**Threats of Wartime Restrictions to Post-War Democracy in Ukraine**

Mykola Polovyi

Comenius University, Bratislava

***Introduction.***

We live in the world of threats – to life, to freedoms, to democracy etc. All those threats are anthropogenic, naturally. In the case of natural disasters, the influence of the unconscious and ill-considered actions of humanity itself is generally recognized. In the case of many political processes, external forces, although anthropogenic in essence, often appear as a source of threats. In particular, contemporary authoritarian regimes are an undeniable threat, trying to expand their spheres of influence and revise the foundations of the modern world order. The main troublemakers in this sense are undoubtedly the authoritarian Russian Federation and China. At the same time, more and more studies have appeared recently devoted to the analysis of the internal mechanisms of the evolution of once-democratic regimes into authoritarian ones (Rak, Bäcker 2022). A lot of publications analyze in detail the ways of transforming democracies into different formats of militant ones (Baker and Rak 2022; Rak 2020; Kirshner 2014, Ellian, and Rijpkema 2018).

Modern Ukraine provides an example of a state that is gradually taking the path of abandoning democracy, but under the influence of factors that are extremely unusual for the modern world – under the influence of the armed aggression of the Russian Federation. In wartime conditions, the already fragile democracy of Ukraine is experiencing additional authoritarian pressure of an internal nature.

So, the aim of the paper is to assess the amount and essence of measures, connected with wartime restrictions of political process and communications, adopted in Ukraine during the Russian-Ukrainian war from February 2014 to January 2023, and to assess the grade of their threat for post-war democracy in Ukraine.

***Sources and methods.***

I analyzed three main channels of political information in Ukraine – "Ukrainian Pravda" ("Ukrainian Truth"), "Dzerkalo Tyzhnja" ("Mirror of week"), "UNIAN" ("Ukrainian Independent Information Agency of News") – and searched for references to political transactions.

Research based on the well-known idea, that in the information era, political transactions receive an existence only in the form of some public communicative act, which is recorded in media messages.

Theoretical framework of the research is bidirectional. The first direction connected with the theoretical grounds of neo-militant democracies analysis, proposed by R.Backer and J.Rak. The second ground of the research is my theoretical model of political density. This model was developed with the aim to determine and assess the relationship between the degree of density of political process and the stability of the regime. But it turned out that the model establishes a certain correlation between the density of politics and the degree of democracy or authoritarianism of the political regime also. So, public communicative acts, that constitute the content of the political process, are taken into account based on the main provisions of this model, which are as follows:

The central concept of the model is the notion of political volume (a three-dimensional social space, bounded by the borders of the state, in which there is some density of social relations. The closest analog is the density of gas in some volume.

The density of social relations depends on the number of interactions and the number of subjects of those interactions:

Then

DSR = I\*St (1)

Where DSR is the density of social relations;

I - is the number of all interactions in a society;

St - the number of individual subjects of social relations.

Based on this assumption, the concept of "density of politics (political activity, political process)", is defined through the concept of political interactions.

Political interactions include any interaction in which at least one party is a translator of a political text.

Then a "political text with the attributes of subjectivity" is directed toward politics, and its translator proceeds from an awareness, possibly erroneous, of his subjectivity. That is, he interprets himself as a subject, i.e. as someone who has his own political goal and the right to achieve it.

I draw on Thomas's theorem here, according to which "if a situation is recognized as real, it is real in its consequences".

Applied to political subjectivity, this means that if, for example, I believe that I am acting in the sphere of politics, then I recognize myself as a subject and my actions have the character of the subject's actions, which bears external signs of subjectivity.

Both physical actions and simple text are treated as a text.

I am referring specifically to the translator of a political text (in the broad sense I mentioned above), to emphasize that the author of the text may not be known. I assume the possibility of existence both a collective and an individual translators. It is also obvious that each act of translating a political text has some number of recipients.

An important provision of the model is condition, that the number of interactions is ultimately determined by the availability of their (as a matter of fact, technical) possibility. The possibility of interactions is determined by the number of available channels of communication, both organizational and technical.

Thus, we can propose the concepts of:

Proportion of political interactions:

PPI = Іp / І (2)

where

Ip is the number of political interactions;

I is the number of all interactions in society;

Proportion of political actors (translators):

PPA = Spt / N (3)

where

Spt is the number of subjects of political transactions (political actors);

N is the entire population of the country.

