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# EXPERIENCE OF IMPLEMENTING DECOMMUNIZATION LAWS IN EASTERN UKRAINE: A KHARKIV CASE

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### Abstract

The article deals with an instrumental use of the national legislation by the local authorities in Kharkiv, the second-largest city in Ukraine and shows how the shortcomings in the national legislation on the politics of memory can be used by the local political elites of “borderland city” in an attempt to raise the rating and/or to mobilize the electorate before the elections. Consequently, several interviews with local experts and activists were conducted in 2019, and qualitative data analysis was made for the transcribed texts as well as a short review of other papers on the subject. Also, the article shows how the local court can accelerate the process of depriving a historical building of the status of an architectural monument using decommunization laws. The study confirms the existence of serious polarization in Ukrainian society and the superficial nature of decommunization (started in 2015), which stimulates the deepening of such polarization.

### Key words

decommunization, Ukraine, Kharkiv, politics of memory.

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## 1. Introduction

Memory politics of the Ukrainian government after Euromaidan was one of the most discussed topics by scholars, journalists, Ukrainian and foreign politicians, local and national activists. Although this issue was not identified by citizens as the most important for them (Kulyk, 2017), decommunization was one of the topics raised during presidential campaigns (Balacuk, 2019). In this research, the data from 6 in-depth interviews conducted in August – December 2019 in Kharkiv with local experts and activists following the previously prepared questionnaire is

used. Even though the experts selected for interviews work in various fields<sup>1</sup>, their opinions certainly reflect only certain narratives. It also may differ from the diversity of opinions of Kharkiv city dwellers and the residents of General Grigorenko/Marshal Zhukov Avenue, which is discussed in this article. Thus, the main tasks of the research are:

1. To analyze how completed in the opinion of the central authorities decommunization process

<sup>1</sup> Academia, art, and architecture, public administration, education, voluntary organization. Some of them are organizers of the local Euromaidan and Equality Parade.

was instrumentalized by local elites in Eastern Ukraine.

2. To analyze how decommunization laws were used for corporate business interests in Kharkiv.

The primary method for this research is the analysis of decisions made by the local authorities and courts in Kharkiv as well as qualitative analysis of interviews with experts.

## 2. Decommunization in Ukraine and Kharkiv

Oleksandr Grytsenko made an in-depth analysis of the decommunization process in his book "Decommunization in Ukraine as a public policy and as a cultural phenomenon" (Grytsenko, 2019). He showed alternative ways of solving problems, which decommunization dealt with (leave it as it is, liberal alternative, radical alternative) as well as presented opinions of some critics of Ukrainian historical politics. In the second part of his book, O. Grytsenko researched decommunization as a socio-cultural process. Georgy Kasianov showed the image of Ukrainian historical politics from the 1990s to 2010s in his fundamental monography "Past Continuous: Historical Policy 1980–2000: Ukraine and its Neighbours" (Kasianov, 2018). As local phenomena, decommunization was described in collective work "Politics and Memory. Dnipro – Zaporizhzhya – Odesa – Kharkiv. From the 1990s till today" (Gaidai et al. (eds.), 2018). The authors underlined purposes and attempts of local authorities to make Kharkiv a "bourgeois" city, where markers of its proletarian character from soviet times without being noticed were removed (Gaidai et al. (eds.), 2018, pp. 84–88)<sup>2</sup>.

Some toponymic changes made in Kharkiv, their qualitative and quantitative characteristics were explored by M. Takhtaulova (2017), a scholar and activist of the local Toponymic group during the decommunization process, and from June 2019 a Head of the Kharkiv department of the Institute of National Memory (North-East Territorial Department) (U Harkovi..., 2019). As M. Takhtaulova showed it, Kharkiv urban toponymic space has not changed much after 1991, because local authorities, as well as local citizens, did not consider the Soviet monuments and the Soviet toponyms as a strange marker of occupation or colonizer. Over time, the Soviet monuments became almost invisible, and the Soviet names of urban objects lost their "semantic sense" (Gaidai et al. (eds.),

