct answer immediately. But instead of focusing on their differences, the democratic states should focus on the ideas that unite them.

Democracy is not in the majority in the world. Only a handful of countries are considered full democracies, while other countries swing between democratic aspirations and the authoritarian past. However, universal principles and values are the ones that have always united many people in the world. Only once these ideas are backed with power, both economic and military, will more people perceive them as valuable and worthy. The world has to agree to the new game rules, as the old ones are already outdated and do not work anymore. Therefore, investment in institutions, military power and multilateralism are the three aspects that would ease democracy's navigation through these turbulent times.

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# PERCEPTIONS OF DEMOCRACY IN UKRAINE AMID WAR WITH RUSSIA

Petro Burkovskiy

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*Despite the low level of trust in the political leadership and state institutions, Ukrainians have demonstrated strong civic consciousness and consolidation, which have played a crucial role in repelling the full-scale Russian invasion. Although the Ukrainian public remains susceptible to populism, the scale of volunteer activities, national unity, dedication to freedom and understanding of the dire consequences of unrestricted government are protecting Ukraine's democracy from authoritarian attempts.*

## The State of Public Opinion and Social Resilience in the Wake of the Russian Aggression

In February 2022, on the eve of Russia's full-scale invasion, Ukrainian society experienced a serious deficit of trust towards key state institutions, political leaders and democratic procedures. According to the Razumkov Centre's nationwide polls<sup>1</sup>, at the end of 2021, 67% of Ukrainians distrusted the president, 60% of respondents did not trust the National Bank, 72% of respondents did not trust the cabinet of ministers, 74% of the population did not trust the judicial system, and 76% of Ukrainians did not trust the national government as such. Moreover, in December 2021<sup>2</sup>, 45% of Ukrainians named President Zelenskyy as the "disappointment

of the year", while giving answers to an open-ended question.

Unsurprisingly, the Russian authorities hoped that they would be able to use this incredible gap between the Ukrainian government and their people to conduct their "shock and awe" invasion of Ukraine, without facing significant popular resistance. Moreover, a huge public distrust towards the key state institutions could have been considered as a prerequisite for political apathy in the Ukrainian people, and therefore the eventual acceptance of the new occupation administration at the national and local levels.

However, at the beginning of February 2022, many Ukrainian citizens acknowledged

1 Citizens' assessment of the situation in the country. Trust in social institutions, politicians, officials and public figures. Attitude to holding national elections in Ukraine before the end of the war, Razumkov Centre, 15.10.2023, <https://razumkov.org.ua/en/sociology/press-releases/citizens-assessment-of-the-situation-in-the-country-trust-in-social-institutions-politicians-officials-and-public-figures-attitude-to-holding-national-elections-in-ukraine-before-the-end-of-the-war-september-2023>

2 Serious and Merry Opinions about the Year 2021, release of the nationwide study, Democratic Initiatives Foundation, 29.12.2021, <https://dif.org.ua/en/article/serious-and-merry-opinions-about-the-year-2021>

the Russian threat. According to a DIF nationwide opinion poll<sup>3</sup>, almost 48% of Ukrainians would either fight or assist the army if Russia invaded. In addition, 43% rejected any kind of concession to Putin. The majority of the population was not ready to back any compromises with Russia, in order to thwart its aggression – in the West (55%), the South (40%), and the Centre (45%) of Ukraine. In the eastern regions, a compromise with Russia was unacceptable for 29%, while 40% were undecided. In the government-controlled areas of Donbas, the majority of respondents (52%) believed that the Ukrainian government should give up a bid for NATO membership to stop the Russian aggression.


Thus, we may say that on the eve of the invasion there was a critical mass of law-abiding citizens who valued the sovereignty and independence of the Ukrainian state despite its low level of effectiveness and corrupted government at the national and local levels. It was a clear indication of the civic maturity of the Ukrainian people, and their deep understanding of their personal responsibility for the situation in the country.

The national volunteer movement which started in the first days of the Russian invasion proved the efficacy of pre-invasion sociological observations. Self-organisation and taking the initiative in defending cities and towns from invading forces, volunteer facilitation of the evacuation of civilians and broad assistance to supplies of the Armed Force of Ukraine became decisive factors not

only in the early defeats of the Russia army, but also in the rapid increase in social self-confidence of the people.

Suddenly, many Ukrainians realised that they could do great things through their own individual competence and without external guidance or control from the state. According to a DIF poll in December 2022<sup>4</sup>, 61% of Ukrainians admitted that they were participating personally in volunteer activities or that they had donated goods/services/money to volunteers who were helping the army or internally displaced people (IDPs). Even more critically, after 18 months of the war, the Ukrainians have not shown signs of exhaustion. According to an opinion poll in August 2023<sup>5</sup>, almost 68% of Ukrainians reported that since the full-scale war had begun, they had volunteered to help the army/temporarily displaced persons or people affected by the war.

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 ***on the eve of the invasion there was a critical mass of law-abiding citizens who valued the sovereignty and independence of the Ukrainian state despite its low level of effectiveness and corrupted government at the national and local levels***

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Thus, we can say that Ukrainians have demonstrated a high level of civil mobilisation, willingness to fight and sacrifice for the sake of the country. They have successfully passed

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3 No to Russia's Aggression: The Public Opinion of Ukrainians in February 2022, Democratic Initiatives Foundation, 22.02.2022, <https://dif.org.ua/en/article/no-to-russias-aggression-the-public-opinion-of-ukrainians-in-february-2022>

4 Opir agresoru, volonterstvo, obstrily infrastruktury: yak povnomasshtabna viyna vplynula na zhyttia ukraintsiv, Democratic Initiatives Foundation, 24.02.2023, <https://dif.org.ua/article/opir-agresoru-volonterstvo-obstrily-infrastruktury-yak-povnomasshtabna-viyna-vplynula-na-zhyttia-ukraintsiv>

5 Citizens' Involvement in Volunteering after a Year and a Half of War, Democratic Initiatives Foundation, 22.09.2023, <https://dif.org.ua/en/article/citizens-involvement-in-volunteering-after-a-year-and-a-half-of-war>



a severe test set by the war and proved to be an exemplary modern civilised and consolidated nation.

### **Key Factors Explaining Why Ukrainians Defend Democracy Amid Warfare**

This is an important observation, since the war has brought dramatic changes to the lives of the people.



***after 18 months of the war, the Ukrainians have not shown signs of exhaustion.***

***According to an opinion poll in August 2023, almost 68% of Ukrainians reported that since the full-scale war had begun, they had volunteered to help the army/ temporarily displaced persons or people affected by the war***

First of all, the national government established a martial law regime at the beginning of the war which put additional limits and constraints on the constitutional rights of the people, such as the prohibition of rallies, suspension of elections and referenda, centralised control of major national and regional media, a curfew and restrictions on movement inside and outside of the country. The state system was reorganised and the president obtained new war-time powers for the cabinet of ministers, limiting the role of the parliament.

It is not unusual for countries in war to see an increase in popular support for authoritarian practices, and their acceptance of the concentration of power in the hands of strong political leaders. In addition, a sharp deterioration in the economic situation, an increase in unemployment and other negative consequences of the war may cause the population to look for «strong hands» on the tiller. It must be said that Ukraine is no exception, and different social studies and opinion polls have shown that authoritarian tendencies are also present in Ukrainian society.

For instance, for decades, the majority of the Ukrainian people have considered that strong leaders are much more capable of achieving important goals than legislation<sup>6</sup>. In August 2022, 58% of Ukrainians agreed with the statement that “several strong leaders could accomplish more for the country than all laws and debates”.

Moreover, as stated above, before the full-scale invasion, Ukrainian society was desperately frustrated and disillusioned about the ability of the democratically elected leaders and political parties to bring about positive changes. Many people still consider the malfunctioning democratic institutions, and procedures like parliamentary activities and elections as obstacles to effective government. In May 2023, according to the Razumkov centre’s opinion poll<sup>7</sup>, 62% of respondents endorsed a possible political regime with a strong leader who does not depend on parliament or elections.

6 Oleksandr Reznik, Osoblyvosti avtorytarnykh oriyentatsii ukraiintsiv pid chas viyny, Democratic Initiatives Foundation, 3.08.2023, available at: <https://dif.org.ua/article/osoblivosti-avtoritarnikh-orientatsiy-ukraintsiv-pid-chas-viyni>

7 Suspilno-politychni oriyentatsii hromadian Ukrainy (traven 2023), Razumkov Centre, 21.06.2023, <https://razumkov.org.ua/napriamky/sotsiologichni-doslidzhennia/suspinopolitychni-orientatsii-gromadian-ukrainy-traven-2023r>



At the same time, Ukrainians demonstrated a growing sense of the value of freedom and the rule of law. In May 2023<sup>8</sup>, when asked to choose between personal freedom and social welfare, 51% of the respondents replied that they were ready to endure economic and welfare difficulties to keep their civil freedoms and personal liberties untouched. That was the highest figure for all years of observation since 2010.



