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CIVIC AND INSTITUTIONAL DIMENSIONS OF DEMOCRATIZATION IN UKRAINE: THE ROLE OF CIVIC UNITY (FORTHCOMING)

The theoretical analysis presented in this article links the social and institutional conditions of democratization by looking at two rarely associated concepts, civic unity and the rule of law. It attempts to bring a novel approach to the study of democratization in a divided society such as Ukraine, building on a selection of the existing literature on the subject and focusing on the civic dimension of the process. It follows the approach of those political scientists who have challenged the “no precondition” line in democratization research by looking precisely at context specific conditions that may sustain democracy. It is argued that the common sense of citizenship and belonging to a political community, supported by legal and institutional mechanisms and conscious effort of political elites, would contribute to the development of civil society and perhaps even democratic consolidation in the long run. Thus the civic and institutional dimensions of democratization should not be separated, especially in case of some post-communist societies such as Ukraine. The relationship between these two dimensions, however, is problematic at least from a methodological point of view and requires careful examination.

Key words: democratization; Ukraine; civic unity; the rule of law; civil society.

I.

This article attempts to bring a novel approach to the study of democratization in a divided society such as Ukraine, building on a selection of the existing literature on the subject and focusing on a civic dimension of the process. It follows the approach of those political scientists who have challenged the “no precondition” line in democratization research by looking precisely at context specific conditions that may sustain democracy.

Each story of democratization is different because the initial conditions can never be the same. Sometimes these initial conditions are favourable to democratic development, but often they are a burden and obstacle to it. In the case of Ukraine initial conditions for democratization were at least unfavourable, including the Soviet and communist legacy, absence of a democratic tradition and tradition of statehood, regionally divided society, economic hardship and the lack of democratic political elite and civil society. Ukraine is one of those post-communist countries that had to face at least a triple transition: democratization of state institutions, economic transformation and marketization and the process of state-building and consolidation of a nation state for which some kind of national unity is needed¹. The last process logically should presuppose the other two for “an established and agreed political community with functioning institutions is necessary to carry out the other tasks”². But in reality all three processes began at the same time with various speed making the prospect of democratic changes and democratic consolidation more difficult than in other post-communist states where a strong-nation state was present, like in the case of Poland or Hungary³. Some scholars add to this list the process of a civic nation building⁴ which seems of crucial importance in a regionally divided society with strong communist, post-imperial legacy.

The aim of this article is to examine some of the necessary conditions for successful democratization and in the long term democratic consolidation in Ukraine by focusing on two related phenomena: civic and institutional development. It is argued that civic development which many scholars understand purely in terms of awakening and strengthening civil society depends primarily on the prospect of achieving civic unity within Ukrainian society, whereas institutional democratic development is primarily linked with the establishment and proper functioning of the rule of law. Both processes are pivotal for civil

¹ Taras Kuzio, *Ukraine Post-Soviet Transition: A Theoretical and Comparative Perspective*, in: Wsaijw Wsevolod (ed.), *Social change in Ukraine*, Canadian Scholars Press, Toronto, 2003, p. 25-26; Jeffrey Pridham, *The Dynamics of Democratization: a Comparative Approach*, Continuum, London 200, p. 252-254.

² Paul Kubicek, *Regional Polarisation in Ukraine: Public Opinion, Voting and Legislative Behaviour*, “Europe-Asia Studies”, 2000, Vol. 52, No.1, p. 273.

³ Paul Kubicek, *Problems of Post-Communism: Ukraine after the Orange Revolution*, “Democratization”, 2009, Vol. 16, issue 2. ⁴ Taras Kuzio, *Nationalism, identity and civil society in Ukraine: Understanding the Orange Revolution*, “Communist and Post-Communist Studies”, 2010, Vol. xxx, No. 1, s. 22.

society development as well as democratic stability and consolidation of the Ukrainian state. The analysis presented below is meant to contribute to a more general field of research, i.e. a theory of democratization and democratic consolidation. As the so-called democratic paradigm⁴ proved untenable in the light of the unsuccessful democratization in many post-communist, and especially post-Soviet states, a new understanding and analysis of the basic conditions of democratic transformation and consolidation became a major concern for transition researchers. In Ukraine this process is today much affected by separatism in the East and social polarization which needs to be addressed by scholars in a novel way.

