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ПОСТРАДЯНСЬКА МОДЕЛЬ ПАМ’ЯТІ:  
ЗІТКНЕННЯ ДИСКУРСІВ

У статті розглядаються нормативні виміри національної пам’яті, а також проблеми, що пов’язані з пострадянською моделлю пам’яті та її концептуалізацією в українському суспільстві. Автор фокусує увагу на соціальних та культурних детермінантах, процесах формування та розвитку радянської моделі пам’яті, її втіленням в радянському та пострадянському світі. Дослідник зачінає проблему зіткнення радянського та пострадянського дискурсів в контексті формування ідентичностей. Дослідження актуалізує дискурсивні проблеми, проблематику цінностей у року різних фреймів пам’яті та належності до певної соціокультурної традиції, її сумісності з вимірами моралі, збереження правових норм, соціальної відповідальності, соціальності та відкритості до змін. Синтезуючи різні підходи до цінностей, до розвитку соціальних інститутів автор досліджує роль і значення змін в Центральній Європі у процесі реконструкції національної пам’яті в Україні. У статі концептуалізується значення культурних та правових підвалу в процесі соціальної реконструкції, які формує базові підвалини історичного сприйняття різних соціальних страт та прошарків. Відзначається, що слабкість правових підвалні, неповага до законів, традиції революційної доцільності є серйозними перешкодами для імплементації центральноєвропейської моделі історичної пам’яті, важливої для започаткування комплексних змін у кордонах Європейського Союзу. У цих умовах метою демократичних соціальних груп є створення позитивних умов для еволюції та комплексної трансформації історичної пам’яті на основі інтерпретації спільного з Європою історичного досвіду, символічного та ціннісного спадку. Важливим для автора статі є також формування громадянського суспільства як важливої універсалії для формування спільної пам’яті.

Ключові слова: пострадянська пам’ять; моральний дух; моральні цінності; право людини; європейська пам’ять; Центральноєвропейський дискурс; відповідальне правосуддя; виконання законів; соцідарність.

In the paper the author will focus on the legal and moral dimensions of post soviet thinking, as well as the rules, principles and foundations that are problematic in the development of historical memory in Ukraine and Central European countries. It will be argued that European integration within the context of the European Union create
It is easy to predict the future of a post-soviet model of memory without new cultural and moral foundations. Such memory in historical perspective is a good example of social amnesia, alienation and return to the past epoch of moral corrosion, the embodiment of historical injustice, individual dependence on the state's intrusion in personal private sphere, the rejection of private property rights, and the annihilation of authentic individual and collective forms of social life.

A loss of core values by post-soviet communities leads to constitutional and legal disorder, the disintegration of European based legal frameworks by Ukraine's civil society, both "old class and new class". The continuation of negative national cultural patterns that has been the basis of the soviet heritage of fighting does not correspond with principles of European development, or provide justice for groups which suffered during the totalitarian regime. This strategy does not agree with the socio-cultural and historical foundation of European thinking:

- Pre-modern dimensions of religious culture;
- Secular dimensions of a national memory;
- Moral factor of the observance of law.

In the context of Ukrainian post-soviet transformation, the intellectual community appeals to the implementation of the process of rethinking the social role of the past and to critique our totalitarian heritage. The critical voice of Ukrainian intellectuals is stronger after the collapse of the Soviet Union and the shaping of a Ukrainian independent state. The core of new ideas was reflected in the people's appeal to a moral dimension of memory transformation, and in the emphasis on the role of civil society in social changes. The activities of some groups of intellectuals are more then just a sum of individual activities, but provide a space for close interaction, association, moral norms and rules.

It is especially important to consider the normative issues of historical development, the ethical role of victims of the soviet regime in the context of its belonging to certain socio-cultural traditions, its compatibility with the dimensions of morality, social responsibility and active participation in the social reconstruction process to overcome corruption and nepotism. The domination of a soviet historical frame in contemporary Ukrainian society does not reflect the tendency of civil society groups towards a common European memory and values, cultural and social changes in our society, as well as efforts towards a sustainable development of our country. At the same time, the influence of European socio-cultural and ethical foundations in Ukrainian society is not sufficient for our reconstruction.

