

Was Kuchma's Censorship Effective? Mass Media in Ukraine before 2004

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Abstract

Censorship intensified in Ukraine during Leonid Kuchma's second term as president, and analysts often use this as an indicator of the country's democratic backsliding. This article looks at the motivations behind the media muzzling and questions its effectiveness given that the country exploded in revolution in late 2004.

MOST DISCUSSIONS ON UKRAINE DURING THE LATER KUCHMA years include a reference to censorship and freedom of speech issues. This was because Ukraine's political and economic elites quite effectively manipulated and muzzled the mainstream mass media from the mid-1990s onwards. International criticism and domestic opposition intensified after 2000 when then President Kuchma was implicated in the disappearance of journalist Heorhii Gongadze.¹ Yet apart from noting the intensification of censorship, few scholarly studies examine this

This article looks at Leonid Kuchma's second term in office, 1999–2004 and is part of a larger study based at the University of Western Ontario which examines the evolution of mass media in post-communist Ukraine. My thanks to Oksana Hasiuk, Kiev, Olena Nikolayenko, University of Toronto, and Heather Ferniuk, Woodrow Wilson International Center for Scholars for their research assistance; also to Andrew Barros, Orest Deychakiwsky, Oleksiy Haran, Mary Mycio, Uliana Pasicznyk and Nataliya Petrova for their comments.

¹For a comprehensive description of the Gongadze case see J. Koshiw (2003) *Beheaded. The Killing of a Journalist* (Reading, Artemia Press). For reports see The Committee for the Protection of Journalists, www.cpj.org; Institute of Mass Information, imi.org.ua. For Ukrainian media criticism see: *Ukrainska Pravda*. European Union statements include, Permanent Council No. 420, 14 November 2002, 'EU Statement on the Media Situation in Ukraine'; 'Declaration by the Presidency on behalf of the European Union on Media Freedom and Democratic Standards in Ukraine', Brussels, 18 March 2004.

phenomenon in depth or consider its implications for political development in the country.²

This article addresses the gap by looking at why and how Ukraine's establishment censored the media, what was their aim, to what degree they succeeded, and what the implications are. It suggests that President Kuchma and the oligarchs who surrounded him went to great lengths to control mainstream mass media outlets, ostensibly believing that this would facilitate their consolidation of power and minimise criticism of the regime. They thought it would lead to individuals becoming disinterested in politics and feeling uninspired to participate in public life, or as Ukrainians called it, 'zombuvannia luidei'.³ However, the effectiveness of this censorship is questioned here with an argument that heavy-handed media manipulation did not deliver the desired results for Kuchma. Protests continued, electoral results did not favour the establishment and international criticism grew, especially after the Gongadze case, contributing to Ukraine's international ostracisation. A variety of sources are used in this article: in-depth interviews conducted in Ukraine in 2003 and 2004 with journalists, editors, government and NGO officials and analysts working in the mass media sphere,⁴ public opinion polls, and electoral results from 2002 and 2004.

These events are considered in the light of the debates on the role of media in politics and the effect of media on public opinion. This article suggests that the Kuchma-era establishment⁵ believed that media has powerful effects but they did not conceptualise the role of media in democratic terms, and that new theoretical approaches are therefore needed for understanding Ukraine's media developments.

Theories and challenges

The study of mass media in Ukraine presents a number of analytical challenges, some common to all media studies, others specific to countries outside the circle of so-called established democracies or undergoing transformations, and others still unique to Ukraine. Scholars have been debating the relationship between media, politics and public opinion for a very long time and although rich, diverse literatures have developed, numerous disagreements and analytical challenges remain. These debates become even more complex when analysing a post-communist country like Ukraine

²Exceptions include, my own articles, as well as V. Bebyk & O. Sydorenko (1998) *The Mass Media of Post-communist Ukraine* (Kiev, Innovation and Development Centre); N. Krasnoboka & K. Brants (2006) 'Old and New Media, Old and New Politics? On- and Offline Reporting in the 2002 Ukrainian Election Campaign', in K. Voltmer (ed.) (2006) *Mass Media and Political Communication in New Democracies* (London and New York, Routledge); O. Nikolayenko (2004) 'Press Freedom during the 1994 and 1999 Presidential Elections in Ukraine: A Reverse Wave?' *Europe-Asia Studies*, 56, 5, pp. 661–686; M. Riabchuk (2001) 'A Perilous Way to Freedom: Independent Mass Media in the Blackmail State', *Journal of Ukrainian Studies*, 26, Summer–Winter, pp. 93–132.

³This phrase was widely used in Ukraine but was particularly poignant to hear during an interview with Victor Yushchenko's Donetsk *oblast'* headquarters press secretary, Oleksandr Mishchenko, Donetsk, 12 October 2004.

⁴See Appendix A.

⁵Ukrainians use the term '*vlada*', which is translated here as establishment and used in a broad sense which includes political and economic elites, in other words government officials, oligarchs and their associates.

which does not easily fit into the existing theoretical frameworks, or even into the new literature which has evolved on post-communist media.

Media and communications studies emerged as a field of study in the 1930s and remains a dynamic field of study in a cross-current of disciplinary approaches. The central debates are categorised differently by various scholars, from two broad categories: mainstream and critical,⁶ to the four types or paradigms set out by Denis McQuail: functionalist (objective-regulation), interpretive (subjective-regulation), radical humanist (subjective-radical change) and radical-structural (objective-radical change);⁷ and even organised into schools of thought according to the academic institutions where they emerged, starting with the Columbia School and ending with British Cultural Studies which began at the Birmingham University's Centre for Contemporary Cultural Studies.⁸

A closer look at the literature reveals a number of limitations. One, which is not specific to Ukraine, is the lack of connection between media scholars and political scientists, since neither group adequately addresses or explains the relationship between mass media and democracy. In the words of one analyst, 'democratic theory takes for granted an over-simple and outdated model of the media, while media studies take for granted an outdated model of democracy'.⁹ This pattern is clearly visible in the political science literature on Ukraine throughout the 1990s and early 2000s, in which the role of media is barely mentioned.¹⁰

The few media studies which do address issues of democracy look at mass media in stable, affluent, liberal, capitalist, democratic societies, focusing on the relations between media and economics, politics and society in a Western, democratic context.¹¹ These differ significantly from the situation in Ukraine since 1991, including the later Kuchma years.

This Western bias in the scholarship has been commented on by scholars who study media in other parts of the world, including those who began writing about media in Eastern Europe following the collapse of communism.¹² A variety of interpretations

⁶See J.D.H. Downing (1996) *Internationalising Media Theory: Transition, Power, Culture. Reflections of Media in Russia, Poland and Hungary 1980–1995* (London, Sage).

⁷D. McQuail (2000) *McQuail's Mass Communications Theory* (London, Sage).

⁸E. Katz, J. Durham Peters, T. Liebes & A. Orlov (eds) (2003) *Canonic Texts in Media Research. Are There Any? Should There Be? How About These?* (Cambridge, Oxford and Maden, Polity).

⁹M. Scammell & H. Semetko (eds) (2000) *The Media, Journalism and Democracy* (Dartmouth, Ashgate), p. xii.

¹⁰An example of this is the recent special issue of *Problems of Post Communism* on 'Ukraine Under Leonid Kuchma, 1994–2004' which does not include an article on media: see *Problems of Post Communism* 52, 5, September–October 2005, Guest Editors Paul D'Anieri and Taras Kuzio.

¹¹See J. Keane (1991) *The Media and Democracy* (Cambridge, Polity); J. Lichtenberg (1990) *Democracy and the Mass Media* (Cambridge, Cambridge University Press); P. Norris (2000) *A Virtuous Circle. Political Communication in Post-Industrial Societies* (Cambridge, Cambridge University Press); D. Swanson & P. Mancini (1996) *Politics, Media and Modern Democracy: An International Study of Innovations in Electoral Campaigning and their Consequences* (Westport, CN, Praeger).

¹²Perhaps the best examples are J. Curran & M.J. Park (2000) *De-Westernising Media Studies* (London and New York, Routledge); Downing, *Internationalising Media Theory*; E. Fox & S. Waisbord (eds) (2002) *Latin Politics, Global Media* (Austin, University of Texas Press); and P. Golding (1996) *Beyond Cultural Imperialism: Globalisation, Communication and the New International Order* (London, Sage).

appeared, ranging from commentaries on the dangers of freedom without professional and ethical standards,¹³ to descriptions of the new, emerging media models, including disagreements about whether they were paralleling the Italian one,¹⁴ following more general European trends,¹⁵ or developing in a three-stage process.¹⁶ Although useful for analysing Ukraine in the early and mid-1990s, the limitation of this literature is that Ukraine's reform trajectory departed from that of countries of Eastern Europe which have successfully followed the 'transition paradigm' whereas Ukraine began backsliding around 1998. Studies on media in Russia are also of limited comparative value for understanding Ukraine, since the developments in the two states have been so different.¹⁷ For example, in 2000 Russians voted overwhelmingly for the candidate proposed to them, Vladimir Putin, and some studies show that they trusted state media,¹⁸ unlike the situation in Ukraine.

