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Ukraine: the Struggle for Democratic Change

Of all the states studied in this volume, Ukraine was the slowest to reform its electoral institutions following the collapse of communism. There was nevertheless considerable legislative activity in the electoral sphere. Like Poland and Russia, Ukraine adopted new electoral laws for each election after 1989, and each law was preceded by lengthy debates reflecting many basic issues of post-communist change. Principal among them was the proper relationship between economic and political structures, which manifested itself in terms of the right of various types of groups to nominate candidates for election. The main struggle of Ukraine's pro-reform forces during this period was to establish the legitimacy of political parties in a multi-party context and to seek party monopoly over political mobilization. Groups associated with the former *nomenklatura* in the first instance, and latterly with the presidential system, fought to maintain the power of administrative structures tied to the executive branch and to state-owned industries. They steadfastly opposed such innovations as the nomination and election of parliamentary deputies from party lists and the inclusion of party representatives on electoral commissions.

Despite the power of bureaucrats and members of the former *nomenklatura*, the Ukrainian electoral system became considerably more 'party friendly' over the period in question, largely as a result of a shift in the stance of the major left-wing political organizations from supporting administrative elites to promoting the common interests of parties as institutions. As politicians gradually restructured their political support bases, they discovered the usefulness of parties, especially shady economic elites who found it convenient to be able to invent attractive party images to enhance their vote share.

There were four principal stages in the evolution of electoral system design in Ukraine, punctuated by the quadrennial elections to parliament: (1) pre-independence debates surrounding the new law for elections to the Ukrainian republican parliament of 1990; (2) the 1991–3 period of failed attempts to introduce significant changes to the Soviet-era election law in advance of the first post-Soviet parliamentary elections in 1994; (3) the 1994–7 period, in which parliament took stock of the multiple problems associated with the 1994 elections and adopted a semi-proportional law; (4) 1998–2001, when further major reforms were considered but rejected (see Table 8.1). These phases are distinct not only because each was dominated by the run-up to a different parliamentary election, but also because the constitutional situation in Ukraine changed from each period to the next, as did the party system.

There was nevertheless a notable continuity in the issues dominating all four debates over electoral reform. The most prominent issues in each case were those surrounding rights of contestation. A second area of concern was how to ensure the impartiality of electoral administration, where corruption was widely perceived to have hindered genuine competition.

Table 8.1 Main changes in the law on elections to the *Verkhovna Rada*

<i>Election year</i>	<i>Electoral system type</i>	<i>District structure</i>	<i>Seat allocation formula</i>	<i>Threshold</i>
1990	Semi-competitive two-round SMD	450 single-member districts	First round: absolute majority; second round: plurality	N/A
1994	Two-round SMD	450 single-member districts	First and second rounds: absolute majority	N/A
1998	Mixed (single-member plurality plus national list)	225 single-member districts plus 1 national district	SMDs: plurality; lists: largest remainders (Hare quota)	4%
2002	Mixed (single-member plurality; plus national list)	225 single-member districts plus 1 national district	SMDs: plurality; lists: largest remainders (Hare quota)	4%

The pre-independence period: elections before multi-party competition

Ukraine had meagre historical resources with which to develop democratic electoral institutions. It had experienced statehood only during brief and turbulent periods before gaining independence from the USSR in 1991, and Ukrainian elites played little role in developing electoral institutions before this time. Following the limited competition of the elections to the Soviet Congress of People's Deputies (CPD) in March 1989, the Ukrainian parliament began considering republic-level electoral legislation. Its first draft went through several versions and was published in the press on 6 August. The draft largely repeated the provisions of the CPD election law, with some minor modifications. It called for 25 per cent of deputies to be elected from social organizations and for a smaller working parliament chosen from among the ranks of those elected. In some respects this represented a liberalization: candidate-vetting meetings were not required, and the number of voters needed to nominate a candidate was reduced from 500 to 300. In other respects, however, the procedures were tightened; a new minimum (300 participants) was required for a workers' collective to nominate a candidate. The requirement that candidates must live or work in the district where they were nominated was also modified to make an exception for those whose work covered the district in question. This was widely perceived as a means of securing regional party and state leaders safe seats in remote and compliant rural areas. Finally, the draft banned the right to campaign for an election boycott, following the selective boycott called the previous March by the Ukrainian Helsinki Union.

Meanwhile, a group of the more radical deputies elected to the CPD in March 1989 had formed a Republican Deputies' Club which galvanized around the topic of electoral reform, criticizing the draft law and demanding removal of reserved seats for social organizations and the 'parliament-within-a-parliament' model.¹ They also called for removing candidates whose campaign platforms violated the Ukrainian constitution. In September the group proposed an alternative draft law. Spurred by this example, other groups in Ukraine put pressure on parliament (*Verkhovna Rada*) to change the law. Popular meetings endorsing electoral liberalization on 2 September attracted considerable support across Ukraine. The League of Young Communists (*Komsomol*) was also in the vanguard of those pushing for electoral reform, and it stated publicly that it would not take up the seats allocated to it in the draft law. At around this time the press published the results of an academic survey

of popular opinion. A total of 59 per cent of respondents favoured a directly elected parliament (with 33 opposed), 53 per cent were against reserved seats for social organizations (27 for) and 72 per cent opposed nomination on the basis of workplace (as opposed to residence or work in the district). The survey also revealed a general distrust of electoral commissions; 78 per cent thought they should be elected at meetings of work collectives, and only 15 per cent thought commissions should decide whether to withdraw a candidate's nomination on the basis of the contents of his or her campaign platform.²

The groundswell of popular support for changes to the draft law undoubtedly influenced the thinking of the Ukrainian leadership. Events were moving fast. There was a danger that efforts to maintain control of the electoral process would backfire by provoking such wrath on the part of the electorate that even the carefully crafted control mechanisms detailed in the draft law would not prevent numerous radical reformers from being elected. The results of the 1989 CPD elections had demonstrated that a conservative majority was not sufficient to prevent an active radical minority from setting the agenda; this reflection undoubtedly gave the Ukrainian leaders pause for thought.