**51% of the respondents replied that they were ready to endure economic and welfare difficulties to keep their civil freedoms and personal liberties untouched**

Furthermore, sociological monitoring has revealed that the war has made Ukrainians ardent supporters of democracy<sup>9</sup>. Between 2010 and 2021, the share of respondents who considered democracy to be the most desirable type of state system ranged from 48-56%, and those who preferred an authoritarian regime ranged from 18-24%. After the outbreak of the war, in October 2022, support for democracy increased to 68%, while endorsement of authoritarianism fell to 11.5%. In May 2023, the share of supporters of a democratic

regime increased to 73%, while the share of supporters of authoritarianism decreased to 9.5%.

Another paradox of the public perception of democracy and authoritarian structures was noticed by the Ukrainian scholar Oleksander Reznik. He admitted that in May 2023, 28% of respondents backed the idea of a military regime as a form of government<sup>10</sup>. However, 91% of such citizens considered a democratic regime as the best for Ukraine. Reznik explains that the faith in the arrival on the scene of “strong leaders” is more a hope for effective governance than a desire for ruthless dictatorship.

A good explanation of the true motives behind Ukrainian attitudes towards democracy and dictatorship was given by the prominent Ukrainian sociologist Iryna Bekeshkina in 2009. She asserted that the fate of democracy in Ukraine depends on people’s general vision of its future – as a democratic, prosperous European state, where human rights are respected and where citizens are able to really influence the actions of the government<sup>11</sup>. Bekeshkina’s observation proved to be relevant during the war. In December 2022, a DIF poll conducted at the request of “Evropeiska Pravda” showed that an overwhelming majority of Ukrainians (79%) supported Ukraine’s full membership<sup>12</sup> of the EU. In addition, 60% of respondents thought that the national

8 Oleksandr Reznik, Osoblyvosti avtorytarnykh oriyentatsii ukraiintsiv pid chas viyny, Democratic Initiatives Foundation, 3.08.2023, available at: <https://dif.org.ua/article/osoblyvosti-avtoritarnikh-orientatsiy-ukraiintsiv-pid-chas-viyny>

9 Suspilno-politychni oriyentatsii hromadian Ukrainy (traven 2023), Razumkov Centre, 21.06.2023, <https://razumkov.org.ua/napriamky/sotsiologichni-doslidzhennia/suspilnopolitychni-oriyentatsii-gromadian-ukrainy-traven-2023r>

10 Oleksandr Reznik, Osoblyvosti avtorytarnykh oriyentatsii ukraiintsiv pid chas viyny, Democratic Initiatives Foundation, 3.08.2023, <https://dif.org.ua/article/osoblyvosti-avtoritarnikh-orientatsiy-ukraiintsiv-pid-chas-viyny>


11 Cited from Oleksandr Reznik, Support democracy in Ukraine during the war, Democratic Initiatives Foundation, 18.01.2023, <https://dif.org.ua/article/support-democracy-in-ukraine-during-the-war>

12 Petro Burkovskiy, Serhii Sydorenko, Pivden ta Skhid poviryly v NATO ta vymahaiut reform: shcho dumaiut rehiony pro maybutnie Ukrainy, Evropeiska Pravda, 30.12.2022, <https://www.eurointegration.com.ua/articles/2022/12/30/7153365/>

government must carry out every reform demanded by the EU institutions. This means that Ukrainian citizens consider themselves as Europeans, and are determined to demand the respective high standards of governance from elected and appointed officials, even during the war.

Thus, we can conclude that there is a low risk that Ukrainians would accept any kind of authoritarian rule, even if it is run by a popular military or political leader. People have learned how to survive and achieve success without external guidance. Since many Ukrainians have lost their friends and relatives during the war, and continue to make everyday sacrifices, they will not accept any situation when their freedom or opportunities for a better life are limited in the interests of a certain leader, party or national government. Finally, Ukrainians believe that Ukraine must join the European Union and implement all necessary reforms, first and foremost in the sphere of the rule of law, which includes strong checks and balances against authoritarian policy-making.

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On the other hand, the public readiness to support strong leaders who do not limit their actions according to law indicates another formidable risk of the establishment of populism in Ukraine. An authoritarian

consciousness can encourage people to reject alternative points of view and dissenting opinions, contrary to the use of critical thinking and openness that populist politicians often exploit.

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 ***the Ukrainian people are fighting Russia to deliver a European future to their children and the next generations***

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This risk must be kept in mind because the DIF/KIIS poll conducted in July 2023 showed that Ukrainian society remains susceptible to populist practices, despite the war<sup>13</sup>. So far, the antagonism between the population and the ruling elite has not become pronounced. However, we have detected a high level of support for populist ideas, which carries risks for the post-war restoration of competitive political life, when the prevailing political leadership could once again be considered “inefficient” and “corrupt”.

## Conclusions

To conclude with, we can outline the key factors that are shaping Ukrainian democracy during the war and are likely to beyond it.

A high level of patriotism and civic consolidation are impossible without strong public dedication to grass-roots democratic practices and volunteer activism. This creates the demand for political leadership which respects civil liberties and implements policies according to high standards of accountability and inclusiveness.

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13 Oleksandr Reznik, Populistski oriyentatsii naseleennia Ukrainiiny vprodovzh sotsialnykh transformatsiy, Democratic Initiatives Foundation, 22.09.2023, <https://dif.org.ua/article/populistski-orientatsii-naselennya-ukraini-vprodovzh-sotsialnykh-transformatsiy>

Next, the seriousness of the Russian threat and the high human and material costs of the war justify the concentration of powers, but it does not permit making it permanent. Moreover, the Ukrainian people demand achievements from the national government and obligatory respect for the laws. In August 2023, the majority of Ukrainians demanded strong anti-corruption measures from the President of Ukraine<sup>14</sup>. Since Ukrainians have been showing zero tolerance to corruption, a constant feature of dictatorship, that makes it very hard and dangerous for anybody to attempt to limit civil liberties, even under a martial law regime.

Then, the Ukrainian people are fighting Russia to deliver a European future to their children and the next generations. Therefore, people will not allow their government to change the direction of policies or to enact legislation which threatens such a vision of the nation's future.

All in all, Ukrainians remain vulnerable to populism and the risk of populist decisions, and the distortion of elections through populist practices will be the main challenge to the post-war reconstruction of Ukraine.

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14 Spryiniattia zahrozy koruptsii hromadianamy: otsinka vlady ta vymohy do zmin pid chas viiny, Democratic Initiatives Foundation, 11.09.2023, <https://dif.org.ua/article/spryinyattya-zagrozi-koruptsii-gromadyanami-otsinka-vladi-ta-vimogi-do-zmin-pid-chas-viyni>

# THE ROLE OF VALUES AND MECHANISMS IN DEMOCRATIC SOCIETIES

*Tornike Jintcharadze*

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*This article delves into the landscape of checks and balances within democratic societies, emphasising their pivotal role in maintaining democratic values and countering emerging challenges. As the foundations of democratic governance face pressures from polarisation and populist trends, the study investigates the weaknesses of the contemporary checks and balances, and explores the optimal strategies for enhancing their effectiveness.*

## **Introduction: The Essence of Checks and Balances**

In the dynamic landscape of contemporary politics, the bedrock of democracy relies on the resilience of checks and balances. This extensive research article traverses the nuanced terrain of Georgia, Ukraine, the US, and Russia, offering a meticulous exploration of the vulnerabilities of these mechanisms in the face of unprecedented challenges.

Through a comprehensive analysis, this piece of research examines the evolution of the system of checks and balances, and its intersection with the preservation of democratic principles such as accountability, the separation of powers, and protection of individual rights. The article probes the complexities surrounding the mechanisms designed to prevent the concentration of power and ensure government accountability.

In the realm of politics and governance, the concept of “checks and balances” holds a central role, in preserving the stability and integrity of democratic systems. This foundational principle is designed to

ensure that power is distributed and shared among different branches of government, preventing any single entity from accumulating excessive authority. Checks and balances serve as a critical safeguard against potential abuses of power, and as a means to protect the rights and freedoms of citizens. This examination delves into the intricate mechanisms through which checks and balances operate, including the separation of powers, the role of an independent judiciary, and the vigilance of civil society and the media.

In an ever-changing world where political dynamics and challenges continue to evolve, understanding the essence of checks and balances is not only a matter of academic interest but a necessity for the sustainability of democratic governance. This exploration invites readers to consider the core of democratic principles, as it sheds light on how checks and balances remain vital to our ongoing pursuit of accountable, transparent, and just societies.

This system, often found at the heart of modern democratic governments, ensures that power is distributed among different

branches and institutions, to prevent any one entity from becoming too powerful. This foundational principle was articulated as early as the 18th century, in the Federalist Papers by Hamilton, Jay and Madison.<sup>1</sup> The distribution of power among institutions was evolved to ensure the resilience of the democratic system, even in the face of adversity, a concept vital to the stability of democratic frameworks globally.

## Contemporary Challenges to Checks and Balances


In the contemporary political landscape, the challenges to checks and balances are multifaceted. Rapid technological advancements, and the rise of social media platforms, have introduced new avenues for misinformation, potentially undermining the accountability and transparency of government actions. Furthermore, the consolidation of power in the executive branch and partisan polarisation can weaken the independence of oversight institutions, making it more difficult for them to perform their intended functions. These and other modern challenges emphasise the need for ongoing innovation and adaptation, in the quest to preserve the essence of checks and balances within democratic societies.