These limitations aside, there are two strands of analysis which this article will use in the discussion of Ukraine: the media effects literature, and arguments which advocate examining media in a larger political and social context.

In looking at censorship in Ukraine during the late Kuchma years, this article engages in a debate which remains a principal question within media studies, namely the issue of media effects. As McQuail put it, 'the entire study of mass communications is based on the assumption that the media have significant effects, yet there is little agreement on the nature and extent of these presumed effects'.¹⁹ The discussion alternates between powerful and mediated effects with no consensus or middle ground. Some continue to adhere to the 'powerful effects model' which was developed in the 1920s and 'suggests that the media have a direct impact on public opinion and can be used as a propaganda tool to shape opinions and therefore behaviour'.²⁰ These ideas were useful for explaining how the Soviet Union and Nazi Germany used media as a propaganda tool, but by the 1940s the model was challenged by a group of US sociologists working at Columbia University. Paul Lazarsfeld and Paul Merton argued that there was no convincing evidence of a simple, direct link between media

¹³J. Horvat (1991) 'The East European Journalist', *Journal of International Affairs*, 45, pp. 191–200.

¹⁴S. Splichal (1994) *Media Beyond Socialism: Theory and Practice in East-Central Europe* (Boulder, Westview Press).

¹⁵C. Sparks & A. Reading (1998) *Communism, Capitalism, and the Mass Media* (London, Sage Publications).

¹⁶K. Jakubowicz (1995) 'Lovebirds? The Media, the State and Politics in Central and Eastern Europe', *Public*, 2, 1, pp. 75–91.

¹⁷The more recent studies include L. Belin (2002) 'The Russian Media in the 1990s', *Journal of Communist Studies and Transition Policies*, 18, 1, pp. 139–160; E. Mickiewicz (2001) 'Piracy, Policy, and Russia's Emerging Media Market', *Harvard Journal of Press/Politics*, 6, 2, pp. 30–51; T. Rantanen (2002) *The Global and the National. Media and Communications in Post-Communist Russia* (Lanham, Rowman & Littlefield); I. Zassoursky (2004) *Media and Power in Post-Soviet Russia* (Armonk, NY, M. E. Sharpe).

¹⁸See S. White, S. Oates & I. McCallister (2005) 'Media Effects and Russian Elections 1999–2000', *British Journal of Political Science*, 35, 2, April, pp. 191–208.

¹⁹McQuail, *McQuail's Mass Communications Theory*, p. 416.

²⁰See H. Lasswell (1927) *Propaganda Techniques in the First World War* (New York, Alfred Knopf); R.A. Bauer & A. Bauer (1960) 'America, Mass Society and Mass Media', *Journal of Social Issues*, 10, 3, p. 336; G. Jowett & V. O'Donnell (1986) *Propaganda and Persuasion* (Beverly Hills, CA, Sage Publications).

stimulus and audience response. They developed a new model which has become known as the 'limited effects model', which suggests that the social and cultural context play an important role in how messages are interpreted.²¹ Over time, however, this model also fell out of vogue, in part because it was unable to fully explain the complex relationship between public opinion and the mass media, and in part because the arrival of television as a new medium radically changed media dynamics. By the 1960s media research went off in a variety of theoretical directions and scholars disposed themselves along the 'effects continuum', which ranges from cultivation research, uses and gratifications approach, diffusion, media system dependency, agenda setting, to priming and gate-keeping.²²

These various models can be somewhat useful for examining the situation in Ukraine during the late Kuchma years. It could be argued that the establishment of the time, including Kuchma himself, adhered to the powerful effects model and tried to use the media as a tool of influence, although there seems to also be elements of agenda setting, priming, gate-keeping and framing in their media policies. However, this article suggests that the media did not exert a powerful influence on the opinions of most Ukrainians and argues that the effects of censorship were, in fact, limited.

Another cluster of ideas that is used in this article emerge from the work of three authors who examine the theoretical changes in media studies outside of the Western perspective. Colin Sparks, John Downing and Peter Gross provide a critique of the traditional mainstream approaches of media studies, suggesting that it is impossible to consider mass media in isolation from society, and that power relationships are at the core of understanding media dynamics. Each approaches the issues from different points of view, but each discusses the need to broaden perspectives. Sparks notes that 'we need to revise the way we think, especially about the relations between the mass media and other centres of power in society',²³ building on Downing's earlier idea that 'mainstream media are a pivotal dimension of the struggle for power which is muted but present in dictatorial regimes, that then develops between political movements and the state in the process of transition and consolidation'.²⁴ Gross expands the discussion further by including political culture as an element which shapes institutions and behaviour during the process of change.²⁵ These ideas will be central to the discussion of Ukraine's media in this article.

²¹See P. Lazarsfeld & R.K. Merton (1948) 'Mass Communication, Popular Taste, and Organised Social Action', in L. Bryson (ed.) (1948) *The Communication of Ideas* (New York, Harper); C.I. Hovland, A.A. Lumsdaine & F.D. Sheffield (1949) *Experiments in Mass Communication* (Princeton, NJ, Princeton University Press); J.S.M. Trenman & D. McQuail (1961) *Television and Political Image* (London, Methuen).

²²For an overview see S. Devereaux Ferguson (2000) *Researching the Public Opinion Environment. Theories and Methods* (Thousand Oaks, Sage Publications), ch. 9 (part of the Sage Series in Public Relations).

²³Sparks & Reading, *Communism, Capitalism and the Mass Media*, p. 21.

²⁴Downing, *Internationalising Media Theory*, pp. 26–27.

²⁵P. Gross (2002) *Entangled Evolutions: Media and Democratisation in Eastern Europe* (Washington, Woodrow Wilson Center Press; Baltimore, MD and London, The Johns Hopkins University Press).

Ukraine's changing media landscape

Since Ukraine became independent in 1991 its media landscape has undergone numerous changes. At the time of writing (autumn 2005) the transformations continued while the shadow of Soviet legacies remained. It was difficult to precisely define the role of Ukraine's media during the later Kuchma years because in some ways this reflected the dynamic situation in which Ukraine as a country found itself, moving between the past and the future,²⁶ no longer a communist state but also not a democracy. It was called many things from a 'blackmail state' to a 'pseudo-democracy', and most analysts believed that Ukraine's transformation was stuck in the 'grey zone' where economic growth was occurring but corruption was rampant.²⁷ The media evolved into what can only be called a hybrid model, where the structures, power relationships and societal role of media has retained certain features from the Soviet era and acquired new ones common to democratic, capitalist societies.

Three important changes occurred in the early 1990s which changed the nature of Ukraine's media in significant ways. The state ended official censorship, gave up its monopoly on ownership and dropped the barriers to the outside world. Censorship had already been loosened in the *glasnost* era and after Ukraine's Declaration of Independence in 1991 it formally came to an end. Half a year later, in 1992, the parliament adopted legislation which legalised private ownership of media and this opened the door for numerous privately owned newspapers, magazines, radio and television stations to exist legally.²⁸ Many appeared, varying in their orientation from political party newspapers to glossy women's and sports magazines and catering for a wide range of political, cultural, social and entertainment interests.

A third key development was the appearance of new media in Ukraine, including cable and satellite television, and perhaps most importantly, the Internet. All of these opened up access to information in new ways, with audiences growing rapidly. For example, despite a relatively slow start in the early 1990s, Internet usage began to grow at a very fast pace, increasing from 3.8 million in 2003²⁹ to 5.9 million in December 2004, which amounted to 12.37% of the population.³⁰ Although this was still a relatively small proportion of the total electorate (which is 37,403,661³¹), the profile of

²⁶The famous Hanna Arendt phrase was aptly used by Sorin Antohi & Vladimir Tismaneanu to title their collection *Between Past and Future. The Revolutions of 1989 and Their Aftermath* (Budapest, Central University Press, 2000).

²⁷See T. Carothers (2002) 'The End of the Transition Paradigm', *Journal of Democracy*, 13, 1, January; M. Riabchuk (2004) 'From Dysfunctional to Blackmail State: the Post-Soviet Transition in Ukraine', Wolodymyr George Danyliw Lecture, University of Toronto, 15 March; K. Darden (2001) 'Blackmail as a Tool of State Domination: Ukraine under Kuchma', *East European Constitutional Review*, 10, 2/3.

²⁸See Law on Print Media, 1992, also Law on Television and Broadcasting in Ukraine, 1993, available at: www.rada.gov.ua.

²⁹See *Computer Crime Research Center*, available at: www.crime-research.org/news/2003/08/Mess0901.html; and the www.marketing.vc company cited in 'V Ukraine naschytyvaetsa 3.8 mil polzovatelei interneta', January 2004, available at: www.vechirka.com.ua.

