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OCTOBER ELECTIONS 2015 IN UKRAINE AND POLAND: PECULIARITIES OF THE CAMPAIGNS, ABSENTEEISM, UNCERTAINTY OF VOTERS

The article deals with the issue of the local elections in Ukraine and parliamentary elections in Poland, conducted on October 25, 2015. Citizens of both countries were able to express their own will and to demonstrate their interest in the political situation in the country at different political levels. The article analyzes the electoral systems, according to which the elections in the countries were conducted, the problem of uncertainty and absenteeism of the citizens was investigated. Much attention is paid to the study of the factors that could influence the electoral process and the will of the citizens. The comparative analysis of the electoral campaign in Poland and Ukraine was conducted.

Key words: Parliamentary elections, local elections, uncertainty, electoral system, opinion polls.

On October 25th, 2015 Ukraine held the first round of the local elections, Polish Republic elected political parties that would represent citizens' interests in the parliament on the same day. Ukraine and Poland are quite close countries not only geographically, but we also share a common history and we faced almost the same problems after the collapse of the socialist system. The formation of the political system has become a challenge for both countries after they have chosen their independent way. The problem of reformation and improvement of the government system, the issue of corruption and citizens' contact establishment - did not take a year of efforts. Poland managed to overcome many difficulties and to set a democratic policy and orientation towards the West, though Ukraine is at the beginning of this long and sometimes controversial way and the results do not allow us to say that this process is successful and painless. Assessing the experience of Poland, Ukraine has the opportunity to take it as a model in many political issues, including the issue of formation of electoral legitimacy.

Thus, the purpose of the article is to study the peculiarities of Ukrainian local elections and parliamentary elections in Poland in the light of the electoral system, absenteeism and uncertainties of the voters. The set objectives make it possible to achieve the goal. Therefore, the main attention will be given to the comparison of electoral systems of Ukraine and Poland, as well as to the research and analysis of the problem of citizens' uncertainty and their absenteeism at the elections.

Local elections 2015 were held under the new rules in Ukraine. According to the law "On Local Elections" from 05.09.2015, the elections to the various local governments were conducted at different electoral systems. In fact, it was the cause of numerous debates among experts and analysts. Politics has been discussing the improvement of the proportional system and introduction of the open lists for a long time. The citizens demanded and expected changes as well. However, such innovations came as a surprise both for voters and for many government officials. As the study conducted by the Ilko Kucheriv's "Democratic Initiatives" Fund and the Kyiv International Institute of Sociology shows, 12% of the population knew about the law and 48.5% "have heard something about it", but 38% did not know anything about it. 20% of the population knew how the voting will be held and 48% - "heard something about it," and 23% - did not know about it at all. Donbas was the least familiar with the innovations in the elections, only 6% of respondents were aware of the new law (did not know at all - 51%) and only 10% were aware of how the voting will take place (did not know at all 49%)¹. The new system is quite specific to navigate it well, it needs to be examined in detail. Not only were the voters short of time to examine it, but also the experts. Along with these issues, the citizens were not aware of the new bill. Such development can be considered as authority's shortcomings because significant bills should be adopted in advance, and the public should be properly informed.

Thus, according to the renewed law "On local elections" the electoral rules in villages and towns,

¹ Україна напередодні місцевих виборів: жовтень 2015. Портал Фонду "Демократичні ініціативи" імені Ілька Кучеріва. <<http://dif.org.ua/ua/publications/press-relizy/ukraina-naperedo5.htm>> (2015, October, 28).

with less than 90 thousands registered voters, have not changed. The winner is determined by the majority system. To become a mayor, a candidate must obtain an absolute majority. Representatives to the regional, district and city councils were elected by proportional representation with the open lists. The new electoral system presented voters with a number of nuances. Firstly, only the parties that passed the 5% barrier could join the council. Secondly, the elections were held in two rounds in the cities with more than 90 thousands people. Thirdly, some districts could not get its representative in the local council at all. It is possible when the district does not have distinct favorites. As the former chairman of the Committee of Voters of Ukraine Oleksandr Chernenko points out: "This electoral system does not ensure board representation of all communities and administrative units registered in the Constitution. According to the results of the elections, some areas may not receive their board representation"¹. Fourth, by placing a tick on the ballot, the voter voted both for the party and its "prime candidate" at the same time and for the candidate nominated for the district in which the voting took place².