The term “civic unity” reflects the assumption that the people in a democracy can decide about their common political future only if they agree on some fundamental principles of their political community. Ivor Jennings once stated that in a democracy “the people cannot decide until somebody decides who are the people”⁵; and David Beetham has emphasized that one of the main preconditions of democracy is that “there is agreement on a common nationhood among the people of the territory”⁶. I would add that this can best be done through the common sense of citizenship that leads to effective citizenship. Its main examples are new forms of cooperation between civil society and the state that arose as the result of the EuroMaidan protests in 2013. During their Revolution of Dignity, Ukrainians chose democracy and a constitutional state because they wanted their fundamental rights to be guaranteed and protected. By forcing an attempted socio-political transformation intended to introduce ‘democracy from below’, Ukrainian citizens had another chance to experience and develop a sense of civic unity that emerges when there is a common political goal at stake. This is the starting point of my analysis which links the social and institutional conditions of democratization looking at two rarely associated concepts, civic unity, which can also be expressed as political identity, and the rule of law as facilitating democratic consolidation and the development of civil society. It is argued that democratization from below can have its momentum, but in the long run it must be supported by institutional and elite change that comes from above. Civil society can become an important actor in this process only when there are sufficient conditions for its development and its active role in political, social and economic processes⁷.

II.

In his seminal article “Transition to Democracy: Towards a Dynamic Model”, Dankwart Rustow argued that „national unity is listed as a background condition in the sense that it must precede all the other phases of democratization”⁸. This statement refers to a critical relationship between the state, nation and democracy. It is not clear, however, what Rustow had in mind while using the term “national unity”; whether he was referring to a consolidated nation-state with strong sense of nationhood or whether he meant a unity among the citizens of a nation-state. What is important for our analysis, however, is Rustow’s emphasis that “the vast majority of citizens in a democracy-to-be must have no doubt or mental reservations as to which political community they belong to”⁹. This background condition was to be best fulfilled “when national unity is accepted unthinkingly, is silently taken for granted”¹⁰. Similarly, as Pridham argues, „society-level factors are fundamental to the achievement of democratic consolidation since this involves wider and deeper effects on mass attitudes. Consolidation requires not only new-regime legitimation but the inculcation of democratic values at both elite and mass levels. Elite consensus across parties on new democratic rules forms part of this change, and this may have influential effects on the public level”¹¹.

It seems to be of crucial importance to elucidate what kind of unity in a society is needed during the process of democratic transformation, especially so if what is at stake is a regionally divided population that is struggling to achieve some kind of consensus as to its own identity. This question, however, has a more general sense and application, and it should be analyzed in the context of democratic transition and

⁴ Thomas Carothers, The End of the Transition Paradigm, “Journal of Democracy”, 2002, Vol. 13, No. 1.

⁵ W. Ivor Jennings, The approaches to Self-Government, Cambridge 1956, p. 56.

⁶ David Beetham, Democracy: Key Principles, Institutions and Problems, in: Democracy: Its Principles and Achievements, Interparliamentary Union, Geneva, 1998, p. 25.

⁷ Kateryna Pishchikova, Olesia Ogryzko, Civic Awakening: the impact of Euromaidan Ukraine’s Politics and Society, FRIDE Working Paper no. 124, July 2014, p. 18, www.fride.org/download/WP_124_Civic_awakening.pdf, accessed 10.01.2015

⁸ Dankwart Rustow, Transitions to Democracy: Towards a Dynamic Model, “Comparative Politics”, 1970, Vol. 2, issue 3, p. 350-351.

⁹ Ibidem, p. 350.

¹⁰ Ibidem, p. 351.