Three seemingly unconnected events intervened in quick succession to push the notoriously conservative Ukrainian party leaders to accept the need for further change. The first was the founding congress of the Popular Movement in Support for Perestroika – popularly known as *Rukh* ('movement'). The second event was the replacement of Brezhnev-era Ukrainian Party leader Volodymyr Shcherbyts'ky with the slightly less conservative Volodymyr Ivashko. The third event was a decision on 25 October by the CPD to allow the republics greater freedom to craft their own electoral systems. As in Russia, the final law eliminated seats for social organizations, but it went further still and provided for a directly elected parliament of 450 members. In March 1990 118 members of the hastily cobbled-together Democratic Bloc won seats; they were later joined by enough deputies to give the democratic opposition approximately one-quarter of the seats in parliament.

Electoral reform in the wake of independence, 1992–3: parties versus the 'party of power'

The legalization of alternative political parties in spring 1990 saw the registration of a plethora of new political organizations, mostly from the right-wing 'democratic' camp. But though there were over three dozen such parties by the time of the 1994 elections, most were little

more than coteries of elites, with severely underdeveloped grassroots support bases and little ideological distinctiveness. Of the new parties, the main right-wing organization was Rukh, and the most vocal element of the centre was the Party of Democratic Rebirth (PDVU), formed mainly of communists-turned-democrats.

The configuration of parliamentary politics was unconducive to reform. Despite the large number of new reformist parties, parliament retained its conservative majority. However, the rapid disintegration of the Soviet centre provoked even obstinate pro-Soviet communists to adopt a more nationalist stance. In late 1991 the Soviet Union collapsed and Ukraine gained independence. The creation of the new state was validated in the December 1991 referendum by 90.3 per cent of the vote. President Leonid Kravchuk, elected the same day, was the former communist ideology chief, but – eager to defend the state which had honoured him with his new title – he rapidly embraced nationalism. The right at this point was punching above its numerical weight in parliament through enthusiasm and a sense that it had been vindicated by events.

Electoral reform began to be discussed in 1992 in the context of general debates about constitutional changes. The 1990 parliament was due to remain in power until 1995, but its legitimacy was undermined by the fact that it had been elected during the Soviet period, literally in a different country. There was therefore much talk of holding pre-term elections. This prospect (or possibility) gave added impetus to the speedy adoption of a new law, and several drafts were submitted to parliament. It was nevertheless nearly two years before a law was eventually passed, following a decision to call parliamentary elections for March 1994.

Several factors were relevant to understanding the immediate context of the law-drafting process; firstly, two years after independence the economy was in a tailspin, leading to considerable disillusionment with independence and nationalism. Secondly, the Communist party, banned in the wake of the Soviet break-up, was allowed to reform under a new name in October 1993. This was thus a time when the left was regrouping and reasserting itself. Thirdly, as we saw in Chapter 7, the left-dominated Russian Duma had only recently been forcibly dismantled and elections called for December 1993 under a mixed plurality-PR law effectively imposed by the 'reformist' Yeltsin.

Parliamentarians across the political spectrum accepted the desirability of a system of proportional representation. They were, however, divided over whether the introduction of PR should precede or follow

party-system formation. The old guard on the left and among non-affiliated deputies tended to argue that Ukraine was not yet ready for PR because its parties were still so weak, while members of the new right-wing parties argued that PR was needed to strengthen parties as well as to structure parliament and enable it to form party-based governments.³ There was also much talk of PR's ability to 'structure society' by encouraging the formation of political groups that could mobilize people along socio-economic lines.

In early 1993 the Rada received two drafts, one from the Party of Democratic Rebirth (based on a draft formulated by the Association of Young Ukrainian Political Scientists and Politicians) calling for half the deputies to be elected from single-member districts and half from party lists, and a fully proportional draft registered by Rukh.⁴ A working group headed by independent deputy Anatolii Tkachuk was established that spring within the parliamentary Committee on Legislation and Legality. In the summer of 1993 the non-party deputy parliamentary speaker, Vasyl' Durdynets, proposed a further draft, with 100 deputies to be elected on party lists and the remainder by the majoritarian method. The Tkachuk group eventually put forward a bill for a mixed law which combined elements of the PDVU and Durdynets' drafts. Though the bill was discussed by the Rada, no consensus could be reached and it was held over until a final decision had been made to call pre-term elections.

Debate on an eight-point resolution on the basic provisions of the electoral law began on 7 October. Coincidentally or not, this was also the day after the introduction of the Russian mixed electoral system had been announced. Speaker Ivan Plyushch pre-empted direct discussion of the mixed versus majoritarian choice by assuming that the law would be a mixed one and urging the parliament to focus its attention on what he described as the 'quota' of deputies to be elected by proportional representation. Plyushch admitted openly that he preferred the mixed 350/100 version proposed by Durdynets, and he was keen to avoid passage of a fully majoritarian law, which he said would make the Rada look 'conservative'.⁵ The new parties of the right and centre-right at this point rallied around the mixed law, while many Socialists, the (newly legalized) Communists and most unaffiliated deputies favoured maintaining the pure single-member district system. The introduction of party-list seats did not win the support of more than a third of the deputies present, and even a proposal that a clause be included to the effect that the elections would be held on a multi-party basis received only 164 votes.

The debate revealed clearly that the key question under discussion was the proper subjects of democratic elections, and that the PR versus majoritarian debate was construed in terms of the rights of independent candidates supported by traditional Soviet-era local power structures on the one hand and party-backed candidates on the other. Several right-wing members claimed that Ukraine must introduce party lists for the elections to be seen by western observers as having been conducted on a multi-party basis. Adherents of the majoritarian law, however, observed that single-member district elections can also be multi-party elections; they viewed innovations such as listing the candidate's party affiliation on the ballot and allowing parties to nominate candidates as being sufficient concessions to multipartism.

In this context the nomination process remained as important as – if not more important than – district design and seat allocation formulae. When asked rhetorically by a fellow committee member whether nomination rights or method of election was the more important question, Tkachuk replied unconditionally that 'the question of the nomination of candidates is surely the key to every electoral law'.⁶ Throughout the course of the debate deputies at all points of the political spectrum echoed this view, repeatedly describing nomination procedures as the 'key' to the electoral law. Leftist and independent candidates were eager to retain the Soviet-era provision of nomination by work collectives and civil society organizations, whereas those associated with the new parties of the right wanted nomination rights restricted to political parties and groups of voters or candidates themselves.