Political polarisation, exemplified in both the United States and Russia, represents a significant challenge to the intricate underpinnings of democratic mechanisms, thereby jeopardising the very foundations upon which these systems are built. This polarisation goes beyond a mere difference of political opinion; it has evolved into a deep-seated and often intransigent divide that undermines the ability of institutions to effectively counterbalance the concentration of power.

Furthermore, the rise of executive overreach in contemporary democracies poses another formidable threat to the delicate equilibrium of power. Leaders in various nations, such as Russia and the United States, have increasingly pushed the boundaries of their authority, blurring the traditional lines that separate executive and legislative powers. This phenomenon not only challenges the principle of the separation of powers but also disrupts the system's ability to maintain a healthy balance, which is a cornerstone of democratic governance.

In addition to these challenges, the erosion of democratic norms further weakens the foundations of these crucial mechanisms. As democratic norms are dismantled or disregarded, the once sacrosanct principles that have long underpinned democratic governance are compromised, leaving the checks and balances inherent to democratic systems susceptible to manipulation and erosion. Such erosion can lead to a situation where the very safeguards designed to prevent an abuse of power become fragile and susceptible to political exploitation.

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In summary, political polarisation, executive overreach, and the erosion of democratic norms represent critical threats to the effective functioning of democratic systems,

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1 Full Text of The Federalist Papers, Library of Congress, 1787-1788, <https://guides.loc.gov/federalist-papers/full-text>

both in the United States and Russia, and in democracies worldwide. Addressing these challenges is essential for preserving the integrity of democratic institutions and upholding the principles of accountability, representation, and the separation of powers.

## **A Comparative Analysis of Checks and Balances in Georgia and Ukraine**


A closer examination of Georgia and Ukraine, both navigating their unique paths in the post-Soviet era, reveals nuanced strengths and weaknesses in their systems of checks and balances. Both nations have adopted constitutions that establish the separation of powers; however questions remain over their implementation. Additionally, the effectiveness of parliamentary oversight, judicial independence, and the role of civil society and the media differ between the two countries. These disparities can be attributed to historical, cultural, and political factors that have shaped their respective political landscapes. While both Georgia and Ukraine have made strides in strengthening their democratic institutions, they continue to face unique challenges in maintaining a balance of power between their branches of government.

Georgia, with its rapid transformation post-independence, grapples with finding the delicate equilibrium necessary for effective checks and balances. In contrast, Ukraine, navigating the complexities of its post-Soviet identity, showcases successes and areas for improvement in the functioning of its democratic institutions<sup>2</sup>. The implementation of democratic principles has faced hurdles, yet the resilience of the

Georgian people and political leadership has allowed for the establishment of a functional system of checks and balances.

The constitution of Georgia, adopted in 1995, laid the groundwork for the country's democratic institutions. It delineated the separation of powers among the executive, legislative, and judicial branches. The president of Georgia, as the head of state, holds significant powers, but is counterbalanced by the parliament and the judiciary.<sup>3</sup>

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***political polarisation, executive overreach, and the erosion of democratic norms represent critical threats to the effective functioning of democratic systems***

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However, Georgia's political journey has not been without setbacks. The Rose Revolution in 2003 marked a turning point, leading to the ousting of President Eduard Shevardnadze, and the rise of Mikheil Saakashvili. This period witnessed efforts to strengthen the country's democratic institutions, including reforms to enhance judicial independence and parliamentary oversight. Despite progress, challenges persist. Political polarisation, a legacy of the post-Soviet era, continues to influence Georgian politics. The concentration of power in the executive branch, though tempered compared to the past, raises concerns about the effectiveness of the checks and balances. Additionally, issues such as corruption and media freedom impact the overall health of the democratic system.

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2 Giorgi Badridze, Georgia and Putin's Russia: The Practical Art of Sustaining Independence, GFSIS, *bout de papier* Vol. 28, No. 2, 2014, <https://gfsis.org.ge/files/library/pdf/English-2457.pdf>


3 The Constitution of Georgia, *Legislative Herald of Georgia*, 24.08.1995, <https://matsne.gov.ge/en/document/view/30346?publication=36>

Ukraine's constitution outlines a clear separation of powers. However, Ukraine has seen significant shifts in the balance of power, including due to the period of martial law. While parliamentary oversight and judicial independence have been topics of reform and debate, the country's complex political history have played a role in shaping its approach to checks and balances. The nation boasted a diverse civil society and media landscape, with influential oligarchic interests in the mix, before the Russian invasion of 2022. Ukraine's efforts to strengthen its democratic institutions are ongoing, reflecting the intricate challenges it faces in establishing a balanced system of governance.<sup>4</sup>

Ukraine's journey towards a robust system of checks and balances is shaped by its post-Soviet identity and geopolitical challenges. The Orange Revolution in 2004 and the Euromaidan protests in 2013-2014 reflect the Ukrainian people's aspirations for democratic governance, and for the establishment of effective checks and balances. The constitution of Ukraine<sup>5</sup>, adopted in 1996 and amended later, defines the country's political structure. It outlines the separation of powers between the president, parliament, and the judiciary. The president, as the head of state, is elected through popular vote, and is intended to work in tandem with the parliament and the cabinet of ministers. Ukraine's political landscape has been marked by a struggle for power between these institutions. The presidency, at times, has wielded considerable power, leading to concerns about the concentration of authority in one

person. The Orange Revolution, a series of protests in response to allegations of electoral fraud in the 2004 presidential election, underscored the Ukrainian people's commitment to democratic values.<sup>6</sup>

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***While both Georgia and Ukraine have made strides in strengthening their democratic institutions, they continue to face unique challenges in maintaining a balance of power between their branches of government***

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Subsequent constitutional reforms aimed to enhance the role of parliament and curtail the powers of the president. Despite these efforts, challenges persist. The geopolitical tug-of-war, economic struggles, and issues of corruption continue to impact the effectiveness of checks and balances in Ukraine.

### **Recommendations for Strengthening Checks and Balances**

Drawing from successful adaptations worldwide, some recommendations emerge as crucial pillars for fortifying checks and balances. Case studies from established democracies, notably in Scandinavia, illustrate innovative approaches. The Nordic countries, known for their robust democratic institutions, provide valuable insights into the adaptability and evolution of these mechanisms.<sup>7</sup>

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- 4 Eugene Rumer, Richard Sokolsky, Putin's War Against Ukraine and the Balance of Power in Europe, Carnegie Endowment for International Peace, 11.04.2022, <https://carnegieendowment.org/2022/04/11/putin-s-war-against-ukraine-and-balance-of-power-in-europe-pub-86832>
  - 5 The Constitution of Ukraine, 1996, UNHCR, <https://www.refworld.org/pdfid/44a280124.pdf>
  - 6 Government and society. Ukraine, Britannica, 2023, <https://www.britannica.com/place/Ukraine/Government-and-society>
  - 7 Pippa Norris, Democratic Deficit: Critical Citizens Revisited, Cambridge University Press, 2011, <https://www.cambridge.org/core/books/democratic-deficit/C1A2A5421BBD8F96899270619407405A>



The following proposed reforms for Georgia and Ukraine consider their unique contexts, echoing the importance of local adaptation. These recommendations encompass constitutional reforms, strengthening judicial independence, and enhancing legislative oversight. They draw from the experiences of countries that have successfully navigated challenges to their checks and balances systems.

The proposed reforms for Georgia include:

1. **Enhancing Judicial Independence:** Strengthening the independence of the judiciary is paramount. Establishing mechanisms to insulate judges from political influence ensures the judiciary's ability to act as a check on the executive and legislative branches.
2. **Media Freedom and Information Access:** A vibrant and independent media landscape is essential for fostering an informed citizenry. Measures to protect journalists, promote media diversity, and ensure access to information contribute to a healthy democracy.
3. **Anti-Corruption Measures:** Addressing corruption at all levels is crucial for building public trust and ensuring the effective functioning of democratic institutions. Implementing comprehensive anti-corruption measures, including transparent financial disclosure for public officials, is vital.
4. **Electoral Reform:** Reviewing and improving the electoral system can mitigate issues of political polarisation. Consideration of proportional representation and measures to empower minority voices contribute to a more inclusive political landscape.

The proposed reforms for Ukraine include:


1. **Strengthening Parliamentary Oversight:** Empowering the parliament as a robust check on executive power is essential.

Measures to enhance parliamentary oversight, including thorough scrutiny of executive actions and policies, contribute to a more balanced system.

2. **Constitutional Clarity:** Clarifying the roles and responsibilities of each branch of government, especially in times of crisis, fosters stability. Ensuring that the constitution is a dynamic document capable of addressing contemporary challenges is crucial.

3. **Economic Reforms:** Addressing economic challenges is integral to political stability. Implementing reforms that promote economic growth, job creation, and poverty reduction contributes to a stable environment for democratic institutions to thrive in.

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***Establishing mechanisms to insulate judges from political influence ensures the judiciary's ability to act as a check on the executive and legislative branches***

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4. **Civil Society Engagement:** Fostering a vibrant civil society is instrumental in holding the government accountable. Supporting and protecting civil society organisations, including those focused on human rights, democracy, and good governance, strengthens the overall democratic fabric.

