



International Snapshot: Ukraine Verkhovna Rada Election, March 2006

Jack Santucci | Research Associate, Voting and Democracy Research Center

Abstract

Ukraine held elections in its parliament in March, 2006. It was that country's first use of a fully proportional electoral system. The 1998 and 2002 elections used a parallel system in which half of seats were elected in single-member plurality districts. This paper analyzes the proportionality of results in historical perspective as well as turnout and number of effective votes. Institutional challenges and potential remedies are described. Choices about electoral institutions have important consequences for political outcomes in a representative democracy.

Introduction

The 2006 Ukrainian elections provide an opportunity to see how changing a country's electoral regime affects its democratic politics. It also lets us see that there are different forms of proportional voting with different implications for political practice. Granted much has gone on in Ukraine since the fall of the Soviet Union: expansion of the European Union, an Orange Revolution, political and economic liberalization. This paper does not argue election regimes are the sole determinants of political outcomes, but it aims to show they are highly significant factors.

Electoral system basics and history

Ukraine held elections to its parliament, the *Verkhovna Rada*, on March 26, 2006. Ukraine is a country of over 47 million people, 32,400,485 of whom are eligible voters. Its place as a geographic and political bridge between East and West mean analysts pay close attention to its level of democracy. The “Orange Revolution” saw a fraudulent 2004 result canceled, culminating in the election of reformist president Victor Yushenko.

The March, 2006, elections were the first under a new set of electoral rules. All seats in the first parliamentary elections after separating from the Soviet Union were elected in single-member winner-take-all districts under a two-round runoff system. The 1998 and 2002 legislative elections used a parallel system in which 225 seats were elected in single-member plurality districts, and 225 seats were elected nationally under a closed list system of proportional voting. Parties had to cross a 4% threshold to enter parliament in the proportional seats, regardless of their success in the districts. Under this most recent cycle, all 450 seats were elected proportionally under a closed, national party list system. The threshold for a party to win seats was 3%.

Of note in this paper

- The number of parties fielding candidate lists spiked under the new 3% threshold.
- The number of parties represented fell, however, due to the elimination of district seats. Many smaller parties had only regional appeal.
- Including “none of the above” votes in the threshold calculation created spoiler problems that kept a sixth party out of parliament.
- Despite a theoretically more proportional system, almost one-fifth of votes were wasted, versus 2.28% of votes under a single-member district, winner-take-all system in 1994.
- Despite a theoretically more proportional system, seats-versus-votes skew increased due to the regional popularity of smaller parties and elimination of district seats. Skew decreased, however, when isolating analysis to parties with national appeal.

Analysis is divided into four sections highlighting institutional factors and their effects:

1. reduced threshold of election,
2. elimination of district seats,
3. national party lists and
4. treatment of “none of the above” votes.

A fifth section addresses how further institutional changes might remedy problems identified.

Seat projection¹

The following table summarizes roughly the number of seats each party entering parliament will hold and the proportionality of those results.

Projecting the seats won proceeds in the following steps:

1. $(\# \text{ total valid votes}) - (\# \text{ votes for parties above threshold}) = x$
2. $x \div (\# \text{ seats in parliament}) = (\text{threshold in } \# \text{ votes to win one seat}) \text{ or } y$
3. $(\# \text{ valid votes for given party}) \div y = (\text{raw } \# \text{ seats won by given party})$
4. Round (raw # seats won by given party) up or down using conventional rules to determine seat totals.

Proportionality of representation is given as a “skew” in percent form. Skew is defined as the difference between a party's percentage of seats and percentage of votes (skew = % votes - % seats). Positive percentages indicate degree of over-representation. Negative percentages indicate degree of under-representation. Average skew is the mean of all individual party skews for a given election. This value is given overall and for major parties only.