The distinction between PR and majoritarianism was also viewed in terms of the corruptibility of the latter. The right saw the single-member system as a means for the old *nomenklatura* – the so-called 'party of power' – to maintain control of politics through their patronage networks and other local resources. A law which downplayed party affiliation had the added advantage of allowing the 'party of power' to win seats without having to resort overtly to a label designating a discredited ideology. The personalism this was seen to foster was associated by the right with lack of accountability. Speaker Plyushch stated baldly that 'Those who vote for the majority system are first and foremost those deputies who envisage that they will be able to solve the problems of their district in the same manner that they solved them previously, in other words by using the means of the state. We must not allow this mechanism of creating the basis for corruption to be imposed on the next Verkhovna Rada'.⁷ In this context workplace-based nomination was an added means through which the old *nomenklatura* of the 'party

of power' could maintain the political fabric of the communist period. The adherents of majoritarianism countered that party politics was also notoriously corrupt, and they several times referred to the recent Italian decision to move away from PR.

The Committee on Legislation and Legality revised the draft along fully majoritarian lines, and the full bill was considered by parliament on first reading (9 and 10 November). With time getting short, Plyushch was keen to push for a compromise solution. Though the issue of mixed versus majoritarian system had in theory already been decided, it was debated yet again after Communist faction leader Yevhen Marmazov indicated a willingness to allow 50 per cent of the seats to be elected by PR as an 'experiment', conceding that he understood the need to have a mixed system 'in future'.⁸ This view was reinforced by Socialist party leader Oleksandr Moroz, who stated 'the necessity of a mixed electoral system'.⁹ This was an about-face for the Socialist, who had only the previous month been insisting on nomination by work collectives only. Whether this change arose from behind-the-scenes bargaining or the altered positions of the Socialist party after the official lifting of the ban on the Communists is a moot point. But interventions by other members of left and right parties indicate that there were numerous divisions within partisan groups. Plyushch called for a rank-order vote on the different drafts under consideration, and the current majoritarian draft received the most votes (274), with the 350/100 variant coming a poor second (197) and the 50/50 mixed and fully PR drafts trailing at 82 and 84 votes respectively.

Prior to the second reading, the Legislation Committee again revised the draft law. The debate on second reading took place in an extended article-by-article discussion (17 and 18 November). Now the most contentious issues revolved around nomination procedures, including the right of work collectives to nominate candidates, controversially reintroduced to the bill by the Committee. Other issues included campaign finance provisions (the left wanted only state finance), and the composition of electoral commissions (the right wanted party representation). The bill was eventually passed by 245 to 8 in evident violation of the requirement for a constitutional majority, causing further disturbances in the parliament and again provoking the wrath of the right. The law was nevertheless signed by the president immediately and came into force on 27 November. Though the law differed from its predecessor on at least 50 counts, it largely preserved the Soviet-era system. The major changes included an absolute majority requirement for success in the *second* round of voting, procedures for political parties to nominate candidates and provisions for private campaign finance.

There are, however, indications that some aspects of the law were the unintended result of poor drafting in the rush to get it through parliament. The fifty-per-cent-plus-one majority requirement in the second round was apparently included by mistake.¹⁰ The second alleged blunder concerns the onerous requirements for parties to nominate candidates. Secretary of the Central Election Commission Ihor Tsyluyko claimed in an interview that these requirements had been devised when the law was still a mixed one, and they were meant to apply to the nomination of entire lists. When the PR component of the law was removed, these provisions were simply left unchanged.¹¹

Though the new democratic parties were unhappy with the outcome of these deliberations, contemporary survey research indicated that the electorate was not. A poll conducted in October 1993 found that whereas 43.6 per cent supported the majoritarian system, only 16.3 per cent supported PR and 13.3 per cent a mixed system. Furthermore, 51.5 per cent favoured the nomination of candidates through work collectives as against 25.1 per cent who preferred to have them nominated by political parties.¹² The people clearly remained to be convinced of the supposed benefits of the more 'democratic' electoral rules proposed by the new parties, and these parties largely failed to lead public opinion. Whatever the machinations in parliament, it seems that popular antipathy to parties in general was still high.

In the event, the hurdles for party nomination proved a serious barrier. A majority of candidates – 62.3 per cent – were nominated by groups of voters, 26.7 per cent by work collectives and only 11.0 per cent by parties.¹³ Examination of the party affiliation of candidates as indicated on the ballot reveals that 27.3 per cent of candidates were members of parties,¹⁴ which meant that most party affiliates chose nomination either as independents or by work collectives. Of those elected, however, fully half were party members. Whatever the true intentions of those supporting the law, its effect undeniably hindered the development of cohesive political parties. And though party-affiliated candidates did far better at the polls than independents, the many independent deputies in parliament often switched political allegiance, and with little to make them beholden to their chosen organization, party members frequently defected from their fellows.

From the point of view of effectiveness, the most problematic aspect of the election outcome was that only 338 of the seats were filled following the first two rounds of voting in March and April 1994. Of the elections declared invalid, 20 were the result of inadequate turnout in the second round and 91 the consequence of a failure on the part of

either of the two candidates in the run-off to reach the 50 per cent mark.¹⁵ There were subsequently 11 attempts to fill the vacant seats before parliament finally simply gave up in 1996, declaring a moratorium on new by-elections, though nearly one-tenth of seats remained vacant.¹⁶

What is most striking about the manoeuvrings over the new law is the degree to which levels of individual integration into organized parties proved more important in determining attitudes toward reform than ideology. Non-party members and members of small parties on both left and right tended to support the single-member system and workplace-based nomination, while the largest parties – Rukh, the PDVU and the Socialists – supported at least an element of PR and nomination by parties. This divide clearly reflected the varying nature of the electoral support bases of the individual deputies as much as it did the electoral prospects of the parties as organizations. It is noteworthy that there was disagreement within the large parties of the left, the Communists and Socialists, with the leaders being far more supportive of party lists than those further down in the party, who would most likely not benefit from them. The old guard of the *nomenklatura* who had not linked themselves with any of the post-1991 parties had an interest in promoting electoral institutions that would allow them to capitalize on the local social networks which were their main political resource.