### **Conclusion: A Blueprint for Democratic Governance in the 21st Century**

In conclusion, as democracies strive for equilibrium, lessons from this research paper can illuminate possible pathways. Empowering citizens, strengthening



institutions, and safeguarding democratic values demand perpetual vigilance. In an era marked by uncertainty, the insights unveiled here offer not just understanding but a blueprint for the resilient evolution of democratic governance. As democratic societies grapple with the emerging challenges, the lessons learned from this research can guide policymakers and citizens alike in their efforts to ensure the enduring strength of democratic institutions.

The significance of reimagining checks and balances in the context of the contemporary challenges cannot be understated. As democratic societies strive to maintain their

equilibrium, the insights presented in this article may offer ways to empower citizens, strengthen institutions, and safeguard democratic values.

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# DEMOCRACY AT WAR: WHAT UKRAINIANS THINK

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***While Ukrainian citizens' resistance has surprised the world, it has not been seen as a miracle by Ukrainians themselves, who since 2014 have been involved in volunteer movements and knew well what aggression means. Despite the inevitable concentration of power during the war-time martial law, there is a widespread belief among Ukrainian experts that there would be no monopolisation of power. Analysis of the changes that occurred within Ukrainian society between 2014 and 2022 testifies that Ukrainians are fighting not only for national freedom, but that they reject Russian authoritarianism, and nationalistic revisionism***

The resistance of Ukrainians to the full-scale invasion of Russia since February 24th 2022 has impressed the world. It has happened against the backdrop of the slow arrival within the first weeks of the war of military support from the Western partners. Some EU leaders believed that in the event of a full-scale Russian invasion, Ukraine would collapse in a week or so. Even now some Western intelligence sources suggest that there were “pretty small factors” like Ukrainian air defence effectiveness which prevented the capture of Kyiv.<sup>1</sup> However, the question still remains, after almost two years of the war, as to why the Russian army has not taken control of any regional centre, even cities like Kharkiv, that had been

perceived as mostly Russian-speaking, and situated just 40 km from the border with Russia.

On the contrary, for Ukrainians such resistance was not a surprise. Ukrainians had already experienced lines of volunteers outside military recruiting offices in 2014. The same but on a much larger scale happened in the first, the most dramatic days of the Russian attack on Ukraine: lines of people from the very old to the very young, speaking Russian and Ukrainian, volunteering to take up arms. Also, since then, almost 70% of Ukrainians have been involved in supporting the army or internally displaced persons.<sup>2</sup>

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1 Berlingske. Danish military intelligence suggests drug-induced megalomania may have influenced Putin to invade Ukraine, 30.12.2022, <https://www.berlingske.dk/internationalt/danish-military-intelligence-suggests-drug-induced-megalomania-may>

2 DIF. Citizens' Involvement in Volunteering after a Year and a Half of War, 22.09.2023, <https://dif.org.ua/en/article/citizens-involvement-in-volunteering-after-a-year-and-a-half-of-war>

*But to what extent can we trust polls in the country facing full scale invasion? As Kyiv International Institute of Sociology stresses in its press releases: under conditions of war, in addition to the specified formal error, a certain systematic deviation is added. However, despite certain factors that may affect the quality of the results in “wartime” conditions, in general, respectable major companies believe that the obtained results still retain a high degree of representativeness and allow for a fairly reliable analysis of the public mood of the population.*

Moreover, the polls on the eve of the Russian invasion showed that in the event of war half of Ukrainians were ready either to fight or to assist the armed forces in every possible manner. All this, despite the fact that one fifth of respondents did not expect the war to start, and an additional one fifth responded that they would simply try to survive if the war started.<sup>3</sup> Despite the fact that these polls were well publicised and openly published, neither Russian nor European politicians or media took them seriously, so the population's high level of resistance came as a surprise to many.


What helped Ukrainians to resist so successfully? Different factors can be named, but among them, we would emphasise the democratic regime, developed civil society, so called horizontal ties and a sense of solidarity. But also, the understanding of common Ukrainians that this was a fight not only for independence and territorial integrity, but also for democracy against dictatorship.

### **Background: Ukraine's "Pluralism by Default"**

We argue that the main trends in the public opinion of Ukrainians regarding the Russian aggression were based on Ukraine's development during the years of independence. After the collapse of the Soviet Union, Ukrainian society and the political establishment chose a different path of transformation from that of Russia. Ukraine differed from many Soviet republics, as it gained its independence peacefully and without internal ethnic conflicts, thanks to the tacit agreement between three main forces:

the ruling so-called "national communists", the national democratic opposition and, finally, the workers' movement from the east and south of the country, which by 1991 supported independence<sup>4</sup> (the last fact is forgotten by many present-day international commentators).

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In the 1990s, the West appreciated the democratic principles of Ukrainian transition:

- 1) Ukraine was the first CIS state to completely re-elect both the president and parliament in the 1994 democratic elections.
- 2) In contrast to Russian President Yeltsin's 1993 constitution, which after a violent struggle with the parliament established an authoritarian model, the constitution of Ukraine was passed in 1996 as a compromise between the president and parliament, and between the left- and right- forces in the parliament.
- 3) Also, in contrast to Russia, the political opposition in Ukraine was much stronger. In fact, only one president, Leonid Kuchma (1994-2004) has been re-elected during 30 years of independence.

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3 Democratic Initiatives Foundation (DIF). No to Russia's Aggression: Public Opinion of Ukrainians in February 2022, 22.02.2022, <https://dif.org.ua/en/article/no-to-russias-aggression-the-public-opinion-of-ukrainians-in-february-2022>

4 Strike. Donbas Miners Recall Protests of the '90s, Hromadske, 20.09.2019, <https://hromadske.ua/en/posts/strike-donbas-miners-recall-protests-of-the-90s>

4) All Ukrainian governments also had to consider the interests of the different regions.

Thus, this system, called by Western scholars “pluralism by default”<sup>5</sup>, was much more balanced than the Russian model.

Attempts to create an authoritarian system in Ukraine led to massive protests from below called the “Maidans”<sup>6</sup>: the 2004 Orange Revolution and the Euromaidan/ Revolution of Dignity in the winter of 2013-2014. Despite some stereotypes based on Russian narratives, both of the Maidans were non-violent, and people were standing for days when the temperatures were -20 °C. The violent phase of the Euromaidan started only after authoritarian Ukrainian President Yanukovich pushed for the so-called “draconian laws” aimed at creating a Lukashenko-type regime. Moscow used the fact that the latter fled to Russia as a pretext for aggression in Crimea, planned long in advance. The 2014 Russian aggression became a critical point in forming Ukrainian public opinion, and in turn the 2022 invasion led to the people’s war for independence.

## Democracy and the State During the War

Despite the challenges of war and the traditional Ukrainian distrust of any authorities (which was a result of centuries-long foreign domination), 60% of Ukrainians in August 2022 believed that events in Ukraine were developing in the right direction (24% considered they were

developing in the wrong direction). The last time positive assessments prevailed had been in 2019, after the presidential and parliamentary elections, when most citizens showed a high degree of confidence in the new authorities, and had positive expectations for future reforms in the country.<sup>7</sup> However, as is traditional in Ukrainian society, shortly afterwards, negative assessments of developments in the country predominated again in 2020-2021, as those expectations were not met.

The predominance of positive assessments in 2022-2023 is obviously not because citizens consider a full-scale war to be a positive phenomenon. More likely, the full-scale war has changed the prism through which Ukrainians assess the situation in the country. In the context of a full-scale war, the Ukrainian state and people have faced an existential threat. Both the state and the people have shown the will to resist, and Ukraine has been effectively resisting the aggressor for a year and a half. Most likely, positive assessments now prevail precisely because of the growing value of their state in the eyes of Ukrainians, who have never faced such large-scale threats to their existence before.

This was confirmed by the growing trust both in the state and social institutions. The largest positive “trust balance”<sup>8</sup> (70%-90%) in August 2022 was placed in: The Armed Forces (in first place with 90%); the State Emergency Service (responsible, in particular, for countering blackouts, fires, and the effects of bombardments); the

5 E.g. Lucan Way, *Pluralism by Default: Weak Autocrats and the Rise of Competitive Politics*, Johns Hopkins University Press, 2016, <https://muse.jhu.edu/book/43833>

6 “Maidan” means “square” in Ukrainian, the place where people gather and can express their will. The central square in Kyiv where huge rallies take place is named “Independence Maidan”.

7 DIF. Independence Day of Ukraine: Way to Victory, Identity, and Perception of the State’s Value Amid the War, 27.08.2023, <https://dif.org.ua/en/article/independence-day-of-ukraine-way-to-victory-identity-and-perception-of-the-states-value-amid-the-war>

8 Calculated as the difference between the share of those who trust and those who do not.

National Guard; “volunteers” (in Ukrainian lexicon – civil society, providing material support to the military); volunteer military formations; and the president of Ukraine (70%). Ukrainians traditionally place least trust in political parties, the judicial system, commercial banks, and the parliament. These institutions have the most negative trust balance.<sup>9</sup>


Ukrainian society has had a paradoxical attitude towards democracy for a long time. On the one hand, there is a persistent demand for “a strong hand”, though this is decreasing from 75% in the late 2000s to 58% during the war.<sup>10</sup> Usually, after every such poll, Western journalists start to bombard Ukrainian experts with a question: is there a new threat to democracy in Ukraine from within?