2018, p. 84). Of course, that changed in 2014, when anti-maidan protesters<sup>3</sup>, as well as those, who supported the federalization of Ukraine (or supporters of proclamation so-called "people's republics," or supporters of succession to Russian Federation), started to use the Soviet symbols and monuments as their markers and places where they manifested their willings (Kozachenko, 2019). One of the reactions of the Ukrainian government was decommunization, which started with the adoption of decommunization laws by the Ukrainian Parliament on April 9, 2015<sup>4</sup>. According to O. Grytsenko, decommunization was "all Ukrainian ritualized campaign of symbolic liberation from the burden of the Soviet totalitarian past" (Grytsenko, 2019, p. 317). As O. Grytsenko pointed out, there were four groups of main "decommunization narratives," including the purification of Ukraine, regional (decentralized) narrative, opposition narrative of "Banderaization" of Ukraine, and liberal narrative. In this article, the local narrative in the city of Kharkiv is analyzed, where, in O. Grytsenko terms, "the patriotic activists have long-lasting experience of not too strong support of Ukrainization [...] efforts from the capital" (Grytsenko, 2019, p. 209). O. Grytsenko shows and considers the efforts of local activists, who supported decommunization and make projects of renaming urbanonyms (like the Kharkiv Toponymic Group) as was coveted for the Ukrainian state and should be nationalized.

Other prominent Ukrainian scholars, such as M. Minakov and G. Kasianov (mentioned in Grytsenko's work<sup>5</sup>), criticized decommunization and con-

<sup>3</sup> Anti-maidan protest in 2013 were organized by the Party of Regions to show mass support of President Yanukovich (who was honorary chairman of the Party), but from February 2014 this movement "suddenly acquired a powerful grassroots dynamic in regions in south-eastern Ukraine" (Ishchenko, 2016, p. 9).

<sup>4</sup> Spontaneous decommunization in Kharkiv started earlier, with leninopad, and demolishing of the Soviet monuments took place. The names of these laws (the English translation cited from Grytsenko, 2019): *On the Legal Status and Honouring the Memory of Fighters for Ukraine's Independence in the Twentieth Century* (No. 314-VIII), *On Perpetuation of the Victory over Nazism in World War II of 1939-1945* (No. 315-VIII), *On Access to Archives of Repressive Agencies of the Totalitarian Communist Regime of 1917-1991* (No. 316-VIII), *On the Condemnation of the Communist and National Socialist (Nazi) Regimes, and Prohibition of Propaganda of Their Symbols* (No. 317-VIII).

<sup>5</sup> O. Grytsenko did not mention left critics of historical politics in Ukraine after 2014. Some criticists can be included to one of the narratives, defined by the author, but despite the fact that left-wing in the Ukrainian public policy is rather marginalized, the academic and publicist achievements of left intellectuals should be represented in analysis of the memory politics in Ukraine (Serhiienko, 2017).

<sup>2</sup> Of course, both the proletarian and revolutionary character of Kharkiv in Soviet time, as well as its bourgeois character after 1991, was rather artificial and did not represent the whole image of this east-Ukrainian city.

sidered it as “an attempt to create a constitutionally barred ideological monopoly” (Minakov, 2019); also “anticommunist iconoclasm reminds Bolshevik ecstasy in the destruction of monuments of autocracy, “decommunization” of topography is the flip side of its “communization” (Kasianov, 2016).

The Kharkiv Toponymic Group was created after adopting and signing decommunization laws in 2015. The activists from this group were the most active among other NGO actors of decommunization, and they made their project of renaming and sent it to the city council, which had to provide decommunization in the city. As dominated by the former Party of Regions<sup>6</sup> members with the majority, totally depended on the city mayor Gennady Kernes, the city council was rather “decommunization-skeptic,” what has been confirmed by the way in which decommunization was represented in the city-owned media as well as in the scandals, provoked by city authorities during a public discussion on the city and district level (Kutsenko, 2018). However, decommunization in Kharkiv took place<sup>7</sup> (221 toponyms changed their names by the decision of the City council and the City mayor, and two toponyms, seven administrative districts and six subway stations by the decision of the Head of the Oblast (Regional) Administration) (Takhtaulova, 2017), and that were admitted even by the members of the Kharkiv Toponymic Group (V Har’kove..., 2016).