Then the density of politics can be defined as follows:

DP = PPI \* PPA = (lp / l) \* (Spt / N) (4)

Simplified with the aim of quantification, I define density of politics as the relative number of political transactions:

DPs = Ip \* Spt (5)

where;

Ip is the number of acts of political interactions;

Spt is the number of political subjects (subjects of political transactions).

Extensive examples in the political history of the 19th and 20th centuries convince that ceteris paribus, as we approach modernity, the number of political actors (in the broad sense of translators of political text I mentioned above) increases and at the same time the relative integrity of these actors decreases. In other words, there is a tremendous increase in the number of transactions in contemporary politics, which greatly simplifies any complexity of potentially possible discourse. Internet is precisely an appropriate way of multiplying the number of transactions, or imitating them, which, in the light of Baudrillard's ideas, has the same ontology.

Based on abovementioned concepts I suggest that the dynamics of policy density can serve as an indicator of the regime's movement toward democracy or authoritarianism.

Based on the model, I suggest that evidence of movement toward democracy would be an increase in density of politics, and evidence of movement toward authoritarianism would be a "thinning of the political atmosphere" – that is, a decrease in density of politics.

An simple self-checking confirmation of such suggestion would be the current situation in Russia: the increasing tightening of the regime is accompanied by an effective reduction in the number of actors (the defeat of all NGO's, non-systemic and now also systemic (the KPRF) "opposition", although this name looks strange in relation to Russia in the last 5-6 years, and, simultaneously, also a huge reduction in the number of political interactions.

The main parameters, taken into account, were various restrictions of political and civil activity, usually associated with the neo-militant democracies' measures. There were:

1) freedom of speech, the press,

2) freedom of religion,

3) freedom of association and public gatherings,

4) possibilities of protests in social media,

5) possibilities and confines for anti-Ukrainian propaganda.

The period of study was divided into three stages – 1) from the beginning of the war till Covid-19; 2) the period of "semi-peaceful" Covid-19 restrictions (2020 – the beginning of 2022); 3) from 24 February 2022 till January 2023.

***Results of the analysis.***

The study shows that two first periods from the beginning of the war till the 24 February 2022 have a lot of common features. Not the beginning of the war in 2014, nor Covid-19 didn’t affect significantly rights for speech, press and religion.

For instance, Russian newspapers/books remain as available as they were before the beginning of the war. Any restrictions on their distribution were a headache of enthusiasts. Support for Ukrainian book publishing was also a matter for enthusiasts, not state authorities.

Even after the Tomos adoption in 2018, the Ukrainian Orthodox Church of Moscow Patriarchy (pro-Russian) feels completely confident. Moreover, throughout the entire time before the start of the open invasion, there were additional difficulties in registering the communities of the new, Ukrainian Orthodox Church of Ukraine.

Even after the start of an open invasion, no one touched the Russian branch of the Orthodox Church in Ukraine. Only by the end of the summer of 2022, there were calls from public organizations and local authorities (in western Ukraine) to limit the influence of the pro-Russian Church, or even close its parishes. In this case, we are dealing with that rare situation when civil society initiates the introduction of measures of militant democracy.

Freedom of speech was not limited also. This can be seen from the fact that the possibilities of pro-Russian propaganda promoting in social networks and in the press were not limited in any way. Of course, it become impossible to publish direct calls for the elimination of Ukrainian state from the end of 2014. But poorly veiled anti-Ukrainian exhortations was still possible. Openly pro-Russian media also existed until April-May 2022. Pro-Russian propaganda also circulated freely on social media until the February 24 invasion.

 At the same time, the fact of waging war was periodically used by the authorities in order to fight against political opponents. In particular, both under the presidency of Poroshenko and under the presidency of Zelensky, attempts were made to close down TV channels owned by the opposition. Since in Ukraine those channels usually owned by oligarchs, at the end of 2021, as part of the implementation of the law on the fight against oligarchs, an attempt was made to deprive Ukrainian oligarchs of the media that they owned. In fact, this was the sole purpose of passing this law. It is generally accepted that the result should have been the transfer of media under the control of the office of the President of Ukraine. As a result, large media facilities owned, for example, by Poroshenko, were forced to change their formal ownership structure. However, the old owners retained indirect control over them.

