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VARIA 1 (E)

LETTER OF THE CHAIRMAN OF THE HUMAN
RIGHTS COMMISSION OF THE PRESIDENT OF
THE RUSSIAN FEDERATION, S.A. KOVALEV, TO
PRESIDENT YELTSIN FROM JANUARY 23, 1996

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Sergei Kovalev sent the following letter to President Boris Yeltsin resigning as chairman of the President's Human Rights Commission, an office he has held since October 1993. The letter was published in Izvestia on January 24, 1996, and it has been translated by Catherine A. Fitzpatrick.

Open Letter to President Yeltsin

To: B. N. Yeltsin
President of the Russian Federation

Mr. President!

For the past six years I have considered it my duty to promote in every way possible the policy that can fairly be called the "democratic transformation of Russia" notwithstanding many reservations. For a long time that policy was closely linked with your name. You were the head of a country on the road to democracy, and at first, you were even considered the leader of the democrats. As long as you remained headed in that direction, I considered myself your ally, or, in those instances when you departed from the overall course or drastically slowed the tempo of advance, a member of the loyal opposition.

Russia's road to freedom never promised to be easy. Many difficulties were obvious from the very beginning. Many others cropped up unexpectedly. To overcome them, all of us -- the government, society, each individual -- had to make complicated and sometimes tragic decisions. The main things the country expected from you were the will to make changes and honesty. Especially honesty. In electing you, Russia saw not only a politician ready to demolish the former state structure, but a person who was sincerely trying to change himself, his views, his prejudices, and his habits of rule. You convinced many -- myself included -- that humane and democratic values could become the foundation of your life, your work, and your policies. We weren't blind. We saw the typical traits of a Communist Party secretary preserved in your behavior. But all Russia, like a man striving to overcome a serious defect, was struggling with itself. We understood you even when we did not love you.

In recent years, however, even though you continue to proclaim your undying devotion to democratic ideals, you have at first slowly, and then more and more abruptly, changed the course of government policy. Now your government is trying to turn the country in a direction completely contrary to the one proclaimed in August 1991. That has made me feel obliged to state my own position publicly.

I won't recount all your many mistakes and miscalculations -- a host of eager contenders are ready and willing to do that. It's not a question of specific failures, but the reasons for them: your priorities and guidelines for government policy are wrong in principle.

Beginning in late 1993 if not even earlier, you have consistently taken decisions which -- instead of strengthening the rule of law in a democratic society -- have revived the blunt and inhuman might of a state machine that stands above justice, law, and the individual. Your enemies claim you did this to bolster your personal power. But even if they're wrong about the cause of your behavior, that doesn't change the effect.

During the tragic days of the fall of 1993 [when Yeltsin dissolved the Supreme Soviet], I decided to stand by you despite my serious inner doubts. I don't deny my responsibility for that support. I believed that the use of force was a tragic necessity given the imminent threat of civil war. Even then I understood that the events of October might encourage the top leaders to perceive force as a convenient and familiar instrument for resolving political problems. But I hoped for a different outcome: that by overcoming the crisis of legitimacy and creating a basis for the rule of law in Russia, the President and the government would do everything possible for our country's peaceful and free development. To a very great extent, the outcome depended on you, Boris Nikolaevich. I believed that you would choose the second path. I was wrong.

The 1993 Constitution confers enormous powers on the President, but it also places enormous responsibilities on him: to be the guarantor of the rights and liberties of citizens, to safeguard their security, and to protect law and order in the country. How have you discharged these duties? How have you fulfilled your responsibilities?

You have virtually halted judicial reform which was designed to make the administration of justice truly independent from the other branches of government. You openly professed the principle: "Let the innocent suffer as long as the guilty are punished."

You loudly proclaimed the launching of a war on organized crime. In order to implement this, you granted exceptional, extralegal authority to the power ministries. The result? The criminals continue to roam freely, while law-abiding citizens have to tolerate the abuse of the uniformed forces without gaining the security they were promised.

You stated that your goal was the preservation and strengthening of the Russian Federation's territorial integrity. The result? A shameful and bungled civil war which has been raging in the North Caucasus for more than a year.

Under the guise of strengthening Russia's defense capability, you've blocked all military reforms which would give Russia an effective modern army. The result? Spending on the army is growing, and the number of generals has increased to an indecent figure. In order to justify their existence, the term of service has been increased and draft deferments have been ended. Meanwhile, soldiers and officers are impoverished, ragged and hungry. And the degradation, ill-treatment and corruption, traditional in

our army, are as prevalent as ever. Not surprisingly, tens of thousands of young men are evading this medieval recruitment like the plague.

You speak of a policy of openness, of transparency and of public accountability, yet at the same time you sign secret Decrees concerning the most important matters of state. You create closed institutions, and you classify as secret ever more information about government operations and the state of the country. Presidential decisions are made almost in the same back-room fashion as in the era of the Politburo. It's no secret that you increasingly depend on the security services and on their system of clandestine information. Isn't it obvious to you how unreliable and tendentious this information is?