The system is a hybrid of several electoral systems and is still far from the open lists. It was expected that its use will help to remove political corruption. However, the elections showed that citizens' bribery and various fraud continue to occur. Quite striking example was bribery of the students in Chernivtsi, and disputes between the local deputies in Cherkasy, concerning their involvement in the good deeds that happened in the city.

Since the new model is rather complicated and controversial, many experts tend to believe that its use will be limited to only one time. At first sight, it is a specific step that would bring Ukraine closer to Europe, as the project is based on the so-called "German system". On the one hand, the government is trying to get closer to the proportional system with the open lists, which has been awaited by the citizens for so long. Being between the Polish and the German model of the open lists, Ukraine is moving in the direction of German. On the other hand, as the expert of the Institute of Political Education A. Solontay points out, the problem is that the open lists that were offered at the local elections are not really open. Political parties continue to maintain a monopoly in the open lists³.

In turn, Poland's electoral system, which Ukraine has repeatedly offered to take as a model, can be described as more open. Besides advantages it has also got its disadvantages and requires some improvements. Many Polish politicians believe that the proportional system is not the best option for Poland and it should be changed. On the one hand, it contributed in due time to specific consolidation of the political parties, although the process was quite chaotic and slow. On the other hand - quite common phenomenon was the election of the lesser-known candidates, mostly because of their personal commitment to the party leader. It also contributes to the aggravation of the inner party conflict for the post of the party leader. Another challenge for voters is that they cannot pre-determine responsibility of individual parties, because in practice something average from programs of certain participants of the coalition is realized⁴. Polish society has clearly made efforts to move to a new level of political relations. Citizens continue to grant great credit of trust to lesser-known political forces that offer a new quality of life that is different from the one that the existing parties provided. Yet the presence of the 5-percent threshold for political parties does not always guarantee their successful results.

Proposals to reject the proportional system and the introduction of majority districts have been repeatedly heard among Polish politicians. The majority deputies from the "Civic Platform" party as well as many deputies from the "Law and Justice" party supported single-member districts. An important advantage of this system is stimulation of the transition to a two-party system. The project is based on the experience of the UK electoral system, under which in each of the 460 districts one deputy must be elected in one-round voting⁵.

It should be noted that the local elections in Poland are held according to the two types of electoral

¹ Хоменко, С. Нова система: як голосуватимемо на місцевих виборах. *BBC Україна*.

<http://www.bbc.com/ukrainian/politics/2015/10/151023_election_system_ukraine_sx> (2015, October, 28).

² Хоменко, С. Нова система: як голосуватимемо на місцевих виборах. *BBC Україна*.

<http://www.bbc.com/ukrainian/politics/2015/10/151023_election_system_ukraine_sx> (2015, October, 28).

³ За якими правилами в Україні відбуватимуться місцеві вибори. "Сила та Честь". <http://sylaichest-ks.blogspot.com/2015/09/blog-post_14.html> (2015, October, 29).

⁴ Харченко, Л. (2007). Виборча система Республіки Польща: досвід для України. *Стратегічні пріоритети*, №3(4). <<http://old.niss.gov.ua/book/StrPryor/4/05-Xarchenko.pdf>> (2015, October, 29).

⁵ Л Харченко, Л. (2007). Виборча система Республіки Польща: досвід для України. *Стратегічні пріоритети*, №3(4). <<http://old.niss.gov.ua/book/StrPryor/4/05-Xarchenko.pdf>> (2015, October, 29).

systems. If it is series of changes, that are not cities with county rights, then a single-mandate majoritarian election system is used from 2014. The proportional system with the open party lists is mandatory in the cities with county rights¹.