¹¹ Pridham, The Dynamics of Democratization ..., p. 221.

consolidation which is seen as the end goal of democratization. A theory of consolidation is useful not as a kind of paradigm, but in terms of understanding the far-reaching goals of democratization that might for a long time reside in the area of aspiration rather than reality. Although we might agree that “it is impossible clearly to specify when a democracy has become “consolidated”¹², we still need a conceptual framework to understand the conditions of democratic stability and democratic endurance, which various theories of democratic consolidation provide. I would like to suggest that civic unity supported by the rule of law are two interlinked components of a well-established democracy that in the long-run result in democratic stability and perhaps even consolidation. As Lorence Whitehead expressed it, “For democracy to exist there must be some available community of reflexive and responsible citizens, and that pool must not be too exclusive. In other words, the citizens at large must have at least some potential to participate with some minimum degree of cognitive competence, from time to time, or at least in the event of real emergencies.”¹³ Civic unity in this sense of belonging to such a community. Autonomy cannot be effective without freedom of choice, such as that which is presupposed by the institution of free elections or various other civic rights, such as freedom of speech and association. These, on the other hand, cannot function without the rule of law. In what follows I will first clarify how I understand civic unity and its role in the process of democratization. Next I will apply this concept to Ukrainian democratization and more specifically to the prospects of such democratization which emerged after the Revolution of Dignity in 2013. It will be argued that civic unity is a precondition for a vibrant civil society and democratic stability, but above all for a political nation to exist.

The concept of civic unity draws on the notion of civic identity as being different from national or ethnic identity and understood as “an extension of democratic membership – that is, citizenship.”¹⁴ In multicultural or multiethnic political communities civic identity “has won a victory for unity over what might otherwise have been hopelessly divisive force of difference”¹⁵. The case of postcommunist societies such as Ukraine is unique in the sense that civic unity and civic identity need to be built along with the Ukrainian state, Ukrainian economy and Ukrainian civil society.¹⁶ It would be misleading, however, to separate it completely from the concept of a nation, national unity or national identity as both phenomena may well support each other. At the same time the concept of civic unity can be seen as applicable to the whole political community no matter what is its ethnic make-up and thus it can be a vehicle of political identity of citizens.

To explore the question and the possibility of civic unity we need to look at some empirical data, especially as provided in the context of the two most important political events in Ukraine of recent years: the Orange Revolution of 2004 and the Revolution of Dignity of 2013. None of them was a fullyfledged revolution, but each brought a change of political elites and real hopes for democratic renewal. The Orange Revolution was supposed to mark “a new stage of Ukrainian society development” and bring “the end of the previous political epoch on the hybrid Soviet-type system”¹⁷. But these expectations had to meet with disappointment, especially when Viktor Janukovich came to power and a corrupt oligarchic political structure prevailed. Both events proved that there was significant potential in Ukrainian society to initiate revolutionary changes from below, through citizens’ involvement, but their outcome in the long-run was met with either mixed or negative feelings and reactions. The Orange Revolution is especially enlightening for our analysis. Although many people from different regions came together to protest in 2004 no civic unity, no sense of belonging to one political nation emerged after the events. Only 37 percent of the respondents agreed later on that the Orange Revolution “gave birth to political nation in Ukraine” while 20 percent of those who took part in the opinion poll did not know what a “political nation” was¹⁸. “The Orange Revolution provided a critique of the Kuchma regime: it defined as illegitimate the existing power structure and it presented an alternative—a closer move to the

¹² Guillermo O’Donnell, ‘Illusions about Consolidation’, *Journal of Democracy*, 1996, Vol. 7, April, p. 42.

¹³ Lorence Whitehead, *Democratization: Theory and Experience*, 2002, p. 17.

¹⁴ Benjamin Barber, ‘Blood Brothers, Consumers, or Citizens? Three Models of Identity: Ethnic, Commercial and Civic’, in Carole Gould, Pascale Pasquino (eds.), *Identity and the Nation State*, Rowman and Littlefield, Lanham, 2001, p. 57.

¹⁵ *Ibidem*, p. 58.

¹⁶ J. Pridham, *The Dynamics of Democratization ...*, p. 252; T. Kuzio, *Nationalism, Identity and Civil Society...*

¹⁷ Viktor Stepanenko, ‘How Ukrainians view their Orange Revolution: Public opinion and the national peculiarities of citizenry political activities’, *Demokratizatsiya: The Journal of Post-Soviet Democratization*, 2005, Vol. 13, No. 4, p. 614.

