УДК 342.8(477)

A.   Meleshevych

THE DOUBLE BALLOT MAJORITY ELECTORAL MODEL AND PARTY SYSTEM FORMATION: A CASE STUDY OF THE 1993 LAW ON ELECTIONS OF PEOPLE'S DEPUTIES OF UKRAINE

The purpose of this article is to analyze the underlying assumptions about the relationship of the electoral laws and the development of the party system in the post-Soviet states. The author generates a set of propositions about the political consequences of the double ballot majoritarian electoral system derived from the literature on the subject, and then analyzes the validity of these propositions on the basis of the empirical evidence from the 1994 parliamentary elections in Ukraine.

Quite a few investigations of the political consequences of electoral laws made an important contribution to the advancement of our knowledge about the causal relationship between the electoral model, political party system, regime stability, and democracy [1]. At the same time, many of these projects have a serious shortcoming: the empirical material for them is drawn primarily from stable institutionalized democratic regimes with highly developed party systems. Until fairly recently, most publications on the subject, which appeared in the West, failed to investigate the political effects of electoral rules and procedures in transitional societies, particularly in post-communist nations. The most recent work by Robert Moser, Sarah Birch, Grigorii Golosov, Misa Nishikawa, Erik Herron and other scholars [2], which draw on the empirical data from the transitional countries of the former Soviet Union, convincingly demonstrate that these nations are different from the advanced Western democracies in several important ways making a mechanical transformation of traditional research agenda within the PR vs. majority debate to new political conditions less useful. Some of these instrumental differences are a lack of well-developed political parties in post-communist countries at the present time and the complete absence of a competitive party system, which is a necessary attribute of any democratic polity, not long ago. Since a successful consolidation of a democratic regime requires an autonomous and stable political party system, the critical issue of the electoral debate in the post-Soviet countries is the relationship between the electoral model and the development of a meaningful party system. What electoral arrangements are more favorable for the fastest, safest, and least painful establishment of the institutionalized party system? What electoral system is more conducive to the creation of strong political parties which would become an influential group of players in the national political arena in the shortest possible time? Cross-national comparative studies of the former republics of the Soviet Union using the most similar cases design could provide insightful answers to these questions.

The purpose of this article is to analyze the underlying assumptions about the relationship of the electoral laws and the development of the party system in the post-Soviet states. In the following discussion I generate a set of propositions about the political consequences of the double ballot majoritarian electoral system derived from the general literature on the subject, and then analyze the validity of these propositions on the basis of the empirical evidence from the 1994 parliamentary elections in Ukraine.

Proposition 1. The simple majority system with second ballot favors multi-partism.

Proposition 2. At the time of transition the majoritarian electoral arrangements restrain political institutionalization and hamper the development of the political party system.

Proposition 3. In a transitional nation, «the use of single-member districts tends to magnify the seat share of the largest party» creating de facto the dominance of one large party.

Obviously, Proposition 1 is a part of the famous Duverger's hypothesis [3]. Propositions 2 and 3 have been advanced by Sarah Birch [4] in her study of the relationship between single member districts (SMD) electoral arrangements and the party system in transitional countries. Besides, Proposition 2

found some support among other scholars [5]. Before we proceed to the discussion of these three hypotheses, it must be acknowledged that the empirical basis for the present analysis of the double ballot majoritarian system is extremely limited, $N = 1$. Since Ukraine was the only post-Soviet nation that conducted al least one cycle of reasonably free and fair parliamentary elections under an entirely double-ballot majoritarian model, my analysis of the relationship between this type of electoral formula and the party system is based exclusively on the Ukrainian case. The 1990 elections to the republican Supreme Soviets in the former Soviet republics cannot be considered truly competitive multi-party contests. Therefore, the 1994 elections to the Rada serve as a sole testing ground for the three propositions. I believe that the present discussion is important for better understanding of the genetic and early development stages of the Ukrainian party system. However, it would be a mistake to generalize about the double ballot SMD model based on a single and rather atypical case of first post-authoritarian elections in the conditions of a high level of uncertainty.