1994–98: the drive to institutionalize political parties

Though the process of revising the electoral law in 1993 had seemed lengthy at the time, subsequent efforts spanned far greater periods and involved far more debate. Many had thought the passage of a new post-Soviet constitution in 1996 would put an end to the wrangling over the powers of the respective institutions of the state. Yet the tussle continued, and the increased powers allocated to the president under the new constitution made the chief executive a central player in the electoral reform process. In the immediate aftermath of the 1994 elections, attention was concentrated on improving electoral institutions to make them more efficient and effective. The failure of the 1993 law to accomplish the minimum required of an election law – to elect a parliament – resulted in a considerable amount of hand-wringing and mutual recrimination among the Kiev elite. Nevertheless, the urgent need for a new Ukrainian constitution caused the electoral legislative agenda to be put on hold and prevented a new law from being passed until

September 1997, again only shortly before elections were due to be held the following March. And again the new law suffered from considerable technical difficulties and was subject to extensive legal intervention, making the 1998 elections hardly more successful in technical terms than those of 1994. Nevertheless, the law passed in 1997 did herald a move toward serious electoral reform. It mandated that half of the seats of parliament be allocated proportionally on the basis of national lists, and it removed the contentious absolute majority turnout and success requirements which had dogged the 1994 elections. With these changes Ukraine brought its electoral legislation into line with that of other states in the region.

Following the 1994 elections, western advisers advocated a switch to a mixed system,¹⁷ and there was widespread recognition within the Ukrainian elite that the electoral system needed to be radically overhauled.¹⁸ A number of factors combined to make reform a more attractive option at this point. Firstly, the new political parties had received a bitter lesson in the importance of electoral system design in 1994. This included the left-wing Socialists and the Rural Party, which had both performed far worse than expected. The Communists, for their part, could look to the Russian 1993 results, in which the Communist Party of the Russian Federation had won twice as many seats on the proportional list part of the ballot as they had in single-member districts. The division between party deputies and independents sharpened as the left-wing Communists and Socialists saw that, as parties, they had common interests with the new political organizations of the right. It was also becoming clear that the large number of independent candidates and the high degree of dispersal of seats among 14 parties was making it extremely difficult for the parliament to pass legislation. There was thus a consensus among party leaders across the political spectrum that a move toward PR was desirable in order to help structure the Ukrainian political scene and enable more effective decision-making.¹⁹

It is interesting to note that, as in Russia, proportional representation was seen by these politicians as the system most likely to generate accountable majority government, whereas single-member district elections were associated with fragmentation. Though this may seem strange to comparative students of electoral systems, it made sense in the post-Soviet context, where party-list voting combined with a relatively high threshold of representation worked as an engine of party consolidation. Since drafting the previous electoral law Ukrainian legislators had witnessed two Russian elections in which there had been a stark contrast between the party fragmentation resulting from

single-member seat elections and the magnification of large-party strength that had been the outcome of list voting.

With an increasingly confrontational president having been elected in 1994, there was also added urgency for the parliament to enhance its decision-making capacity; generating a more structured parliament was viewed as a means for the Rada to increase its power and legitimacy vis-à-vis the president. Referring to the upcoming debate on the constitution, the Socialist speaker, Oleksandr Moroz, argued that 'if we record [our preference for] a mixed system today, there will be a political majority in parliament, and that means that it will not be possible to write into the constitution that the Cabinet of Ministers will be formed without [the approval of] the Rada'.²⁰ Whatever we may think of the logic of this argument, it demonstrates that the parliamentary leadership perceived electoral reform not only in terms of their party personal and party political interests, but also in terms of their institutional interests as parliamentarians. In effect, as in Poland in 1991, institutional interests now took precedence over partisan differences as the institution of parliament came under threat. President Kuchma was not a member of any party, though he was supported by a range of small centrist parties and independent deputies. He was wary of increased party organization by either his left-wing or his right-wing rivals. He therefore opposed a proportional law, especially one with a threshold that would exclude his centrist allies and magnify the seat share of the large parties. Critics of PR argued against list voting, lest it generate a 'monopoly' on the political process – an echo of criticism of party monopoly during the communist period.²¹

A working group on the electoral law was set up under the auspices of the parliamentary committee on Legal Policy and Judicial Reform. The group was headed by Oleksandr Lavrynovych, deputy leader of Rukh, member of the Central Election Commission (CEC) between 1990 and 1993, and acting head of the CEC between November 1992 and November 1993. The working group also included two representatives of the International Foundation for Electoral Systems.

Agreement on the desirability of a mixed system was formalized in the 'Constitutional Accord' between the president and the parliament on 7 June, which called for a mixed law along with a draft of other institutional structures designed to serve Ukraine as a 'little constitution' until a new fundamental law was passed. In July 1995 the working group finalized its draft,²² which called for 50 per cent (225) of the seats in parliament to be elected in single-member districts according to a plurality rule and with no turnout requirement. The other 225 seats

were to be elected from national party lists according to proportional representation with a 3 per cent threshold. The draft also made it considerably easier for parties to nominate candidates for single-member seats, abolished nomination by work collectives, lowered the number of signatures for nomination candidates by groups of voters to 200, and allowed 'self-nomination'. Regulations on private financing remained much the same as they had been in the 1993 law, but with new requirements for disclosure of income. The CEC members were now to be nominated by the president for six-year terms and confirmed by parliament. These provisions were mostly the same as those eventually adopted in 1997, though there was considerable debate and redrafting over the course of the intervening two and a half years.

The bill was presented to the Rada on 6 October. The main issues dominating the debate at this stage included the choice between national and regional lists, the list threshold, the basis on which single-member district seats would be allocated (relative or absolute majority), mode of nomination, turnout requirements and the composition of electoral commissions.²³ The bill was passed on its first reading on 18 November, with a second reading scheduled for March 1996. But the constitution took precedence at this point. The Presidium of the Rada felt it better to wait until after that had been passed before moving on to legislation with constitutional implications, and the bill was shelved.

Though there was some discussion of whether to include the basic shape of the electoral system in the constitution itself, this did not happen. The document approved in June 1996 states only that elections are 'held on the basis of universal, equal and direct suffrage by secret ballot' and that 'voters are guaranteed free expression of their will' (Article 71). As in Poland after 1997, the new constitution altered the legal infrastructure within which elections took place in such a way as to necessitate numerous minor legislative changes. This meant that elections could not be conducted on the basis of the existing law and further work on the proposed bill was necessary prior to the elections due in March 1998.