Another decommunization analysis was presented by O. Gnatiuk (2018). Despite not some ideological bias, Oleksiy Gnatiuk showed, using data on renaming in 36 Ukrainian cities, that “decommunized” Kharkiv is not at any of the ideological poles. Moreover, somewhere in the Kharkiv oblast (even though the only city of the region under this study was Kharkiv), there are fault lines between “nationalistic Ukraine,” “Cossack Ukraine” and “post-Soviet Ukraine.” Of course, the reinforcement of Gnatiuk’s thesis required the study of the whole array of names in large and medium-sized cities of Slobozhanshchyna and Donbas.

Presenting an in-depth sociological analysis of renaming in Kharkiv, O. Golikov (2020) criticized Takhtaulova’s conclusions regarding decommunization in Kharkiv and showed that the authors of

normative acts should be separated in order to analyze the renaming process, taking into account their source of legitimacy. Since the President appoints the head of the Oblast Administration (governor), the sources of legitimization are different for the City Council, the city mayor and the governor. The heads of the Oblast Administration are not inclined to rely on public opinion, but pursue the policy of the centre in the region. As O. Golikov (2020) has shown, that was the reason the renaming carried out by the City Council is less conflictual and more elaborated and justified for its residents. Moreover, the degree of localization of the renaming carried out by the Oblast Administration is lower in comparison with the City Council. However, there was a conflict during the decommunization process between the City Council on the one hand and the activists and the Oblast Administration on the other.

Both the interviewed experts and one of the specialists of the regional department of the Institute of National Memory (Zub, 2016) pointed out that the majority of the city residents did not show much interest in decommunization.

However, speaking about decommunization in Kharkiv Expert 1 (E1) said:

People just do not attach importance to renaming, that is the very weakness of decommunization because it does not explain at all who these people were, whose names we removed from the map.

### 3. Other decommunization actors

The complete list of historical political actors was suggested by G. Kasianov (2016), and among others, there are NGOs. Not less than 2000 non-government actors took part in historical politics directly or indirectly. It is impossible to mention all Kharkiv out of the government decommunization actors; however, after the process’ period (for the City Council – November 21, 2015, for the city mayor – February 21, 2016, for the oblast administration – summer 2016), when all toponyms had to be changed as well as the monuments, memorial plaques had to be removed, the local right-radical activists such as The Right-Wing youth of the National Liberation Movement “Right sector” – Kharkiv region, NGO “Svitanok,” spearheaded by the former Euromaidan activist, started to gather information about the non-decommunized objects. They removed or forced the local authorities to remove the Soviet symbols or memorial plaques to people that were taken to the list of the Institute of National Memory, or should be removed in their

<sup>6</sup> Pro-president Party of Regions had the largest fraction in the Ukrainian Parliament and formed the Ukrainian Government in 2010–2014 (Kuzio, 2015). Expert 3 confirms that the local structures of the Party of Regions were involved in the beating of the local activists and attacks on the Euromaidan in Kharkiv.

<sup>7</sup> An interactive map of decommunization in Kharkiv can be found at <https://allkharkov.ua/news/state/nteraktivna-karta-dekomynzac-harkvsko-toponmki.html>

opinion<sup>8</sup>. The activists (and the Kharkiv Toponymic Group) used the narrative of “purification of Ukraine” from communist and sometimes colonial, imperial, and Russian legacy (and that expanded the scope of the decommunization law (Riabchuk, 2016)).

The local right-wing forces participated in the policy of memory not only by destroying the monuments and memorial plaques but also by installing new monuments. “Eastern corps” in 2014 installed in the city center the Cossack Sirko<sup>9</sup> monument, and in 2017 new Sirko monument was unveiled in the presence of the city mayor Kernes and Oleg Shyriayev, the head of “Eastern Corps.” Kernes “took the opportunity to show his loyalty to the central authorities, who, despite Maidan demands, compromised with the old local elites” (Gaidai et al. (eds.), 2018, p. 67). Eastern Corps, now the National Police Company, founded mainly by the members of the neo-nazi group “Patriot of Ukraine” (Shekhovtsov, 2020) in 2014. After May 2019, when Zelensky won presidential elections in Ukraine, Kernes was not required to show loyalty and acceptance of Poroshenko’s identity politics (of which decommunization was part), so he could openly start a new little memory war.