³⁰See www.itfacts.biz/index.php?id=P2360.

³¹See the website of the Central Elections Commission of Ukraine, www.cvk.gov.ua.

Internet users, mainly urban, young, educated and professional, suggests that this population group is quite influential. Other new technologies include satellite and cable television which have gradually become important alternative sources of information for Ukrainians, although as of 2004 they were not considered mainstream.³²

In the early years of independence, Ukraine's first president, Leonid Kravchuk, had a rather full agenda of state building, economic reform and consolidating Ukraine's position on the international scene, and therefore paid relatively little attention to mass media issues. Thus the years 1992–94 became known as the golden era of Ukrainian journalism, since during those years many new media outlets appeared and were allowed to exist without state interference, continuing the trends which began during the Gorbachev years. In fact, some have suggested that there was an unspoken agreement between journalists and Kravchuk that they would not behave antagonistically towards each other.³³

However, Ukraine's media landscape retained some of its old features into the independence era, most notably the continued state ownership of some media assets. Despite allowing private ownership, Ukraine's elites refused to completely hand over control of all media outlets, something they considered a valuable information resource. 'The state must protect its information space', said State television and Radio Committee Chair Ivan Chyzh, explaining that the state retained ownership of approximately 10% of television and radio stations and newspapers at the national, regional and local levels.³⁴ These generally continue to operate the way they did during the communist period in terms of financing and decision making structures, and the state has continued to subsidise and control the management of these outlets. The state owned sector is more influential than the 10% statistic suggests, since a large number of registered print media outlets do not actually publish, so in fact the state owns approximately half of the newspapers and magazines which actually appear on the news stands.³⁵ Also, the state owned national television broadcaster has the third largest broadcast reach in the country, which means that it reaches 97% of Ukrainian households (compared with 37% of the once opposition owned Channel 5).³⁶

Equally important is the recurring evidence that the establishment continued its efforts to control the media, despite the official end of censorship. An early example of attempted censorship occurred during the 1994 presidential election campaign, when incumbent Leonid Kravchuk attempted to silence the opposition by trying (unsuccessfully) to take the HRAVIS television station off the air.³⁷ Kravchuk lost the election, and after Leonid Kuchma's victory the economic situation in the country

³²There are over 100 cable companies operating in Ukraine.

³³Interview with Valery Ingul'skyi, Kiev, 17 July 2003; interview with Mykola Veresen', Kiev, 17 July 2003.

³⁴Interview with Ivan Chyzh, Kiev, 28 July 2003.

³⁵Interview with Alla Plus, Kiev, 23 July 2003. See also www.comin.gov.ua.

³⁶See Appendix B.

³⁷This was the first clear attempt at censorship. Interview with Vitalii Shevchenko, Kiev, 24 July 2003.

began to stabilise. The so-called oligarchs began to emerge,³⁸ and gradually they came to own and/or control the main mass media outlets in Ukraine. By the late 1990s, all six television stations with national broadcast reach were in the hands of two oligarch clans and the state. Channel UT1 remained state owned; INTER and 1 + 1 were reportedly under the influence of the Victor Medvechuk led SDPU(o) Kiev clan; and STB, ICTV and New Channel were owned by President Kuchma's son-in-law Victor Pinchuk.³⁹ As Kuchma prepared to run for re-election in 1999, his popularity ratings had declined and he decided it would be prudent to limit media criticism against himself. One analyst suggested that serious censorship began in 1997 when Kuchma used television to discredit his main opponent, socialist leader Oleksander Moroz.⁴⁰ Since the main television stations were in the hands of the state and his allies, this was not a problem; censorship deepened, Kuchma was re-elected, and this trend continued until the Orange Revolution in 2004.

All of this suggests that the establishment's political culture had not changed much—their *thinking* about the role of the media remained very Soviet. They continued to view it as a tool which was theirs to use, an instrument of power, to subordinate and manipulate, as had been the case in the Soviet era. Similar attitudes were visible in their views on the role of the state and its institutions, including the National Television and Broadcasting Council of Ukraine which issues broadcast licenses, and the State Tax authority which was used to applying pressure to opposition media outlets.

Therefore, the media system that evolved in Ukraine after independence and became consolidated during the later Kuchma years can be described as a dual, hybrid system which contained elements from the old communist system and features of a Western media model. There was a mixed system of ownership patterns, where the state allowed private ownership but retained a portion of media assets in their own hands. Censorship was in some ways a leftover from the previous regime, but different in that it lacked the ideological content or overt state mechanisms. In some ways the media landscape looked Western with the abundance of glossy magazines, young attractive news presenters and rapidly growing Internet usage. However, despite looking Western, censorship prevented a real diversity of content in mainstream media outlets, which reflected the political culture of the establishment.

As has been pointed out by media scholar John Downing, media structures cannot be understood as separate from the political, social and cultural context in which they exist, and Ukraine during the late Kuchma years is a good illustration of how the

³⁸See C. Freeland (2000) *Sale of the Century: Russia's Wild Ride from Communism to Capitalism* (Toronto, Doubleday); R. Puglisi (2003) 'Clashing Agendas? Economic Interests, Elite Coalitions and Prospects for Co-operation between Russia and Ukraine', *Europe-Asia Studies*, 55, 6, pp. 827–845.

³⁹Official data on media ownership is difficult to obtain, but see M. Dyczok (2003) 'Ukraine's Media Landscape', in W.W. Isajiw (ed.) (2003) *Society in Transition: Social Change in Ukraine in Western Perspectives* (Toronto, Scholar's Press); S. Datsiuk & N. Ligachova (2002) 'Partiini Media Holdingy', 8 November, available at: www.telekritika.kiev.ua; K. Bondarenko (2003) 'Who Owns What in Ukraine', *L'viv's'ka Hazeta*, 17 July, available at: www.gazeta.lviv.ua. A small, alternative television station, Channel 5, came under the control of the *Nasha Ukraina* opposition bloc in summer of 2003, but it gained influence only later, and Donetsk oligarch Rinat Akhmetev's TRK Ukraina only expanded its broadcast reach nationally in 2003.

⁴⁰Interview with Kost' Bondarenko, Kiev, 24 July 2003.

media was part of the power struggle that was occurring. This article will now turn to the question of the goals, aims and impact of these policies that were followed by Kuchma and his advisers.

Media during Kuchma second term

There is no dispute that censorship intensified during Kuchma's second term in office as president, but there has been some debate about the goals and means of these policies as well as their impact. It seems that the main goal was for Kuchma and the oligarchs who surrounded him to maintain and increase their power, and to prevent any criticism of growing corruption by limiting the amount of information circulating in society.

All the journalists interviewed in 2003–04 were quite forthright about the existence of censorship and expressed a number of views about the reasons behind it. Most were connected to the issue of power. Many journalists seemed to believe that mass media is a powerful instrument which could determine the fate of the ruling elite, and the elite was using this instrument to protect its position and privilege. This suggests that some journalists subscribed to the powerful effects media theory.

The first president of the Independent Journalists Trade Union, Andrii Shevchenko, said that 'media is the thread which can be used to unravel the power of the establishment',⁴¹ while controversial journalist Volodymyr Ruban put it more plainly: 'If freedom of speech existed then the government would change (collapse)'.⁴² The Vice President of national television Channel 1 + 1 commented, 'media is the place where the fight for the hearts and minds of people occurs but it is also an instrument of power',⁴³ while the editor of the Russian language oligarch owned newspaper *Kievski Telegram*, Volodymyr Skachko put a more humorous spin on things. He described the role of media as *ZMAP*—*zasoby masovoi agitatsii i propagandy* (*the means of mass agitation and propaganda*), playing on Soviet-era terminology where anti-Soviet agitation and propaganda was a criminal offence, instead of *ZMI* (*the means of mass information*) which is the Ukrainian term for mass media.⁴⁴ Independent journalist Ol'ha Anhimova noted that it was not just the president but also political parties that were trying to use the media as their instrument.⁴⁵

Innovative and convincing arguments were presented by freelance journalist Iryna Pohorelova⁴⁶ and founder and main editor of the website *Telekrytyka*, Nataliya Ligachova.⁴⁷ They both suggested that mainstream media was being used as a blunt instrument to contain the amount of information that society received in an effort to demoralise and disempower people. In the summer of 2003 Pohorelova described the situation as the attempt to create an information vacuum:

⁴¹Interview with Andrii Shevchenko, Kiev, 22 July 2003.

⁴²Interview with Volodymyr Ruban, Kiev, 25 June 2003.

⁴³Interview with Valentyna Rudenko, Kiev, 13 December 2004.

⁴⁴Interview with Volodymyr Skachko, Kiev, 18 July 2003.

⁴⁵Interview with Ol'ha Anhimova, Kiev, 23 July 2003.

⁴⁶Interview with Iryna Pohorelova, Kiev, 20 June 2003.