On 14 November 1996 the Rada considered five versions of the law: the official text drawn up by the parliamentary working group; a similar draft proposed by Communist Oleksandr Steshenko; a pure proportional law with a 3 per cent threshold drafted by a range of small parties from across the political spectrum; and two slightly different mixed laws put forward by members of the centrist Popular Democratic Party (NDP). Much of the discussion focused on which types of electoral institution would be most susceptible to corruption and abuse. The main

party representatives argued that single-member districts could easily be bought by local notables, citing instances from the most recent parliamentary and local elections. Opponents of PR argued that it was just as easy to 'buy' an entire party behind which 'shady capital' could then hide. The most frequent example given by these speakers was again Italy, where there had been a popular backlash against PR due to its alleged link to corrupt politics. Nomination rights also figured as a prominent topic of debate. Nomination by workers' collectives was supported half-heartedly by the Communists and fervently by the far-left Progressive Socialists but vehemently opposed by the right. The Socialists took the pragmatic position that the relative paucity of nominees from collectives in 1993 demonstrated that this mechanism was a thing of the past. More popular among centrist deputies were proposals that civil society organizations be allowed to nominate candidates.²⁴ The Steshenko draft won the most votes and was again sent to the working group for further consideration in the spring of 1997. With the support of both the left and the right, the resultant draft, which stipulated a mixed system with one PR district and a 4 per cent threshold, was passed on first reading on 5 March 1997.

At this point opposition began to mount as the political configuration of parliament shifted in favour of groups which supported the president. Passage on second reading was consequently difficult, due to the blocking tactics by centrist parties and independents allied with the president. As we might expect from considerations of interest, the large parties of the left and the right, Rukh and the Communists, both preferred a higher threshold of, say, 5 per cent, whereas the smaller parties, mostly clustered in the centre of the political spectrum, were split between wanting a mixed law with a low threshold and a purely majoritarian law. When it became obvious that a threshold of 1 or 2 per cent was not going to pass, support rose among the centrists for a law with a larger component of single-member seats. The second reading had failed nine times by late August. At this point President Kuchma expressed his preference for a fully single-member system based on the existing law.²⁵ NDP members Roman Bezsmertnyi (official representative of the president in parliament) and Mykhailo Syrota (leader of the Constitutional Centre faction which supported the president) submitted a 75 per cent single-member system for consideration.

The tension between the president and the main parties in parliament intensified. Kuchma suggested that the adoption of a mixed system would be conditional on passage of his contentious reform budget, whereupon the Committee on Legal Policy initiated an impeachment

procedure against the president in order to try to get him to change his position. When the law was finally passed on 24 September amid growing anti-presidential sentiment, Kuchma refused to sign it and instead proposed 15 amendments. Parliament accepted 12, but rejected the proposal for a two-round system for the single-member district elections. Though the president toyed with vetoing the law, he finally signed it on 22 October.²⁶

The resulting law was far from satisfactory, and the electoral process was marked by legal ambiguities and challenges; these threatened to undermine its legitimacy and resulted once again in considerable delays in finalizing the results. In late 1997 the Constitutional Court considered two separate appeals by 109 deputies, lawyers and political advisers as to the constitutionality of the law, in particular the provision that candidates be allowed to stand both on party lists and in single-member districts. While the Court was considering the appeals, the Rada hastily made three minor amendments to the law in December.²⁷ Finally in February, when the campaign was in full swing, the Constitutional Court delivered a scathing ruling, declaring the law unconstitutional on more than forty counts, including the allowance of double candidacies. At the same time, however, the Court decided it was too late in the current campaign for changes to the law. It ruled that the elections could go ahead regardless, provided minor changes were made to the regulations governing electoral commissions.²⁸ The majority of this legal quibbling revolved around relatively minor issues; still it cast a shadow over the legal status of the law throughout the electoral process and left some doubt as to the constitutional legitimacy of the parliament.²⁹

As in 1993, the mass public was not actively involved in deliberations over the new electoral law, but there is evidence that the need for reform was gaining popular support. When asked immediately prior to the March 1998 elections 'Do you think (the new) electoral system will be more or less democratic than the old one?', 33.4 per cent of respondents in 25 representative electoral districts throughout Ukraine replied that it would make no difference, and 34.1 per cent either 'didn't know' or declined to answer the question. Only 8.8 per cent viewed the new system as less democratic than the old, however, and 23.7 per cent thought it would be more democratic.³⁰ Electoral reform was clearly not an issue that polarized the mass public at this point, but among the minority who were willing to express a view on the topic, two and a half times as many favoured the new law as opposed it. Again, Ukrainian law-makers appear to have been legislating in line with popular opinion.

Overall there is little evidence that PR had a significant impact on the basic partisan balance in parliament between left and right.³¹ It did, however, benefit centrist parties (which had been hesitant to adopt it): four of the eight parties that crossed the threshold were from this portion of the political spectrum. It also served to give parties a greater role in parliamentary deliberations and, at least for a time, to give parliament a more clear-cut structure.

1998–2001: parties versus the president

Following the 1998 elections, feeling grew among Ukraine's parties that greater proportionality would be desirable. This was partly because there were now 225 deputies who had been elected through party lists, and also because the 1998 election had demonstrated that, contrary to expectations, centrist parties could do quite well out of a proportional system. The centrist sector of the political spectrum had previously been dominated by independents and those with weak party attachments, but the demonstrated ability of centrist parties to pull list votes altered perceptions of electoral possibilities. Moreover, the fragmenting tendency of the single-member system became even more evident as representatives of 22 parties were elected through this mechanism as opposed to only eight parties from the list portion of the ballot. The protracted debate that ensued between the spring of 1998 and the eventual adoption of a new election law in October 2001 was instructive in its revelations about the development of three of the fledgling state's new institutions: the parliament, the presidency and the party system.

It was becoming increasingly clear that as the party system became stronger, it was posing a threat to the presidency of Leonid Kuchma. Kuchma initially gave his tentative support to the adoption of a proportional law, evidently in the belief that it would generate a parliamentary majority with which he could work.³² He in any case hoped to bring about constitutional amendments to create a bicameral parliament with an upper chamber over which he hoped to have more control. In early 2001 head of the Presidential Administration, Volodymyr Lytvyn, and the president's representative in parliament Roman Bezsmertnyi, were still talking of the conditions under which a fully proportional system might be introduced.³³ Yet when opposition to his policies began to mount and when it became increasingly clear that the constitutional changes would not be realized, Kuchma made strenuous – and ultimately successful efforts – to retain the basic principles of the mixed system currently in force.