#### 4. A case of Marshal Zhukov Avenue

After the first wave of decommunization, when the City Council adopted toponymic changes, the Oblast Administration (headed by Igor Raynin) also renamed some urbanonyms. One of the Oblast Administration decision was to change the name of Marshal Zhukov Avenue to General Grigorenko<sup>10</sup> Avenue. As per O. Grytsenko (2019), Marshall Zhukov as a person was not subject to the law because he took part in the resistance and expulsion of Nazis from the territory of Ukraine (Grytsenko, 2019, pp. 137, 148). At the same time, he was included to the list by UINM, and although this list was recommendatory, the heads of the Oblast Administrations in different regions of Ukraine interpreted it as obligatory

(Grytsenko, 2019; Golikov, 2020) and changed the street names according to this list. After that renaming, Vitalii Khomutynnik, a businessman, a Member of Parliament and co-head of the same party which the mayor Kernes belonged to (Vidrodzhennya), sent an address to the President Administration with the proposition to return Marshal Zhukov’s name to the avenue and that was actively promoted by the city-owned press (V AP..., 2016) and television (Prospektu..., 2016).

Marshal Zhukov Avenue was not the historical name of the street that appeared in this area of Kharkiv in the 60s (fig. 1). Until 1982, that was Stadionna Street (Stadium Street), later 60-littya SRSR Street (60 Years of the USSR Street), and Marshal Zhukov Avenue since 1990 (Kudelko (ed.), 2011). In 1995, next to the District Administration, a Zhukov’s monument was revealed, and in 1997, a Zhukov’s monument appeared in the underground station named “Komsomolska” before 1994, and from May 1994 – Marshal Zhukov<sup>11</sup> (Har’kovskij Enciklopedičeskij Slovar’, 2014, p. 251).

In 2019 the parliamentary elections were held, and the mayor of Kharkiv, Gennady Kernes, in support the candidates from the Opposition Bloc in the parliamentary elections, decided to use the tacit opposition of Kharkiv citizens to decommunization, publicly urging citizens to sign a petition to return General Grigorenko Avenue the name of Marshal Zhukov (Commotion..., 2019). The petition registered on a site of the City Council on May 8, 2019, and on May 10, it collected the necessary 5000 votes. After that, on June 19, the question of renaming General Grigorenko Avenue to Marshal Zhukov Avenue was brought on the session of the City Council. Despite the violations and the protest of the opposition deputies, as well as the protest near the building of the City Council, the majority decided to return the name of Zhukov Avenue, as well as to give the name of General Grigorenko to the nameless street in the city center (Verhom..., 2019). As early as on June 2, during the party congress with the participation of the mayor of the city in the Kharkiv Sports Palace which is located on the General Grigorenko/Marshal Zhukov Avenue, the radical activists (Freikorps, that have previously involved in attacks on equality parade in Kharkiv (Interview with Expert 6, December 2019, Kharkiv), Right Sector, NGO Svitanok, etc. (Troubled..., 2019) demolished the Zhukov’s monument. However, on July 10, the monument was restored. Parliamentary elections took place in Ukraine

<sup>8</sup> Sometimes, the excessive activity of these groups caused indignation among the members of the Kharkiv Toponymical group (and later the specialists of the local branch of the Institute of National Memory), for example, when the evidence and artefacts of Kharkiv binding to the revolutionary events of 1917–1920 were destroyed (see more at [https://www.facebook.com/permalink.php?story\\_fbid=956566891157844&id=100004136254577](https://www.facebook.com/permalink.php?story_fbid=956566891157844&id=100004136254577)).

<sup>9</sup> Ivan Sirko (1605(?)–1680) Ukrainian Cossack leader, Koshovyi Otaman of the Zaporizhian Host.

<sup>10</sup> General Petro Grigorenko (1907–1987) was a dissident and writer, one of the founders of the Moscow Helsinki Group and Ukrainian Helsinki Group.

<sup>11</sup> Coincidentally, in Moscow, a first Zhukov’s monument also was revealed in 1995 due to the 50th anniversary of the victory in WWII.



Fig. 1. Old inscription with the street name, August 2019

Source: image by Denys Kutsenko.

on July 21, 2019, and a single candidate, supported in Kharkiv by Gennady Kernes, did not get into parliament.