Before the start of the full-scale Russian invasion, among all the factors taken into consideration, the restriction of freedom of assembly during Covid was the most severe. Let's remind, that according to my model of political density, political density is captured as the product of interactions and actors. A decrease in any of the multipliers leads to a decrease in policy density, and so would be a step towards authoritarianism.

According to the analysis of political transactions in Ukraine we can see three trends of political dynamics:

1) since the Revolution of Dignity in 2014 and on one's inspiration until the beginning of the Covid restrictions, there has been an upward trend in the number of political transactions (both verbal and physical). So we can conclude strengthening of the democracy in Ukraine and weakening of authoritarian means in this period.

2) after the beginning of the Covid restrictions we see a steady downward trend in the share of political interactions. Moreover, due to the specifics of the period of the epidemic, the agenda is deeply "simplified" – up to 10% of all political interactions during this period are related to "medical and health care" activities. Naturally, those activities have an external form of politics but are ad hoc reactions of the state to epidemy only.

Thus, data analysis based on the proposed model shows a slow implementation of militant democracy measures in Ukraine after the start of the period of Covid restrictions. It must be emphasized that Ukrainian data shows that nether beginning of the war in 2014 nor the Covid-19 lockdowns couldn't bring the country to significant militant democracy measures. All the time state authorities slowly had gone further to authoritarian-minded consolidation in front of the perceived danger of the political crisis. At the same time due to "off-line restrictions" during the Covid-19 period we can see the trend of increase of the quantity of controversial decisions of authorities despite people's protests.

3) The third trend, the trend of fast implementation of militant democracy measures began with the moment of Russia's open invasion to Ukraine.

From 24 February 2022 Ukraine implemented a martial law which entails a lot of restrictions for political activity. Freedom of assembly and freedom of speech were restricted. At the same time, Ukrainian authorities made additional confines for pro-Russian-minded forces. In particular, the activities of several pro-Russian parties such as "Opposition Platform – 'For Life'" and "Shariy Party" were prohibited.

It looks understandable and welcomed by Ukrainian society, but it should lead to many discretionary consequences for the future development of democracy in Ukraine.

The most notable measure of militant democracy of a non-directional nature (i.e. not directed at any specific political actors) during the invasion was the beginning of a single television broadcast in March 2022 - a round-the-clock marathon "United News #UArazom". At the same time, the implementation of this decision during around a year of hostilities had different facets: for example, at the beginning, almost all TV channels were simply closed, including openly opposition ones, for example, the "Prjamoi" ("Direct") channel which is affiliated with the former president Poroshenko. Then a part of even dubious but loyal to the authorities TV channels were added to the process of organizing a single broadcasting, but openly opposition ones were not included in this single broadcasting network.

Plans also emerged during the summer 2022 to introduce a ban on political activity for former members of (already banned) pro-Russian parties. Moreover, there were persistent rumors that in the wake of the success of the summer counter-offensive and the expected imminent victory of Ukraine in the war, the Ukrainian authorities were preparing to hold pre-term parliamentary elections. Given the ban on participation in politics of some oppositionists and on the wave of euphoria from the victory, the presidential party should have gained a constitutional majority (more than 300 seats) in the Parliament, and this would undoubtedly create a serious threat to democracy in Ukraine. So far, these plans have not been implemented, but there is no doubt about the feasibility of their implementation within a few months after Ukraine's victory in the war. There is no doubt also that the people of Ukraine will support this process. For the January 2023 there is no any decisions of termination of powers of Verkhovna Rada deputies, elected from the banned party "Opposition Platform – 'For Life'". Everybody agree, that there is social approval of such deals, but all invented ways of the termination conflict with the Constitution of Ukraine. It can be assumed, that such termination of powers of deputes from banned parties will be the next visible step of Ukraine to the neo-militant democracy.

There is one more issue raised recently: in the later autumn 2022 and in winter Russian forces had become targeted especially objects of civil infrastructure, such as power plants, power lines etc. In this case, we are dealing with classic terrorist tactics. As you know, this tactic involves intimidating the holder of power - the people - so that they, being frightened, in turn, put pressure on the government to comply with the terrorist's demands. This tactic is extremely successful in the case of genuine democracies, where, under the pressure of frightened people, the governments, that are true to their employees, are ready to make practically any concessions to terrorists.

However, in the case of modern Ukraine, the successful introduction of elements of militant democracy – and above all the undemocratic centralization of the media space – leads to the opposite result. Instead of demanding a speedy truce with Russia from the government (which Putin obviously wants), the people were calmly and even militantly accepting the restrictions associated with interruptions in the supply of electricity, water, and heat.

