

## **Between “Hosanna!” and “Crucify Him!”**

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The Maidan was an act of faith - pragmatism cannot arouse such enthusiasm. However, most Maidan actors understood even back in November that their enthusiasm would gradually ebb. Some Ukrainians have even lost faith. The majority is still faithful, albeit wary of the latest developments in Ukraine. They expected more from the Yushchenko-Tymoshenko team.

I do not want to censure the administration - the press does it with a greater zeal and zest than is sensible. Some reporters do it sincerely, others for big money. Nor do I wish to prophesize, aspiring to unravel secret motives of those fighting for power or define Ukraine's oil-and-gas prospects. The only aim I hope to achieve with this publication is to offer a different perspective that might be of interest to some readers...

### **Powers That Be**

Ever since the autumn of 2004, I have been rejoicing in the sentiment that I shared with those on the Maidan: my country will have a government that I elected and that I understand. Its achievements would be my achievements as, basically, we have common goals. Its mistakes could have been my mistakes had I been one of the team. I am fully aware that this government would not resolve all of Ukraine's problems because it is not perfect and the time will come for us to replace it. Yet I believe that this government will make a difference and establish a bridgehead for a new one. Today, I refuse to watch many Ukrainian TV channels - not because they criticize this government, but because they do so from a position that I would never accept.

I like the president's genuine caring and standing up for Ukraine's national interests, and I empathize with the government's vehement desire to defend these interests in disputes with Russia. I know there will be failures, but I have always dreamt of a government with a healthy nationalist instinct that has nothing to do with morbid Russophobia. Leonid Kuchma sold to Russia almost everything it wanted in Ukraine, except for the people's will and love for their land. I am not discouraged with Europe's lukewarm response to our integration plans - it will teach us to do business with Europeans and soberly evaluate our chances, rather than rely on our partner's altruism.

Looking around I cannot help praising the president and his administration for an incomparably greater freedom than we have ever had before in this country, and for enabling the nation to learn how to use this freedom. I praise them even though I know that the time will come when they will try to shorten the leash, and the people will have to save the Maidan heroes from their transformed selves by shoving love through defiance.

Moreover, I cannot get rid of a nagging thought that the incumbent Ukrainian administration repeats the mistakes made in the early 1990s by a democratic regional government in Western Ukraine. Like the latter, central authorities of today keep replacing individual officials having no time - or lacking a clear vision - for altering the entire framework of state power. As a result, new people (wherever they are new indeed) fall into the traps of old public administration and governance systems.

In no way do I claim I would have acted wiser if I had been in their shoes: the wisest solutions are elusive. The “old” team lost the battle, but they don’t think they lost the war. Viktor Yanukovich was right when he stated during the election campaign: “You won’t squeeze us out of power.” The changing of civilizations is painful and draining. One can think strategically sitting in a safe HQ tower, not in the midst of hand-to-hand combat in the trenches where the president and government turned out after the revolution. Yet understanding the cause of threat does not relieve the threat itself: the defective administration system transforms the newcomers to it faster and more effectively than they reform the system. Besides, the behavior of some of the president’s team members makes one wonder whether they are newcomers to the defective system or an integral part of it, after all.

The upcoming parliamentary elections place too much of a strain on the government. The revolution winners’ decision to focus on several breakthroughs in the social sphere exposed at least three of its weaknesses. First, there is no guarantee that the losers would not try to counteract the breakthroughs. They are putting a lot of effort into it, and the effect of raised income inflation is often marred with soaring prices. Under the circumstances, the government is forced to either haggle with market monopolists seeking awkward compromises or “pacify” the disobedient with the tools borrowed from Leonid Kuchma’s plentiful arsenal.

Second, the government should have had a consistent reform strategy right from the start - it will hardly be in a better position to overhaul the system of power after the parliamentary elections. Unless the government gains a resounding victory, it will be drawn into a running trench battle yet

again, distracting time and strength from a cardinal transformation effort. If it does gain a decisive victory, then why should it want to change anything at all (cf. the situation in Russia)?

Third, the government's urge to produce immediate impressive results suggests that it does not have enough confidence in Ukrainians. Do the Maidan heroes really believe their policy advisers are smart where people in the street are dumb? Of course, people want better living standards but material wealth is not the only criterion against which they will assess the government's performance. People think of the authorities not only when they receive salaries or pensions, but also when they apply for public services. They think of the authorities when they register their small business and look for jobs, etc, etc, etc. Therefore, what they need to see at the end of the tunnel is light, an obvious sign that "tomorrow will be brighter than today". This light will also help people make out what the government strives to achieve, how it intends to achieve its goals, and whether it plans to treat people as partners on the way to achieving them. People from Maidan would be patient if they knew for what sake. They would gladly render any possible assistance to the government if the latter asked them to. Instead, they feel alienated from the decision-making processes, and that hurts them more than low incomes. The government still has time to remedy the situation: those in power should communicate with people if they want to win the elections.