But, on the other hand, democracy is certainly considered the preferred type of system for Ukraine, with the highest support in time of war: 64 % against 14% of those “who think autocracy can be better than democracy under certain circumstances”.<sup>11</sup> Given these results, Ukraine performs better than some Western societies, as its far right and far left do not poll as high as the election threshold. Just compare this with the successes of the National Rally (formerly National Front) in France, “Alternative for Germany” or the right-wing populists in the USA.

It is all the more important that talk about the “threat” from the far right did not come true during the war. Those on the extreme right mostly paused their political

activity, joined the armed forces, and are fully controlled by them. In general, in the armed forces of Ukraine you hear Ukrainian and Russian spoken, and you meet representatives of different ethnic groups: Ukrainians, Russians, Belarussians, Crimean Tatars, Hungarians from Transcarpathia etc. The Ukrainian president is an ethnic Jew, and the minister of defence is a Muslim Crimean Tatar. A saying became popular in Ukraine that Putin’s attack against Ukraine united Ukrainian Jews and Muslims who are together defending their country.

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***aggression became a critical point in forming Ukrainian public opinion, and in turn the 2022 invasion led to the people’s war for independence***

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Indeed, there are restrictions to civil liberties in war-time Ukraine. The opposition supported the government and voted for martial law in February 2022. The role of the oligarchs substantially decreased. There is an agreement in the society not to excessively criticize the government. However, the level of freedom of speech remains extremely high, despite the disputed situation with the TV channels’ operations in times of war. It is unjustified that the authorities excluded three opposition TV channels from the “United News” “Marathon” on TV, (TV channels united their efforts and share the air, co-presenting in different time slots) as well as from the “social TV package” (TV channels available

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9 DIF. Trust in State: How to Save National Unity for the Victory, 30.09.2022, <https://dif.org.ua/en/article/trust-in-the-state-how-to-save-national-unity-for-the-victory>

10 DIF. Independence Day of Ukraine: What Unites Ukrainians and How We See the Victory in the Sixth Month of War, 24.08.2022, <https://dif.org.ua/en/article/independence-day-of-ukraine-what-unites-ukrainians-and-how-we-see-victory-in-the-sixth-month-of-war>

11 Ibid.

in each household for free),<sup>12</sup> but it is possible to reach those channels' broadcasts via widespread cable TV and online. Apart from this, the Internet media and Internet newspapers, very popular in Ukraine, offer a pluralism of views – they openly criticise the authorities, and discuss the effectiveness of government actions.



***despite the inevitable concentration of power during the war-time martial law, there is a widespread belief among Ukrainian experts that there will be no monopolisation of power.***

Facing the dilemma of how to criticise the government in times of war, the author of this article follows a simple rule: never publicly criticise military operations or the Ukrainian general command. Ukrainians know about the mistakes of the political leadership on the eve of the war, but the widespread belief is that we will discuss this after the victory. However, we do not feel restrained from criticising cases of corruption, the ineffective use of resources, that is to say, about non-war-related misconduct.

According to the Kyiv International Institute of Sociology (KIIS), in May 2022 (at the beginning of the invasion), the majority of Ukrainians preferred to avoid any disputes at all. At that time, 68% believed that all disputes should be postponed,

while 26% insisted on the admissibility of criticism. In October 2023, the situation became diametrically opposite: now 70% of Ukrainians consider it is important to criticise the possibly wrong decisions of the authorities, while 25% insist on avoiding any disputes.<sup>13</sup> So, Ukrainians would like to retain the ability to openly disagree with the government. This confirms that they are not only fighting for the freedom and liberation of the occupied territories. Russia and Ukraine are waging a war of values today.

There are definitely some tendencies in the government according to which some personalities may aim to exploit the present situation and solidify their authority (first of all, Andriy Yermak, the presidential chief of staff). President Zelenskyy demonstrated messianic inclinations even before taking on the highest post. Today, he has become the world's hero. And there is a danger that, when the victory is won, his belief in his messianic self may increase. However, the war has unleashed huge energy in the civil society. At every attempt to monopolise power, Ukrainians respond with an outburst of resistance, as they did in 2004 and 2014.

Regarding the eternal dilemma of freedom and well-being, the August 2022 poll demonstrates that one-half of Ukrainians are ready to suffer economic difficulties for the sake of freedoms and full guarantees of civil rights (and the higher their educational status, the higher is the figure who believe that), while only one third of respondents would agree to give away some freedoms in order to receive better public welfare.<sup>14</sup>

12 For the period from May 2022 to October 2023, there was a decrease in trust in the “United News” TV “Marathon”. Although the TV “Marathon” maintains a positive trust-distrust balance, at the same time, those who trust it have decreased from 69% to 48% (and instead, those who do not trust it have increased from 12% to 39%), See, Kyiv International Institute of Sociology, 31.10.2023, <https://www.kiis.com.ua/?lang=eng&cat=reports&id=1321&page=1>

13 Kyiv International Institute of Sociology, 2.11.2023, <https://www.kiis.com.ua/?lang=eng&cat=reports&id=1323&page=1>

14 DIF. Independence Day of Ukraine, 24.08.2022.

Therefore, despite the inevitable concentration of power during the war-time martial law, there is a widespread belief among Ukrainian experts that there will be no monopolisation of power. The EU candidate status received by Ukraine in June 2022 strengthened this view. This status is viewed as a powerful tool for the domestic transformation of Ukraine. The majority of Ukrainians consider that EU's pressure for domestic reforms to be justified.<sup>15</sup>

### **Elections During the War?**


Since the start of the Russian aggression in 2014, Ukraine has conducted two presidential and two parliamentary elections (in 2014 and 2019), as well as local elections (in 2015 and 2020). However, before the 2022 invasion, the war had a limited character (in Donbas), and martial law was not introduced.

Since 2022, under Russia's full-scale invasion, the situation has drastically changed. The whole of Ukraine has been bombarded, one fifth of Ukraine's territory is occupied, and martial law was introduced. According to the Ukrainian constitution, parliamentary elections cannot be conducted under martial law (article 83). Indirectly (article 71), there are limits to presidential and local elections during war as well (though the final judgement depends on the Constitutional Court). Is it possible to change the constitution during the war? No, under martial law one cannot do this either. So, there are no legal grounds for elections to be held.

Secondly, the security situation remains risky. If you have bombardments of the whole territory of the country, how would

you secure the electoral campaign and the actual polling day? How would soldiers vote? How would millions of refugees, both inside and outside of Ukraine (1/4 of the whole population) be able to participate in the campaign? These are just a few of the questions to be asked.

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***100 strong Ukrainian civil society organisations issued a joint statement against elections during the war***

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However, the main argument is the following. Ukrainians need elections not to tick that box. We need real, competitive, democratic elections, with strong debate between the authorities and the opposition. But this cannot be done under martial law. Even more, if the political campaign is hot-blooded, the enemy will be the first one to benefit from the internal fighting.

Therefore, it was quite strange to hear some voices from the West speaking about the necessity to conduct elections in Ukraine. Facing strong counterarguments, these voices disappeared quite quickly, but then they emerged in Ukrainian political discourse from the presidential side and that of the president's supporters. Their interest is evident. The popularity of Zelenskyy is still high, but it could decrease. Therefore, some of his team would like to conduct elections now, to secure his position.

It is not surprising that 100 strong Ukrainian civil society organisations issued a joint

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15 DIF. Results-2022: Under the Blue-Yellow Flag of Freedom! 5.01.2023, <https://dif.org.ua/en/article/results-2022-under-the-blue-yellow-flag-of-freedom>

statement against elections during the war.<sup>16</sup> As many as 80% of Ukrainians would like to postpone elections until after the war.<sup>17</sup> Finally, the president himself has expressed the opinion that it would be wrong to hold elections during the war.<sup>18</sup>

## Conclusions

Democracy is in constant danger, even in democratic countries. Dictators from outside try to destabilise democracies, by using democratic freedoms and manipulating one political force against another. But threats come from inside as well, from populists and radicals, both of the left and right. These threats vary in different countries, and Ukraine is no exception to this list.

Analysis of the changes that happened in Ukrainian society between 2014 and 2022 testifies to the fact that Ukrainians are fighting not only for national freedom, but that they also reject Russian authoritarianism, nationalistic revisionism, and hatred.

Social changes caused by the Russian invasion that started on 24 February 2022, have strengthened the trend existed since the important dates of 1991 and 2014. The Ukrainian society has completely broken its ties with the Soviet past, and with modern authoritarian Russia. Ukrainian democracy appeared to be stronger than expected

and, despite all the wartime problems, there is a strong background belief in its maturing after the war. Elections are just one manifestation of these democratic trends, thus should be analysed carefully, considering not only the democratic process but also security concerns.