***Conclusions.***

So, in the conditions of a military conflict, the negative manifestations of militant democracy, primarily in the area of ​​limiting media freedoms and forming a single media agenda, restrictions of oppositional political activity, turn out to be very useful for ensuring people's mobilization for struggle (mobilization in the broad sense of the word) and for successful armed resistance to a stronger enemy.

In modern Ukraine, anti-Russian and pro-war propaganda, reinforced by the monopolization of the media, actually deprives the "terrorists" from the Russian political leadership of the opportunity to successfully pressure the Ukrainian government through the people.

So, we can argue that a by-product of the implementation of the measures of militant democracy is the guarantee of victory in the war.

At the same time, an extraordinary strengthening of militant democracy in the first months after the end of the war (as the trend prolongation) looks inevitable. There can be no doubt that without additional efforts to eliminate the influence of militant democracy measures, after the end of the war, Ukraine will inevitably fall into the trap of neo-militant democracy. Moreover, criticism of this regime from outside and inside the country will be extremely difficult because it will be a regime that has led the country to victory over a more powerful enemy.

***Literature:***

1. Joanna Rak, Roman Bäcker (eds) (2022): Neo-militant Democracies in Post-communist Member States of the European Union. London and New York: Routledge Taylor & Francis Group.

2. Alexander S. Kirshner (2014): A Theory of Militant Democracy: The Ethics of CombatingPolitical Extremism. New Haven and London: Yale University Press.

3. Afshin Ellian, Bastiaan Rijpkema (eds.) (2018): Militant Democracy – Political Science, Law and Philosophy. Cham: Springer Verlag.

4. Joanna Rak (2020): Conceptualising the Theoretical Category of Neo-militantDemocracy: The Case of Hungary. Polish Political Science Yearbook, 49 (2): 61–70.

5. Joanna Rak, Roman Bäcker (2022a): Theorising struggles between neo-militant democracies and their enemies. In Joanna Rak, Roman Bäcker (eds) (2022): Neo-militant Democracies in Post-communist Member States of the European Union. London and New York: Routledge Taylor & Francis Group, 3-21.

**Summary**:
The aim of the text is to assess the amount and essence of measures, connected with wartime restrictions of political process and communications, adopted in Ukraine during the Russian-Ukrainian war from February 2014 to January 2023. The period of study is divided into three stages – 1) from the beginning of the war till Covid-19; 2) the period of "semi-peaceful" Covid-19 restrictions (2020 – the beginning of 2022); 3) from 24 February 2022 till January 2023.

The main attention is given to restrictions of political activity including freedom of speech, the press, religion, association, public gatherings, protests in social media, possibilities, and confines for anti-Ukrainian propaganda.

Ukrainian data shows that neither the beginning of the war in 2014 nor the of the Covid-19 lockdowns couldn't bring the country to significant restrictions on democratic freedoms. All the time state authorities slowly go further to authoritarian-minded consolidation in front of the perceived danger of the political crisis. At the same time due to "off-line restrictions" during the Covid-19 period the trend of increase in the number of controversial decisions of authorities despite people's protests.

From 24 February 2022 Ukraine implemented martial law which entails a lot of restrictions on political activity. But at the same time, Ukrainian authorities made additional confines for pro-Russian minded forces. It looks relevant to the circumstances and is welcomed by Ukrainian society, but it should bring huge threats to the post-war democracy in Ukraine.

**Keywords**: wartime political restrictions, post-war regime, Ukraine, militant democracy, authoritarian threats

**Mykola Polovyi**. He was born in 1972 in Obninsk, Kaluga region, USSR, PhD in History (1997), D.Sc. in Political Science (2011). A professor at the Comenius University, Bratislava, Slovak Republic. His research interests revolve around quantification, simulations and forecasting of historical, social and political processes. An editor-in-chief of several scientific journals: international “Evropský politický a právní diskurz” ("European Political and Law Discourse") and Ukrainian "Bulleting of Vasyl' Stus Donetsk National University. Political Science Series". Personal web site: http://myko.name.

Profile at WoS: https://publons.com/researcher/1632603/mykola-polovyi/

Email: mykola.polovyi@fses.uniba.sk

Phone: +421944395105

Mailing address: Mlynské luhy 4 - B129, Bratislava, Slovakia, 821 05