A dialogue with the public could help the administration estimate all implications of its decisions. Sometimes decisions, even important ones, are made in a hurry or on the spur of the moment, without a thorough analysis of alternative policy options and potential practical outcomes. Furthermore, a few recent examples of fulfilling decisions (on the liquidation of traffic police and the State Committee for Religious Affairs) revealed fundamental flaws in the implementation mechanisms, which, coupled with some of the implementers' gloating delight over the government's troubles, can jeopardize any useful initiative.

In any country, the opposition watches the government's every step for a faux pas - it is the opposition's political role. In this country, this government's mistakes are not only likely to bring about a new team (which would be normal), but also threaten to bring back the old civilization. Thus, in establishing a new system of state power and eventually reforming the country, the incumbent administration joins its efforts with all Ukrainian intellectuals and engages them as experts or consultants at the planning, implementation, and evaluation stages of policy making. Direct involvement will turn yesterday's harsh critics into understanding partners - an invaluable capital,

particularly during elections. I am positive that Ukraine needs a team capable of mobilizing the potential of participatory society, rather than a team capable of proving it can cope on its own.

## Opposition

In a democracy, the opposition's untiring scrutiny and championing of changes is what makes the government think of reforming the public administration and governance systems. If the government fails to duly inform the public of its management strategy, the opposition should come up with an alternative strategy, and the government will have to follow suit for fear of looking less attractive. If the government ignores think -tanks' and experts' advice and projections, the opposition should win them on its side, and the government will lose peace. As the practice of the two last election campaigns shows, it is much more effective to invest in domestically developed scenarios than to hire expensive spin-doctors from Russia.

Can former officials and influential public figures be effective in the opposition? The question seems rhetorical: those individuals are skilled in clinging to power at all costs. They do not know how to rely on the people in order to come to power. They do not know Ukrainians for what they are and they despise people around them. No popularity ratings, Russian or domestic political operatives can do the trick for them.

I agree with [MP] Andriy Shkyl, who says that Viktor Yushchenko and Yuliya Tymoshenko are, respectively, focal points for "moderate" and "positively radical" political forces. These seem to be prototypes of powerful parties that would unite around two different, yet equally legitimate, management styles, rather than around their leaders' personalities. Now that the old regime representatives are just forming their ranks, the above prototypes have to stand by each other. After the elections, however, the situation could change. Then a civilized parliamentary competition between two management styles could be as beneficial for Ukraine as is the major political parties' rivalry in, say the UK or USA.

## Parliament

That the serving parliament does not reflect the Ukrainian society of today is a truism. Yet even this parliament has had its minutes of glory and did, indeed, play a progressive role in certain episodes of Ukraine's recent history - not because it was up to the mark per se, but by virtue of the nature of

parliamentarianism. This time, people should think hard about whom to elect as their representatives in legislature, to prevent further criminalization of the Supreme Rada.

Frankly speaking, I am concerned about the plans for transforming Ukraine into a parliamentary-presidential republic. I do not question the need for reform that would preclude new Kuchmas from usurping power in the country. Alas, our present parliament is no better than Kuchma. The new Rada will not be an improvement either. So why trade bad for worse? Do Olexander Moroz and his party realize that a half-way solution (whereby the presidential-parliamentary system is preserved, but with a simultaneous prudent curtailing of presidential powers) would enable both institutions to grow into meaningful guarantors of national stability, while the Socialists' stubborn desire to have it their own way could fling Ukraine into a new crisis?

A detailed and binding procedure should be established, as soon as possible, for recalling MPs or other elected representatives. Situations like that with MP Taras Chornovil, who sees nothing wrong in representing the constituency that voted him into the Rada with an opposite mandate, cannot be tolerated. The society should find an aurea mediocritas between an MP's right to act in harmony with his/her beliefs (a parliamentarian is a free human being, accountable to his/her voters but not enslaved by them) and the voters' right to recall their representative if his/her behavior in parliament is in conflict with the mandate (with which sovereign people delegate part of their authority to their representatives). The task of achieving this balance should not be left to the discretion of MPs or their party bosses. It should be up to the people to prevent misrepresentation of their will.