Party	Valid Votes	% of Valid Votes	Seats**	% of seats	Skew
Party of Regions	8,144,485	32.78%	186	41.33%	8.56%
Bloc of Yulia Tymoshenko	5,648,345	22.73%	129	28.67%	5.94%
Bloc "Our Ukraine"	3,536,459	14.23%	81	18.00%	3.77%
Socialist Party of Ukraine	1,439,624	5.79%	33	7.33%	1.54%
Communist Party of Ukraine	928,501	3.74%	21	4.67%	0.93%
Other*	5,151,548	20.73%	0	0.00%	-20.73%
Totals	24,848,962	100.00%	450	100.00%	0.00%
*includes estimate of votes for “none of the above” (1.77%)				Avg skew	6.91%
**seat projections are estimated				Avg skew w/o other parties	2.48%
				# parties contesting	45

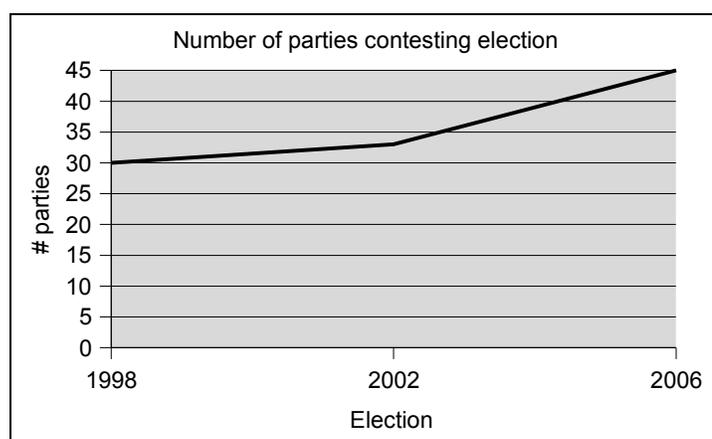
1 Central Election Commission of Ukraine, “The Elections of People's Deputies of Ukraine,” March 2006, <http://www.cvk.gov.ua/vnd2006/w6p001e.html>.

Impact of 3% threshold

The 2006 parliamentary election was a dry run for a new, lower threshold of election. In the prior two contests, parties needed 4% of the vote to enter parliament. In this cycle, they needed 3%. Lowering an electoral threshold is intended to make actual representation more proportional to votes cast while fostering the growth of new parties. This reform was successful on both counts.

Growth of new parties

2006 was the most contested legislative election since Ukraine switched to proportional voting in 1998. This is at least partly attributable to the decrease of threshold, which means it takes fewer votes to enter parliament. Overall, this gave activists an incentive to form new parties.



The preceding chart indicates the increase in parties over the period under consideration. Note there is little increase from 1998 to 2002. Both elections used the same parallel system: closed party lists for 225 seats and single-member district winner-take-all elections for the other 225 seats. The threshold was 4%. In 1998, 30 parties ran lists. In 2002, 33 parties ran lists.

The 2006 election used a fully proportional, national closed list system with a threshold of 3%. The number of parties fielding candidates increased by 36.5% to 45.

Increased proportionality of results

Reducing the threshold also resulted in a more proportional election result. That is, parties won seats in greater proportion to their share of votes nationwide. The chart at right shows average representation skew for each election under

Election	Average skew
1998	1.10%
2002	3.62%
2006	2.48%

consideration. Calculations for 1998 and 2002 include district seats, which accounted for half of seats filled in both cycles. When isolating this calculation to parties of national appeal (versus more regionally based parties), skew decreased over 1% from 2002 to 2006.² This is attributable to the reduced threshold. The increase in skew from 1998 to 2002 may be a result of habituation to the parallel system. That is, proportional voting with a 4% threshold provided an incentive to form new parties – even though

² Data from IFES, “Election Profiles” for 1998 and 2002 parliamentary elections, March 1998 and 2002, <http://www.electionguide.org>.

Note: the isolation of nationally popular parties is based on the IFES' tables for 1998 and 2002. This study approximates the same for 2006 by isolating those parties that won seats.

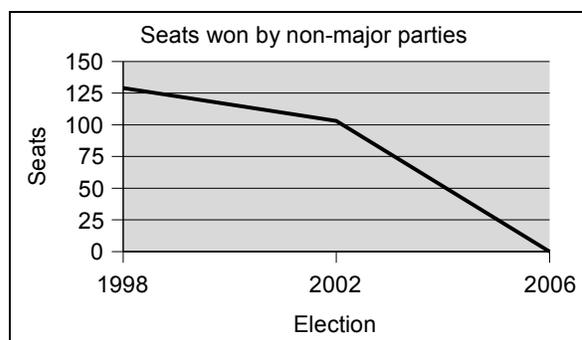
those parties may not have enough support nationally to enter parliament. Note that the number of parties did increase between those cycles.