Returning to the issue of voter activity during the local elections in Ukraine and parliamentary elections in Poland, it is necessary to analyze some aspects that have influenced the absenteeism and uncertainty of the citizens. Allegations of "empty campaign" in Ukraine² and "strange elections" in Poland were heard in Ukrainian and Polish press on the day before elections. In the case of Poland, it is not because it is a crucial and turning point, but because the Polish voters have not been in a situation where they did not know what to expect from those whom they entrust the power for the next four years³.

The problems that the Ukrainian voters had faced during the election campaign to local governments in 2015 have not changed from earlier times. Unfortunately, such negative factors as vote buying, pressure on opposition media, conviction in dishonesty during elections and insignificance of own voice, the absence of a strong leader who would be able to change the situation in the country had impact on the activity of the voters. The procedure under which the elections were held under the new law this year was not clear or rather unknown. Although observers from the OSCE said that the elections were democratic, yet they paid attention to such aspects as: the complexity of the legal framework that ensured the conducting of the elections, strong preference of powerful financial groups, as well as the fact that coverage of the election campaign events on the media had been paid for⁴. Under these conditions it is difficult to argue that the campaign was fair, especially in the current country conditions when one has to speak more about the problems than about achievements.

According to the results of the opinion polls conducted in October by the Ilko Kucheriv "Democratic Initiatives" Fund and Kiev International Sociology Institute over 74% of citizens planned to take part in the elections. Overall, 46% of respondents said that they will "definitely" come to the elections, and 27.5% - said "probably." More than 20% of respondents did not intend to come and considerable part of the population (37.5%) – had not chosen any candidate yet⁵. Interest rates showed a significant part of the uncertain population. There was a threat of a possible low turnout at the elections. Overall expectations became a reality when the CEC announced the official data, where the turnout of citizens at the local elections in the first round was 46.62%⁶. As the exit polls data had shown the most active voters were in western Ukraine - 51.4%. In the central regions and Kiev 46.6% were recorded, in the East - 43.3% and the lowest activity was in the South - 41.1%⁷. Compared with the previous presidential elections, the recorded activity of the citizens at the local elections was much lower. Traditionally elections of such level are less important than the presidential or parliamentary campaigns and often they show the lowest turnout. In Ukraine significantly higher turnout was observed only when the elections to the local authorities coincided in time with the parliamentary elections. Still even the election campaign to the local authorities in 2010 had higher levels of social activity (48.7%)⁸.

Analyzing the problem of uncertainty and Ukrainian absenteeism, it is worth considering the characteristics and conditions in which the manifestation of the citizens' will took place. First of all, the elections were not held on the whole territory of Ukraine. The exceptions were annexed by Russia Crimea and temporarily occupied areas of Donetsk and Luhansk regions. In Mariupol and several other cities in eastern Ukraine, local elections were disrupted because of the falsifications that were done for the benefit of

¹ Kodeks wyborczy. Ustawa z dnia 5 stycznia 2011 r. *Internetowy System Aktów Prawnych*, <<http://isap.sejm.gov.pl/DetailsServlet?id=WDU20110210112>> (2015, November, 02).

² Хоменко, С. "Безмістовна кампанія" на старті. *BBC Україна*. <http://www.bbc.com/ukrainian/politics/2015/09/150929_local_elections_sx> (2015, October, 29).

³ Sofuß, A. Wybory parlamentarne 2015 to przetarg na rząd. *Parlamentarny.pl*. <<http://www.parlamentarny.pl/spoleczenstwo/wybory-parlamentarne-2015-to-przetarg-na-rzad,27.html>> (2015, November, 03).

⁴ Местные выборы в Украине прошли демократично – ОБСЕ. *Gazeta.ua*. <http://gazeta.ua/ru/articles/politics/_mestnye-vybory-v-ukraine-proshli-demokratichno-obse/655199> (2015, November, 02).

⁵ Понад 74% громадян прийдуть на місцеві вибори – опитування. *Портал Радіо Свобода*. <<http://www.radiosvoboda.org/content/news/27318845.html>> (2015, October, 27).