During the period following the 1998 polls most of the main parties declared their preference for a fully proportional law. Oleksandr Lavrynovych of Rukh favoured exploring variations of PR, including regional districts and preferential voting.³⁴ Deputy leader of the centrist Hromada party (later leader of the Fatherland party) Julia Tymoshenko also voiced her party's support for full PR on the grounds that single-member districts are 'bought', whereas proportional representation generates real competition among parties.³⁵

Because the 1998 law on elections had been ruled unconstitutional by the Constitutional Court, the passage of a new law was once again an imperative rather than a choice. As during the period following the 1994 elections, much criticism of the existing electoral law focused on its failure to serve its primary function of electing a parliament in an orderly fashion.³⁶ The drawn-out legal challenge to both the 1997 law and the electoral process grounded in it generated a number of procedural recommendations from legal and electoral specialists. The Central Election Commission prepared a draft based on a series of technical changes to bring the law into line with the Constitutional Court's ruling and to address several of the criticisms levelled at electoral administrative procedures by international bodies such as the Council of Europe and the OSCE.³⁷

Several other new drafts were also registered for consideration by the Rada in October 1998. The Committee on State-building and Local Government made a decision to bring the electoral law to a plenary session in June 1999, taking as its bill a fully proportional draft developed by Communist party members Heorhii Ponomarenko and Anatolii Peihaleinen together with presidential representative Bezsmertnyi of the centrist Popular Democratic Party. The draft called for a fully proportional system in a single state-wide district. It also reflected greater attention to procedural aspects of the electoral process. Amid widespread fears of malfeasance, administrative issues took on increased significance. Allegations of fraud in both the presidential elections of 1999 and a referendum on constitutional changes held at the prompting of the president in April 2000 made legislators keen to reinforce the law with measures to prevent the abuse of 'administrative resources'.

Opponents of the bill, who favoured retention of the existing mixed system, were mainly members of centrist factions allied with the president – Working Ukraine, Rebirth of the Regions, Solidarity and the Social Democratic Party (united), only one of which (the Social Democrats) had been formed on the basis of a party that had crossed the 4 per cent threshold in 1998. On 18 November 1999 the Rada adopted

the PR draft on the first reading, at the same time rejecting alternative proposals. At this point the bill languished for over a year; it was finally passed on second reading in January 2001.

Over the course of the following nine months President Kuchma vetoed the law five times before a semi-proportional law similar to the existing law was finally agreed on 30 October, once again just in time to begin preparations for the March 2002 elections. The first presidential veto, delivered as late as possible on 19 February, was accompanied by a nine-page document justifying the president's decision on the grounds that the draft violated the Ukrainian constitution. The gist of the argument was that the law gave undue powers to political parties by giving them sole right of nomination and enhanced powers over aspects of electoral administration.³⁸ Critics of the president argued that the real reason for his veto was the fact that the PR law limited the opportunity of regional governors and local political bosses loyal to the president to influence the electoral process through the deployment (and abuse) of state resources.³⁹ The Rada made several revisions to the bill without altering its underlying structure, but the new version too succumbed to a presidential veto which parliament was unable to override. In June the Rada passed a draft based on a 75 per cent PR, 25 per cent single-member split (335 seats to 115). This too was rejected by Kuchma, as was a slightly amended version passed the following week. The fourth veto – dubbed the 'Anti-Party Manifesto' by analysts critical of the president⁴⁰ – was issued on 14 August but without proposing any changes. The main bone of contention remained the relative proportion of single-member and list seats; the president let it be known that he would not accept any bill that provided for fewer than 50 per cent single-member districts.

Time was fast running out, and any reforms were seen as preferable to conducting the elections on the basis of the existing law (which had in any case been judged unconstitutional). After the Rada again tried unsuccessfully to override Kuchma's veto, the pro-PR groups saw that they were unlikely to gather the necessary two-thirds majority to increase the proportion of PR seats. They agreed (230 to 113) to a revised version of the bill maintaining the 50/50 split between single-member and list seats in order to guarantee that reforms of electoral administration would be enacted. These included the inclusion of party representatives on electoral commissions and tighter campaign finance regulations, the centralized printing of ballots and the mandatory distribution of electoral results to observers at polling-station level.

On 4 October Kuchma unexpectedly vetoed the law for a fifth time, citing the length of the official campaign period (the bill stipulated 170 days, whereas his preference was for a 90-day campaign) and party control over the formation of electoral commissions. He also again suggested that non-party citizens have the right to nominate candidates and proposed that official observers be in charge of monitoring the electoral process. These were perceived as moves enabling him to gain leverage over that process through the mobilization of the extensive patronage-based grassroots support built up during his time in office. Had the full 170-day campaign period been agreed, preparations for the elections would have had to begin on 12 October, so one of Kuchma's key demands – the reduction of the campaign period – was bound at this point to be adopted.

A deal was thrashed out between president and a group of 11 right-wing and centrist factions on 17 October calling for a 90-day campaign period, the replacement of signature-collection by monetary deposits to secure candidate registration, and the right to participation in local election commissions of parties that currently had factions in parliament as well as those that had passed the 4 per cent list threshold at the previous elections (16 in total), with participation by other parties to be regulated by lot. In return the president agreed to withdraw his demand that the selection of domestic observers be regulated through an official process and include local government administrators, and the stipulation that only parties registered at least a year prior to the elections be allowed to participate. On 18 October the Rada passed a draft based on the agreement by 234 to 123; the opponents were made up largely of Communists, the Socialists and the Fatherland faction. Finally, on 30 October, Kuchma signed the law. At the same time he suggested further changes; these and other alterations were considered by the Rada, though only minor amendments were made.⁴¹

In sum, each modification made to the electoral bill during its tortuous birth between January and October 2001 brought it closer in form to the proposals of the president. Kuchma made full use of his strong bargaining position, content in the knowledge that his opponents would not be able to muster the necessary two-thirds majority to override his veto. His repeated vetoes served to delay the process until the last possible moment, when deputies were obliged to accede to his demands in exchange for minor improvements over the existing law. Criticism of parties and the powers given to them in the electoral process proved a convenient populist device through which Kuchma was able to exploit mistrust of organized politics.

Conclusion

The central place of political parties in competitive democratic politics was determined in most countries during the immediate post-communist transition. In Ukraine the proper role of parties was still being debated ten years after independence, and this debate was at the heart of deliberations over electoral reform. Each side in this debate accused the other of being a throwback to the *ancien régime*. For advocates of proportional representation, single-member districts were associated with the Soviet mechanism of mobilization and non-competitive politics, whereas for defenders of this system the supremacy of parties over politics harked back to the dominance of the CPSU in Soviet political life. Party leaders – especially the leaders of large parties – tended to argue for an electoral system that would make it possible to form an ideologically cohesive majority in parliament. This they saw as the likely result of proportional representation.