While the 2006 method of election was more proportional, party leaders' expectations were out of proportion with reality. The coin has two sides. While more parties ran, relatively fewer parties won seats.³ A casual scan of election returns reveals four obvious environmentalist parties, none of which won more than 0.6%: Green Party of Ukraine (0.56%), Party Green Planet (0.40%), Environmental Protection Party (0.49%) and the Social-Environmental Party “Union Chernobyl” (0.10%). Assuming they had run as one party, they would have polled 1.55% - admittedly not enough to have cleared the threshold. But a single party also runs more efficient campaigns: a single, targeted message; coordinated get-out-the-vote effort; pooled funds, and so on.

Impact of eliminating district seats

This was the first election in which no seats were allocated to single-member districts. In the 1998 and 2002 cycles, half (225) of 450 seats in the *Verkhovna Rada* were elected from such districts. This had two related effects. One, in combination with the reduced threshold's increased number of parties, eliminating district seats meant parties with primarily regional appeal could not enter parliament. This includes independent candidates, some of whom represented local business interests under the Soviet system. Two, when these parties factor into the calculation, the skew in representation increased overall.

The numbers of seats won by non-major parties already had been falling under the parallel system. This probably is due to gradual nationalization of the electorate. That is, some parties were gaining national appeal and/or some regional parties were losing appeal relative to more national ones. Still, a significant number of non-major parties were able to enter parliament in 2002 through the single-member district elections. In 2006, zero non-major parties won seats. This is because, as noted above, they proliferated under the new, 3% threshold, likely splitting each other's votes. More importantly, their inroad to parliament disappeared. For a regionally popular party, a fraction of a percent of the national vote could be a winning plurality (or runoff majority in 1994) in an election district.



It is plausible that parties and voters behave in response to the rules of the prior election. As they adjust to the new national proportional system, they will adjust strategies to more effectively gain representation. As such, the 2006 results do not necessarily indicate how proportional results will be in future cycles.

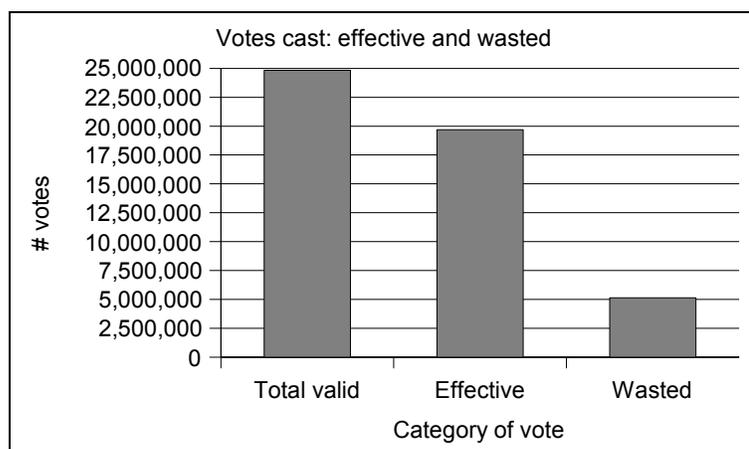
³ Note: see the following section, “Impact of eliminating district seats.”

The table at right summarizes the seats won by non-major parties and the average skew in representation. Versus the skew calculations in the preceding section, these factor in the results for non-major parties. Note that the skew percentages track seats won by these parties roughly in inverse proportion; where lowering the threshold of election increased representation proportionality for major parties of national appeal, eliminating the district seats decreased proportionality overall by shutting small, regional parties out of parliament. Note also that votes cast for these parties are “wasted.” That is, they do not help elect anyone.

Election	Seats won by non-major parties	Average skew
1998	129	1.41%
2002	103	3.86%
2006	0	6.91%

Impact of national party lists

Voter preferences for regional parties and candidates colliding with the use of national party lists yielded a high number of wasted votes. Where wasted vote reduction is a generally accepted virtue of proportional voting, Ukraine's electoral system fails on this account. It does not accommodate small, regional parties.



Over five million voters cast ballots for parties that did not enter parliament. That translates to 19.22% of votes wasted. By contrast, only 2.28% of votes were wasted under the single-member district, two-round runoff system in 1994 – Ukraine's theoretically least proportional system design since the fall of the Soviet bloc. (A later section suggests possible reforms to accommodate regional parties and proportionality.)