Before we proceed to a discussion of political implications of the double ballot electoral model in Ukraine, a brief overview of this voting formula is necessary. For its founding elections held in 1994, Ukraine retained an obsolete Soviet-type electoral system. On 10 November 1993, the «Communist Zoo», as Seghiy Holovaty called the Ukrainian Supreme Soviet formed in 1990 [6], adopted the Law on Elections of People's Deputies of Ukraine. Four hundred fifty deputies were elected in single-member constituencies according to the absolute majority runoff formula. In order for elections to be valid in any given constituency, the electoral law imposed two tough hurdles: 50 % plus one of the eligible electorate had to vote, and 50 % plus one vote was required for eventual victory.

The 1993 electoral law that regulated the founding elections in Ukraine was called «Byzantine» and «archaic». I agree with these epithets. Indeed, more than 50 years ago Maurice Duverger wrote that the simple majority double ballot system «is in fact an old method which is little used nowadays» [7]. Most of the democratic nations that employed this voting model at some point in the past abandoned it at the beginning of the 20th century. At the turn of the 21[sl] century, this system is abundant only in the world of authoritarian states including post-Soviet nations that established non-democratic regimes.

Another distinguishing characteristic of the electoral system used for the 1994 elections to the Rada was its distinctly anti-party nature. The Ukrainian electoral engineers designed an electoral law that was conspicuously biased against political parties. This law created favorable conditions for the nomination and registration of independent candidates and representatives of the informal «party of power», on the one hand, and weakened the electoral function of political organizations and restrained the development of the national party system, on the other hand.

For example, under the 1993 election law a candidate could be nominated by one of the following three groups: an undefined «workers' collective», informal «group of voters», and a registered regional branch of a political party. To nominate a candidate by a political party was strikingly more complicated than by a group of co-workers or independent electors. Article 23 that regulated the nominating procedure stated «In order for voters to nominate a candidate for deputy, no less than 10 voters of a given electoral constituency who reside within the boundaries of an electoral constituency in which the candidate is nominated, must sign an application. In order for the labor collective to nominate a candidate for deputy an application on behalf of the collective must be signed by a person authorized for that by a meeting or conference, which nominates a candidate. In order for a meeting (conference) of a regional branch of the party to be valid, no less than two-thirds of the party membership of the regional branch of the party or delegates, elected to participate in a conference and which belong to the appropriate regional branch if it has no less than 100 members of the party, must participate in the meeting. The conference must have no less than 50 delegates. A party nominating a candidate for deputy shall enclose with the application: (1) an extract from the minutes of the meeting (conference) of the regional party branch; (2) a list of 100 party members which belong to the appropriate regional branch» [8]. The U.S. Commission on Security and Cooperation in Europe pointed out that Ukrainian parties had to submit 30 different items of information dealing with the nomination of candidates to the Verkhovna Rada, while groups of voters and labor collectives only required eight and one document respectively [9]. A much simpler procedure for the nomination of a candidate by a group of 10 voters or unspecified number of co-workers forced many members of political parties to choose one of these methods of entering into the electoral race. Although contestants named by labor collectives or groups of voters could choose to indicate their party affiliation on the ballot, easy nonparty nom-

ination rules resulted in a proliferation of independent candidates: three out of four ran on a nonparty ticket. This had an effect of confusing many electors [10] and further impeded the principle of the priority of political parties in the electoral process in a democratic regime. In addition to a subjective anti-party bias purposefully designed by the Ukrainian electoral engineers for the 1994 elections, the majoritarian system in a transitional nation with an underdeveloped party system creates inevitably both mechanisms of hindering political institutionalization and a favorable environment for non-affiliated candidates to compete for seats in the national assembly. Sarah Birch gives a good explanation of this phenomenon: «because they focus on electoral strategy in relatively small districts, single-member systems encourage candidacies by small groups of political entrepreneurs; candidates only have to organize in one district to have a chance of representation. This basic fact provides a strong incentive for independents to run» [11]. Robert Moser seconds this claim: «single-member districts allow individual candidates with name recognition and financial resources to find success regardless of party affiliation» [12]. The outcomes of the 1994 electoral contest to the Ukrainian legislature provide a strong empirical support for this argument. The first round of the Rada elections held in March-April 1994 returned 64.5 % of non-affiliated members of parliament. A repeat election several months later produced a record high share of independents - 86.4 %.