¹⁸ Quoted in David Lane, *The Orange Revolution: ‘People’s Revolution’ or Revolutionary Coup?*, *British Journal of Politics and International Relations*, 2008, Vol. 10, No. 4, p. 532.

west and its values”¹⁹. Yet at the same time, despite expectations both internal and external, those events did not result in some integrating mechanisms that would create solidarity contributing to the formation a ‘civic Ukraine’. Instead, they led to an even greater or at least more visible division between East and West Ukraine. This reading contradicts earlier more optimistic views of civic and democratic development in Ukraine such as this:

Ukraine had benefited from more than a decade of civil-society development, a good deal of it nurtured by donor support from the United States, European governments, the National Endowment for Democracy, and private philanthropists, such as George Soros. Although such sponsorship was nonpartisan, it reinforced democratic values and deepened the public’s understanding of free and fair electoral procedures. Authentic democratic values were being reinforced by a new generation that had grown up initially under glasnost, and later with a broad awareness of democratic practices around the world²⁰.

Recent opinion polls suggest that the situation has not changed that much in this respect, and the prevailing identities of Russian speaking on the one hand and Ukrainian speaking citizens on the other hand seem to persist. The lost hopes of the Orange Revolution strengthened these identities²¹, but the sense of belonging to one political nation returned during the EuroMaidan protests in 2013. The question then is whether there is any potential for a strong civic identity of the Ukrainian (political) nation to emerge and how vital such an identity is when it comes to successful democratization in Ukraine, including the state building process.

The Maidan events of 2013 helped consolidate a nation-wide consensus over a set of core reforms to fight corruption and uphold the rule of law, transparency and accountability²². Perhaps this is where a strong political identity begins, with common support for the most fundamental rules of a democratic society, with a sense of belonging to a polity that guarantees these rules to its citizens, including equality before the law, civic and political rights, fair legal treatment, and equality of opportunity. This seems to be the prevailing expectation among Ukrainian citizens, and at the same time it is one of the main reasons why people want democracy in the first place. Ukrainians chose democracy and a constitutional state again, even though some parts of the society abstained from expressing pro-democratic views or had doubts about the 2013 events and their outcome, new presidential and parliamentary elections. The very term Revolution of Dignity seems to imply that what is at stake is the protection of the fundamental rights and freedoms of Ukrainian people. However, recent opinion polls conducted in Ukraine in 2014 present a picture of a confused and divided society whose members are either disillusioned about the current situation of their country or disagree on some fundamental issues. It definitely is not a picture of civic unity of the Ukrainian people. Above all respondents expressed very contrasting opinions when it came to the perception of the EuroMaidan protests seen as a revolution and a movement for rapprochement with Europe by Ukrainians from the Western and Central regions, and as political coup d’etat and conflict of Ukrainian elites by those living in the Eastern regions. It is also interesting that only 42 percent of respondents agreed that the protests of the Maidan would improve the situation in Ukraine. When asked about the top priority policies of the new government, 47 percent pointed to anticorruption measures/public procurement, but only 14 percent indicated law enforcement²³. A September 2014 opinion poll showed a high distrust of parliament and political parties with only 14-15 percent having a favourable opinion on these two crucial democratic institutions, and with 77 percent having a negative opinion about the courts. A different survey done in the same month revealed that 64 percent of Ukrainians outside Donbas declared that democracy was preferable to any other form of government, while 13 percent claimed that in certain situations a non-democratic system could be preferable, and 11 percent argued that the form of government does not really matter to them. Furthermore, only 52% of Ukrainians outside Donbas agreed that voting gives them influence over decision-making in Ukraine²⁴. It seems that much needs to be done in the political, economic and social spheres to strengthen people’s

¹⁹ Ibidem, p. 544.

²⁰ Adrian Karatnycky, Ukraine’s Orange Revolution, “Foreign Affairs”, March/April, 2005. online: <http://www.foreignaffairs.org/2005> (accessed 12 February 2015).

²¹ David Lane, The Orange Revolution..., p. 539.

²² Kateryna Pishchikova, Olesia Ogryzko, Civic Awakening...

²³ Public Opinion Survey. Residents of Ukraine March 14-26 2014, International Republican Institute, <http://www.iri.org/Eurasia/PublicOpinionPolls>, accessed 23 January 2015.