Other states in the region provided the main points of reference in discussions of electoral system design – especially Poland and Russia, with which Ukraine shares the greatest cultural and linguistic affinities. Though mention was made of Western European and North American countries during debates, there was often a sense that the political circumstances of post-communism meant that electoral laws would not function in the same way in Ukraine as they functioned in established democracies, and that Ukraine had different needs. In many senses this perceptual horizon limited the design elements that were on the menu in Ukraine. For example, the alternative vote system was never considered, despite the strong preference among many deputies to have both an absolute majority outcome and an electoral system capable of forming the entire parliament in a single day. Interestingly, a compensatory mixed system was also never seriously considered, despite Ukraine's proximity to Hungary, and despite the fact that German experts provided the Rada with advice. The Slavic parallel-mixed systems employed in Bulgaria, Russia, Lithuania and Croatia provided the most relevant examples for Ukrainian electoral system designers. As far as direct advice from foreign actors is concerned, expert advice sponsored by the Organization for Security and Cooperation in Europe, the International Foundation for Electoral Systems, the United States Agency for International Development, the National Democratic Institute, the Friedrich Ebert Stiftung and other organizations served mainly to improve the technical aspects of electoral administrative procedures.

Within the perceptual context established by electoral experience in Ukraine and elsewhere in the region, the dynamics of electoral reform were played out in terms of the changing interests of political actors. As parliamentarians became increasingly integrated into political parties, their perceptions of their interests began to reflect those of their parties. This rise in the prominence of parties in parliament was counter-balanced by the powers of patronage vested in the president and his administration. The ongoing conflict between these two types of power base resulted in a hybrid mixed electoral system which proved, as in Russia, resistant to change, despite the fact that it was the preferred option of very few. Electoral reform in Ukraine was thus caught up in larger questions of the nature of the new Ukrainian political system; at the same time evolving electoral institutions served to shape both actors and perceptions.

57. Moser, 'The Consequences of Russia's Mixed-Member Electoral System', pp. 514–15.
58. *RFE/RL Russian Political Weekly*, no. 31, 10 December 2001.
59. The term 'managed democracy' was used by Vitalii Tretiakov in *Nezavisimaia gazeta*, 23 March 2001; by Yevgeniya Albats in the *Guardian*, 11 May 2001; by Sergei Mitrokhin of the party Yabloko, in *Nezavisimaia gazeta*, 23 June 2001; and by Oleg Liakhovich in *Obshchaia gazeta*, no. 35, 30 August 2001.
60. Urban, 'December 1993 ...'
61. Moser and Thames, 'Compromise Amidst Political Conflict', p. 255.

8 Ukraine: the Struggle for Democratic Change

1. Valerii Hryshchuk, 'Antidemokraticeskomu zakonu o vyborakh', *Holos [Golos]*, 6 August 1989, p. 1; *Holos*, 20 August 1989, p. 1. See also Chapter 7 for a discussion of the CPD electoral institutions.
2. This survey was conducted by Valerii Khmel'ko and Volodymyr Paniotto and is reported in O. V. Haran, *Ubyty drakona: z istorii Rukhu ta novykh partii Ukraïny* (Kiev: Lybid, 1993), p. 72.
3. Several prominent right-wing and centrist party leaders even claimed during parliamentary debates that they would be content with a leftist government, so long as it was a party-based government. Their left-wing critics quickly accused them of being disingenuous; *Vos'ma sesiya Verkhovnoi Rady Ukraïny dvanadtsyatoho sklykannya* (Kiev: Vydannya Verkhovnoi Rady Ukraïny, 1993) (East View Publications microfiche version), Bulletin No. 12, 7 October 1993, pp. 76–101.
4. For details of the alternative drafts, see Marina Stavniichuk, *Zakonodavstvo pro vybory Narodnykh Deputativ Ukraïny: aktual'nii problemy teorii i praktyky* (Kiev: Fakt, 2001), pp. 68–9.
5. *Vos'ma sesiya Verkhovnoi Rady*, Bulletin No. 13, 7 October 1993, p. 3; Bulletin No. 14, 8 October 1993, p. 3; Bulletin No. 21, 9 October 1993, p. 50.
6. *Vos'ma sesiya Verkhovnoi Rady*, Bulletin No. 12, 7 October 1993, p. 60.
7. *Vos'ma sesiya Verkhovnoi Rady*, Bulletin No. 23, 10 November 1993, p. 6.
8. *Vos'ma sesiya Verkhovnoi Rady*, Bulletin No. 21, 9 November 1993, p. 107.
9. *Vos'ma sesiya Verkhovnoi Rady*, Bulletin No. 23, 10 November 1993, p. 4.
10. Dominique Arel and Andrew Wilson, 'The Ukrainian Parliamentary Elections', *RFE/RL Research Report*, vol. 3, no. 26 (1994), pp. 6–17; V. H. Kremen, Ye. H. Bazovkin, A. O. Bilous, M. D. Mishchenko, V. S. Nebozhenko, P. K. Sytnyk and Yu. V. Shylovetsev, *Vybory do Verkhovnoi Rady Ukraïny: Dosvid ta uroky* (Kiev: Natsionalnyi Institut Stratehichnykh Doslidzhen', 1994), p. 12. The parliamentary transcript is ambiguous on this point, but there is no indication that deputies realized they were adopting a provision different from that in force in the 1990 law (*Vos'ma sesiya Verkhovnoi Rady*, Bulletin No. 32, 18 November 1993).
11. Marko Bojcun, 'The Ukrainian Parliamentary Elections in March–April 1994', *Europe–Asia Studies*, vol. 47, no. 2 (1995), p. 232.
12. Cit. Myron Wasyluk, 'Ukraine Prepares for Parliamentary Elections', *RFE/RL Research Report*, vol. 3, no. 5 (1994), p. 13.
13. *Holos Ukraïny*, 23 February 1994, p. 2.

