

Laws of Ukrainian political genre: approval of the Government Action Program

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The Government Action Program: between Policy and Economy

On April 17, 2003, results of rather listless public discussions held among all stakeholders were eventually summarized. The matter in question was an action program of government headed by Victor Yanukovich: whether it would be an economic document or a political action. Debates were conducted in a traditional manner when speakers and their speeches about a compromise between the government, parliament and Presidential Administration were known a priori.

According to traditional rules and laws of Ukrainian political genre, members of the parliamentary majority could not but emphasized economic features in the document of the coalition government. Also debates surrounded a specific analysis of objectives to be fulfilled by the government within ten years (such term was fixed in the document at the beginning of the initial discussion), namely the issue of allocation of concrete amount of transfers to local budgets.

The opposition could not but interpreted the program as a political indulgence given to the Cabinet by the Ukrainian parliament, since under the Constitution of Ukraine, the government should retain its immunity within a year after approval of the government action program (though, the above rule could not be applied to the President of Ukraine). Our Ukraine and the Communist Party were unanimous about the program. V. Yushenko said that the government action program should be perceived as a political document, for it did not contain an economic component. In the opinion of P. Symonenko, the document was a politically populist and there was an impression that the Cabinet program was geared toward receiving a political indulgence for another year.

Meanwhile, experience proves those government action programs are predominantly viewed as political documents ensuring government's immunity but not obliging it in the economic sense. In this respect, rhetorical methods and goals declared in programs remain almost the same for years. For example, on October 15, 1996, the Verkhovna Rada approved the program of action of the Lazarenko's government, whereas practical settlement of the most pressing economic and social problems of Ukraine's development indicated in the higher document remained nothing more but intentions. Successor of P. Lazarenko Premier V. Pustovoitenko worked for two years without the government action program approved by the Ukrainian parliament. The action program of the Yushenko's government "Reforms for Welfare" severely criticized for its uncertainty aroused the most animated discussion. A government-parliament-Presidential Administration compromise of those times actually lasted for a year. On April 26, 2000, the Verkhovna Rada voiced its distrust in the reformatory government. Yushenko's successor Anatoliy Kinakh failed to gain desired immunity. Victor Yanukovich managed to receive immunity though as long as a week ago his chances were 50:50.

"Competition" Surrounding the Program

Since the moment of his appointment, Victor Yanukovich was tactically interested in approval of the action program of his own government, for a positive decision would ensure tranquility in the parliament. Members of the parliament clearly understood that fact making efforts to take advantage of the situation. Characterizing a version of already presented governmental program, in late February, parliamentary Speaker Volodymyr Lytvyn said that authors of the document intended to run the hare and hunt with hounds.

The process of preparation was long lasting. Terms for improvement and consideration of the program were constantly postponed. As a matter of fact, the problem was neither search for a concept of the program nor its correction. First of all, it related to the situation in the parliament that remained unfavorable for implementation of a positive scenario for long. In December 2002, the parliamentary crisis demonstrated unreliability of the parliamentary majority, which did not inspire confidence in approval of the document by the Verkhovna Rada.

The parliamentary crisis and agreements of V. Yanukovich and Our Ukraine on approval of the 2003 national budget did not contribute to strategic consent with the parliamentary majority. It should be mentioned that in February, the situation caused discontent of the national Democratic Party and its leader V. Pustovoitenko previously nominated for presidency. The same was true about the SDPU (u), especially taking into account its intentions to introduce changes to the budget as soon as it was approved. The situation surrounding the process of agreement of a candidate for the office of the FDMU's Chairman when the government and the parliamentary majority took an examination on "coalition". Meanwhile, holding congresses and forums, the opposition was preparing for an action of protest scheduled to be held on April 9. Later on, terms of consideration of the government action program were postponed till hearing of the Presidential Address to the Verkhovna Rada.

Doubts on effectiveness of voting for the program in the Verkhovna Rada could be multiplied by uncertainty about political guarantees for the government on the part of the President and some high officials. In early February, pointing out drawbacks of the program, the President of Ukraine Leonid Kuchma said, "...I am afraid of another large government action program, there were a lot of them." In his opinion, the government action program should represent the program of concrete government activities, i.e. consider qualitative and quantitative indicators. On the eve of voting, the Ukrainian President did not oblige the parliament to support the program though leaders of factions voiced their intentions to uphold the program and vote for it.

For the time being, efficiency of the most important votes in the Verkhovna Rada traditionally poses a complicated problem. Notwithstanding success of V. Yanukovich, we would like to remind about his own appointment with a gap in 8 votes, approval of the budget and election of a Chairman of the FDMU. The above qualitative indicators form a kind of chain of successes. However, success of the most important votes was ensured only due to the necessary number of votes of representatives of opposition factions and MPs who did not belong to any party or faction. For instance, at the November 21 vote relating to elections of V. Yanukovich as Prime Minister, all factions and groups with the parliamentary majority, a representative of the Bloc "Our Ukraine", a representative of the Socialist Party and 12 out of 16 independent MPs voted for his candidature. Voting for dismissal of Olexandr Bondar was rather indicative as well. 12 out of 239 votes for his dismissal belonged to Yulia Tymoshenko's Bloc and 3 – to Our Ukraine. On the eve of voting, parliamentary representative of the Ukrainian President Olexandr Zadorozhnyi stated that the parliamentary majority could back up the government action program without participation of four opposition factions. Though, he was somewhat skeptical. In his opinion, positive voting outcomes could be hampered by "technical factors... some MPs did not come, some MPs did not hear and some MPs fell sick", for the majority does not have the necessary quorum for such important votes.