²⁴ USAID survey, <http://www.ifes.org/Content/Publications/Press-Release/2014/IFES-2014-Ukraine-Survey-Press-Release.aspx>

sense of their political identity. Another factor that needs to be stressed is that although attitudes towards Europe and the integration with the EU are seen by commentators as one of the main dividing lines in the Ukrainian society, in fact similar division was evident in some other post-communist societies in Central Europe when they were joining the EU a decade ago. The lack of pro-European sentiments does not have to correspond with the lack of pro-democratic attitudes. Further research is needed to shed more light on the complexity of the attitudinal aspect of democratization in Ukraine.

Civic unity does to a large extent depend on the process of state-building and on the creation of a civil nation, one in which regional affinities or particularities will be less and less visible and will be replaced by some common patterns of thinking. The example of Ukraine suggests that a weak state which has not been very effective when it comes to securing the most fundamental needs of its citizens and that loses its integrity as a result of being challenged by another more powerful state cannot foster any strong sense of civic unity, cannot be the vehicle of political identity of its citizens. Political changes might not be sufficient to “magically alter the underlying factors that account for regional differences”, as Paul Kubicek argued in 2000²⁵, especially if there is no fundamental improvement of the economic situation. A different hypothesis, however, would suggest that living in a single political community with strong and accountable institutions can facilitate the process of reformulating people’s identities and values. Thus the role of the state and its institutions in the process of successful democratization cannot be underestimated, which used to be the case by proponents of the neo-liberal paradigm that was dominant in the 1980s and 1990s. For if democracy is to be sustained it “must guarantee territorial integrity and physical security, it must maintain the conditions necessary for an effective exercise of citizenship, it must mobilize public savings, coordinate resources allocation and correct income distribution”²⁶. Civic unity as such is directed towards both the state and civil society; it needs both to flourish as its main component is common citizenship. This requires the state to define and protect citizens’ rights and responsibilities on the one hand, and asks citizens to organize themselves in order to make their rights effective and to ensure the accountability of democratic institutions on the other. This step is of crucial importance for any successful democratization. It concerns first of all the formal/legal level of citizenship that with favourable conditions might be translated into more active citizenship and institutional trust.

Civic unity, especially through its cultural, but also political dimension can foster the development of civil society, although more research is needed to prove this link, especially when it comes to strengthening interpersonal trust, trust in institutions and overall social capital and how they might be linked with a substantial level of civic unity. From this perspective, the Revolution of Dignity should not be read as a “return of civil society” in Ukraine for it did not translate into wider civic participation in associational life, but it can be read as revealing the potential for wider civic engagement when social, political and economic conditions are more favourable, and when a modicum of civic unity is greater. What needs to be carefully explained in research on civil society development is how the political system and economic performance of the country shape beliefs, values and motivations of people by creating the context for their actions. Of crucial importance is the openness of the system to the voices of civil society. After the political change in early 2014, some of the most active civil society groups formed the “Reanimation Package of Reform civic initiative”²⁸ to press on the Ukrainian parliament for a range of reforms from anti-corruption to constitutional, medical and media reforms. Similarly, activists have been pushing the leaders of Western countries to help them repatriate assets stolen from the Ukrainian state over the last few years. If these initiatives are effective it will likely be a strong impulse for civil society development.

Each new democracy-building process requires common learning, trial and error, for politics is above all a strategy for resolving conflicts within human groups. An active civil society that provides necessary space for associationalism and deliberation as well as channels of influence on the decision-making process is of crucial importance here, and its absence makes this process longer and results in a weaker degree of legitimacy of the new system.²⁷ Interestingly, 92% of those protesting at Maidan did not have the support of any political organization; they were just ordinary citizens without any specific membership or affiliation. But this very process of citizens’ involvement, this impulse coming from below might in the long run contribute to wider support for constitutional democracy in society,

²⁵ Paul Kubicek, *Regional Polarisation in Ukraine...*, p. 277.

²⁶ Adam Przeworski, *Sustainable Democracy*, Cambridge University Press, Cambridge, 1995, p. 12. ²⁸ <http://oporaua.org>

²⁷ Larry Diamond, *Rethinking civil society: toward democratic consolidation*, “*Journal of Democracy*”, July 1994.

especially if what is at stake is the involvement of young people. As Anna Kotaleichuk argues, “they want to control the government and be able to influence politicians by being able to criticize their work. That is how the new political culture is emerging.”²⁸ It is too early to say if this indicates a rooting of democratic convictions, but it indicates that there is potential for a growing consensus on democratic values.

