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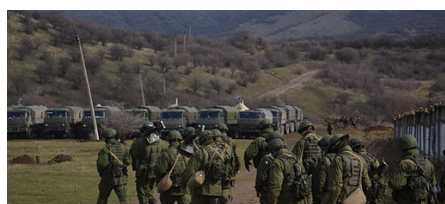
[A New European Social Contract for Ukraine](#)

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Three months of protests in Ukraine led to the fall of the Yanukovich regime. This revolutionary change precipitated the invasion of the Ukrainian peninsula of Crimea by Russian armed forces. Therefore, the new Ukrainian authorities and all western international actors are engaged



in finding an appropriate answer to the biggest external challenge to Ukrainian statehood, sovereignty and territorial integrity since 1991.

However, actions motivated by short-term tactics aimed at preventing a major conflict on European soil and the illegal annexation of Ukrainian territory may fail to address the sources of the current crisis of Ukrainian statehood. These domestic root causes allow Russia to play such a disturbing role in this country. If these questions are addressed, the future leverage of Russia to interfere in Ukrainian domestic affairs can be limited considerably.

Although the Yanukovich regime has held the reins of the power structure, it has lost its legitimacy to govern. The Ukrainian state apparatus has renounced its monopoly on the legitimate use of physical force. The abuse of physical force has shocked many Ukrainians, who declared their disobedience to their rulers and organised self-defence. The state-propagated terror has fuelled people's rage and radicalised them. The paid thugs terrorising Ukrainian cities who cooperated hand-in-hand with the state security forces show the degree of corruption under Yanukovich. Even the monopoly of the legitimate use of physical force could be sold. Nevertheless, his departure did not change the fundamental fracture between the state and society he contributed to creating. Nowadays, segments of Ukrainian society from the eastern regions and Crimea do not recognise the legitimacy of the current Ukrainian authorities.

As for today, state-society relations in Ukraine are very weak. The expectation that the domestic crisis in Ukraine can be solved within the current institutional framework is a delusion. As was already visible during the last few months, the institutions that should be acting as fora for channelling political conflict are dysfunctional. The Parliament, the judiciary and the executive branch of government could not fulfil their basic functions of proper representation, defence and governance of the interests of Ukrainian society.

The cynical statements of Russian representatives justifying a de facto military invasion of Ukraine serve to fuel social outrage and Russian actions can precipitate the recovery of Ukrainian unity around the symbol of external enemy. This unity will be shaky due to the diversity of Ukrainian society as well as the crude reality of economic bonds with Russia.

During the last two decades, Ukrainian society respected the fact of ethnic and linguistic diversity, but the current crisis in Ukraine precipitated the dangerous process of constructing social ethnic exclusionary division. This process is precipitated by two extremes of Ukraine society: neo-fascist nationalist extremists from western Ukraine as well as the segments of eastern Ukraine's population nostalgic for the Soviet days supported by pan-Russian nationalism. Therefore, the element of the social pact recognising Ukrainian diversity as a largely positive element defining Ukrainian identity is challenged and can generate a long-term rift which will weaken further Ukrainian statehood.

Another fundamental fracture in today's Ukraine is between the mobilised and politicised segments of Ukrainian society and the passive ordinary citizens. This split cuts across linguistic, ethnic and regional difference in Ukraine. While civil society's self-organisation represented the diversity of Ukraine, as symbolised by the Maidan, the fear and apathy of large segments of the population make it difficult to overcome the current crisis. The discourse of Ukrainian ethnic and linguistic divisions obscures the elements of Ukrainian unity. Ukrainians share the view about the most important problems for Ukraine: corruption, economic crisis, distrust in politics and disillusionment with the political system. According to opinion polls conducted in October and November 2013 just before the eruption of the protests, 86 per cent of Ukrainians were dissatisfied with the economic situation in Ukraine, about 90 per cent of Ukrainians were dissatisfied with Yanukovich's economic policy, 85 per cent with his anti-corruption policy and 71 per cent with his efforts to limit the influence of oligarchs. The consequences of the disastrous policies of the previous government and Russia's de facto economic sanctions will probably contribute to the further deterioration of the economic situation in Ukraine and challenge the political system leading to possible territorial fractures.

In order to show ways out of the current crisis it is of utmost importance to think how to reconstruct the unity of the Ukrainian state and society. Ordinary citizens in Ukraine need more than ever that the feeling of justice will be recovered. This requires the construction of a new social contract in Ukraine, where the society and state create a sense of mutual dependency and duty. This would enable the return of social order, which needs to be constructed on a new basis.

The fundamental principle of this new order is the recognition that political freedoms are above economic freedoms. The excess of economic freedom benefiting restricted circles in Ukraine led to the destruction of political freedoms and a lawless state. Ukrainian oligarchs, overrepresented in state institutions, are at the source of the current crisis. Only political rights can limit the obscene enrichment of a few privileged Ukrainians at the expense of ordinary citizens. Social and democratic control over the sources of power need to be restored. This is the basic principle to be defended by the EU in the process of writing the Constitution of Ukraine anew; political freedoms are above economic freedoms.

If the oligarchs and other members of the state apparatus want to have a place in the new social contract in Ukraine, they would need to provide their own assets in order to stabilise the economic situation in the short and long term. Ukraine will sooner or later need an economic reform programme. But it will need a programme different from orthodox templates. It will need a programme of reform focused also on the fair redistribution of wealth in order to overcome the dilemma faced by any authority pushed to impose socially costly measures promoted by western institutions or defeat to Russian blackmail. This goes beyond paying taxes fairly by oligarchs; it also includes the fair redistribution of their assets to society. This should be the objective of the EU measures against members of the previous Ukrainian regime; the EU should aim for a fair redistribution of wealth, not only freezing their assets. This should be the price to be paid by the oligarchs if they want to become part of the new social contract in Ukraine.

In the longer term, the EU should prioritise the transfer of norms and support reforms that would enhance the participation of social representatives in the management of the economic spheres of life in Ukraine. This is badly needed in order to put limits on the oligarchs associated with corrupt mechanisms of patronage and vulnerable to Russian blackmail. Apart from costly transfer of economic norms, the people need to become participants in the long process of adjustment to EU standards on an everyday basis. The co-ownership of the process of EU integration by Ukraine requires the involvement of the people. Drawing on many European experiences where the representatives of workers are engaged in the supervision of their companies can provide ordinary people with the necessary tools of control of the oligarchs and enhance the feeling of participation and responsibility for their fate. After the elections, political institutions may represent people's interests, but in order to restore the state-society relations on the basis of mutual recognition of legitimacy people need to remain engaged. This could translate social activism into a driver for badly needed changes in the everyday practices of socio-economic life in Ukraine.

Sanctions and mediations are immediate measures, but the EU should act resolutely and support a new plan that would be able to address the root causes of crisis in Ukraine. Therefore, the conditionality of western support to counteract the economic crisis should be the establishment of a new social contract in contemporary Ukraine. A new social contract needs to create new foundations for state-society relations, and to provide new legitimacy for the institutions of the state and empower society in those spheres which lie at the root of today's problems in Ukraine. The European Union should guarantee this new social contract reinforcing Ukrainian statehood against the sources of its current weakness.

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