Reacting to the renaming of the avenue, the activists began to tear down the signs with the new name, but this forced community services to hang signs with the name of the street at an altitude accessible only if special equipment was available (fig. 2) (Barkov, 2019).

After the City Council decided to rename the street, the City Council deputy Ihor Cherniak and the Regional Council deputy Dmytro Bulakh appealed to the Kharkiv District Administrative Court (Miroshnichenko, 2019), which ruled on September 10 that the City Council's decision to rename the street was illegal. Also, the Institute of National Memory issued a statement according to which the Ukrainian legislation forbids to call objects of toponymy by Zhukov's name (Z Žukovim..., 2019). However, the city authorities appealed and organized online voting on the website of the City Council, according to which 86% voted for turning the name of Zhukov Avenue. On February 26, 2020, the street again was renamed from General Grigorenko Avenue to Marshal Zhukov Avenue (Prospektu..., 2020). The new head of the National Institute of Memory Anton Drobovych stated that voting on the website of the mayor's office was rigged (U Harkovi..., 2020). However, the announcement of the UINM about the second renaming was more restrained in comparison with the previous

one and stated not only that the decision was against the law, but also that the Kharkiv authorities „are engaged in speculation and opposition of two war veterans - Petro Grigorenko and (...) marshal Zhukov” (Zaâva..., 2020), while the statement of January 27, 2020, mentions that such a decision „contradicts the call of the President to use when naming articles that unite, rather than separate Ukrainians” (Inicijativa..., 2020). One of the UINM statements also refers to a press conference members of the Demsokyra party<sup>12</sup>, in which they explain why the online voting was rigged (Mis'krada..., 2019). While in 2014–2019 (and during Yushchenko presidency), there was an antagonism between the regional and the city authorities regarding the policy of memory in the region (Zhurzhenko, 2016), now the Oblast State Administration has limited itself to stating that the local governments, when deciding on the renaming, should “act in strict compliance with the current legislation” (Rišennya..., 2019). President Zelensky called on Kernes to become an arbiter in a dispute over the name of the avenue (Lashenko, 2019). Thus, the Oblast State Administration ceased to be a subject of memory policy in the region, at least for a certain period, and the city authorities started the new memory war with the activists.

<sup>12</sup> Activists from Demsokyra also participated in pulling down the Zhukov's monument in June, some experts attribute it to President Poroshenko (Operaciâ..., 2019).



Fig. 2. A sign with a new street name and a trace of an old sign. August 2019

Source: image by Denys Kutsenko.

When asked why Kernes initiated the renaming of the avenue and provoked the demolition of the Zhukov monument, all the interviewed experts agreed that this was done to mobilize the electorate before the elections.

E1 (historian, publicist, translator):

Here is the latest story with Zhukov, very revealing. It is a vivid example of a very unhealthy climate that has developed in the last two or three years of Poroshenko's presidency. That is when all failures and low ratings should have been compensated by Russophobic and Sovietophobic hysteria, and here we are. And then a very clear signal was given with the renaming of the avenue in Kyiv after Bandera. Well, I understand that the vast majority of people involved in the renaming, which took place in a strange procedural form, and those who welcomed it very badly imagine who these people were, what they were doing there. For them, these are just symbols of the struggle against Russia, i.e. we renamed the avenue we spit in Moscow's face.

E2 (political scientist):

Humanitarian manipulation and humanitarian speculation on history, language, and cultural identities remain one of the main instruments of mobilization in our policy.

We now have the primary phenomenon of Zelensky, who was able to unite both anti-maidan and pro-maidan publics in principle. I think that we will return to this binary schism in some time. Roughly speaking, if you look at the electoral maps of the 2004 and 2010, you will see that it is the same electoral map of Ukraine, in general. This local [department] of the institute [the Institute of National Memory] was created as an opposition to the way Kernes built his political campaign through Zhukov and through it all. And the appearance of the [local department] of the Institute of National Memory means simply that in future this topic will be long-playing and interesting for the media, it is necessary that it be a conflict one. For me, it is just evidence that the conflict will continue in the local elections and perhaps in our next election cycles.