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16 Reanimation Package of Reforms. Statement Against Holding Elections During the War, 29.09.2023, <https://rpr.org.ua/en/news/statement-against-holding-elections-in-ukraine-during-the-war/>

Olha Aivazovska. Wartime Elections in Ukraine Are Impossible, OPORA, 17.07.2023, <https://www.oporaua.org/en/vybory/24803-wartime-elections-in-ukraine-are-impossible-24803>

17 Kyiv International Institute of Sociology. When Elections Should Be Held. The telephone survey conducted on 30 September – 11 October 2023, 30.10.2023, <https://www.kiis.com.ua/?lang=eng&cat=reports&id=1309&page=1>

18 Zelenskyy: There Will Be No Elections During The War, Fakty, 6.11.2023, <https://fakty.com.ua/en/ukraine/20231106-zelenskyj-vyboriv-pid-chas-vijny-ne-bude/>



# THE WAR FOR VALUES: HOW PROMOTION OF WESTERN DEMOCRATIC VALUES WOULD HELP TO WIN THE WAR IN UKRAINE

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*The article will stress the price which Ukraine had to pay for its democratic choice. It also argues that the war has become a test of Western democracy, since the Russian invasion not only breached the Russo-Ukrainian treaty of 1997 and the Budapest Memorandum of 1994, but also undermined the foundations of the world order and the essence of democracy. With the signs of declining democracy in the West, along with a volatile political situation, there is a need to redefine the arguments which would strengthen the Western support for Ukraine. This can be done through a reminder of the core values of democracy, and by juxtaposing them with the atrocities happening in Ukraine. To discuss this matter, the author is presenting the “Report on the Human Rights situation in Ukraine” by the OHCHR, which testifies not only on the casualties and horrific losses Ukraine is undergoing daily, but also on the state of global democracy in the world.*

*“Democracy provides an environment that respects human rights and fundamental freedoms, and in which the freely expressed will of people is exercised. These values are embodied in the Universal Declaration of Human Rights. It projects the concept of democracy by stating “the will of the people shall be the basis of the authority of government”. The International Covenant on Civil and Political Rights develops them even further and lays down the legal basis for the principles of democracy in international law”<sup>1</sup>*

The Russian-Ukrainian war is a war for Western democratic values – those which the Russian state despises so much, mainly – the rule of law, human rights, civil society<sup>2</sup>, transparency, and respect for the sovereignty of states. In the last 15 years the West (Europe and North America) has turned a blind eye to Russia’s transformation towards authoritarianism and totalitarian state<sup>3</sup>. It has seemed to disregard the warning signs and historic turning points, such as

- 1 United Nations, *Democracy*, [https://www.un.org/en/global-issues/democracy?fbclid=IwAR3LG6A-oN0\\_LgKHstDvWauqL3lJ1ZNCuLxQgWrxpRBJHsgxCmNvKZJSwg](https://www.un.org/en/global-issues/democracy?fbclid=IwAR3LG6A-oN0_LgKHstDvWauqL3lJ1ZNCuLxQgWrxpRBJHsgxCmNvKZJSwg)
- 2 Anne Applebaum, Nataliya Gumenyuk, “‘They Didn’t Understand Anything, But Just Spoiled People’s Lives’. How Russian Invaders Unleashed Violence on Small-Town Residents”, *The Atlantic*, 14.02.2023, <https://www.theatlantic.com/ideas/archive/2023/02/russia-ukraine-war-potemkin-occupation-murder-torture/672841/>
- 3 Matthew Karnitschnig, “Putin’s useful German idiots: Russia’s invasion of Ukraine is a repudiation of a whole generation of German politicians from across the spectrum”, *Politico*, 28.03.2022, <https://www.politico.eu/article/putin-merkel-germany-scholz-foreign-policy-ukraine-war-invasion-nord-stream-2/>

Putin's speech during the Munich Security Conference (2007)<sup>4</sup>, the Russo-Georgian War (2008), the shooting down of the MH17 plane by Russian-controlled forces, the annexation of Crimea (2014), and Russian involvement in Syria, as well as interference in the US presidential elections of 2016. These were turning points when Putin declared war against the values of Western liberal democracy, and the West was rather slow in its defence. Therefore, partly due to this inaction of the West, we have the situation when one state in the European continent invades another, breaching all the security laws of international order, and the sovereignty of the neighbouring state.

Today, when Ukraine is facing yet another difficult winter, it is crucial to consider which arguments to use to speed up the provision of military, financial, and humanitarian aid from the West, which has started to slow down. It is not because the Western countries stopped caring about Ukraine. However, it is because they are still dealing with post-COVID-19 complications, inflation, changes of leadership, and a complete lack of idea about how to build the security model of the future. Moreover, they have no clue what to do with Russia. In this context, we should not forget about the upcoming presidential elections in the United States, in which Trump is regarded as one of the leading candidates in the Republican Party.

What is crucial to understand is that the war goes beyond Ukrainian borders. On 27 October 2023, Ukrainian President Volodymyr Zelenskyy, along with his advisers, met with national security advisers and foreign minister officials from 70 countries, to discuss the 10-point peace plan.<sup>5</sup> This was already the third meeting of such a grouping. And despite the official statement from the meeting that there are no cracks in allied backing, there is still some reluctance or a slow pace preventing the taking of more vigorous steps to help Ukraine. This also affects Ukraine's international partners. For example, in the Polish parliamentary elections campaign, the leaders of the hard-right party Confederation denied the argument that Ukraine is fighting for the whole of Europe. Instead, they stated that Ukraine is fighting for its borders, and there had come a time to stop helping refugees coming from Ukraine.<sup>6</sup> This creates a harmful narrative, which spreads hostility towards Ukrainians in Poland. It also damages Polish-Ukrainian diplomatic relations. This is precisely something that Putin would approve of, because his war goes beyond Ukraine. This example illustrates the new modes of current warfare, which is built on disinformation and propaganda,<sup>7</sup> aimed at whitewashing the image of Russia abroad, and lessening the positive attention paid towards Ukraine.

4 "Putin's Prepared Remarks at 43rd Munich Conference on Security Policy", The Washington Post, 12.02.2017, <https://www.washingtonpost.com/wp-dyn/content/article/2007/02/12/AR2007021200555.html>

5 Tom Balmforth, "Ukraine to rally support at Malta talks, sees no cracks in allied backing", Reuters, 27.10.2023, <https://www.reuters.com/world/europe/ukraine-rally-support-malta-talks-sees-no-cracks-allied-backing-2023-10-27/>.

6 More on the issue: Vanessa Gera, "A hard-right party gathers strength in Poland, pushing a new, less friendly course on Ukraine", AP News, 27.09.2023, [https://apnews.com/article/poland-election-far-right-party-confederation-3d29f10eb59ad880c6f64d5025277a8c; Weronika Strzyżyńska, "Far-right coalition tipped as kingmaker in Polish election", The Guardian, 12.10.2023, https://www.theguardian.com/world/2023/oct/12/far-right-coalition-tipped-as-kingmaker-in-polish-election](https://apnews.com/article/poland-election-far-right-party-confederation-3d29f10eb59ad880c6f64d5025277a8c; Weronika Strzyżyńska, )

7 "Russia selectively and deceptively manipulates Western discourses", an interview with Vitaly Chernetsky, "Forum for Ukrainian Studies", Canadian Institute of Ukrainian Studies, 6.10.2023, <https://ukrainian-studies.ca/2023/10/06/interview-with-vitaly-chernetsky-russia-selectively-and-deceptively-manipulates-western-discourses/>

The war in Ukraine goes beyond regional significance. Ukraine is fighting for its survival as a state but also fighting for its aspirations to become an EU and NATO member in the future. Throughout its history as an independent state, it has already made decisive steps to be blatantly clear about its decision. The Orange Revolution (2004), as well as the Revolution of Dignity (2014), were testimonies that Ukraine wanted to liberate itself from the satellite of Russian influence, and choose its developments toward Western democratic values instead. Another highly debated event<sup>8</sup> was the signing of the Budapest Memorandum (1994), and signing the Treaty on the Non-Proliferation of Nuclear Weapons (NPT).<sup>9</sup>

### **Giving Up the World's Third-Largest Nuclear Arsenal for Democracy**

The 78th session of the United Nations General Assembly marks a milestone in achieving the 2030 Agenda of the 17 Sustainable Development Goals (SDGs). For this reason, renowned world leaders and policymakers arrived in New York to address the most pressing issues of security. The issue of the war in Ukraine was high on the agenda, while this year's theme of high-level General Debate was entitled "Rebuilding Trust and Reigniting Global Solidarity: Accelerating Action on the 2030 Agenda and its Sustainable Development Goals towards Peace, Prosperity, Progress and Sustainability for All".<sup>10</sup> In his speech, addressing the United Nations General Assembly (19th September 2023), Ukrainian

President Volodymyr Zelenskyy stressed the need to stand up against the aggression and terrorism of the Russian state. One of the focal points of his speech revolved around the neoliberal order and security model, under which there was the promotion of complete nuclear disarmament. This was done to avoid a war of mass destruction in the future. The president of Ukraine placed a special emphasis on this aspect, and underlined its consequences in the long run:

*"Ukraine gave up its third-largest nuclear arsenal. The world then decided Russia should become a keeper of such power. Yet, history shows it was Russia who deserved nuclear disarmament the most, back in the 1990s. And Russia deserves it now – terrorists have no right to hold nuclear weapons."<sup>11</sup>*

It is interesting to note that back on 13th-15th June 1996, the conference "Soviet to Independent Ukraine: A Troubled Transformation" was held at the University of Birmingham, with the financial assistance of the Foreign and Commonwealth Office and the Economic and Social Research Council. A keynote speaker was former President of Ukraine Leonid Kravchuk, and the conference was opened by Serhiy Komisarenko, Ukraine's ambassador to the UK.<sup>12</sup> The aim of the conference was not only to look into the future evolution of Ukraine within the orbit of Western democracy, but also to draw up the policy implications for the Western governments concerning Ukraine. A broadly agreed conclusion was that the West needed

