

# **Ukrainian electoral relations system: study through the conflict approach**

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## *Abstract*

*Electoral process is one of the most evident indicators of democratic institutes and norms adoption in society. Depending on how transparently and fairly elections are held, their role in elites' change, it is possible to assess democracy level. Classical electoral studies focused mainly on investigation of consensual societies. But new empirical reality and mass protest activity in Greece, France, Germany, Great Britain, Italy, Romania, Arabian East, and in post Soviet states confirm currency of conflict paradigm in election researches.*

The conflict potential of electoral relations system has serious analytical and theoretical perspectives. So long as electoral interaction subjects are interdependent, they cause the trend of political system transformation (competitive, adoptive or conflict). In spite of the fact that political systems of post-Soviet states, West or East Europe represent different types of democracy (electoral or participative), Arabian East tries to implement democratic institutes, today their political development takes place in a context called by social scientists "world spasm". So classification of conflicts appropriate to elections is extremely important.

The article aims the analysis of conflicts that inherent in different levels of electoral relations system of Ukraine, its influence on citizen's trust in election. These factors are the serious indicators of political legitimacy in advanced democracies.

## **Electoral relations system: the point and the features**

The concept of electoral relations system is used for methodological convenience and is not similar to institutional notion "electoral system" as legislative secured procedure of power election. Hereby we mean the correlation between the form, the content and the process of the mentioned phenomenon. There next components should be particularly taken into consideration:

- the constellation of the institutes concerning the change of power in political system and representing the formal issues of power change. In this context, election law, correlation between electoral system and real state of party space, electoral system's ability to represent the interests of social groups have to be analyzed. The Constitution of a state, the place and role of political parties, the institute of political leadership, the role of non-government organizations and interest groups, local government have to be analyzed as well;
- **the content** of observable object is the space of electoral discourse, opened and hidden interests of the main actors they are guarded by to make decision, opportunities and restrictions influencing decision-making process, the values they are guarded by, group attitudes, mythologems. The notion able to integrate phenomenon mentioned above is **electoral culture** that determines political behavior and political participation peculiarities. Motives, interests and values of electoral culture mediums are able to create the ground for knots of contradictions showing up in political transformation. The substantial component of electoral relations system includes the conflicts that are the most difficult to diagnose and control taking into consideration the values;
- **the procedural component** is an extensive in time representation of participant's action and interaction functioning in the appointed social and culture conditions, demonstrates appropriate social and culture cleavages and is the dynamic demonstration of electoral culture. The procedural part is cyclic, can be spasmodic, discontinuous (for example, pre-term or special election that troubles the systematic procedure trajectory). Post-Soviet scholars point out an absence of the single approach to the analysis of election process cyclicity taking into consideration short-timing of election cycles and impossibility of direct identification with the scaled historical or economic development cycles. Meantime in Anglo-American research tradition election cycle defined as a period from one election to another when the logic of election is guarded by the actor's practices that they demonstrated all the time before. Ukrainian scientist N.Rotar suggests bringing of particular election cycles into correlation with democratization phases that may be accepted in our analysis (Rotar, 2006; 2007). Thus both presidential and parliamentary elections turn out in the same election cycle.

In addition, analyzing election cycle, it's necessary to take into consideration S.Rokkan's conception of "critical election" that concern the crucial moments in political system development. Such election for political system of contemporary Ukraine became Presidential election 2004 and 2010 that changed the vector of political system development.

So the conception of electoral relations system gives an opportunity to analyze the trajectory of political system development, the logic of democratization, the threat of democratic political course deviation.

## **2. Correlation between electoral cycles and transformation cycles of Ukrainian politics and inherent conflicts**

It should be noted that there are different approaches to transformation cycles of political system in Ukrainian political science. Specifically the famous Ukrainian researcher A.Kolodii emphasizes that democracy transformation in Ukraine includes two qualitatively distinctive (by acting and resistance forces) transition stages: postcommunist and antyoligarchical ones that passed quantitative and qualitative changes (Kolodii, 2010). Following the author's logic, electoral relations system can be analyzed with dividing in some stages: nomenclatorial-bureaucracy-transitional (1991-1998), bureaucracy-authoritarian-oligarchical (1999-2004), oligarchical-ochlocratical-stagnant (2005-2009), transitional-democratic. In spite of the valuating character of such classification, we agree that every stage of democratic transformation was incorporated by the same type of political, economic, social relations and had an influence on political system development (Kolodii, 2010).