⁶ Офіційна явка на місцевих виборах склала 46,6%. *BBC Україна*. <http://www.bbc.com/ukrainian/news_in_brief/2015/10/151026_sa_elections_turnout> (2015, October, 27).

⁷ Явка на місцевих виборах в Україні склала 46,5%. Інфографіка. *Еспресо*. <http://espreso.tv/news/2015/10/26/yavka_na_miscevykh_vyborakh_v_ukrayini_sklala_46_5_infografika> (2015, November, 03).

⁸ В ОПОРі порівняли явку на місцевих виборах у 2010 та 2015 роках – інфографіка. *Тиждень.ua*. <<http://tyzhden.ua/News/149749>> (2015, November, 03).

the "Opposition bloc". The specificity of the election in 2015 was also the fact that migrants could not participate in them. Their vote was impossible, because the changes were not introduced to the legislation because of the lack of time. Thus, quite a large group of citizens remained discriminated and was unable to realize their right to vote.

The practice of bribing people is not new, but nevertheless it remained effective. Although on the legislative level according to the law "On Amendments to the Criminal Code of Ukraine to strengthen accountability for violations of electoral rights of citizens" bribery and selling votes is a crime. The penalties for the voters that sold their vote exist in the countries of Western democracies. It is the most efficient and effective way to remind the citizen that the elections are a manifestation of his will, not a way of making money. According to a survey conducted by the "Democratic Initiatives Fund", the number of citizens who are ready to sell their vote has increased significantly. If in 2009 such voters reached 9.5%, in 2010 already 12.6%¹. High-profile publicity was given to the bribe affair among students in Chernivtsi. The Internal Affairs had opened the proceedings against vote buying at the request of the political parties and observers. There are several reasons for such behavior of citizens. Firstly, difficult financial situation in the state leads to this. Secondly, in every society there is a certain group of people who are willing to sell own voice. In Ukraine, this trend has gained distorted values through the rules and regulations that were implanted for a long time. Thirdly, it is beneficial to most politicians and they contribute to the spread of this trend among the masses. Although the penalties are foreseen on the legislative level, it is practically impossible to trace the course of those cases.

Do not ignore the banal weariness of the citizens from the elections. Recently, Ukrainians were forced to choose different scale authorities at the regular and special elections quite often. People were already disappointed in the current authorities, and that they do not see a leader who could be trusted with the country. And at the recent elections, they moreover had to face a huge number of the unknown candidates. They could possible be the false or unconscious politicians who do not guarantee successful results and efficiency in the work. In this respect, Ukrainians are very different from the Poles. They have not learned to easily trust the little known or even new parties or candidates.

On the whole, the local elections had important value, especially after the turning events for Ukraine that influenced the minds of ordinary citizens as well as politicians. On the one hand, the test of the new electoral system, which was so awaited for so long. On the other hand, the elections could be a chance for new people who tried to break the old mechanisms of control. And in terms of the positive results of their work, it would be the impetus for total change in the government's structures in the nearest future. After all it sort of testing whether Ukrainian society is making the progress towards civil and what changes occurred in the Ukrainian political culture. So far as being an active citizen at difficult times for the country is not considered to be a return to the Soviet system, which always had a high turnout by coercion, on the contrary, it is a possibility to show their own concern and belief in change once more.

The experts called the Polish parliamentary elections the turning point or a sort of revolution in the political scene. Of course, this are not the first-ever elections in the country's history, which had significant values, and altogether, any elections are important because they perform the role of the checkpoint for political parties.

Although the favorites were known in advance, yet it was difficult to determine who will wins the elections and will be in power for the next four years. Numerous opinion polls showed voters' preferences, but very vague. Tendency to change the interest rate was constantly observed, which to some extent indicates the presence of uncertain voters who during the election campaign had changed their preferences. Latest exit polls (as at 2pm) showed that "Civic Platform" reduced the breakaway over the opposition party. The surveys showed that the PiS got 33% and GP - 26%². It was unknown until the last moment whether the party of Janusz Korwin-Mikke will manage to cross the 5-percent threshold. Not only the entry of the party's representatives to the Sejm depended on the result, it could also affect the distribution of the seats in the parliament and the ability of the PiS to form the government on its own. Official results of the elections showed that the electoral threshold was crossed by five parties: PiS, GP, Kukiz party, Ryszard Petru's party and the Polish People's Party.