8 Liliame Bivings, "Ukraine's Nuclear Disarmament", The Kyiv Independent, 2022, <https://kyivindependent.com/ukraines-nuclear-disarmament/>

9 "Treaty on the Non-Proliferation of Nuclear Weapons (NPT)", The United Nations Office for Disarmament Affairs, <https://disarmament.unoda.org/wmd/nuclear/npt/>

10 General Assembly, High-Level Week 2023, <https://www.un.org/en/high-level-week-2023>.

11 Full text: Zelenskyy's speech to the UN General Assembly, Aljazeera, 20.09.2023, <https://www.aljazeera.com/news/2023/9/20/full-text-zelenskyy-s-speech-to-the-un-general-assembly>

12 Taras Kuzio (ed.), Contemporary Ukraine: Dynamics of Post-Soviet Transformation, M. E. Sharpe: New York, London, 1998, p.xi.


to support state-building in Ukraine on different levels and in different dimensions, not only economic but also social. Since Ukraine was a former Soviet republic, the country had inherited a quasi-state with weak institutions. It would be for the West to ensure that these state institutions were given greater substance, to be better able to unite the country. Therefore, it would be easier to implement central policies at the local level, and to ensure law and order. Along with the support provided to state building, the West would promote the development of democratisation and marketisation at all levels of Ukrainian society.<sup>13</sup>

All the aforementioned help would be provided in exchange for a clear declaration that Ukraine was ready to transform. This readiness to transform testified to the giving up of nuclear weapons, when Kravchuk signed the Tripartite Accord in 1994.<sup>14</sup> The accord was signed by Ukraine, Britain, the United States and Russia, and it promised that none of the nations would use force or threats against Ukraine. They all had to respect its sovereignty and existing borders, and if aggression took place, the signatories would seek immediate action from the United States Security Council, to aid Ukraine.<sup>15</sup>

In 1996, this step was regarded as very positive, since it was seen as a sign that Ukraine was acting like a potentially stable

and possibly prosperous pro-Western state.<sup>16</sup> Although the country was unlikely to join NATO and the European Union in the short term, it was seen that its growing acceptance would have a positive impact on nation- and state-building.<sup>17</sup>

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***Ukraine paid a very high price for the promise that one day it would join the family of Western democratic states***

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These aspirations did not stand the test of time. Instead, it was the first step towards the current war<sup>18</sup>. Ukraine paid a very high price for the promise that one day it would join the family of Western democratic states. Former American President Bill Clinton expressed remorse over negotiating the Budapest deal, because otherwise, Russia would not have invaded: “I feel a personal stake because I got them [Ukraine] to agree to give up their nuclear weapons. And none of them believe that Russia would have pulled this stunt if Ukraine still had their weapons.”<sup>19</sup> Since Russia invaded Ukraine in 2014, violating the Budapest Memorandum, it has initiated a debate about whether giving up nuclear weapons was a fatal mistake, and whether the West had the right to demand that Ukraine do that<sup>20</sup>. At the

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13 Ibid., p. xvi.

14 Alexander Motyl, *State, Nation, and Elites in Independent Ukraine*, [in:] Taras Kuzio (ed.) *Contemporary Ukraine: Dynamics of Post-Soviet Transformation*, M. E. Sharpe: New York, London, 1998, p.13

15 “Memorandum on security assurances in connection with Ukraine’s accession to the Treaty on the Non-Proliferation of Nuclear Weapons. Budapest, 5 December 1994”, Secretariat of the United Nations, 1994, <https://treaties.un.org/doc/Publication/UNTS/Volume%203007/Part/volume-3007-I-52241.pdf>

16 Ibid.

17 Ibid.

18 John J. Mearsheimer, “The Case for a Ukrainian Nuclear Deterrent”, *Foreign Affairs*, 1.06.1993, <https://www.foreignaffairs.com/articles/ukraine/1993-06-01/case-ukrainian-nuclear-deterrent>

19 Victor Nava, “Bill Clinton admits regret for having Ukraine give up nuclear weapons”, *The New York Post*, 5.04.2023, <https://nypost.com/2023/04/05/bill-clinton-regrets-having-ukraine-give-up-nuclear-weapons>

20 Liliane Bivings, “Ukraine’s Nuclear Disarmament”, *The Kyiv Independent*, 2022, <https://kyivindependent.com/ukraines-nuclear-disarmament>

time, Ukrainians believed that they were doing the right thing, because they regarded this move as not being towards a disaster but one towards the desired transformation into a democratic state.<sup>21</sup>

The significant lesson from these events lies in the argument that if there is no sufficient support for Ukraine now, the situation will prove that nuclear states remain a real, undeniable threat to collective security and democracy, whereby states holding nuclear weapons can blackmail the states that do not have such weapons. This poses dangerous prospects for the future. Russia is still using blackmail in stating that at any time it can use its nuclear potential. While the West is reconsidering and pondering that possibility, Ukraine is paying a tremendous price in military and civilian losses and infrastructure destruction, while fighting for its right to survive as a state.

## Democracy in Decline

The aims and values of the European Union are laid out in the Treaty of Rome<sup>22</sup>, the Lisbon Treaty<sup>23</sup> and the EU Charter of Fundamental Rights<sup>24</sup>. Among the core EU values there are those of human dignity, freedom, equality, the rule of law, human rights, and democracy.<sup>25</sup> One might argue that Ukraine is not part of the EU yet, but Ukraine is a European country, which chose its democratic path and whose sovereignty was broken by its neighbour, which breaks all international laws.

This is the war which no one on the European continent expected to happen, but it has taken place. What is also taking place is the genocidal extermination of the Ukrainian nation. Genocide was supposed to be something that happened in the past. The Universal Declaration of Human Rights, proclaimed by the United Nations General Assembly in Paris on December, 10th, 1948 was to ensure that it would never happen again. All the signatories of the declaration should follow the articles of the document, and take it as a guiding principle. The values and rights described in the articles go beyond the territorial divisions of sovereign states, and refer to world order and international cooperation.

This part of the article testifies that the war in Ukraine is not only about the survival of the state, but it also shows the poor condition of democracy, which is not able to defend itself against crimes. To prove that, we will juxtapose several articles from the declaration, and set them up against the most recent reports of Ukrainian casualties and infrastructure damage, prepared by the High Commissioner for Human Rights on October, 4th, 2023. The data from the report testify that what is happening in Ukraine is not an internal issue of security; it is largely about the quality of democracy today.

**Article 3:** *Everyone has a right to life, liberty and security of person.*<sup>26</sup>

21 Amos Chapple, "Inside the Program To Dismantle Ukraine's Nuclear Weapons", "Radio Free Europe", 5.10.2023, <https://www.rferl.org/a/ukraine-nuclear-disarmament-archive-photos/32624401.html>

22 *Treaty of Rome* (EEC), 1957, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=LEGISSUM%3Axy0023>

23 *Lisbon Treaty*, European Union, 2016, <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:12016ME/TXT&from=EN>

24 *Charter of Fundamental Rights of the European Union*, 2012, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:12012P/TXT>

25 European Union, *Aims and Values*, [https://european-union.europa.eu/principles-countries-history/principles-and-values/aims-and-values\\_en](https://european-union.europa.eu/principles-countries-history/principles-and-values/aims-and-values_en)

26 *Article 3*, UDHR


According to the report, between February and July of this year, there were six people killed and 20 wounded on average every day.<sup>27</sup> Another example, between February and July 2023, the OHCHR recorded 4,621 civilian casualties, with 1,028 persons killed and 3,593 injured. As many as 64 per cent of civilian casualties were caused by shelling and multiple launch rocket system (MLRS) attacks.<sup>28</sup> The actual casualties and injuries from the beginning of the war are much higher. We should also consider the limited access to the occupied territories, as well as those close to the frontline. The factors which will also cause civilian deaths in the future are explosive remnants of war (ERW) as well as mines, which will take decades to clear.<sup>29</sup> According to the report, mines and ERW killed 70 civilians and injured 248 more during the reporting period (254 men, 25 women, 25 boys, and 7 girls, as well as 7 adults whose sex is not recorded). The number of civilian casualties remained similar to the number recorded in the preceding six months.<sup>30</sup>

**Article 5:** *No one shall be subjected to torture or cruel, inhuman or degrading treatment or punishment.*<sup>31</sup>

**Article 12:** *No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks.*<sup>32</sup>

The OHCHR documented the cases when Russian armed forces and Russian penitentiary services committed crimes of sexual violence, which was often reported in the context of deprivation of liberty.<sup>33</sup> Arbitrary detention and incommunicado detention of civilians continue in Russian-occupied territories. According to the report, 996 civilians have been subjected to arbitrary detention since February 2022.

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 ***There is also some evidence that the deported children went through the process of “russification” – were re-educated in the Russian language, history and culture, and were exposed to propaganda, annihilating any links to their Ukrainian identity***

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Eighty of them died in detention or were found dead with signs of violence on their bodies, and 468 remain in arbitrary or incommunicado detention. In many cases, there were enforced disappearances.<sup>34</sup> There are also numerous cases of brutal treatment or executions of Ukrainian prisoners of war (POWs). Of the 56 Ukrainian servicemen interviewed by OHCHR during the reporting period, 51 described being subjected to various forms of torture and ill-treatment.