In post-soviet Ukraine the recognition of European model of memory was not incorporated into social practice for several reasons: 1) the pre-modern discourse of values (theological and theoretical reflection) and the socio-cultural foundation was weaker than in European and central European countries, 2) the collapse of the idea of national culture, the decreasing role of the observance of law and social rights in society took place as part of a colonial narrative and social memory, 3) the autocratic intrusion into the public and private sphere became an indispensable part of post-soviet stagnation. In this regard, Ukrainian policies are rooted in totalitarian thinking and serve as an instrument of autocratic control. Ukrainian post soviet elites aim at self-profit and at minimal changes, and a orientation to compromise with the system of a corruption network and patron-client relationship.
This stagnative outlook still dominates the post-soviet social life of a great part of intellectual elites. There are no spirit motivations for changes inside the Ukrainian society, where a great part of communities continue to serve as agents of the colonial past. As a result, the Ukrainian national narrative is centered around the issues of Said’s post-colonial studies and the representation of the post-colonial frame expressed by annihilation of unique cultural values as well as alienation from horizontal communication, solidarity and cultural ethos.

We can summarize that in the post-soviet period, the triumph of reduced forms of legality have taken place. The strong historical identity and national Ukrainian memory connected with a common European heritage has been destroyed. The social polls have focused on the situation of a destruction of national values. This situation is not easy to overcome. In recent years Ukrainian society has faced a serious threat of a crisis of the authentic national dimensions of culture, social network and morality: the dismantling of identity in the cities and rural areas of Western and Central Ukraine, and a total destruction of natural law principles that is an important part of shaping social trust in any society.

In most cases attempts to import European institutions and norms in post-soviet reality has been unproductive in the context of the marginalization of Ukrainian values. We can observe serious obstacles for memory changes in society, where more than 60% of people have declared their adherence to shadow economy patterns and other forms of illegal activity. Our society lacks the foundations for law and cooperation on a moral basis. The core of the problem lies in the absence of the European memory of common values and the separation between Eastern and Western Ukrainians. European values are perceived in Eastern and Southern Ukraine as being initiated by the Catholic-Protestant communities of Western Ukraine, and are felt to constitute a grave threat to the Orthodox identity, to its unity and uniqueness. The Ukrainian model of history’s legitimacy is different from European ones and "based not so much on national symbols, values and free private choice as on those forms of historical memory which are connected with the destruction of Lebenswelt (Life-world)" [1] (we can observe lack of Weber’s spirit of social changes or Castels’ innovative ethics).

At the same time some positive changes in the constitutional area are taking place. The contemporary Ukrainian constitution is oriented to social reforms that reflect the process of democratization and compromise between parliament and the presidential branches after the free elections. As with many other post communist constitutions, it was written by a small group of insiders who were more oriented to European traditions and norms. As A. Scpeple pointed out: “that frankly speaking, the present Ukrainian Constitution is a set of sweeping amendments to law XX of 1977 and all the changes to the Ukrainian laws occurred out of the framework of Soviet Laws” [2].

In this context, after the Orange Revolution there were hopes for the positive implementation of European legal norms in Ukrainian society at various levels: of personal autonomy and collective freedom of people. The Orange Revolution stimulates many authors to talk about the humanization of the Ukrainian constitution that imposes its own logic on the democratization of laws, the parameters of civil liberties, protection of common rights, liberalizing of the democratic foundation, and the establishment of collective and individual rights as an indispensable part of a new law framework. Most of these rights were borrowed from international human rights agreements that Ukraine had signed in the Soviet period with European countries. Many of these rights were an illusion in Soviet real life and had to be redefined in the Ukrainian new constitution.

But at the same time the role of restorative justice in Ukrainian constitution is minimized, as well as the process of compensation for victims of unlawful arrests and prosecution. There is no protection of individual and collective rights on the practical level. Some parameters of the constitution are regulated informal norms, and the domination of illegal frameworks in our society is a problem for social integration. Due to the influence of corruption there is a narrow regulation of the sphere of ownership and a lack of legal regulation of secular and sacral aspects of memory. At the present time, the right of biasness and innovative groups are regulated by old norms. The result of this is the deregulation and fragmentation of social changes in the constitutional process.