## Press

The role of the press cannot be overestimated: it allows society to detect the government's errors and demand that it remedy them in a timely manner. I trust the new administration's pledges that there will be no return to the practice of "temnykys." Yet it is one thing to publicly denounce censorship, and it is quite another thing to engage all branches of power (including the media) in meticulous everyday work of revising effective media legislation and reconciling it with the international law.

At the same time, the society should bear in mind that the "fourth branch of power," as any other, is prone to degrading when there is no system of checks and balances in place. Journalists should remember it, too. As in the case with the president, parliament, and cabinet, the public should keep the

media under permanent control, especially when it comes to moral and ethical standards. Reform of the media legislation will be conducive to this aim, and it should be carried out immediately lest the next parliament could learn from the Russian State Duma how to “curb the destructive anarchy reigning in the press.”

## Society

On the one hand, I am happy that popular affection and support of the “orange” team are not blind: Ukraine is not going to idolize its leaders. On the other hand, the society should be more critical of itself. Over the last 20 years, Ukrainian society has been learning what democracy is about. The Maidan was a test showing that we have gained some knowledge of its principles. It was a mid-term rather than a final exam, and this subject is yet to reveal its most exciting or most complex truths to us. One of the basic ones is that democracy calls for daily toil, for daily pains to bring pressure to bear on powers that be.

In the height of the revolution, the Maidan united people with a simple formula: “The revolution will never succeed without me.” However, upon leaving the Maidan people seem to have modified it beyond recognition into something like: “We have elected the president and government. It is now their task to improve our life and society.” People have returned to their cozy habits and temptations, convinced that their small sins would not spoil the overall picture. And five months later, municipal elections in Kyiv saw as many irregularities and falsifications as the presidential ones. In Lviv, no sooner had the echo of mass chanting “Yushchenko!” died away than local residents resumed their usual practice of giving and taking bribes. The next lesson we have to learn in our school of democracy is that each of us is responsible for the country’s future, along with the president, government, and parliament.

I have heard people say: “We will come out onto Maidan again if they betray our trust!” I think it is a misinterpretation of the role of mass rallies. Maidan is an extraordinary form of controlling the authorities, when people use their sovereign right directly. The Universal Declaration of Human Rights provides for the right to protest against criminal regimes. Nevertheless, the extraordinary nature of this instrument means that street protests are not the only form of control available to a developed civil society. It should design, as soon as possible, effective and lasting mechanisms for controlling the government.

The new authorities should free civil society organizations from the administrative and financial noose that the previous regime slipped on them. If public servants do not want to yield to the “will of the street,” they should secure the rights of the opposition and an independent third sector. Yet the authorities should not set up such organizations, otherwise they would not, by definition, be independent and non-governmental. The general public should appreciate the civil society organizations’ role and value as advocates of public interests and vents for public discontent. When mass protests become redundant, it means that administrative machinery of the state operates well.

It is equally important for Ukraine to develop trade unionism. One of my deepest concerns is that most private companies in the country cynically and blatantly exploit their workers who have no organized voice and who are fully dependent on company management and owners for job security and work safety. These workers prefer to expedite their interests by demonstrating servile loyalty to their employers than through acts of solidarity with their colleagues. It is a source of overt and latent corruption that cannot be extirpated without the workers’ active assistance. So if the government falls short of implementing its reform programs and keeping its promises to Maidan, God forbid, it will not be the only one to blame: it will be our fault, too.

## Spirit

I am one of the few who believe that the wellbeing of the society is determined by its spiritual, rather than economic, health. Society’s spiritual revival is a prerequisite for economic upturn.

It is true that we live in the world where petrol price weighs more than the value of the word of honor, and people think of their daily bread more often than of morals. Therefore I understand the government’s predicament and I understand it has to resort to compromises in order to provide the population with bread and petrol. I do not view it as betraying the Maidan ideals. Yet if the Maidan leaders forget about their comrades in arms and if their commercial interests eclipse the spirit that united us there, they will betray those ideals.

Jeffrey Wills, a wise and kind-hearted American who has been of great service to our country for 10 years, was right saying that the independent Ukraine before Maidan had been like “Israel without its Book of Exodus.” Now we have it. However, Exodus has no sense unless people hope to get to Mount Sinai and the Promised Land one day. Ukraine is looking at Maidan leaders with anticipation and apprehension: will they be worthy of their historic calling? The new team owes us the answer,

since what matters in the final analysis is not bank accounts and private businesses, but people's trust, the dignity and honor of the called.