As can be seen, the results of the majoritarian elections to the Ukrainian national legislature lend their full support for Proposition 2. However, Proposition 3, which states that the SMD systems in transitional nations tend to create single-party dominant majorities, is rejected. Sarah Birch writes that at the beginning of democratization newly-emerged parties are «often under-institutionalized ... poorly organized, poorly resourced, inexperienced in mass mobilization and have weak links with distinct sectors of mass electorate. Under these circumstances, the authoritarian successor party may well be the only electoral contender in a position to benefit from the 'large party effect' characteristic of single-member systems, even if its overall level of support is modest» [13]. Although this is an accurate description of the early post-independence political reality in Ukraine, the threat of the all-powerful majority of the authoritarian successor party, the CPU, after the 1994 elections to the national legislature failed to materialize.

Table 1 compares vote and seat shares in seven post-Soviet nations in the founding elections which

were held in reasonably free and fair conditions. Though these results have no statistical significance, they help to understand the extent of an anti-party bias of the SMD system employed in Ukraine in 1994. In comparison to other nations that emerged after the disintegration of the Soviet Union, all of whom used either PR or mixed electoral models in the first post-independence elections, the largest party in Ukraine obtained a significantly smaller share of both votes and seats: 12.72 % and 25.40 %, respectively [14]. The same indicator for post-Soviet countries with the mixed formulas was 31.97 % and 43.23 %. Proportional representation countries produced 32.53 % and 39.52 %, respectively.

Ukrainian electoral statistics is drastically different from comparable aggregate data of other nations that employed the SMD systems in their first transitional election. The mean proportion of votes and seats won by the largest party in such nations constitutes 43.38 % and 56.2 % correspondingly [15]. Another important indicator of a relative significance of the largest party is a difference between its proportion of votes and/or seats and the proportion of votes/seats won by the second largest party. Again, results of the 1994 elections to the Rada (7.57 % and 19.4 8%) stand in drastic opposition to other countries (mean value 14.04 % and 36.67 %) [16]. Other former republics of the Soviet Union also demonstrated considerably greater values of the gap between two leading contestants than their Southern Slavic neighbor: 17.41 % and 31.54 % for the mixed electoral model countries and 16.21 % and 18.94 % for the PR nations.

The outcomes of the Ukrainian elections should not be interpreted in a way that the SMD system in this nation has not produced a tendency to create an over-large majority of the largest political party in the national legislature. The last row in Table 1 shows that such a trend did exist. The ratio of seat shares to vote shares in Ukraine's first transitional election had a very high value of 2.00 in comparison to the means of both the post-Soviet nations (1.22 for PR and 1.32 for mixed systems) and other world's countries with majoritarian models (1.37) [17]. However, the tendency toward one-party dominance in Ukraine was severely suppressed by the overall anti-party character of the 1993 Law on Elections of People's Deputies of Ukraine.

Many studies of majoritarian systems emphasize that this electoral formula is conducive to «localism and constituency-centered politics» [18]. William Irvine found that «a seriously discrepant

Table 1. **Mean seat and vote shares in the legislature after the first post-independence elections[1]**

Outcomes of first post-Soviet elections	Majoritarian system (N=1)[2]	Mixed systems (N = 4)[3]	Proportional representation systems (N = 3)[4]
Mean proportion of seats won by the largest party	25.40 %	43.23 %	39.52 %
Mean difference between the proportion of seats won by the largest party and the proportion won by the second-largest party	19.48 %	31.54%	18.94%
Mean proportion of votes won by the largest party	12.72 %	31.97%	32.53 %
Mean difference between the proportion of votes won by the largest party and the proportion won by the second-largest party	7.57 %	17.41%	16.61%
Mean ratio of seat shares to vote shares for the largest party	2.00	1.32	1.22

Source: Birch S. Single-member District Electoral Systems and Democratic Transition *II* Electoral Studies.- 2005. No. 3,- Appendix A. All available post-Soviet nations are included.