Critical Results

The document was approved owing to the constitutional majority in the parliament. The government received support of MPs who formed it according to the above document and the opposition factions that de facto bear no responsibility for the government's actions.

The beginning of "political consolidation", as ex-Premier Anatoliy Kinakh put approval of the program, evoked another parliamentary crisis. 335 MPs voted for approval of the document. Some members of Our Ukraine and the Communist Party abstained from voting. Heated internal debates preceded approval of the government action program. According to leader of the deputy group "Razom" Mykola Martynenko, Our Ukraine neither participated in elections of the government nor belonged to political forces that formed it; therefore it should not assume responsibility for the Cabinet. Though, MP Olexandr Hudyma said that on April 17, it was announced that Our Ukraine "approved the resolution on free voting". Member of Our Ukraine Volodymyr Chernyak noted, "We can give our support to the government provided that it would back up our Party, our proposals, political reform and the law on proportionate elections."

On the eve of voting, members of the Socialist Party asserted that at the meeting with their faction, Victor Yanukovich promised that 40 MPs would give their votes for the proportionate parliamentary elections. It should be mentioned that in February, Olexandr Moroz stated that a compromise with the government on its action program could be reached only in case of support of the opposition's proposals for proportionate elections. Hence, the idea of holding "political auction" was not new. Members of the Socialist Party and Yulia Tymoshenko's Bloc explained the opposition's support by agreements with V. Yanukovich. However, "political barter" was not conducted.

Another issue that should be voted was the draft on proportionate parliamentary elections worked out by MPs M. Rudkovsky, V. Melnychuk, Y. Kliuchkovsky, V. Oluiko and G. Ponomarenko. Positive decision on the above draft was not made, since only 217 MPs voted for its approval. As for the parliamentary majority, 26 MPs gave their votes for the draft at the first voting, 213 MPs – at the second and 190 MPs – at the third. Nevertheless, it is safe to assume that 9 votes missing for approval of the document could be found in the opposition, as its 11 members abstained from voting at all. Coordinator of the parliamentary majority Anatoliy Tolstoukhov emphasized the above fact and said, "In such a situation, it would be expedient to raise a question about faction discipline... and not blame outsiders."

Reaction of members of the Socialist Party was rather emotional. "Your leader, former Governor of the Donetsk region, is a flunkey who publicly defrauded the opposition. We demand the Prime Minister to pay for his words", said Yuri MP Lutsenko. Though, the next day, he came forward on television making apologies to the Head of the government.

Nevertheless, the quarrel continued. Permanent government representative in the Verkhovna Rada Volodymyr Rybak stated that he did not hear a word about agreements of the Premier and members of the opposition, "I was present at all meetings of the Prime Minister with MPs and no agreements were discussed there." Leader of the "Regions of Ukraine" faction Raisa Bohatyriova informed that she did not negotiate about any political agreements. In reply, members of the Socialist party said that instructions of the Presidential Administration mattered much more than the essence of the political reform.

There are several versions explaining what happened. According to Serhiy Terekhin, it is possible to speculate on dotting one's "i's" and crossing one's "t's" and discuss a "demonstrative lashing of the opposition" that differs from the parliamentary majority on its decency.

It is also possible to appeal to the fact that the Donetsk region's protégés have large money and can bribe many of those who want to sell themselves. "Talks about any political agreement are unfounded. There were no political auction", told Taras Chornovil to journalists.

Another version of support given to the government action program by those "who want to be mistaken" relates to aspirations of some members of the opposition to secure their business rear at present and in the future and their unwillingness to spoil relations with Victor Yanukovich in exchange for respective guarantees.

Instead of Conclusion

Proceeding from the above, it is possible to conclude that in the future, Donetsk MPs will experience certain difficulties trying to reach mutual understanding with the opposition factions. As for members of the opposition, they will have to more thoroughly select words and arguments while explaining possible ways of cooperation and give strong reasons for positions of each MP going to vote for governmental initiatives. It is understandable, that given the situation, it will be much more difficult for the government to implement its action program.

Approval of the government action program considerably enhanced chances of Victor Yanukovich for October 2004. Also, it may change his role, having put him in the forefront, which automatically intensifies contradictions in the process of search of a common candidate from power.

Date of expiry of the present government's immunity actually coincides with the beginning of the presidential elections provided that there will be no surprises such as prolongation of term of presidency. Approval of the government action program can also be viewed as an effort to prepare a political scene for the Donetsk protégé on the part of his adherents, for the office of Prime Minister is a good starting point for presidency. To what extent such a situation is advantageous for all stakeholders, including members of the government and the opposition is by far not a rhetorical question even despite a popular proverb saying that the enemy of my enemy is my friend. "I can congratulate all members of the opposition, especially those of Our Ukraine, on the forthcoming presidential elections, as they has voted against Yuschenko today", pointed out Taras Chornovil in the interview to the Internet project "Forum". By the highest standards, the above proverb suits the present participants as well; only Yuschenko's name can be substituted with the name of Medvedchuk, Tihipko or other politicians. Leader of the

deputy group "Razom" Mykola Martynenko mentioned, "By far not all factions, even within the parliamentary majority, trust in the Yanukovich's government. On the contrary, some parties are interested to weaken his positions, for they consider him as a potential rival." So, the intrigue will deepen in the future, while political competition between key political players will enhance.

Recent event also prove intentions of Victor Yanukovich to nominate his candidature for presidency. On April 19, he was elected the leader of the "Regions of Ukraine" Party. Right after his appointment, Victor Yanukovich identified his key objective to be consolidation is such decisive events as presidential elections. "Without fail we shall join our efforts and solve the issue of a common candidate", the Prime Minister said. Hence, an application for success is made, its realization began and competition is growing.