E3 (Euromaidan activist):

It was a pure election thing. Especially, they did it simultaneously in Kharkiv and Odesa. It did not help in the voting; they really took 8%.

E4 (volunteer and political scientist):

It was done for the elections so that those 70 percent of Sovietophylls in the Kharkiv region could show that 'we will support you, we love you, we are all with you.

However, it did not help him – not a single person, a protégé of Kernes, was elected as a majoritarian.

E5 (PR-director, art director, activist):

This may not be about their rebellious values, this is about the fact that very quickly finds a response from his electorate in a very simple whirlwind, that there was a struggle against fascism, and now new power comes, and fascism imposes.

As can be seen, Expert 1 and Expert 2 characterized the policy of memory of the last years of the Poroshenko presidency as separating the population and leading to polarization. The narrative used by these experts, according to Grytsenko's classification, is rather liberal.

### 5. A case of the Mussuri Theater

One of the historic buildings in the center of Kharkiv, the Mussuri Theater, was included in the list of architectural monuments as a building in which worked all-Ukrainian congresses of councils, congresses and conferences of the Communist Party of Ukraine and LKSMU, the Congresses of Komsomol of Ukraine (Borisova (ed.), 1977, p. 157). In 2005, the building was removed from the list of monuments due to its emergency condition and was gradually destroyed. At the meeting on January 18, 2019, the Advisory council on the protection of cultural heritage at the Department of Culture and Tourism of Kharkiv Oblast State Administration decided on the wrong removal of the theatre building from the list of monuments. It petitioned the Ministry of Culture not to include the object in the list of monuments with "communist" substantiation<sup>13</sup> (Zasidannâ..., 2019). Besides, the owner of the site where the theatre is located filed a lawsuit to the Kharkiv Regional State Administration with the demand to cancel the decision of the Kharkiv City Council from 25.01.1972 about the inclusion of the building in the list of monuments of the history of local importance. One of the arguments of the exclusion from the list was the Law No 317-VIII (One of the decommunization laws, (Zakon Ukraïny..., 2015)). The court took the plaintiff's side and cancelled the decision of 1972, repeatedly depriving the theatre of the monument status (Decision No 82345242 (Rišennya..., 2019)). Thus, if the local authorities do not want to defend the monuments of architecture, the law opens the door to the destruction of monumental art objects,

historical monuments, and archives created in the Soviet period or related to the establishment of Soviet power in Ukraine. Of course, the reasons why works of monumental art and architecture are destroyed in Ukraine are not reduced to mere decommunization, but decommunization opened the door more widely and provided another argument to the authorities in their complete submission of space to their goals. As levgeniia Gubkina, an architect and architectural historian pointed out: "In post-Soviet countries, decisions are made only by the authorities, based on their own goals or the goals of a big business with which contemporary governments often have corrupt relations, while communities and activists are not just completely excluded from the decision-making process, but also deprived of any chance of influencing it" (Gubkina, 2020). The problems that decommunization created for the art of the Soviet period were also pointed out by N. Kalita (2019) and Y. Nikiforov (2017).

### 6. Conclusion

Two case studies showed how authorities and regional political elites could instrumentalize and manipulate the decommunization laws adopted in 2015 to address the tactical challenges as well as to maximize the benefits of urban space management and access to resources. In the discussion of 2017 between the future director of the Kharkiv UINM department Maria Takhtaulova and a critic levgeniia Gubkina ("Otraženie...", 2016) was the thesis made that instead of discussing the communist system, its undemocratic nature and totalitarianism, the Ukrainian society has moved to the destruction of arts and crafts as well as monuments. This case study confirms Gubkina's thesis. It is essential to pay attention to the significant polarization between the local activists in Kharkiv, the City Council and the regional administration in 2014–2019. The latter two bodies have different legitimacy, different budgets and a different set of tools to implement a policy of memory in such a complex borderland city as Kharkiv. The case of Marshal Zhukov Avenue and the destruction of the Mussuri Theater shows that the processes stimulated by decommunization are not yet complete, and the pluralism and the chaotic introduction of changes in urban space can continue to cause conflicts at the local level.

<sup>13</sup> Probably, council members wanted to prepare a new substantiation report, why the building should be on the list of monuments, but did not have time to do so due to the complexity of bureaucratic procedures.

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