⁴⁷Interview with Nataliya Ligachova, Kiev, 22 July 2003.

The current power brokers are using the media to create an *information vacuum*. Censorship exists so that less information will be circulating in society, so that people don't know what is going on. Mass media are commercial structures, and they are being used to narrow the information sphere (*informatsiine pole*). There is an absence of information in the mass media. Earlier, mass media were a front (*dakh*) for laundering money. Now mass media is a shield which covers (protects) and does not give information out. Ukraine is experiencing an information deficit—this is why the Internet is flourishing—it provides a source of information.⁴⁸

She explained that although most Ukrainians were very well aware of the fact that corruption existed in their country and that the political system was not at all transparent, they often lacked the information, the details, that would enable them to do something about it. Television in particular was being used to create the 'zombie effect'. In a later interview, she highlighted the fact that censorship was connected to economic interests, and that the information vacuum was being used not only for political purposes but also to conceal financial wrongdoing.⁴⁹

A similar view was presented by Nataliya Ligachova,⁵⁰ Ukraine's top television critic, who used the term *information blockade*. She explained that the use of '*temnyky*' was expanded after their seeming failure in the parliamentary elections in an effort to keep a lid on public protest. Supporting this hypothesis she presented the example of September 2002, when the state used a variety of tactics to clamp down on national television so that they effectively slowed down opposition protests. Initially the large protests in Kiev were not reported at all on national television, then the number of protesters who turned up was dramatically under-reported, and later the situation was misrepresented by showing images of street people and drunks when reporting on the protests.

These views fit in with gate-keeping and possibly a variant of agenda setting theory, where media and political elites attempt to shape public views and behaviour by controlling what information is allowed to circulate in society.⁵¹ Agenda setting theory suggests that media owners use editors to create filters which determine what is reported and what is not. In that way elites use media not so much to tell people what to think, but rather 'what to think about'.⁵² In a variation of this, Kuchma and his colleagues were trying to limit what Ukrainians could see on national television, and thus perhaps trying to control what they thought about.

What should be noted is that despite the heavy handed censorship imposed on mainstream media outlets, Kuchma's regime was only semi-authoritarian and allowed certain media outlets to exist. Alternative sources of information were always available in the country, initially through independent or political party newspapers, and later through new technologies, especially the Internet. When considering the power of the

⁴⁸Interview with Pohorelova, 20 June 2003.

⁴⁹Interview with Pohorelova, Kiev, 3 September 2004.

⁵⁰Interview with Ligachova, 22 July 2003.

⁵¹See D. Manning White (1949) 'The Gate-keeper: A Case-study in the Selection of News', *Journalism Quarterly*, 29, pp. 383–390; P. Sinder (1967) 'Mr. Gates Revisited: A 1966 Version of the 1949 Case-study', *Journalism Quarterly*, 44, pp. 419–427; M. McCombs & D. Shaw (1972) 'The Agenda Setting Function of Mass Media', *Public Opinion Quarterly*, 36, pp. 176–185.

⁵²McCombs & Shaw, 'The Agenda Setting Function of Mass Media'.

Internet, which has been called the contemporary *samizdat*,⁵³ one may pose the question, why was there not more pressure on controlling this form of media, given the overall attempts to control and muzzle the media? Nataliya Ligachova provided an answer which was echoed by Yulia Mostova, the deputy editor of the most respected newspaper in the country, *Dzerkalo Tyzhnia*.⁵⁴

For a start, the reach of the Internet was limited and therefore the establishment did not really fear it as being influential among the masses. Following the Soviet tradition, the authorities wanted a source of information for themselves. They were also aware of the importance of the Internet as a key resource for business, and the state did not have the power or desire to interfere in this manner.⁵⁵ There was another important reason why the Internet and small circulation newspapers were allowed to exist freely—their existence allowed the Ukrainian establishment to deny that censorship existed in their country by pointing to these alternative media outlets.

This effort to control the media suggests that Kuchma and his associates continued to perceive the role of the media in old, communist terms: they believed the media was an instrument of power and influence which the elite could use to shape and manipulate public opinion. Given that these elites were products of the Soviet system and lived through *glasnost* when the availability of information contributed to the collapse of the system, this is hardly surprising. Another interpretation can be that the Kuchma-era establishment also subscribed to the powerful effects model of media.

Means

Despite the widespread acknowledgement that censorship existed, it was difficult to ascertain precisely where the censorship originated and to prove who was responsible for formulating these policies. Government officials denied the official existence of censorship⁵⁶ since the constitution prohibits censorship, as do a number of laws on the media. In response to journalists' demands, the president and parliament even agreed to hold hearings on the issue of censorship in Ukraine in December of 2002, and adopted yet another law which formally forbade the practices.⁵⁷ The head of the State

⁵³See T. Kuzio (2002) 'The Internet: Ukraine's New Samizdat', *RFE/RL Media Matters*, 2, 1, 4 January, available at: www.rferl.org/reports/mm/2002/01/1-040102.asp; also O. Prytula (2004) 'Internet in Ukraine', paper presented at the *9th Annual World Convention of the ASN*, Columbia University, New York City, 17 April.

⁵⁴Interview with Ligachova, 22 July 2003; interview with Yulia Mostova, Kiev, 24 June 2003.

⁵⁵This point was made by numerous journalists, including in an interview with Oleksander Martynenko, Kiev, 18 July 2003; an interview with Olena Prytula, Kiev, 18 July 2003; and an interview with Bondarenko, 24 July 2003.

⁵⁶There are numerous reports on censorship in Ukraine, produced mainly by international NGOs, but it was very difficult to actually prove censorship.

⁵⁷This law was signed by Kuchma on 26 April 2003, and not only defined censorship more clearly, but also required all legislative acts to be amended to root it out. However, as Skachko noted, the definition of censorship was limited to state censorship, and did not include censorship by owners, editors and self-censorship. See the Parliamentary Committee on Freedom of Speech, www.rada.gov.ua/svobodaslova/news_20032904.html. For a list of legislation related to media and freedom of speech issues, see The Media Reform Centre at the National University of the Kiev Mohyla Academy, www.mediareform.com.ua/article.php?articleID=545.

Committee on Television and Radio Broadcasting, Ivan Chyzh, was often quoted denying the existence of censorship. In an interview with the author in 2003, he suggested that ‘the problem is all about economics—owners protect their interests, not free speech’, and he then went on to talk about difficulties between the various branches of government responsible for media issues.⁵⁸

However, most journalists and analysts have pointed to the Presidential Administration, suggesting that Dmytro Tabachnyk⁵⁹ began the systematisation of censorship and Victor Medvechuk⁶⁰ perfected the system. The best known form of censorship was used against national television stations, through the now infamous method of ‘*temnyky*’. This was a technique invented by Russian PR experts Marat Gelman and Gleb Pavlovsky and used successfully in 2000 to help Putin win the presidential election in Russia.⁶¹ In preparation for the 2002 Parliamentary elections in Ukraine, these political technologists were hired by the Kiev clan, SDPU(o) part of the Ukrainian establishment.

The technique consisted of sending out instructions to news editors at national television stations which directed them on how to report the news, what to highlight and what to exclude.⁶² For example, the ‘*temnyk*’ for 20 March 2004 included the following:

‘Our Ukraine’ leader Victor Yushchenko will hold a press conference on the topic ‘How to return the Ukrainians’ 10 billion hryvnias that have been concealed by the government’ at 2 pm (Iaroslavs’ka street, 1/3b). *Commentary* (Instruction in ‘*Temnyk*’): Do not comment on any of the information on this topic.⁶³

The following day Yushchenko met with the President of Poland, A. Kwasniewski. The ‘*temnyk*’ instruction was: ‘do not comment on any of the information on this topic’.⁶⁴

These documents were reported to originate from the office of the Head of Information Section in the Presidential Administration, Serhii Vasyliiev, although he denied this and some suggested that his role was secretarial rather than anything else.⁶⁵ In an interview with the author on 16 July 2003, Vasyliiev stated that there were no such things as ‘*temnyky*’, that each television station was responsible for its own editorial policy and if they all had the same ideas on presenting the news that

⁵⁸Interview with Chyzh, 28 July 2003.

⁵⁹Head of the Presidential Administration during Kuchma’s first term as president.

⁶⁰Head of the Presidential Administration 2002–04.

⁶¹See A. Wilson (2005) *Virtual Politics: Faking Democracy in the Post-Soviet World* (New Haven, CT, Yale University Press).

⁶²See *RFE/RL PBU Report*, 8 September 2002; V. Stepanenko (2002) ‘Journalists Stand Against Political Censorship, End Note’, *RFE/RL Media Matters*, 2, 39, 11 October; for a description of the use of *temnyky* see, V. Kipiani (2004) ‘Victor Yushchenko: “Please Ignore”’, *Ukrains’ka Pravda*, 21 May, available at: www.telekritika.kiev.ua, 21 May 2004.