According to official data of the State Election Commission, the turnout in Polish parliamentary

¹ Майже 13% українців готові продати свій голос на виборах. *Newsru.ua*. <<http://www.newsru.ua/ukraine/21oct2010/opros.html>> (2015, November, 07).

² Лідери парламентських перегонів у Польщі зрівнялися, - екзит-пол. *Еспресо*. <http://espreso.tv/news/2015/10/25/lidery_parlamentskykh_peregoniv_u_polschi_zrivnyalysya_ekzyt_pol> (2015, November, 05).

elections in 2015 was 50.92%¹. Although opinion polls showed that 68% of the citizens expressed their will to take part in the elections². In general, it is an average indicator for Poland. Activity of the citizens at the elections in 2007 was 53.88%³ and it was the highest indicator of the voters' turnout by the time since 1989. In the elections of 2011 48.92% of voters participated⁴. Researches show that in Poland people with a good education and high incomes are often interested in the parliamentary elections. The defining feature of the elections in 2011 was that the level of interest in them increased among the citizens who supported left-wing and right-wing ideologies. The low level of activity among the people with centric views and youth was observed instead.

Election campaign's trends in 2015 were formed long before the elections. Results of the surveys conducted in 2013 showed that most uncertain voters are citizens frustrated with the activities of CP. 26% of Poles claimed they did not know whom to vote for at the next parliamentary elections. It is a very significant indicator, to create a third political force in the country. Every third person was disappointed in the policy Platform⁵. The adoption of unpopular reforms by the government such as raising the retirement age was the main reason of the outflow of the electorate from CP. The supporters of PiS, SLD, PSL were among the uncertain voters, but their percentage was much lower.

Uncertain Poles often concentrate their attention on centric force (35%), the left ideology is supported by about 15%, and the right with 20%. In general, Poles identify themselves with the right-wing political forces, rather than with the left-wing⁶. The problem for Poland, as well as for Ukraine remains a high percentage of uncertain people, especially among young people. In gender aspect more women than men are uncertain. Poles are more informed of political affairs than Polkas. Therefore, it is much easier to define their party preference. Overall, as of October 22, 2015, according to the opinion poll conducted by the CBOS, there were 11% of uncertain citizens⁷.

Polish experts did not make any significant forecasts on voter turnout in advance. The first years after the elections of the new government do not demonstrate a strong interest of the citizens in the next elections. Some get disappointed, and some are completely satisfied with the policies pursued. Overall, a percentage turnout showed that the situation with the activity of the voters is as standard. Although it is worth considering that the elections to the European Parliament, local and presidential elections preceded the parliamentary elections. In some extent they also influenced the activity of the citizens, strengthened their interest, or vice versa tired them.

If we compare the Ukraine and Poland during the election campaign, the difference is palpable. Firstly, the system of campaigning in Poland is more adjusted. In contrast to Ukraine, the information is dosed, the country does not live by elections and political advertising. Secondly, the problems faced by both countries during elections are significantly different. Ukrainian society oversees a number of violations: many manipulations, bribing voters, biased information coverage in the media, abuse of administrative resources and others. For Polish society the most serious violation is bribing voters. Thus, citizens can be offer money or alcohol for votes (it is the amount of about 200 zlotys or a bottle of vodka). Stephen Báthory Foundation (an NGO that implements a number of projects for the development of democracy) argues that if the violation is proved in court, the candidate is removed from the electoral race. During the election campaign violations consideration is in the form of rapid court, that is court must examine the complaint within one or two days. Bribing of voters is a crime that is punished by imprisonment. However, representatives of the Fund, who follow the course of the elections, could not

¹ Wybory do Sejmu i Senatu Rzeczypospolitej Polskiej 2015: Wyniki wyborów do Sejmu RP. *Portal Państwowej Komisji Wyborczej*. <http://parlament2015.pkw.gov.pl/349_Wyniki_Sejm> (2015, November, 05).