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27 UN News, “Ukraine: Report documents mounting deaths, rights violations”, 4.10.2023, <https://news.un.org/en/story/2023/10/1141872>

28 OHCHR Report, p. 1.

29 Government of Ukraine, “Up to 30 per cent of Ukrainian territory might be contaminated by mines and unexploded ordnance”, 4.04.2023, <https://war.ukraine.ua/war-news/up-to-30-percent-of-ukrainian-territory-might-be-contaminated-by-mines-and-unexploded-ordnance/>

30 OHCHR Report, p. 7.

31 Article 5, UDHR.

32 OHCHR Report, p. 2.

33 OHCHR Report, pp. 11 – 13.

34 Article 9, UDHR

**Article 15:** 1. *Everyone has the right to a nationality.* 2. *No one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality.*

Since February 24th, 2022, the OHCHR has documented cases of children transferred to Russian-occupied territory, or deported to the Russian Federation or Belarus. Parents and relatives had to travel to the Russian Federation to retrieve their children. Not all the deported children have returned home, and those who did experienced psychological and physical violence inflicted by the educational staff there. There is also some evidence that the deported children went through the process of “russification” – were re-educated in the Russian language, history and culture, and were exposed to propaganda, annihilating any links to their Ukrainian identity. According to the Ukrainian Government, over 19,384 children have been deported to Russia. There is evidence that these transfers were planned and organised in a systematic way as state policy. The Parliamentary Assembly of the Council of Europe declared that forcible transfer and ‘russification’ of Ukrainian children shows evidence of genocide.<sup>35</sup> Thus, it welcomed the decision of the International Criminal Court to issue arrest warrants for Russia’s President Vladimir

Putin and Children’s Rights Commissioner Maria Lvova-Belova on war crimes charges, urging their enforcement.

Putin and his political and military elites commonly state that there is no Ukrainian nation.<sup>36</sup> In his articles and speeches, President Putin of Russia propagates that Ukraine is not a nation, and has no separate culture, values, identity, language or history.<sup>37</sup> Russian state television continues this line, when anchors dehumanise Ukrainians, thus creating a narrative for their complete elimination, and hatred towards the sacrifices made and the dead.<sup>38</sup> The New Lines Institute and Raoul Wallenberg Centre for Human Rights issued a legal report<sup>39</sup> that discovered that the Russian Federation is in breach of the United Nations Genocide Convention, while directly and publicly inciting genocide of the Ukrainian people. Even though Russia is one of the 152 signatories of the UN Genocide Convention, it targets the most basic right of Ukrainians to exist as a separate state and a separate nation. According to the OHCHR, in the period from April 14th 2014 to July 31st 2023, the total civilian death toll in Ukraine has reached at least 12,917.<sup>40</sup>

Meanwhile, the UN commission states that so far it has not found ‘sufficient evidence’

35 Council of Europe, “The forcible transfer and ‘russification’ of Ukrainian children shows evidence of genocide, says PACE”, 28.04.2023, <https://www.coe.int/en/web/portal/-/the-forcible-transfer-and-russification-of-ukrainian-children-shows-evidence-of-genocide-says-pace>

36 Martin Kragh, Andreas Umland, “Ukrainophobic Imaginations of the Russian Siloviki: The Case of Nikolai Patrushev, 2014-2023”, “Russia’s Project Anti-Ukraine”, <https://democratic-integrity.eu/ukrainophobic-imaginings-of-the-russian-siloviki/>

37 Peter Dickinson, “Putin’s new Ukraine essay reveals imperial ambitions”, “The Atlantic Council”, 15.07.2021, <https://www.atlanticcouncil.org/blogs/ukrainealert/putins-new-ukraine-essay-reflects-imperial-ambitions/>

38 Anne Applebaum, “Ukraine and the Words that Lead to Mass Murder: First Comes the Dehumanization. Then Comes the Killing”, *The Atlantic*, 25.04.2022, <https://www.theatlantic.com/magazine/archive/2022/06/ukraine-mass-murder-hate-speech-soviet/629629/>; “Evil must be called evil,” The interview with Yevhenia Podobna, “Forum for Ukrainian Studies”, Canadian Institute of Ukrainian Studies, 30.09.2023, <https://ukrainian-studies.ca/2023/09/30/interview-with-yevhenia-podobna-evil-must-be-called-evil/>


39 “An Independent Legal Analysis of the Russian Federation’s Breaches of the Genocide Convention in Ukraine and the Duty to Prevent”, the New Lines Institute and Raoul Wallenberg Centre for Human Rights, 22.05.2022, <https://newlinesinstitute.org/rules-based-international-order/genocide/an-independent-legal-analysis-of-the-russian-federations-breaches-of-the-genocide-convention-in-ukraine-and-the-duty-to-prevent/>

40 Ibid., p. 7.



of genocide in Ukraine.<sup>41</sup> This opinion was voiced even though the commission has recorded a large number of crimes such as attacks on civilian infrastructure, illegal detentions, intentional torture and killings, rape, and the deportation of children. These crimes qualify as war crimes and crimes against humanity.<sup>42</sup> There is also evidence that Russian high state officials, as well as the media, spread messages that can be considered as enticement to genocide. On September 4th, during a press conference in Kyiv, the chairman Erik Møse of the UN's Independent International Commission of Inquiry stated the following:

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***Determining the truth and ensuring accountability for war crimes is essential for democracy and lasting peace***

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*"At the present stage, we have still not concluded that there is a genocide [happening] in Ukraine...Let me say that we are perfectly aware of the concerns and allegations around the crime...; we are investigating this step-by-step. As of now, we do not have sufficient evidence to meet the legal qualifications of the Genocide Convention."<sup>43</sup>*

The UN and some Western state officials are aware that Russia is committing genocide in Ukraine, but there is a reluctance to admit it,

since it will require more acute actions, and an explanation of why nothing was done to prevent this.<sup>44</sup> Meanwhile, Ukrainian war realities reveal that there is un-erasable harm caused to civilians by the Russian invasion, which includes death, permanent life-changing injuries, loss of homes, displacement, infrastructural damage and destruction, and deprivation of basic services. The deportation and kidnapping of Ukrainian children will impact the country in the future, stealing potential talent, and brainwashing them with Russian propaganda.

Russia's full-scale invasion of Ukraine has subjected its people to mass physical and political extermination. These examples make us question the foundations of the international order which was established after WWII. Determining the truth and ensuring accountability for war crimes is essential for democracy and lasting peace. Therefore, the war is also a significant test for the West, as to whether it will take vigorous actions to help Ukraine win. It is still a question of whether democracy can prevail over authoritarianism and imperialistic appetites.

### **Will Democracy Prevail?**

Ukraine is paying a heavy price for its democratic choice and aspirations to join NATO and the EU. The war in Ukraine also becomes a test for Western states, since the Russian invasion undermines the foundations of the current world order and

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41 "UN commission has not found 'sufficient evidence' of genocide in Ukraine", "NV", 4.09.2023, <https://english.nv.ua/nation/un-commission-has-not-found-sufficient-evidence-of-genocide-in-ukraine-news-50351214.html>.

42 "Ukraine: Apparent War Crimes in Russia-Controlled Areas," Human Rights Watch Report, 3.04.2023, <https://www.hrw.org/news/2022/04/03/ukraine-apparent-war-crimes-russia-controlled-areas>,

43 "UN commission has not found 'sufficient evidence' of genocide in Ukraine", NV, 4.19.2023, <https://english.nv.ua/nation/un-commission-has-not-found-sufficient-evidence-of-genocide-in-ukraine-news-50351214.html>

44 "Timothy Snyder: People know Russia is committing genocide in Ukraine but are afraid to say so", "Business Ukraine", 11.09.2023, <https://businessukraine.ua/timothy-snyder-people-know-russia-is-committing-genocide-in-ukraine-but-are-afraid-to-say-so/>



democracy itself. Regarding democracy, the question is twofold – because on one hand we can talk about the democratic developments in Ukraine under the conditions of fighting an unequal war, and on the other — we see the Western democratic states (countries of the European Union and the United States), which are trying to provide support as the guardians of the democracy in the world. In this regard, the Russo-Ukrainian war becomes a threat to the concept of democracy itself, because if Ukraine loses, it will show that the rules of authoritarianism, and totalitarianism can prevail. It will show that imperialistic appetites can be satisfied through the means of waging a genocidal war, while breaking international laws.

Regarding democratic developments in Ukraine, a lot has already been written. For quite some time, corruption and the bilingual division of the Ukrainian nation were seen as the biggest obstacles to democratic development. Today, this argument can be questioned by the fact that in order to develop democratically, the state has to have security first. Despite the odds, Ukraine is fighting to survive as a state, but still trying to make progress in terms of democratic development.

The Russo-Ukrainian war is a brutal violation of international law, including a breach of the UN Charter (Russia is committing genocide against the Ukrainian people). It is a case where a forceful bigger state is trying to invade and conquer its smaller neighbour, which was supposed not to be able to resist. This poses a test for Western democracy in how it is going to react to this. Nothing can justify the invasion. Determining the truth and ensuring accountability for war crimes is essential to democracy and lasting peace.

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