distribution of seats relative to the distribution of votes may give rise to regionalism as different blocks of voters come to feel that they are unable to have their views expressed in the national parliament» [19]. Giovanni Sartori also describes this troubling for efficient governing effect of the SMD system and argues that a well-institutionalized nation-wide party system serves as one of the most effective barriers to «centrifugal and localistic pulls» of the majoritarian model [20]. Somewhere else [21], I demonstrate that the geographical homogeneity of party electoral strength is different in the democratizing countries and stable democratic nations with the developed system of political parties. Most transitional countries feature «underdeveloped and/or incompletely nationalized» party systems that can hardly resist centrifugal tendencies of SMDs. To complete this vicious circle, an electoral system that does not encourage nationalization is likely to magnify party system heterogeneity [22]. The situation was particularly grave in Ukraine in 1994. No doubt that along with historical and cultural cleavages in Ukrainian society, the single member constituency voting model has greatly contributed to the highest variability coefficient of the party system demonstrated in Ukraine in the first post-independence elections in comparison to all other electoral contests in all five nations under analysis [23].

The 1993 Law on Elections of People's Deputies of Ukraine that regulated the first post-inde-pendence elections to the Rada continued the traditional Soviet majority-based system with two ballots. It created favorable conditions for the nomination and registration of independent candidates and representatives of the so-called «party of power», on the one hand, and weakened the electoral function of political organizations and restrained the development of the national party system, on the other hand. A combination of subjective anti-party elements in this electoral bill and a 'natural' anti-party bias inherent in the SMD system failed to facilitate the political integration of the Ukrainian society and stimulate the development of the nationalized party system. The Ukrainian version of the majoritarian model diminished the value of party identification and produced the amorphous legislature with a large number of deputies who were not affiliated with political parties. Such members of parliament were not bound by party discipline and often strived to please narrow interests of their constituencies or their own personal ambitions. The non-party status of many deputies who either never joined any parliamentary faction or often changed their faction affiliation made the legislative policy-making process more difficult and hampered electoral identifiability and accountability of parliamentary factions and political parties in general. The majoritarian electoral arrangements employed for the founding elections in Ukraine did not contribute to the strengthening of the party system in this country. The anti-party nature of the

---

[1] Table 1 is based on *Birch S.* Single-member District Electoral Systems and Democratic Transition *II* Electoral Studies,- 2005.- No. 3.- Table 2, P. 289. See this source for detailed explanation of methodology.
[2] Ukraine, 1994.
[3] Armenia I, 1995; Armenia II, 1999; Lithuania, 1992; Russian Federation, 1993.
[4] Estonia, 1992; Latvia, 1993; Moldova, 1994.

Ukrainian electoral legislation was so powerful that, contrary to the expectations formulated in Proposition 3, it suppressed the creation of a dominant one-party majority in the legislature that often causes a democratic breakdown.

For example see *Rae D. W.* The Political Consequences of Electoral Laws.- New Haven: Yale University Press, 1967; *Lijphart A.* Democracies: Patterns of Majoritarian and Consensus Government in Twenty-One Countries.- New Haven: Yale University Press, 1984; *Grofman B., Lijphart A.* (eds.), Electoral Laws and Their Political Consequences.- New York: Arathon Press, 1986; *Taagepera R., Shugart M. S.* Seats and Votes: The Effect and Determinants of Electoral Systems.- New Haven: Yale University Press, 1989; *Lijphart A.* The Political Consequences of Electoral Laws, 1945-1985 *II* American Political Science Review.- 1990.- No. 2; *Lijphart A.* Electoral Systems and Party Systems: A Study of Twenty-Seven Democracies, 1945-1990.- Oxford: Oxford University Press, 1994; *Sarlori G.* Comparative Institutional Engineering: An Inquiry into Structures, Incentives, and Outcomes.- New York: New York University Press, 1994; *Lijphart A.* Patterns of Democracy: Government Forms and Performance in Thirty-Six Countries,- New Haven: Yale University Press, 1999.

Moser R. G. The Impact of Parliamentary Electoral Systems in Russia *II* Post-Soviet Affairs.- 1997.- No. 3; *Moser R. G.* Electoral Systems and the Number of Parties in Post-communist States *II* World Politics.- 1999.- No. 3; *Moser R. G.* Unexpected Outcomes: Electoral Systems, Political Parties, and Representation in Russia. - Pittsburgh: University of Pittsburgh Press, 2001; *Birch S.* Single-member District Electoral Systems and Democratic Transition *II* Electoral Studies.- 2005,- No. 3; *Golosov G. V.* Electoral Systems and Party Formation in Russia: A Cross-Regional Analysis *II* Comparative Political Studies.- 2003.- No.8; *Nishikawa M., Herron E. S.* Mixed Electoral Rules' Impact on Party Systems *II* Electoral Studies.- 2004.- No. 4; *Herron E. S., Nishikawa M.* Contamination Effects and the Number of Parties in Mixed-Superposition Electoral Systems *II* Electoral Studies.- 2001.- No. 1.