Impact of “vote against all” option

Even with 45 parties and numerous independents from which to choose, Ukrainian voters were also able to cast a “none of the above option,” included in official results as “votes against all.” 1.77% or approximately 439,394 voters did so. Votes cast in this matter were not only wasted; factoring them into the threshold calculation created a 'spoiler' problem by nudging the threshold up and locking a sixth party out of parliament.

If these 439,394 votes were eliminated from total votes for the purpose of allocating seats, the People's Opposition Bloc of Natalia Vitrenko would earn just over 3.05% of total votes, or enough for 16 seats.

This hypothetical situation demonstrates that due to the “none of the above” option on

the Ukrainian ballot, the 1.77% “votes against all” bloc was able to deny representation to a party representing 3% of voters. As a result, a small proportion of disenfranchised voters were able to “spoil” the outcome for voters who supported Vitrenko's bloc, ironically, in an election where voters had the most choices – 45 parties plus independents – in the history of Ukrainian elections.

Addressing criticism through electoral system design

The “rules of the game” are significant factors that greatly impact electoral outcomes for different segments of voters. This paper highlights four features of the Ukrainian parliamentary elections and outcomes to which they contributed, for better or worse:

- 1. Lowering the threshold of election to 3%** led to proliferation of new parties and, for the seats filled under proportional voting, increased the proportionality of election results for parties of *national appeal*.
- 2. Eliminating single-member district plurality seats** kept regionally popular parties and independents out of parliament. As a result, the *overall* proportionality of election results decreased from 2002.
- 3. Continued use of national party lists** instead of regional lists meant almost one-fifth of votes were wasted because votes for small, local parties did not translate into representation. Many voters supported small and locally oriented parties otherwise unable to clear the threshold.
- 4. Factoring “votes against all” into the threshold calculation** created a “spoiler” problem that kept a sixth party, the People's Opposition Bloc of Natalia Vitrenko, out of parliament. In this way, 1.77% of voters kept about 3% of voters from winning any representation. Had these 'none of the above' votes been omitted from the threshold calculation, Vitrenko's bloc would have won about 16 seats, without need to omit this option.

Should Ukrainian officials view these results as problematic, they may want to revisit electoral rules for the 2010 cycle:

Consideration One: If proportionality of results is desired, lowering the threshold of election to 3% may be effective, but the increase of overall skew to an all-time high of 6.91% raises questions about whether this is sufficient to achieve proportionality. The record skew resulted from voters' support for regionally popular and otherwise small parties.

Consideration Two: If maximization of effective votes is desired, present arrangements remain problematic. Almost one-fifth of ballots cast in this election were wasted. Factor in “votes against all,” and over one-fifth of votes did not help elect any representative.

Alternative One: Moving to some form of ranked ballot system would go far toward remedying seat-to-vote disproportionality and the high rate of vote wastage. It could be

either *candidate-centric*, with voters ranking candidates, or *party-centric*, with voters ranking parties. In the event a voter's first-preference candidate or party were not elected, his or her ballot would count for the next ranked candidate or party, thereby providing some representation for voters who are otherwise currently supporting parties that do not cross the threshold.

Alternative Two: The form of ballot also can affect who has relative control over the outcome: the party or the voter. In a candidate-centric system, voters have more control over who enters parliament because they rank the candidates. In a party-centric system, the balance of power could remain with parties if a closed list is maintained; though voters will have ranked their preferred parties, parties will have determined the order in which their nominees enter parliament. A combination of the two is possible, such as a variant on that used to elect members of the Australian Senate. In Australia, voters can check off a party, or they can rank candidates individually, depending on their party loyalty and/or level of political knowledge. Alternatively, an open list system could be used in tandem with ranked ballots, thereby allowing voters to select the order of party's nominees, as well as preferences between parties.