Researching electoral relations system's conflicts, the use of multy-component conflict methodology suggested by Russian political scientist L.Nikovskaya for different levels of electoral relations system is available. We are agreeing with an author that in conditions of dynamic transformation process the monoconflict is rather an exception than rule. The researcher is guided by statement that "different types of conflicts create the perspective, influence each other and interpenetrate. The sources of one type of conflicts actuate other ones." (Nikovskaya,2009). Meantime, it should be noted that in this case political conflict

is the principal; it turns out the mono-conflict, unifying economic, law, and cultural, psychological aspects.

It's important to specify the types of conflicts that were inherent in every electoral cycle of transformation period.

*The first electoral cycle (1991-1998).* The institutional conflicts of this electoral cycle consist in the absence of constitution, a work by the constitutional agreement between the president and the parliament, looking for a new model of electoral system. The election law adopted in 1993 contemplated majoritarian electoral system of absolutely majority that caused continuance of election process during three years because Verkhovna Rada<sup>1</sup> had not been elected simultaneously. The procedural aspect of this electoral cycle and holding of the extraordinary election of the parliament in 1994 were caused by pressure of unprotected social groups (for example, all-Ukrainian strikes of miners) that demanded government's resignation. The law determined election of 1994 had been adopted on a tight timetable, with incomplete legal system so it was not able to influence on electoral relations system development in positive sense. The substantial conflicts of electoral relations system of this period based on the making of private property institute, absence of transparent mechanisms and principles of property transition from state to private, problems of political elite's establishment that was not connected with soviet nomenclature. Electoral discourse of this period was directed in non-admission of communism. The mentioned electoral cycle ends with parliamentary election 1998 that had been held by mixed proportional-majoritarian system.

*The second electoral cycle (1999-2004)* begins with the presidential election in 1999 and is caused by strengthening of executive power vertical (1999-2004). The institutional conflicts of this electoral cycle is strengthening of executive power, power concentration in Presidential Administration of Ukraine (the authority whose power exceeded the one provided by Constitution of Ukraine). The additional factor of institutional conflict became an idea of constitutional reformation. The "content conflicts" of this period are contradiction between communist/anticommunist, European and Euroatlantic/ Eurasian vectors

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<sup>1</sup> The legislative power of Ukraine consists of 450 deputies.

of development. The procedural conflicts of the mentioned cycle are strained relations between power and opposition (particularly concerning parliamentary election 2002 when the opposition won more voices by proportional part of electoral system but hadn't been able to set up the majority in the parliament because of the win of pro-government candidates in majoritarian districts), mounting resentment of the population that culminated in mass demonstrations. The important feature of conflict interaction of the mentioned period is the strengthening of financial and industry groups' power that have had the first and foremost influence on decision-making process. The character of political regime of that period of time is able to explain the peculiarities of elites' electoral culture.

*The third electoral cycle (2005-2009).* The institutional conflicts are: the inability of political parties that were elected to the parliament by the proportional election law to set up the capable majority, the absence of clear mechanisms of coalition forming. Cohabitation as a type of a political interaction in semi-presidential republic when the president and the prime-minister represent the different political forces also was evident. It should be noted that in this electoral cycle cohabitation occurred twice – since August 2006 till December 2007 when majority in Verhovna Rada had the Party of Regions and Viktor Yanukovich was appointed to the post of Prime-Minister. This case demonstrates the classic type of institutional conflict when the president and the parliamentary majority are oriented at the opposite models of state development and settle them in their programmes. Another type of cohabitation is the setting up of Yuliya Tymoshenko cabinet and contradiction between the President of Ukraine and “People Unit Our Ukraine” Party that he headed before. In spite of the absence of vision contradiction and the same political course appreciation, this period of electoral cycle may be defined as an absence of the same mechanisms for course realization. Ukrainian political scientist A. Romanyuk considers that such kind of contradiction may be analyzed as cohabitation because the personal competition of the politicians for the same voters maintained to the form of institutional contradiction and caused the powerful political crisis in a state (Romanyuk, 2009). The researcher describes cohabitation in Ukraine as highly conflict. We consider that the reason of this conflict is the absence of constitutional legislation determining the mechanism of interaction between the President and the Cabinet of Ministers. The conflicts of the substantial part of this electoral cycle are the sharp

contraposition of Ukrainian regions at the base of a language and identity, actualization of controversial historical memory issues that had been extensively used by political forces during the ordinary parliamentary election in 2006 and extraordinary election in 2007. The procedural part of the third electoral cycle demonstrates predominance of conflict strategy of political interaction over the concurrence. The main form of political participation that determined political discourse became mass demonstrations. They had rather the features of political performance than precise stated request.