⁶³Kipiani, ‘Victor Yushchenko: “Please Ignore”’.

⁶⁴*Ibid.*

⁶⁵This allegation was made in September 2002 by Mykola Tomenko, then head of the Parliamentary Committee on Freedom of Speech. See *Ukrainska Pravda*, 3 September 2002, available at: <http://pravda.com.ua/news/2002/9/4/24751.htm>.

was not his responsibility, or that of the Presidential Administration, or the president.⁶⁶

The ‘*temnyky*’ are a very good illustration of Kuchma-era censorship not only because they were very effective as a tool, but also because they were difficult to trace back to the government. As consultant Inna Pidluska put it in 2004, ‘the pressure now is much more sophisticated than it was in the late communist era, it is no longer the heavy-handed type of pressure that exists in totalitarian societies’.⁶⁷ Although everyone knew where they came from, ‘*temnyky*’ were sent out without any form of identification of the source—no signatures, contact information or any identifying marks, and were often left lying around in newsrooms.⁶⁸ When leaked, they could not be proved to have originated in the President’s Administration, and Vasyliiev even joked that maybe opposition MP Mykola Tomenko was sending out the ‘*temnyky*’ to discredit the president.⁶⁹

Censorship concentrated on national television and state owned media outlets, but that is not to say that other forms of media were allowed to exist freely. Restrictions against private newspapers, magazines and radio stations were exercised through a number of mechanisms. One common means was through ownership—either by purchasing the media outlet outright, or by exerting pressure on the owners. Alternative levers (instruments) of censorship included the manipulation of broadcasting licenses,⁷⁰ restriction of distribution networks, and at times, outright physical intimidation and attacks. The most infamous cases are those of Heorhii Gongadze and Ihor Aleskandrov, but the list is much longer.⁷¹ Particularly odious tools of censorship were the revised criminal and civil codes, which allowed individuals and companies to sue for defamation on many pretexts, and this was often used to silence journalists who published exposés of corruption.

Most media outlets were vulnerable to pressure, influence, and intimidation by government authorities for economic reasons, as most businesses in Ukraine practised a system of dual accounting to avoid paying exorbitant taxes. What should also be kept in mind is that many media owners also owned other businesses, and the media outlets were not their primary enterprises. In fact, many media owners in the mid- to late 1990s used their media outlets to launder money from their other ventures. In the words of journalist Iryna Pohorelova, the media were often used as a ‘*dakh*’ (roof)—a legitimate front for other activities which were not necessarily legal.⁷² Therefore, a visit from the tax inspector could easily close down a media outlet.

⁶⁶Interview with Serhii Vasyliiev, Kiev, 19 June 2003.

⁶⁷Interview with Inna Pidluska, Kiev, 6 September 2004.

⁶⁸This was widely discussed by journalists. Andrii Shevchenko mentioned this during our interview; Tetiana Liakhovetska, UMREP, even gave me copies that she had picked up during her most recent visits to television stations.

⁶⁹Interview with Vasyliiev, 19 June 2003. Tomenko became the Vice Premier for Humanitarian Affairs in February 2005.

⁷⁰See M. Dyczok (2002) ‘The Court Battle for the Future of Ukrainian Television’, *RFE/RL Media Matters* 2, 33, 30 August, available at: www.rferl.org/mm/2002/08/33-300802.asp.

⁷¹See, IMI Barometer (2004) *A History of Confrontation* (Kiev, IMI), available at: www.imi.org.ua/?id=barometr; Committee to Protect Journalists, ‘Journalists Killed in the Line of Duty’, available at: www.cpj.org/killed/Ten_Year_Killed/Intro.html; and others.

⁷²Interview with Pohorelova, 20 June 2003.

Some responsibility or complicity in this system lies with owners and journalists who chose not to abide by the law in pursuit of higher profits or salaries and thus made themselves vulnerable to state pressures. A number of opposition journalists pointed to this issue and the need for clean accounting practices to be able to withstand censorship.⁷³ In the words of Oleksandr Martynenko: ‘If you want to fight with the establishment, you should cross the street only on a green light. Do not cross the street on a red light’.⁷⁴ Others have noted that the legislation in Ukraine was so complex and at times contradictory that it was difficult if not impossible to abide by all legal requirements.

Impact

Given the effort that was expended to control the information circulated in Ukraine, it is pertinent to ask how effective the censorship enforced by the Kuchma regime was. It is difficult to answer this question since there are no conclusive data, statistical or otherwise, available. However, Kuchma’s popularity remained low throughout his second term: the establishment was not successful in winning elections. Furthermore, trust towards media remained low and society was demoralised. Formal opposition not only existed but solidified into a coalition; public protests continued and ultimately culminated in the Orange Revolution of 2004. What’s more, following the scandal that erupted when Kuchma was implicated in the disappearance of the opposition journalist Gongadze, Ukraine became further ostracised by the international community since this was seen as additional evidence of democratic backsliding and of the restrained development of civil society. Thus, the evidence seems to suggest that, contrary to expectations, censorship was not successful in that it did not deliver results domestically and came at a high price internationally.

Statistical data compiled by the Institute of Sociology at the National Academy of Sciences of Ukraine over a period of 11 years demonstrates that levels of trust towards the mass media and the president (see Table 1), as well as the evaluation of Leonid Kuchma’s actions as president (see Table 2), remained low.⁷⁵

Similar data are available from other reputable polling sources that have been working in Ukraine over a number of years.⁷⁶ Although there are many difficulties with this sort of data, including problems of representation of mass versus elite opinion in public polls,⁷⁷ and issues surrounding the Soviet legacy of distrust which Ligachova and others have referred to, these results are striking. They suggest that

⁷³Interview with Serhii Huz, Kiev, 23 June 2003.

⁷⁴Interview with Martynenko, 18 July 2003.

⁷⁵The author would like to thank Victor Stepanenko for making this data available in 2003.

⁷⁶These include Kiev International Institute of Sociology, www.kiis.com.ua; The Ukrainian Center for Economic and Political Studies Named After Razumkov, www.uceps.org; and Democratic Initiatives, www.dif.org.ua/home.php.

⁷⁷See Ferguson, *Researching the Public Opinion Environment*; H. Hardt & S. Splichal (2000) *Ferdinand Tonnies on Public Opinion. Selections and Analyses* (Lanham, Boulder, New York and Oxford, Rowman & Littlefield); J. Lewis (2001) *Constructing Public Opinion. How Political Elites Do What They Like and Why We Seem to Go Along with It* (New York, Columbia University Press); S. Splichal (ed.) (2001) *Public Opinion and Democracy. Vox Populi—Vox Dei?* (Cresskill, NJ, Hampton Press Inc.).

TABLE 1
LEVELS OF TRUST TOWARDS MASS MEDIA (%)

| | 1994(a) | 1998(b) | 2002(c) | 2004(d) |
|-----------------------------|---------|---------|---------|---------|
| 1. Do not trust at all | 13.8 | 12.7 | 10.3 | 10.5 |
| 2. Distrust more than trust | 22.8 | 19.2 | 20.3 | 24.3 |
| 3. Difficult to say | 39.7 | 40.7 | 39.2 | 37.0 |
| 4. Trust somewhat | 17.2 | 21.5 | 25.8 | 24.4 |
| 5. Trust completely | 2.7 | 4.7 | 3.6 | 3.5 |
| Did not answer | 3.8 | 1.2 | 0.8 | 0.3 |
| Mean | 2.71 | 2.86 | 2.92 | 2.9 |

Notes: Respondents were asked the following question: How much do you trust mass media (television, radio and newspapers)? (a) *n* = 1,807; (b) *n* = 1,810; (c) *n* = 1,799; (d) *n* = 1,800. Margin of error less than 2%.
Source: N. Panina (ed.) (2005) *Ukrainian Society 1994–2005: Sociological Monitoring* (Kiev, Institute of Sociology, National Academy of Sciences), question d 6.7, p. 42.