Various theories of democratic transition and consolidation help to understand some of the problems involved in the very process of democratization in Ukraine. A good starting point here is the theory developed by Juan Linz and Alfred Stepan who argue that “a lively and independent civil society, a political society with sufficient autonomy and a working consensus about procedures of governance, and constitutionalism and a rule of law – are virtually definitional prerequisites of a consolidated democracy”²⁹. Constitutionalism and the rule of law are seen by the authors as a precondition of a well-functioning democracy and civil, political and economic society³⁰. Carothers, on the other hand describes democratic consolidation as a “slow but purposeful process in which democratic forms are transformed into democratic substance through the reform of state institutions, the regularization of elections, the strengthening of civil society, and the overall habituation of the society to the new democratic rules of the game”³¹. The prominent role ascribed to civil society in both approaches to democratic consolidation suggests that it is not enough to craft or imitate and implement democratic institutions, for they need to be supported by the citizenry who express democratic attitudes, expectations and satisfaction with democratic change and, moreover, are willing to actively participate in multiple forms of independent associational life. However, if we add yet another statement which suggests that democracy becomes consolidated “by means of mutually acceptable rules and broadly valued institutions of civic freedom and equality, political tolerance and fair competition among its major actors”³², which is the most desirable, albeit often unrealistic, outcome of democratization, we obtain an even wider picture of a highly normative understanding of consolidation. And this is where the concept of civic unity comes to the fore. Civic unity, broadly conceived as agreement on democratic rules, norms and values among both political elites and the society, makes the whole process of democratization easier, for it provides a substantial reservoir from which political consensus might grow.

III

The process of establishing formal, institutionalized democracy needs at least to go hand in hand with the institutionalization of the rule of law. If the latter process is slow or not advanced enough, the former cannot be successful either. If a democratic constitution has been drafted but its constitutional rules are not followed, the transition to democracy becomes distorted or even abandoned. This is what happened in Ukraine in the 1990s. The rule of law requires that political leaders, whether they are presidents or prime ministers or parliamentarians or administrators, to respect the rules and to make decisions and execute them according to clear constitutional rules and existing laws. This self-limitation that is a necessary constraint against unlimited power has to become a universal rule of conduct, ‘the rule of the game’ accepted by all players involved in a democratic process, including the opposition. It is an attitude that cannot be learned overnight; in western democracies it evolved through centuries and generations resulting in a certain type of legal and political culture. Social, mental and moral conditions of such a culture were undermined or destroyed in communist societies and cannot be rebuilt easily, especially in the situation of economic hardship and instability. In their analysis of the prospects of democratic consolidation in Ukraine, Wise and Brown focus on structural factors, and the decisions made by political leaders at key decision points, but they also state that “in order to assure the basic safety of citizens and ensure that free enterprise can grow in a safe and regulated environment, there is a critical need for Ukrainian political leaders to establish the rule of law throughout the nation, but particularly in the commercial economy”³³.

Many scholars working on post-communist democratization have agreed on the civil society argument which states that the development of a flourishing civil society can be viewed as a sign that the post-

²⁸ A. Kotaleichuk, Yes, we Can, “New Eastern Europe”, No. 3 (XII), 2014, p. 61.

²⁹ Linz and Stepan, Problems of Democratic Transition and Consolidation, Baltimore: Johns Hopkins University Press, 1996, p. 10.

³⁰ Ibidem, pp. 11-13.

³¹ T. Carothers, p. 7.

³² Philippe C. Schmitter, Reflections on “Transitology: Before and After, in D. Brinks et al. (eds.), Reflections on Uneven Democracies: the Legacy of Guillermo O’Donnell, Johns Hopkins University Press, Baltimore 2014, p. 74.

³³ Charles R. Wise and Trevor L. Brown, The Consolidation of Democracy in Ukraine, “Democratization” 5 (1), 1998, p.133.

communist condition has been overcome, and civil society has become a repository of values, norms, and institutions that are supportive to democratic government. If we assume that there is a strong relationship between good governance and civil society, then the latter is desirable as a sign of a healthy democratic order. Active civic involvement is supposed to be a school of democratic skills and responsible citizenship. A robust associational life may enable more democracy in more domains of life while forming and deepening the capacities and dispositions of democratic citizens. Associations enhance democratic skills and support the capacities of individuals for self-government, they provide a collective forum to make decisions and organize collective action outside the mechanisms of the state and the market³⁴.