*The fourth electoral cycle (February 2010 - present).* The institutional conflict of this period closely related to implementation of the changes in the Constitution of Ukraine and back to Constitution of 1996 edition<sup>2</sup>. The procedure conflict is the reframing of parliamentary coalition “Stability and Reforms” consisted of the Party of Regions, Lytvyn’s Block, The Communist Party of Ukraine and some people deputies from another parties, and conversion to the coalition from opposition parties. The substantial conflicts are revision of power’s decisions concerned identity issues that had been adopted in previous electoral cycle (abatement of attention to Holodomor at official level<sup>3</sup>, decorating Stepan Bandera with the order of Hero of Ukraine etc.). The serious conflict factor of the current electoral cycle is the crisis in economy sphere that influence directly the decrease of trust in branches of power. The unpopular decisions of power have an effect on growth of protest pulse of nation and determine predominance of protest discourse and political participation.

Thus, the main consequences of the conflicts in electoral relations system of Ukraine are:

- decrease of citizens’ trust in election as an institute that provides rotation of political elites and growth of their quality, guarantee the changes that favour the development of political system;

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<sup>2</sup> Since January 1<sup>st</sup> 2006 Ukraine have been the parliamentary-presidential republic. These amendments to Constitution became the result of compromise between political forces in 2004. In 2010 the Constitutional Court of Ukraine abrogated these amendments`

<sup>3</sup> “Holodomor” is an artificial starvation as a result of I.Stalin’s policy concerning Ukrainians. More than 3 million Ukrainians died of starvation in 1932-1933. This issue became one of the controversial in Ukrainian society during V.Yuschenko presidency and is revised today

- decrease of political institutes effectiveness and their role in decision making process;
- decrease of elected power's legitimacy level;
- increasing of deep splits at the base of identity that are beyond the bounds of classic electoral cleavages;
- decrease of political actors competition;
- growth of non-conventional forms of political participation probability ;
- growth of risk of uncontrollable conflicts escalation.

**Instead of conclusion: the trust in election as result of conflict interaction within electoral relations system**

In spite of the fact that elections are admitted by Ukrainian citizens as the most efficient mechanism of influence on power (in comparison with participation in political party activity, non-governmental organizations, civil discussions, appeal to the deputies, action against power, strikes, meetings), the main reason for election participation is the recognition of the civil duty (Bekeshkina 2010). It is significant that with every electoral cycle the number of respondents who are waiting for falsification of election increases. Particularly, in April 1998 20, 1% of citizens believed that election will be held fair. In 2009 there were only 9, 9% of such voters. Before 2004 presidential elections the number of those who waited for falsification was significantly lower than before parliamentary elections 2006 and 2007 that were hold fair and democratic (Bekeshkina, 2010). In addition the essential indicator of distrust in elections as a mechanism of political is an absence of citizens' trust that elections are able to change the situation for better. Particularly the highest level of expectations that election makes the situation in Ukraine better was fixed before parliamentary elections 2006 (44, 7%), the lowest - in 2002 (Bekeshkina, 2010). The majority of citizens suppose that non-fulfillment of electoral promises prevents election to become the efficient mechanism of democracy (the number of respondents who chose the mentioned answer increased from 48% in May 2004 to 54, 2% in December 2009). The essential factors (as the respondents suppose) are the setting up of executive power not in accordance with election results and absence of the constant civil control over the chosen power.

So the first-priority measures on growth of trust in electoral relations system of Ukraine have to be the next:

- prevention of non-controlled conflicts escalation, reconciliation of existing conflicts of institutional, substantial and procedure subsystems of electoral relations system;
- the growth of legitimacy legislation (particularly parliamentary and presidential election law), accounting of Venice Commission proposals and recommendations, involvement of wide round of experts in bill implementation;
- systematization of election law , adoption of Election Code of Ukraine that helps to strengthen electoral relations stability.

Investigation of the mechanisms of growth of trust in electoral relations system is one of the actual issues of Ukrainian political science.

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