TABLE 2
EVALUATION OF L. KUCHMA'S ACTIONS AS PRESIDENT (%)

| | 1999(a) | 2000(b) | 2001(c) | 2002(d) | 2003(e) | 2004(f) |
|--------------|---------|---------|---------|---------|---------|---------|
| 1 (lowest) | 24.5 | 19.2 | 25.4 | 31.8 | 31.7 | 27.7 |
| 2 | 12.8 | 10.2 | 13.4 | 14.1 | 13.2 | 13.9 |
| 3 | 22.4 | 17.6 | 19.4 | 19.2 | 19.7 | 19.1 |
| 4 | 13.7 | 12.3 | 11.2 | 11.3 | 11.2 | 12.3 |
| 5 | 14.0 | 15.9 | 14.0 | 12.7 | 14.2 | 14.7 |
| 6 | 5.0 | 9.1 | 5.8 | 4.6 | 3.2 | 4.6 |
| 7 | 2.7 | 5.8 | 4.1 | 2.6 | 2.7 | 3.3 |
| 8 | 2.7 | 4.6 | 3.1 | 1.9 | 1.5 | 2.1 |
| 9 | 0.6 | 2.2 | 1.2 | 0.6 | 0.5 | 0.6 |
| 10 (highest) | 1.0 | 2.7 | 1.5 | 0.8 | 1.7 | 1.5 |
| No answer | 0.6 | 0.5 | 0.8 | 0.6 | 0.4 | 0.3 |
| mean | 3.3 | 4.0 | 3.4 | 3.0 | 3.1 | 3.2 |

Respondents were asked the following question: How would you evaluate L. Kuchma's actions as president, with '1' as the lowest grade and '10' as the highest grade? (a) *n* = 1,810; (b) *n* = 1,810; (c) *n* = 1,800; (d) *n* = 1,799; (e) *n* = 1,800; (f) *n* = 1,800. Margin of error less than 2%.
Source: N. Panina (ed.) (2005) *Ukrainian Society 1994–2005: Sociological Monitoring* (Kiev, Institute of Sociology, National Academy of Sciences), question b 11, p. 25.

most Ukrainians did not trust mass media nor support their president's actions during Kuchma's second term in office.⁷⁸

A second indicator which can be used is electoral results. Two elections were held during the period under consideration, the 2002 parliamentary elections and the 2004

⁷⁸Other studies of public opinion in Ukraine do not really address issues of mass media and trust. See L.W. Barrington & E.S. Herron (2001) 'Understanding Public Opinion in Post-Communist States: The Effects of Statistical Assumptions on Substantive Results', *Europe-Asia Studies*, 53, 4, pp. 573–594; S. White, S. Oates, W.L. Miller & A. Gordeland (2001) 'Towards a Soviet Past or a Socialist Future? Understanding Why Voters Choose Communist Parties in Ukraine, Russia, Bulgaria, Slovakia and the Czech Republic', in P.G. Lewis (ed.) (2001) *Party Development and Democratic Change in Post-Communist Europe* (London, Frank Cass).

presidential elections. In neither case did the establishment enjoy a clear victory. In fact, the March 2002 parliamentary election results demonstrated that media is not necessarily a powerful tool. The establishment parties received a hugely disproportionate amount of television airtime and exceeded advertising spending limits. The state broadcaster, Channel UT1, devoted more than half of its election coverage to the party of power—For A United Ukraine (*FUU—Za IEdynu Ukrainu*) while the main opposition bloc, Our Ukraine (*Nasha Ukraina*) received only 13% of the news coverage, and most of it was negative in tone.⁷⁹ Establishment leaders used their government positions to gain intensive exposure in the media: in the six weeks preceding the elections, Volodymyr Lytvyn and Oleksander Kihakh (both from FUU) received more than seven hours of coverage on UT1 prime time news and current affairs programmes, while opposition leader Victor Yushchenko received only 14 minutes.⁸⁰ The Kiev Clan SDPU(o), spent over \$2 million in advertising, exceeding the legal spending limit by more than three times,⁸¹ yet these parties did not win the election. In fact it was the opposition parties which had *least* access to and influence in the media who received the largest part of the popular vote (56.68% in total) (see Table 3). The parties of the oligarchs and the establishment that dominated the news and advertising received less than half of that, a total of 23.27%.⁸²

It seems that Ukrainian voters were not seriously persuaded by the advertising they watched on television and exposure through the mass media in general. Another interpretation could be that the old Soviet political culture is alive and well in post-Soviet Ukraine, that all actors under examination (the state, owners, journalists and the public) demonstrated that a lack of the rule of law, lack of trust in political elites and journalists, systemic corruption and nepotism, were the norm.⁸³ Yet another lens which this can be viewed through is the idea of Marshall McLuhan that ‘the medium is the message’⁸⁴ which suggests that media are transmitters, and that the receiver filters the message.⁸⁵ In other words, Ukrainian voters interpreted the presidential and oligarchic messages in such a way that many of them cast their votes for the opposition parties.

⁷⁹European Institute for Media (EIM) (2002) *Report on Monitoring Media Coverage During the Parliamentary Elections in Ukraine*, March.

⁸⁰Office for Democratic Institutions and Human Rights (OSCE) (2002) *Ukraine, Parliamentary Elections*, 31 March Final Report, p. 17.

⁸¹Final Report of the Project on Public Monitoring of the Election Campaign Financing (2002) prepared by Transparency International—*Ukraine and the Coalition of Ukrainian NGOs ‘Freedom of Choice’*.

⁸²For a lengthier discussion see M. Dyczok (2005) ‘The Politics of Media in Ukraine: Election 2002’, in N. Hayoz & A. Lushnycky (eds) (2005) *Ukraine at a Crossroads* (Bern, Peter Lang).

⁸³This is a summary of an argument made in my paper, ‘Power Struggle for Freedom of Speech in Ukraine’, presented at the *8th Annual ASN Annual Convention*, 3–5 April 2003, Columbia University, New York City. For a discussion of political culture see A. Brown & J. Grey (eds) (1977) *Political Culture and Political Change in Communist States* (London and New York, Macmillan); D. Pollack, J. Jacobs, O. Muller & G. Pickel (eds) (2003) *Political Culture in Post-Communist Europe. Attitudes in New Democracies* (Aldershot, Ashgate).

⁸⁴See M. McLuhan (1994) *Understanding Media* (Cambridge, MA, MIT Press), p. 8.

⁸⁵See M. Kahan (1999) *Media as Politics. Theory, Behaviour and Change in America* (Upper Saddle River, NJ, Prentice Hall), p. 17.

TABLE 3
RESULTS OF THE 2002 PARLIAMENTARY ELECTIONS

| <i>Political party or bloc</i> | <i>% of votes</i> |
|------------------------------------------------------|-------------------|
| Our Ukraine (opposition) | 23.57 |
| Communist Party (opposition) | 18.98 |
| For A United Ukraine (establishment) | 11.77 |
| Yulia Tymoshenko Bloc (opposition) | 7.26 |
| Socialist Party (opposition) | 6.87 |
| SDPU(o) (establishment) | 6.27 |
| Nataliya Vitrenko Bloc | 3.22 |
| Women for the Future | 2.11 |
| Winter Crop Generation | 2.02 |
| Communist Party (reformed) | 1.39 |
| Green Party | 1.30 |
| Yabluko | 1.15 |
| Unity (IEDnist) | 1.09 |
| Democratic Party-Democratic Union | 0.87 |
| New Generation Party | 0.77 |
| Russian Bloc | 0.73 |
| ZUBR Bloc (For Ukraine, Belarus and Russia) | 0.43 |
| Communist Party of Workers and Peasants | 0.41 |
| Peasant Party | 0.37 |
| Party for the Rehabilitation of the Seriously Ill | 0.35 |
| All-Ukrainian Worker's Party | 0.34 |
| All-Ukrainian Union of Christians | 0.29 |
| Social Democratic Party | 0.26 |
| People's Movement of Ukraine (RUKH) | 0.16 |
| Against All | 0.11 |
| Ukrainian Naval Party | 0.11 |
| Peoples Party of Depositors and Social Protection | 0.10 |
| New Force Party | 0.10 |
| Christian Movement Party | 0.09 |
| Party of the All Ukrainian Union of the Left—Justice | 0.08 |
| Ukrainian National Assembly (UNA) | 0.04 |
| New World Bloc | 0.04 |
| Liberal Party | 0.03 |

Source: Website of the Ukrainian Central Election Commission, www.cvk.gov.ua.

The 2004 presidential election once again demonstrated that control of the mainstream media, intense censorship and various strategies such as negative advertising, running of technical candidates, using administrative resources and intimidation were not sufficient to win an election in Ukraine. The fact that opposition candidate Victor Yushchenko was practically blocked from national television did not prevent him from receiving the largest number of votes (see Table 4). Afterwards, editor of the Kiev clan-controlled Channel 1 + 1 said, 'Yushchenko was not on the air in TSN News for 149 days in a row, and I am now embarrassed for having taken that decision'.⁸⁶ Newspapers also contributed to the information blockade. For example, when the author arrived in Zaporizhzhia during the election campaign on 20 October 2004, only one major newspaper was reporting that Yushchenko had visited the city

⁸⁶Interview with V'iacheslav Pikhovshek conducted by Nataliya Ligachova, *Telekrytyka*, 28 January 2005, available at: www.telekritika.kiev.ua.