Duverger M. Political Parties, Their Organization and Activity in the Modern State.- New York: John Wiley, 1963.- P. 239.

Birch S. Single-member District Electoral Systems and Democratic Transition *II* Electoral Studies.- 2005.- No. 3.

See *Golosov G. V.* Electoral Systems and Party Formation in Russia: A Cross-Regional Analysis *II* Comparative Political Studies.- 2003.- No. 8.

Vechirniy Kyi v.- 1993.- 9 October.

Duverger M. Political Parties, Their Organization and Activity in the Modern State,- New York: John Wiley, 1963.- P. 239.

8. The Law of Ukraine «On Elections of People's Deputies of Ukraine» *II* Election Law Compendium of Central and Eastern Europe,- Kyiv: The International Foundation for Electoral Systems Ukraine, 1995.- P. 346-359.

9. Ukraine's Parliamentary Election. March 27, 1994. April 10, 1994.- Washington, D.C.: The Staff of the Commission on Security and Co-operation in Europe, 1994.

10. *Arel D., Wilson A.* The Ukrainian Parliamentary Elections *II* RFE/RL Research Report.- 1994.- No. 26.- P. 9-10.

11. *Birch S.* Single-member District Electoral Systems and Democratic Transition *II* Electoral Studies.- 2005.- No. 3.- P. 285-286.

12. *Moser R. G.* Electoral Systems and the Number of Parties in Post-communist States *II* World Politics.- 1999.- No. 3.-P. 337.

13. *Birch S.* Single-member District Electoral Systems and Democratic Transition *II* Electoral Studies.- 2005.- No. 3.- P. 286.

14. For a detailed explanation of the methodology used for these calculations, see *Birch S.* Single-member District Electoral Systems and Democratic Transition *II* Electoral Studies.-2005.-No. 3.

15. Ibid.-P. 289

16. Ibid.

17. Ibid.

18. *Sartori G.* Comparative Institutional Engineering: An Inquiry into Structures, Incentives, and Outcomes.- New York: New York University Press, 1994.- P. 57.

19. *Irvine W.* Measuring the Effects of Electoral Systems on Regionalism *II* Electoral Studies,- 1988.- No. 1.- P. 25-26. See also *McAllister I., Rose R.* The Nationwide Competition for Votes: the 1983 British General Election,- London: Francis Pinter, 1984.

20. *Sartori G.* Comparative Institutional Engineering: An Inquiry into Structures, Incentives, and Outcomes.- New York: New York University Press, 1994.- P. 57-58.

21. *Meleshevich A.* Geographical Patterns of Party Support in the Baltic States, Russia, and Ukraine *II* European Urban and Regional Studies.- 2006.- No. 2.

22. *Birch S.* Single-member District Electoral Systems and Democratic Transition *II* Electoral Studies.- 2005.- No. 3.- P. 285.

23. *Meleshevich A.* Geographical Patterns of Party Support in the Baltic States, Russia, and Ukraine *II* European Urban and Regional Studies.- 2006.- No. 2.- Figure

Мелешевич А. А.

ВПЛИВ МАЖОРИТАРНОЇ МОДЕЛІ ПОДВІЙНОГО ГОЛОСУВАННЯ НА ФОРМУВАННЯ ПАРТІЙНОЇ СИСТЕМИ НА ПРИКЛАДІ ЗАКОНУ ПРО ВИБОРИ НАРОДНИХ ДЕПУТАТІВ УКРАЇНИ ВІД 1993 р.

Метою даної статті є аналіз відношень між виборчими законами та розвитком систем політичних партій в пострадянських державах. Автор висуває низку гіпотез про політичні наслідки мажоритарної виборчої системи подвійного голосування та аналізує обґрунтованість цих пропозицій, базуючись на емпіричному матеріалі парламентських виборів в Україні 1994 року.