The thrust of your personnel policy is becoming clearer with each passing day. At first there were quite a few competent, honorable people around you. But you also enthusiastically welcomed individuals whose only virtue consisted in their personal loyalty to you. Gradually such loyalty has become your primary demand when recruiting staff, just as it was in the heyday of the Communist Party. People deemed deficient in this respect have been removed from your administration and from other government offices. Worse, even within the tight circle of the unconditionally loyal, a process of natural selection has taken place, so that it's become evident to the whole country that the individuals most successful in their careers are those who have pursued their own personal, if not criminal, interests. The result? Look at the faces of your current associates and you'll understand why the country doesn't trust your appointees, and therefore, doesn't trust you.

In fact, you don't care at all about public opinion and all the chief government officials follow your lead. In moments of crisis, instead of open and honest explanations, you and the heads of bodies appointed by you feed us such transparent and desperate lies that we're simply left dumbfounded. The fragile bridge of trust between society and the state, created with such difficulty in the face of century-old suspicion, has once again been destroyed.

Just a little more than a year after the October 1993 events in Moscow, you unleashed the war in Chechnya. In this conflict we have seen in full measure contempt for the law, flouting of the Constitution, demoralization and disintegration of the army, outrageous incompetence on the part of the security services, inept careerism on the part of the chiefs of the power ministries, and awkward and cynical lies orchestrated by the first persons of the state. But what is particularly horrifying is another aspect of the regime you've created which has been revealed by this crisis: utter contempt for human life. Twenty or thirty or forty thousand people have died, and what sort of reaction has there been? We don't even know who they were, how many of them were civilians, Russian soldiers, or Chechen fighters.

Life has always been cheap in Russia, especially under the Bolsheviks. But you have introduced a new "democratic" and "humanitarian" strain into this shameful national tradition. For a whole year in Chechnya you have been restoring "constitutional order" and "civil rights" with bombs and missiles. Last month's farce of "free elections" in Chechnya inevitably shattered the already fragile hopes for peace in the region. In the same way in Pervomaiskoye with the declared aim of freeing the hostages, you conducted a cruel punitive action (which failed anyway) whose true purpose was not at all the rescue of innocent people seized by the terrorists. Both the violence and the hypocritical attempts to conceal it are on your conscience. Didn't you and those fools who pushed you into the Chechen war understand that bloodshed would lead to intolerance, revenge, deceit and violence? And that this malignant tumor would devour the good things you have done for Russia?

I certainly don't put all the blame on you. The totalitarian order, which was dealt a serious but possibly not fatal blow, is defending itself by its typical means: manufacturing a crisis, misleading the people, and subverting civic values. Your personal guilt consists in your encouraging these tendencies instead of checking them. Perhaps you believe that you are building a Great Russia for the good of its citizens? Not at all! Your current policies will only rapidly resurrect a state predisposed to illegality and the abuse of rights. In other words, you are restoring the old Bolshevik morass, with the only difference that Communist phraseology has been replaced temporarily by anti-Communist rhetoric. Your potential successors may well correct that defect!

You began your democratic career as a forceful and energetic crusader against official deceit and Party despotism, but you are ending it as the obedient executor of the will of the power-seekers in your entourage. You took an oath to build a government of the people and for the people, but instead you have built a bureaucratic pyramid over the people and against the people. Moreover, having rejected democratic values and principles, you haven't stopped using the word "democracy" so that naive people may well believe that "democrats" remain in power in the Kremlin. Your policies have compromised the very word, and if democracy is fated to someday exist in Russia (and I believe it will), it will exist not because of you, but in spite of you.

It's sad for me that you've lost your soul, unable to evolve from a Communist Party secretary into a human being. You could have done so. You've made your choice. Soon we'll make ours. Today you call yourself the only alternative to Zyuganov or Zhirinovsky, but in vain, since you now have more features in common with them than differences. And if we have to choose among you, it will be like choosing which mafia organization to apply to for protection. Many people, their hearts in their mouths, will vote for the candidate from whom they expect a little less extortion and a somewhat smaller amount of risk. I am organically incapable of accepting

either the "Reds" or the "Browns." But I won't vote for you either. And I'll advise other decent people not to do so.

I've considered myself obliged to remain in your administration (as an unpaid "volunteer"), as long as my status enabled me on occasion, even if only in isolated instances, to counteract government policies that had violated human rights and humanitarian values. Perhaps even now such opportunities have not been totally exhausted. But I can't go on working with a President whom I believe to be neither a supporter of democracy nor a guarantor of the rights and liberties of my fellow citizens.

I hereby inform you that as of today, I resign as Chairman of the President's Human Rights Commission, as a member of the Presidential Council, and as a member of all other presidential bodies. I don't think you'll regret my departure. I know I won't.

Moscow. January 23, 1996.
Deputy of the State Duma

Sergei Kovalev