There is also a strong link between accountability and participation, and between participation and trust. The decentralization of power allows ordinary citizens to participate at various levels in the decision-making process. The state must be democratized by making parliaments, state bureaucracies and political parties more open and accountable. At the same time new forms of civic involvement, such as women's movements or ecological groups, are there to ensure that democratic procedures bring about accountability and thus heighten the responsiveness of governments. But the desirability of civic engagement in post-communist democracies does not easily correspond with its feasibility; the state versus society approach that is well rooted in post-communist societies cannot make sense of civic engagement and cannot lay the basis of reasoning about how to foster civic development.

The Orange Revolution demonstrated the Ukrainian society's democratic credentials, its respect for the rule of law, and its awareness of its right to a free media. The first most obvious goal of the democratic changes in Ukraine seemed to be a spontaneous development towards an 'open society' which, although it is not synonymous with civil society, has to be seen as a necessary condition for the development of civil society. Ukraine's revolution seemed at the time just the latest in a series of victories for "people's power" - in Poland, Hungary, and Czechoslovakia in the late 1980s and, more recently, in Georgia; but it had to be followed by yet another revolution in 2013 that proved again that people's active involvement can bring radical change. It needs to be stressed that this did not happen due to the involvement of western-funded NGOs who invest substantial resources in strengthening civil society³⁵.

In post-authoritarian regimes democracy must be crafted³⁶, often it is imitated, but it does not usually evolve spontaneously. It requires political will and political skills, and its success often depends on favourable conditions, such as certain structural features, economic development, political history, institutional and cultural legacies, and the ethnic make-up of the society. These preconditions include also a coherent, functioning state³⁷. The two processes, state building and democracy building, are often not mutually supportive, but can be quite disruptive and unsuccessful in both arenas, as the case of Ukraine clearly shows. Also, Ukraine has to avoid a return to what Carothers called "feckless pluralism", the stage in the democratization process when elections function well, but "politics is widely seen as a stale, corrupt, elite-dominated domain that delivers little good to the country and commands equally little respect"³⁸. In such cases, as Carothers suggests, it is of crucial importance to find a way "to improve the variety and quality of the main political actors in the society" and "to begin to bridge the gulf between the citizenry and the formal political system"³⁹. Bridging this gulf seems to be much easier when a modicum of civic unity exists.

Linking the civic dimension with the institutional dimension, it could be stressed that "social institutions are able to operate when human actors who run them possess adequate technical skills, are

³⁴ Dorota Pietrzyk-Reeves, *Weak Civic Engagement? Post-Communist Participation and Democratic Consolidation*, „Polish Sociological Review” 2008, No. 1 (161), s. 73-89; Larry Diamond, *What Civil Society Can Do to Reform, Deepen and Improve Democracy*, online: <http://www.stanford.edu/~ldiamond/papers/civJap.pdf>

³⁵ See eg. Theodor Tudoriu, *Post-Communist Democratization Revisited: An International Relations Approach*, „Perspectives on European Politics and Society”, 2010, Vol. 11, NO. 1, pp. 80-108.

³⁶ Giuseppe di Palma, *To Craft Democracy: An Essay on Democratic Transitions*, Berkeley, Los Angeles, University of California Press, 1990, p. 8: "Democratization is ultimately a matter of political crafting". Juan Linz, Alfred Stepan, "Toward Consolidated Democracies", *Journal of Democracy*, 7.2, 1996, p. 17.

³⁷ Thomas Carothers, *The End of Transition Paradigm*, p. 16.

³⁸ *Ibidem*, p. 10.