TABLE 4
RESULTS OF THE 2004 PRESIDENTIAL ELECTIONS

| | Round 1 31 October 2004 | Round 2 21 November 2004 | Round 3 26 December 2004 |
|--------------------|----------------------------|-----------------------------|-----------------------------|
| Yushchenko, Victor | 39.90% | 46.61% | 51.99% |
| Yanukovych, Victor | 39.26% | 49.46% | 44.20% |

Source: Website of the Ukrainian Central Election Commission, www.cvk.gov.ua.

earlier in the week, and drew a crowd of over 40,000.⁸⁷ Other papers were running stories on meat prices. Yet 30% of Zaporizhzhia voted for Yushchenko despite this information blockade.⁸⁸

Elections and polls are useful tools for gauging mass opinion, but another component of evaluation which can be used is the degree to which the Kuchma establishment succeeded in its aim of ‘*zombuvannia*’, or dispelling protest. Here again, there is a seeming lack of success. Anecdotal evidence collected during research travel throughout the country in autumn 2004 showed that many Ukrainians were demoralised and distrustful towards the political process. As Internet editor Olena Prytula said in September 2004, ‘we live in a society where people believe that voting for Yushchenko does not mean that he will win’.⁸⁹

However, censorship did not eliminate opposition in the political arena or on the streets. Opposition parties did well at the polls in 2002, public protests continued, and in fact were often triggered by media related issues. The ‘Ukraine Without Kuchma’ movement of 2000–01 began when a group of journalists and activists started demanding an investigation into the disappearance of the journalist Gongadze. This protest grew into a large movement with a tent city in Kiev’s main square, in a foreshadowing of 2004. Although it was ultimately dispersed in a violent manner and considered unsuccessful, it brought thousands of Ukrainians onto the streets and almost toppled Kuchma.⁹⁰ A second attempt at mass protests against the establishment began on 16 September 2002, marking the second anniversary of Gongadze’s disappearance. Again, the opposition organised huge protests in the centre of Kiev, and the establishment was intimidated enough by the scene that it switched off the news on all television stations broadcasting out of Kiev.⁹¹ There are also examples of regional protests, including the Odessa pickets demanding a recount of the mayoral race in 1998, in Mykachevo in 2003 and the student protest in Sumy in the summer of 2004. It would be inaccurate to suggest that all Ukrainians were active in civic protests

⁸⁷*Mig Newspaper*, www.mig.com.ua/.

⁸⁸See www.cvk.gov.ua/pls/vp2004/wp0011.

⁸⁹Interview with Olena Prytula, Kiev, 2 September 2004.

⁹⁰See K. Razumovsky (2001) ‘Leonid Kuchma Sweeps Away the Opposition’, *Current Digest of the Post Soviet Press*, 53, 9, 28 March.

⁹¹See T. Wanner (2002) ‘Chronicle of Meeting on European Square’, *Financial Times*, 16 September, available at: <http://pravda.com.ua/news/2002/9/16/24975.htm>; N. Ligachova (2002) ‘Why Everything is Wrong?’, available at: www.telekritika.kiev.ua/arch/index.html?year=2002&date=2002-09-16.

during the Kuchma era it is clear that the censor's aim of demoralising people was only partially successful. The largest argument to support this point occurred in November 2004, when, to everyone's surprise, over a million Ukrainians took to the streets to protest against electoral fraud in what has become known as the Orange Revolution.

Informed opinion also doubted the effectiveness of censorship—*none* of the journalists or analysts interviewed during the summers of 2003 and 2004 expressed the belief that mainstream mass media in Ukraine shaped public opinion. Most said that Kuchma's popularity was low, distrust towards state authorities was high, and no amount of censorship would change that. Only one editor presented an opinion that scholars could describe as supporting a cumulative effects model: Skachko, editor of *Kievski Telegraf* said 'if the same thing repeated over and over again, some people will start to believe the propaganda',⁹² while another journalist, Tetiana Korobova, suggested that public opinion is divided, that 'it is difficult to generalise, there are many different views, some people just worry about their own affairs, some pay careful attention to what is going on in the country, others tune in only during election campaigns'.⁹³

Some expressed the view that the media *does* have the capacity to influence public opinion, and that Ukraine's establishment perceived the media to be an instrument to achieve this goal. In their view, the problem was simply that the instrument needed to be improved to be effective. Ruban was a proponent of this view, saying 'therefore, although there is a realisation that people do not believe the media, their (authorities', establishment's) desire is to make media a more effective tool by improving the levels of professionalism'.⁹⁴ Quite a few journalists shared this view. For example, Ihor Kuliias, one of Ukraine's top television journalists/editors, also expressed the opinion that the state (establishment) perceived the media's role as 'to serve them'.⁹⁵ This idea was often linked to the observation that Kuchma and his circle continued to be oriented towards Moscow and were following Russian trends. Since Putin was using the Russian mass media as his propaganda tool, Kuchma wanted to do this too. This imitation was continuing a Soviet-era pattern where Moscow was considered the world capital, and therefore the trendsetter.⁹⁶ Evidence to support this view is quite clear from 2002 onwards, when one oligarch party, SDPU(o), hired Russian PR experts to run their campaign during the parliamentary election. Curiously, despite the fact that heavy handed propaganda tactics seemed to work for Putin, the same tactics did *not* work in Ukraine in 2002, and the same PR experts were hired once again in 2004 for the presidential election campaign.⁹⁷ This seems to support Ruban's view that the establishment was very convinced of the media's potential as a tool of propaganda and was working at fine tuning it.

⁹²Interview with Skachko, 18 July 2003.

⁹³Interview with Tetiana Korobova, Kiev, 26 June 2003.

⁹⁴Interview with Ruban, 25 June 2003.

⁹⁵Interview with Ihor Kuliias, Kiev, 16 June 2003.

⁹⁶Interview with Ruban, 25 June 2003; interview with Kuliias, 16 June 2003.

⁹⁷Interview with Serhii Kvit, Kiev, 23 July 2003; interview with Prytula, 18 July 2003.

An interesting point raised by many journalists was to draw a distinction between mass and elite opinion.⁹⁸ This was also related to the different functions which various forms of media had. Television, radio and mass circulation newspapers were described as targeting mass opinion, whereas the Internet and small circulation, privately owned papers such as *Dzerkalo Tyzhnia* were perceived as sources of information and analysis for the elites.⁹⁹ According to Kost' Bondarenko, one-time adviser to Victor Yanukovych, 'the role of the Internet is larger than that of other media outlets since its target audience is the intellectuals, the group in society which formulates public opinion. The Internet is a source of information for decision makers'.¹⁰⁰

This links to the view that the media were also an instrument of intra-elite struggle. Some journalists suggested that media outlets were used in the competition for power among elites, that the real target audience of most oligarch owned television channels and newspapers was not society but the president.¹⁰¹ 'It's all about influencing the decision makers', said Bondarenko, 'about "zvedennia rakhunkiv" (settling of accounts)—to protect interests of your political group and fight with others'.¹⁰² This argument does not necessarily conflict with the perspective that media owners curtailed information to protect themselves and the president from public scrutiny. Also, since in Ukraine the oligarchs have never been independent of the state, it seems plausible that the media would have been an instrument of their competition for power amongst themselves and in their relationship with the president. Once again, this lends support to Downing and Sparks's ideas that media cannot be viewed in isolation from larger political developments.

Conclusion

It is widely recognised that free and independent media are a key requirement for a democratic state and society. Ukraine made a good start in this direction when it became independent in 1991 and the state made it possible for private media outlets to exist, ended formal censorship and opened the doors to the global information highway. Yet by the end of the decade it became clear that freedom of speech had not developed in Ukraine, and in fact censorship had returned in a new form. Private ownership of media outlets did not prove to be a guarantor of free speech as over time it became increasingly evident that the difference between state and private media in Ukraine was no longer relevant. Both engaged in censorship with equal vigour. As pointed out by journalist Pohorelova in 2004, 'business is prospering without an independent media'.¹⁰³ In fact, as censorship intensified the GDP was growing.¹⁰⁴

⁹⁸See note 74.

⁹⁹For example, interview with Yulia Mostov and Volodymyr Mostovy, 24 June 2003; interview with Ligachova, 22 July 2003; interview with Bondarenko, 24 July 2003.

¹⁰⁰Interview with Bondarenko, 24 July 2003.

¹⁰¹Interview with Skachko, 18 July 2003; interview with Bondarenko, 24 July 2003.

¹⁰²Interview with Bondarenko, 24 July 2003.

¹⁰³Interview with Pohorelova, 3 September 2004.

¹⁰⁴Ukraine's economy went into growth in 2000; see A. Åslund (2001) 'Ukraine's Return to Economic Growth', *Post-Soviet Geography and Economics*, 42, 5, pp. 313–328.

In some ways the situation that developed in Ukraine began to resemble the situation that exists in developed Western states—concentration of media ownership, close relations between political and economic elites, and the use of the media by elites to manufacture the consent of the masses.¹⁰⁵ The key difference was that in Ukraine, the establishment was actively engaged in censorship using a variety of mechanisms ranging from ‘*temnyky*’—invented by Russian spin doctors—to economic pressures and physical intimidation. All of this was used as evidence of the country’s democratic backsliding which contributed to Ukraine’s isolation from the Western world. A vivid example of this was in 2001, when Kuchma went to the NATO summit, and neither the US nor UK leaders wanted to be seated near him and asked the language on the name cards to be changed to French.