This problem is in close continuity between Soviet and post-soviet models of memory. The legacy of our Soviet past contributes some general problems regarding these discourses as well as the cultural conditions for a shadow economy and a patron-client capitalism, postcolonial underdevelopment and the degradation of solidarity dimensions. In this context, the lack of social capital and NGOs, and a weak civil society are related to the model of oppression and moral corrosion in society. We can observe the deficit of democratic norms and institutional control of society over those in power.

A weak civil society means that there is no strong and active social force which can promote to overcome the relics of post soviet memory and colonial heritage: to dismantle political and organizational corruption and vertical forms of social organization. Ukrainian post soviet experience proves the weak rule of culture and law in the process of social reconstruction. The lack of legal consciousness, disrespect for the law, the spread of rooted traditions of revolutionary purposefulness and the post soviet style telephone justice are serious obstacles for changing the post soviet frame.

In this context it is very important to estimate the role of European dimensions in Ukraine and in Central Europe. Unlike Europe, where the idea of cultural foundations of memory was imperative in the consciousness of social groups for a long historical time, in Ukraine the role of cultural and moral foundations are in sharp contrast to Western and Central European ones, are separated from Christian norms and past historical traditions. It is a fact that European historical memory is based on the common foundation of collective memory such as Christian personalism, toleration and respect towards individual and collective liberties. This foundation creates a new constitution’s spin. As Francis Horsher states: “The recent literature on Central European constitutionalism keeps telling us they serve to reaffirm the national identity and national memory... Constitution and its substantial preambles are more common among Central European nations that experienced foreign or international tyranny than in the constitutions of established democracies. The self-esteem and self identification in the process socio-cultural changes can help in their modification” [3].

The Central European constitutions are stricter in this
This paper considers normative dimensions of the memory of Ukrainians and the problem related to the post soviet model of memory in Ukrainian society. The author emphasizes the social and cultural determinants of the process of formation and development of soviet model of memory, its conceptualization in the Soviet and Post soviet world. The analysis is centered on the clash of European and post soviet discourses in the context of the conflict of identities. The paper raises some general problems regarding these discourses as well as the development of values within the antonymic memory frames in the context of its belonging to certain socio-cultural traditions, its compatibility with the dimensions of morality, the observance of Low, social responsibility, solidarity and openness of values within the antonymic memory frames in the context of its belonging to certain socio-cultural traditions, its conflict of identities. The paper raises some general problems regarding these discourses as well as the development of new innovative groups of intellectuals with firm moral convictions and are focused on morality, truth, justice, solidarity and confidence. Their purpose is the protection of national memory and the implementation of historical memory. A new innovative group of intellectuals various dimensions common with Central Europe and postsoviet space. The first one represents the rudiment of soviet exclusive memory that does not conform to such fundamental values as morality, truth, justice, solidarity and confidence. At the same time a part of the post soviet Ukrainian groups have firm moral convictions and are focused on various dimensions common with Central European historical memory. A new innovative group of intellectuals is more oriented to their moral mission of cultural protection of national memory and the implementation of the ideal of national revitalization. Their purpose is the transformation of post-soviet memory towards new memory dimensions based not so much on political declarations and some changes in the political sphere, but rather on those forms of social integration which are connected with the shifting of values and the sovietization of Ukrainian society. The observance of law as well as new cultural foundations in society can be an important factor of historical changes in forming a new model of memory.

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Україна. The paper considers cultural and law foundations of social reconstruction and problems related to historical foundation of different grope and communities. The article emphasizes that the lack of legal consciousness, disrespect for the law, the spread of rooted traditions of revolutionary purposefulness and the post soviet stile telephone justice are the serious obstacle for changes of post soviet frame and changes within European Union. In this context the aim of social groups is oriented to their historical memory transformation as well as the development of common European experience, symbolic and values heritage. At the same time the role of civil society as European foundation for historical changes is analyzed.

Key words: Post soviet memory; Moral ethos; Moral values; Human rights; European memory; Central European discourse; Restorative justice; Enforcement of the adherence to laws; Solidarity.