³⁹ *Ibidem*, p. 19.

socialized into a specific culture, and respect prescribed norms”⁴⁰. The compliance with norms and acceptance of public responsibilities goes hand in hand with mechanisms for rule enforcement whether it is in the political or economic spheres. Without cultural and legal patterns that sustain such mechanisms, it is more difficult to move smoothly to the stage of full democratization that requires building institutional trust and the ethics of public virtue. Corruption is the antithesis of the rule of law and public virtue. Inherited from the communist system, it did have a significant impact on the democratization of virtually all the states in the region, and it was due to stronger cultural and legal patterns that corruption was curbed more easily and more successfully (Slovenia, Latvia, Czech Republic vs Romania, Bulgaria and Russia). An interesting question that is worth exploring is how much can be achieved here under social pressure, and how much under external pressure; for example, the EU accession requirements. For many Ukrainians, closer ties with Europe signify not only a better chance for economic development, but also for political and cultural renewal.

Conclusion

Habituation to democracy in a divided society is much more difficult than in a society with a strong national and political identity. It is easier to move from shared values and norms to shared institutions than the other way round. Institutions, values and norms can support each other if they operate in the context of civic unity and political consensus among society at large and its political elites. It can be argued that the most important step on this road is proper implementation of the rule of law, a cornerstone of a democratic constitutional order. Civil society argument is not sufficient, and although valuable as such should not be treated as starting point in research on democratization and consolidation because in most cases active, spontaneous civic involvement is an exception rather than norm. Thus researchers should focus more on the conditions – social, cultural, economic, political and institutional – that make civic involvement possible in the first place. The starting point here would be the focus on the state and its democratic institutions that make room for citizens’ political identity formation, their civic involvement and trust, for their sense of belonging to one political community. To perceive themselves as citizens, people need to have positive attitudes to the state and the way it functions. In post-communist societies it is not just the ethos that people share, but also their support for necessary reforms in view of the improvement of both the political and economic situation. This requires access to information and channels of communication, and responsive political institutions that people can trust⁴¹.

Civic unity, especially through its cultural, but also political dimension can foster the development of civil society, although more research is needed to prove this link, especially when it comes to strengthening interpersonal trust, trust in institutions and overall social capital and how they

⁴⁰ Antoni Z. Kamiński, Joanna Kurczewska, ‘Strategies of Post-Communist Transformations: Elites as Institution-Builders’ in Bruno Grancelli (ed.), *Social Change and Modernization: Lessons from Eastern Europe*, Walter de Gruyter, 1995, p. 131.

⁴¹ See Kenneth Newton, 1999. Social and political trust in established democracies, in Pippa Norris (ed.), *Critical Citizens: Global Support for Democratic Governance*, pp. 169-187. New York: Oxford University Press.

might be linked with a substantial level of civic unity. What needs to be carefully explained in the research of civil society development is how the political system and economic performance of the country shapes beliefs, values and motives of people by creating the context for their actions. Of crucial importance is the openness of the system to the voices of civil society.

Ukraine's democratization, especially in light of the recent events of 2013-2014, poses more questions than answers, and it is especially difficult to find ready-made theoretical explanations that would help in understanding the prospects of democracy, political stability and democratic consolidation in that country. The story is so complex because what is at stake is not just a set of free and democratic institutions, the rights and freedoms of citizens, constitutionalism etc., but also a fight for the self-determination of the Ukrainian people, sovereignty and the integrity of the Ukrainian state. For theorists of democratization, however, it might be an extremely fruitful ground to formulate some new hypothesis concerning various conditions of democratization and democratic consolidation, including the role of institutions, political elites committed to democratic institutions building, and civil society as well as new ways of theorizing on certain aspects of the democratic transformation. I have argued here that civic unity is especially needed under the process of democratization, and democratic consolidation has a civic rather than purely national dimension which can be expressed through the willingness of the political leadership and the public at large to stress not just a national sentiment, but their belonging to one political community. In new democracies this is often hindered by widespread poverty and relatively low levels of economic development that, as Beetham says, "tends to be associated with a low level of cultural development and with a citizen body that may seem unsuited for, as well as unaccustomed to, the working of democratic institutions"⁴². This is exactly where the proper democratic crafting should take place. With the establishment of the rule of law and democratic institutions that function relatively well, the whole process of changes in social, cultural and economic spheres might at least begin. Civic unity, once it is in place, is supportive of all these processes.

⁴² David Beetham, *Democracy: Key Principle, Institutions and Problems*, in *Democracy: Its Principles and Achievements*, InterParliamentary Union, Geneva 1998, p. 26.