² Sondaż CBOS: Tak w niedzielę zgłoszą Polacy? *Interia fakty*. <<http://fakty.interia.pl/raporty/raport-wybory-parlamentarne-2015/sondaze/news-sondaz-cbos-tak-w-niedziele-zaglosuja-polacy,nId,1908739>> (2015, November, 05).

³ Wybory parlamentarne w 2007 roku. *Infor.pl Prawo*. <http://www.infor.pl/prawo/wybory/parlamentarne/686951_Wybory-parlamentarne-w-2007-roku.html> (2015, November, 07).

⁴ Wybory 2011 do Sejmu i Senatu Rzeczypospolitej Polskiej. *Portal Państwowej Komisji Wyborczej*. <<http://wybory2011.pkw.gov.pl/att/pl/000000.html#tabs-1>> (2015, November, 07).

⁵ Grochal, R. Niezdecydowani wyborcy. Najwięcej jest rozczarowanych z Platformy. *Wyborcza.pl*. <http://wyborcza.pl/1,76842,14651317,Niezdecydowani_wyborcy_Najwiecej_jest_rozczarowanych.html> (2015, November, 10).

⁶ Grochal, R. Niezdecydowani wyborcy. Najwięcej jest rozczarowanych z Platformy. *Wyborcza.pl*. <http://wyborcza.pl/1,76842,14651317,Niezdecydowani_wyborcy_Najwiecej_jest_rozczarowanych.html> (2015, November, 10).

⁷ Sondaż wyborczy 2015: Sejm bez zjednoczonej lewicy? *Parlamentarny.pl*. <<http://www.parlamentarny.pl/sondaze/sejm-bez-zjednoczonej-lewicy,45.html>> (2015, November, 10).

recall a single case in recent times, when the candidate would have been punished by a court verdict¹. Since the Polish elections are transparent and fair, the country not controls the legitimacy of the elections that much, as it does the activation of the voters.

Low voter turnout is real and painful issue for Poles. That is why various kinds of information campaigns are conducted. The features of the elections are explained to the citizens, as well as the way they should vote, which is an alternative to traditional voting, and social commercials are shown. Voters are appealed through the media, the Internet, social networks, all available means are used. This process actively involves well-known activists and community organizations. However, experience shows that the problem of citizens' activity is complex and indicator shows that for some reasons politics does not cause any concern.

Conclusions and further perspectives. Having analyzed Ukrainian and Polish electoral systems, it is necessary to make the following conclusions. Firstly, the Polish proportional system with the open lists can be characterized as democratic and oriented to the public system. Ukraine has recently started to vote on the new rules, there are many shortcomings respectively. Secondly, the electoral process in Poland is well organized and logically laid out. The elections are held fairly and transparently, contradictory aspects that could promote mass vote-buying or corruption are worked out. Forehand and thorough informing of the Polish citizens about the changes and amendments to the legislation is another very important positive feature. Ukraine has a big problem with it, as you can see the example of the recent local elections. In our opinion, the Ukrainian authorities have to take into account the peculiarities of the formation of the Polish political process, and Ukrainians have to take steps to get closer to the civil society.

Another part of the research is concerned with the activity of the citizens during the election campaign. Although the elections held in Poland and Ukraine had a different level and political importance, but both countries had low turnout of the citizens. On the one hand, the importance of parliamentary elections should encourage more people to participate, but the issue of the low turnout is a chronic problem in Poland. At the first glance, neighboring country has fewer problems, does not experience serious disturbances and has more stable economy. However, the uncertainty of the voters and their absenteeism at the voting are actual for both politically instable Ukraine and a little more successful Poland.

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¹ Дорош, М. Вибори у Польщі: про джінсу й підкуп виборців. *Портал Media Sapiens*. <http://osvita.mediasapiens.ua/media_law/government/vibori_u_polschi_pro_dzhinsu_y_pidkup_vibortsiv/> (2015, November, 15).

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