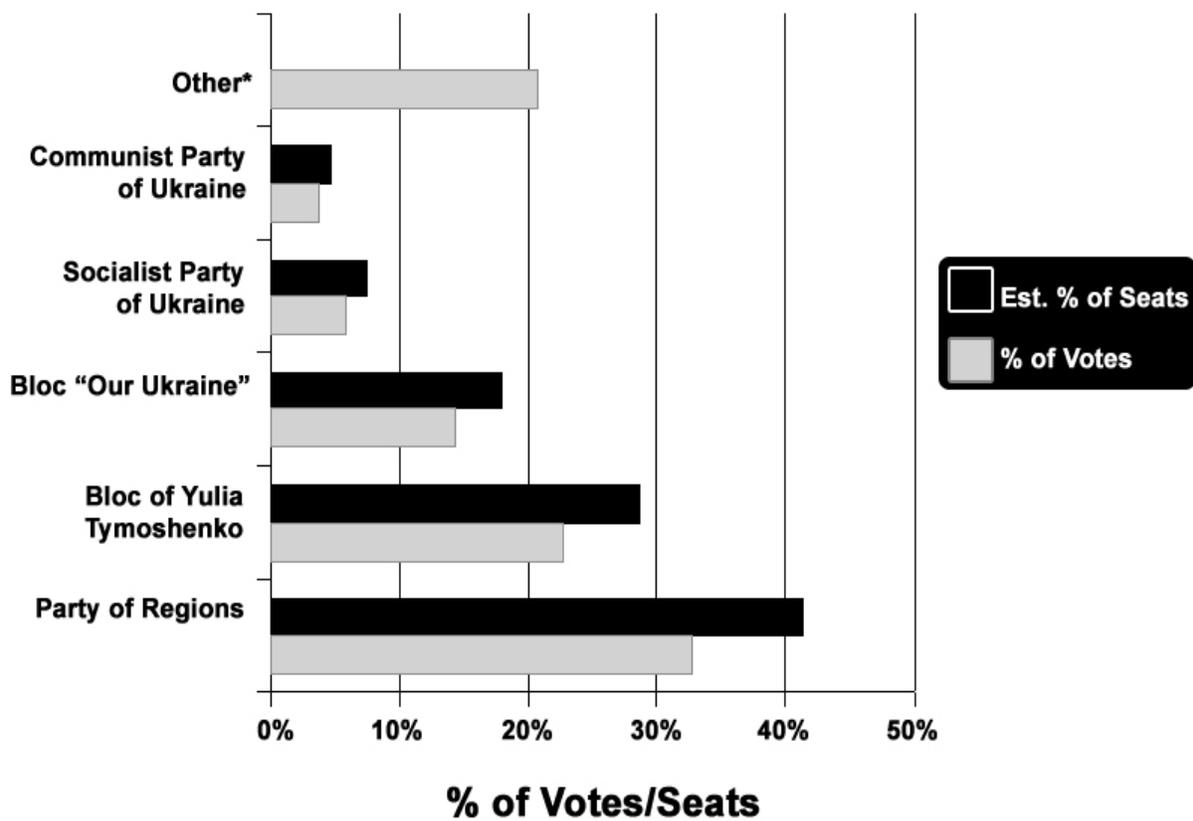
Alternative Three: But regional parties also figure prominently into the Ukrainian political system, as their success in previous cycles (where district seats accommodated them) and failure in this one (where district seats no longer existed) demonstrated. Dividing the country into several multi-member districts (along *oblast* lines, for instance) in which seats were allocated proportionally could increase the proportionality of election results, given the large number of voters favoring regional parties whose votes were wasted. Apportioning seats to each *oblast* in proportion to its population could create the most proportional result. After that, any form of ballot described above could be used.

Alternative Four: Ukraine's statespeople may opt to retain the current system, should they not care to nurture the regionalism trend, in which case all 450 seats would continue to be elected nationally. A potential outcome is that, over time, major parties could co-opt smaller, regionally oriented parties as the former seek to broaden bases of support and either the latter accept the political reality about what it takes to actually win seats or their supporters migrate after several cycles of failure to gain representation.

Conclusion

How representatives are chosen – from ballot design to apportionment to threshold determination – has implications for how the will of voters manifests in legislative bodies. Over the last 12 years, Ukraine has experimented with three electoral systems ranging from single-member district-based majoritarian to fully proportional. However, as outlined above, there are numerous additional options and modifications to continue the evolution of Ukraine's electoral system to one that meets the goals of policymakers and the public.

Ukraine 2006: Votes Versus Seats





FairVote
6930 Carroll Avenue
Suite 610
Takoma Park, MD 20912

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