

Why Ukraine's May 25 Election Is So Important

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Ukraine's May 25 elections are critical in understanding why tensions between Russia and Ukraine have escalated over the past two weeks.

When the three European Union foreign ministers negotiated the agreement ending the violence between Ukrainian President Viktor Yanukovich and the leaders of the political opposition on Feb. 21, they moved the February 2015 presidential election to the fall of 2014, after the ratification of a new constitution.

When the new interim Ukrainian government emerged on Feb. 22, its leaders proclaimed that the vote would take place on May 25, and quickly invited election monitors from the Organization for Security and Cooperation in Europe, or OSCE, and other international groups to oversee the polling.

In addition, acting Prime Minister Arseniy Yatsenyuk has asserted that a new version of Ukrainian Constitution, which would define the duties and prerogatives of the new

president, should be ready before May 25. This election, then, will ratify directly or indirectly Ukraine's future constitutional order.

The majority of the men and women who hammered out Ukraine's first post-Soviet constitution in 1996 did not want the central government's powers devolving to the provinces. Instead of a federal order, they created a unitary state with a strong presidency and with regions subordinate to Kiev. Despite compromises in December 2004 at the height of the Orange Revolution, this arrangement remained in place.

Once Yanukovich became president in February 2010, he centralized his authority and established complete control over Ukraine's parliament. Euromaidan symbolized a mass response to his authoritarian rule. Although the new constitution will certainly introduce more checks and balances into the political system and may make some compromises over taxational authority between Kiev and the regions, it will still support a unitary government. But this new system will decentralize authority significantly by weakening the power of entrenched regional administrations by bringing decision-making to the people. This should satisfy most reasonable demands made by the federalists.

The new interim government in Ukraine wants to differentiate itself from the Yanukovich regime and hold a free and fair election. Once a president is elected, they hope to hold parliamentary elections as soon as possible, perhaps in the fall of 2014. The new government believes that all of these elections will legitimize February's Euromaidan revolution and that pro-Ukrainian candidates will win the majority of the vote. They have good reasons for thinking so.

First of all, Russia's annexation of Crimea has changed Ukraine's electoral map. The largest Russian-majority and pro-Russian province in Ukraine will not vote in these elections, diluting the overall number of pro-Russian voters in Ukraine.

Second, until the Russian invasion of Crimea and its subsequent annexation of the Black Sea peninsula on March 18, the majority of Ukraine's citizens viewed Russia in a positive light. Far fewer do so now and they may constitute a new majority willing to vote for pro-Ukrainian and pro-EU candidates in future elections. Most of Ukraine's citizens are opposed to Crimea's dismemberment or the secession of Ukraine's southeastern provinces. This is not surprising. Ukraine is far less divided than many analysts or journalists admit.

Third, the leading candidates for the presidency of Ukraine, Petro Poroshenko and Yulia Tymoshenko, are pro-Ukrainian and pro-EU. Both also oppose the federalization of Ukraine. No

pro-Russian candidate will win the election.

At first, Russia welcomed the May 25 election, even though it has never recognized the successors to Yanukovich and claims that he is Ukraine's lawfully elected head of state. Russian officials and constitutional scholars deny that the majority of Ukraine's parliamentary deputies had the right to strip him of his powers or that they are legitimately elected to begin with. They base their argument on the fact that the OSCE 2010 election observation mission to Ukraine's presidential elections validated Yanukovich's ultimate victory as "transparent and honest" and that the organization's 2012 election observation

mission to Ukraine's parliamentary elections, in which Yanukovich's Party of Regions won the majority of seats, criticized them as "marked by the abuse of state resources, lack of transparency of campaign and party financing, and the lack of balanced media coverage." The Russian government, however, did not raise objections after these elections.

Russia now insists that Ukraine should hold the presidential election in the fall of 2014, as the Feb. 21 agreement stipulated, and introduce a new federal constitution giving regions extensive rights before this election. This will be the most important issue discussed at the upcoming summit in Geneva this week.

Assuming the validity of this interpretation, President Vladimir Putin wants to prevent or postpone an election that would legitimize Ukraine's February revolution and condemn his takeover of Crimea, especially if the election was run honestly and received the OSCE's seal of approval. This is why he does not want the May 25 elections to take place.

For the same reason, Putin is amassing troops on the

Russian-Ukrainian border,

stoking instability in Ukraine's majority Russian-speaking provinces in the southeast and lobbying Ukraine to adopt a new constitution federalizing Ukraine, which he could then manipulate.

Many, including Putin, have made various claims about Ukraine, especially about the "irreconcilable" split between the Ukrainian-speaking west and the Russian-speaking east and its overall significance. The May 25 election results will validate or invalidate these theories. They will certainly demonstrate Ukraine's divisions but will also show Ukraine's unity.

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