14. Database on Central and East European Elections at <www.essex.ac.uk/elections>.
15. Dominique Arel and Andrew Wilson, 'The Ukrainian Parliamentary Elections', pp. 9–10.
16. Sarah Birch, 'The Ukrainian Repeat Elections of 1995', *Electoral Studies*, vol. 15, no. 2 (1996), pp. 281–2; Verkhovna Rada law archive at <http://alpha.rada.kiev.ua>.
17. International Foundation for Electoral Systems, *Proposals Regarding the Parliamentary Election Law of Ukraine* (Kiev: International Foundation for Electoral Systems, 1994); Bohdan A. Futey, 'Analysis: The Vote for Parliament and Ukraine's Law on Elections', *Ukrainian Weekly*, 5 June 1994, pp. 8, 14.
18. See O. Berezyuk, 'Vybery Narodnykh Deputativ Ukraïny: Stan Zakonodavstva ta Shlyakhy Ioho Vdoskonalennya', *Pravo Ukraïny*, 5–6 (1995), p. 28.
19. For the views of leading members of Rukh, the Communists and the Socialists, respectively, see Oleksandr Lavrynovych, 'Electoral System Reform and the New Ukrainian Parliament', paper presented at the Conference on Electoral and Legislative Reform, School of Slavonic and East European Studies (13–14 December 1998); Valerii D. Mishura, 'Systema Vyborchoho zakonodavstva v Ukraïny: shlyakhy doskonalennya', in Tsentral'na Vyborcha Komisiya, *Ukraïna Vybery – 98: Dosvid. Problemy. Perspektyvy: Zbirnyk materialiv mizhnarodnoi naukovo-praktychnoi konferentsii (dopovidi, vystupy, rekomendatsii)* (Kiev, 1999), pp. 29–31; *Holos Ukraïny*, 20 November 1996, p. 2.
20. *Chetverta Sesiya Verkhovnoi Rady Ukraïny* (23rd/2nd Convocation), Bulletin No. 27, 17 October 1995.
21. For example, Borys Ol'khov's'kyi and Mark Tsvyk, 'Partii Skazhut: "Nado!", Izbirateli vynuzyhdeny budut otvetyt' "Est"!', *Holos Ukraïny*, 25 October 1995, p. 11.
22. The draft was published in *Chas/Time*, 14 July 1995, pp. 3–4.
23. *Chetverta Sesiya Verkhovnoi Rady Ukraïny* (23rd/2nd Convocation), Bulletins No. 19, 23, and 27, 6, 12, 17 October 1995.
24. *Shosto Sesiya Verkhovnoi Rady Ukraïny* (23rd/2nd Convocation), Bulletins No. 43 and 44, 14 November 1996. Internet version Nos 14119606.43 and 14119606.44 at <www.rada.gov.ua>.
25. RFE/RL Newline 1.97, Part II (18 August 1997).
26. A less contentious law on the Central Election Commission was also passed and signed by the president on 17 December. As laid out in the 1995 Lavrynovych draft, the CEC's 15 members were to be appointed by the Rada based on nominations presented by the president. It was established as an independent body whose members serve terms of six years.
27. See *Uryadovyi kur'yer*, 11 December 1997, p. 9; *Holos Ukraïny* 25 December 1997, p. 2; 21 January 1998, p. 4.
28. The ruling is published in *Holos Ukraïny*, 5 March 1998, pp. 3, 5–6. A second Constitutional Court ruling on 25 March, four days before the elections, required an alteration to the definition of precisely which figures constituted the results of the elections (*Holos Ukraïny*, 28 March 1998, p. 6).
29. Oleksyi Kordun, 'Konstitutsinii Sud Ukraïny i Vybery', *Nova Polityka*, 2 (1998), pp. 2–13.

30. Project on 'The Quality of Representative Democracy in Ukraine' conducted in March 1998 with funding from Economic and Social Research Council grant No. R000222380. Further details of the survey design are available from the authors upon request.
31. See Andrew Wilson and Sarah Birch, 'Voting Stability, Political Gridlock: Ukraine's 1998 Parliamentary Elections', *Europe-Asia Studies*, vol. 51, no. 6 (1999), pp. 1039–68.
32. See 'Verkhovna Rada: Zona, vil'na vid mazhorytarshchyny', *Ukrains'ka Pravda*, 18 January 2001, <<http://pravda.com.ua>>.
33. See, for example, 'Kuchma maizhe tovaryshuye z Yushchenkom', *Ukrains'ka Pravda*, 30 January 2001, <<http://pravda.com.ua>>; RFE/RL Newsline, 3 April 2001, Part II.
34. Interview with Sarah Birch, London, 13 December 1998.
35. Interview with Sarah Birch, Kiev, 13 November 1999.
36. See, for example, the criticisms voiced by M. Ryabets', chairman of the CEC; M. M. Ryabets', 'Vyborcha kompaniya 1998 roku po vyborakh narodnykh deputativ Ukraïny. Pidsumky. Problemy', in *Tsentral'na Vyborcha Komisiya, Ukraïna Vybery – 98: Dosvid. Problemy. Perspektyvy: Zbirnyk materialiv mizhnarodnoi naukovo-praktychnoi konferentsii (dopovidi, vystupy, rekomendatsii)* (Kiev, 1999), pp. 11–21.
37. Tsentral'na Vyborcha Komisiya, *Proekt Zakon Ukraïny "Pro Vnesennyya Zmin do Zakony Ukraïny "Pro Vybery Narodnykh Deputativ Ukraïny""* (Kiev: Tsentral'na Vyborcha Komisiya), 2000.
38. Leonid Kuchma, 'Propozitsii do Zakony Ukraïny "Pro vybery narodnykh deputativ Ukraïny"', *Vykh. No. 1–14/192* (Kiev: Office of the President of Ukraine, 19 February 2001).
39. See, for example, 'New Election Law Vital', *Kyïv Post*, 24 May 2001, <www.kpnews.com>.
40. 'Election Update #17', Elections and Political Processes Project, Development Associates, Kiev, 17 August 2001.
41. The electoral law was again dogged by legal wrangling. But unlike its predecessor, it survived the March 2002 elections without a successful constitutional challenge.

9 Conclusion: Embodying Democracy

1. For a useful summary see Rein Taagepera, 'How Electoral Systems Matter for Democratization', *Democratization*, vol. 5, no. 3 (1998), pp. 71–4.
2. Jesse argues that the West German system acquired legitimacy, with PR coming to be seen as an 'established right', embedded in popular and party thinking, despite strong preferences within the CDU for a majoritarian system as late as 1966; see Eckhard Jesse, 'The West German Electoral System: The Case for Reform', *West European Politics*, vol. 10, no. 2 (1987), pp. 436–7.
3. By the time of the 1999 elections, the Russian political parties and movements had to have been established for at least a year in order to be allowed to compete in elections. A similar restriction was introduced in Ukraine in 2001.