This article has suggested that the return to censorship was an indicator that Kuchma and the oligarchs who surrounded him continued to think of the media as an instrument of power which they could use to contain public opinion, or, as the journalist Pohorelova has suggested, as a shield to protect themselves from public protest by limiting the amount of information which was allowed to circulate in society. This was also part of the reorganisation of power structures: the establishment was no longer promoting an ideology, but rather was interested in consolidating its power, and various oligarchic groups were engaged in struggles for resources and influence. The president was at the centre of these processes and the media were used as both instruments of intra-elite struggle and to create a distance between elites and society at large. As corruption spread, elites were interested in avoiding accountability for their actions, and were therefore not interested in a free and independent media.

Within Ukraine, no-one seemed really interested in an accurate assessment of the role of media during that time. Most journalists were interested in maintaining the myth of the influence of the media since their living depended on it. Media owners wanted to believe that the media were powerful, since they invested money in these ventures and were interested in profits, or at least in influencing the president. One journalist pointed out that many owners were suffering from illusions since their profits from television increased without the quality of information improving.¹⁰⁶ These developments can be interpreted in a number of ways, despite the limitations of media studies analytical frameworks. One view is that Kuchma and his circle continued the old Soviet political culture, or alternatively, that Kuchma subscribed to the powerful media effects model.

However, this article has attempted to demonstrate that before autumn 2004, attempts to create the *information vacuum* and manipulate public opinion were successful only in as much as large-scale public protests were contained. The establishment was *not* successful in gaining public support or winning votes despite their control of the media during the 2002 parliamentary and 2004 presidential elections. Ultimately, the attempts to control information failed and the massive street

¹⁰⁵A critical view of the media’s role in the US is provided by E.S. Herman & N. Chomsky (1988) *Manufacturing Consent: The Political Economy of the Mass Media* (New York, Pantheon Books).

¹⁰⁶Interview with Martynenko, 18 July 2003.

protests that became known as the Orange Revolution led to a new president and the end of censorship.¹⁰⁷

What remains to be seen is how Ukraine's mass media will develop in the future, whether it will adopt one of the existing models (Liberal, Democratic Corporatist Model or the Polarised Pluralist Model)¹⁰⁸ or develop an entirely new model of its own. Either way, it seems clear that the *information vacuum* is a thing of the past, and something that ended with the Kuchma regime.

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Appendix A

List of interviews: 2003–04

GOVERNMENT OFFICIALS

Chyzh, Ivan: Head of the State Committee on Television and Radio Broadcasting
 Hrytsenko, Mykola: press officer for National Council on TV and Radio Broadcasting
 Inguls'kyi, Valery: former deputy director Ministry of Foreign Affairs Press Centre
 Martynenko, Oleksander: director *Interfax* Ukraine, former member of National Council on TV and Radio Broadcasting 2001–03, Presidential Press Secretary 1997–2001
 Mashchenko, Ivan: adviser to National Council on TV and Radio Broadcasting, former director State TV and Radio Company
 Plus, Alla: State Committee on TV and Radio Broadcasting
 Puglisi, Rosaria: Council of Europe
 Shevchenko, Vitalii: Head, National Council on TV and Radio Broadcasting, former member of Parliamentary Committee on Freedom of Speech
 Vasyliiev, Serhii: Chief of the General Department for Information Policy, Administration of the President of Ukraine, 2002–04

JOURNALISTS

Anhimova, Olha: independent journalist
 Bondarenko, Kost': freelance journalist, analyst, speech writer for then Prime Minister Victor Yanukovych and 2004 establishment candidate for President
 Chaika, Roman: former editor of political programmes, NBM TV (later Channel 5) TV station, current host of political show, *5 kopiok*
 Korobova, Tetiana: outspoken journalist freelancing for *Hrani*, *Ukrainska Pravda* and other oppositionist media outlets

¹⁰⁷This argument is developed more fully in M. Dyczok (2005) 'Breaking Through the Information Blockade: Election and Revolution in Ukraine 2004', *Canadian Slavonic Papers/Revue canadienne des slavistes*, XLVII, 3–4, September–December.

¹⁰⁸See D. C. Hallin & P. Mancini (2004) *Comparing Media Systems. Three Models of Media and Politics* (Cambridge and New York, Cambridge University Press).

- Ligachova, Nataliya: founder and chief editor of *Telekrytyka* web publication, considered the best analyst on TV matters in Ukraine
- Lukatsky, Efrem: Associated Press photo journalist, first Ukrainian to work for Western agency
- Mostova, Yulia: Deputy Editor and Volodymyr Mostovy: Editor, *Dzerkalo Tyzhnia* weekly, the most widely respected newspaper in Ukraine. Mostova regularly appears on lists of most influential people in the country
- Prytula, Olena: co-founder and editor of *Ukrainska Pravda* Internet publication, the other co-founder was Heorhii Gongadze who disappeared in 2000
- Pohorelova, Iryna: journalist from the *glasnost* era, widely respected for the fact that she has never submitted to censorship. Former contributor to *Hrani*, the socialist newspaper, currently freelances for a variety of media including *Ukrainska Pravda*
- Ruban, Volodymyr: leading journalist in the early 1990s, first editor-in-chief UNIAN News agency, founding editor of *Den'* newspaper. In 2000 he became President Kuchma's speechwriter, but left that post within a year. Despite his unorthodox career, he is considered a respected figure among journalists in Ukraine
- Skachko, Volodymyr: editor-in-chief, *Kyivsk'yi Telegraf*, which is owned by Andrii Derkach, son of former SBU chief Leonid Derkach. Skachko was an independent journalist until he took this position, often leaving jobs because of censorship
- Veresen' Mykola: Channel 5, founding member of Public Radio, Charter 4, Ethics Commission, formerly journalist with BBC, 1 + 1 TV

SCHOLARS/ANALYSTS

- Brioukhovets'kyi, Viacheslav: President, University of the Kyiv Mohyla Academy
- Haran, Olexiy: Political Scientist, University of the Kyiv Mohyla Academy, Eurasia Foundation
- Kulyk, Volodymyr: Institute of Political and Ethnic Studies of the National Academy of Sciences of Ukraine, expert on national questions and media issues
- Kvit, Serhii: Dean, School of Journalism, National University of the Kyiv Mohyla Academy
- Ryabchuk, Mykola: writer, publicist, National University of the Kyiv Mohyla Academy, media expert
- Stepanenko, Victor: Institute of Sociology at the National Academy of Sciences of Ukraine
- Tsybulko, Volodymyr: writer, former government adviser

NGO ACTORS

- Horbal', Andrii: Centre for Ukrainian Education Reform, UMREP print media section
- Huz', Serhii: President, Independent Media Trade Union, 2003–04
- Kulias, Ihor: INTERNEWS trainer, former news editor for Pinchuk-owned *Novyi* Channel, quit in protest against censorship in 2002. At INTERNEWS he has

been training young TV journalists and actively involved in journalistic opposition activities, and is considered one of the top TV journalists in Ukraine

Lubchenko, Ihor: President, National Union of Journalists of Ukraine

Liakhovetska, Tetiana: Centre for Ukrainian Education Reform, UMREP, TV section

Mycio, Mary: IREX ProMedia, Head of Legal Aid Division

O'Conner, Tim: IREX ProMedia, Director of Ukraine Programme

Pidluska, Inna: President, Europe XXI Foundation

Veysberg, Mykhailo: former President, Ukrainian Association of Publishers of Periodical Press

Voznyi, Marat: Centre for Ukrainian Education Reform, UMREP, radio section

MEDIA MANAGEMENT

Rudenko, Valentyna: VP, private television Channel 1 + 1, the second most popular television channel in Ukraine

Shevchenko, Andrii: VP, national broadcaster UT1. Formerly prominent newscaster on Pinchuk owned *Novyi Kanal*, who resigned in 2002 to protest against censorship, became one of organisers and founding President of the Independent Journalists Trade Union, went on to lead the news team on the opposition Channel 5. April 2005 appointed VP of *UTI* with the aim of working towards a public broadcaster

Appendix B

TABLE B1

NATIONAL TV STATIONS: BROADCAST REACH AND AUDIENCE SHARE 2004

| <i>TV channel</i> | <i>Broadcast reach (%)</i> | <i>Audience share 2004 (%)</i> |
|-------------------|----------------------------|--------------------------------|
| UT1 | 96.4 | 2.8 |
| INTER | 99.4 | 23.4 |
| 1 + 1 | 98.7 | 21.0 |
| Novyi Kanal | 92.8 | 10.1 |
| ICTV | 93.3 | 7.8 |
| STB | 86.6 | 3.7 |
| Channel 5 | 37 | Less than 1 |

Source: GfK USM (2004) as cited by Oleksandr Tkachenko, www.telekritika.kiev.ua/comments/?id=20539.