

# **Exploring the Link between Power Concentration and Ethnic Minorities' Mobilization in Post Soviet Georgia, Moldova, and Ukraine**

by

Stela Garaz

Department of Political Science, Central European University

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Supervisor: Dr. Zsolt Enyedi

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I hereby declare that this thesis contains no materials accepted for any other degrees in any other institutions.

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Stela Garaz

Budapest  
April 30, 2012.

## Abstract

In political science literature, power concentration is dominantly viewed as a negative phenomenon that encourages strategies of confrontation and causes protest. The regimes with concentrated power are believed to be particularly dangerous for the states with deep ethnic cleavages. This latter concern is a question of great importance for the post-Soviet region, because since the collapse of the Soviet Union some of the multi-ethnic post-Soviet states had the experience of both ethnic conflicts and concentration of power. Consequently, the main goal of this research is to determine whether power concentration encourages the escalation of ethnic conflicts. For this, I explore three mechanisms that may link the degree of power concentration with ethnic minorities' mobilization against the state: identity-related state policies, electoral rules, and centralization. The empirical investigation is built on the analysis of three post-Soviet cases – Georgia, Moldova, and Ukraine – based on the structured focused comparison technique.

The data presented in this research reveal that the highest level of ethnic minorities' mobilization against the state in the three post-Soviet republics occurred in periods with dispersed power, and not in periods with concentrated power. The research further shows that contrary to the common expectation, the reason for this was not the presumed suppressive character of concentrationist regimes over ethnic groups as citizens. Instead, the incumbent elites in the periods with power concentration combined minorities' cooptation in central and local power with the enhanced control over the regional elite formation and regional access to financial resources, and in some cases, with a gradual de-politization of societal multi-ethnicity. Specifically, the leadership of concentrationist regimes tended to increase the threshold for accessing power through electoral rules with disproportional elements, which prevented the consolidation of ethnic parties and at the same time attracted minority leaders to the ruling parties. In addition, concentration of power tended to augment territorial centralization. This implied an increased control by central level political incumbents over the financial, administrative, and political affairs at regional level, which reduced local potential mobilizers' access to mobilization resources. Finally, as the leadership of power concentration tended to implement integrationist rather than accommodationist policies towards minorities, this de-emphasized the political importance of multi-ethnicity.

The research concludes that at least in the three cases included in the analysis, concentration of power did not trigger, but it rather discouraged ethnic mobilization against the state, due to its intrinsic tendencies to increase the threshold for access to power of potential challengers and also to co-opt minority leaders, to strengthen centralization of power, and to de-politicize ethnicity. Hence, the success of concentrationist regimes in reducing minorities' mobilization against the state did not consist in suppressing ethnic groups as citizens, but in hindering the formation of a self-standing ethnic minority elite. Therefore, if power concentration is to be avoided in the post-Soviet region, it should be for other reasons than for fear of ethnic instability.

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## Introduction

### **Research Question:**

In political science literature power concentration is dominantly viewed as a negative phenomenon, as regimes with concentrated power are associated with constrained democratic practices and are also considered to encourage strategies of confrontation and to cause protest. The regimes with concentrated power are believed to be particularly dangerous for the states with deep ethnic cleavages, as they may represent a risk for the political stability of these states. This belief is essentially based on the expectation that the winner-take-all character of regimes with concentrated power reduces ethnic minorities' chances to have effective political representation of their interests (Lijphart, 2004; 96-97).

Whether the concentration of power indeed represents a potential danger for the multi-ethnic states is a question of great importance for the post-Soviet region. Since the collapse of the Soviet Union, many post-Soviet republics experienced at least some periods with concentrated power. At the same time, most post-Soviet states are multi-ethnic and the region in general experienced ethnic conflicts since the beginning of transition. Considering the combination between power concentration and multi-ethnicity in the countries of the region, as well as the experience with ethnic conflicts since the collapse of the Soviet Union, it is important to determine whether the power concentration had a negative impact – even if a marginal one – on inter-ethnic stability in the region. If power concentration plays indeed a negative role for inter-ethnic stability in multi-ethnic states, the post-Soviet region is the one in which this negative effect should be observed and the one where concentration of power should be avoided.

Hence, the main goal of this research is *to determine whether power concentration encourages the escalation of ethnic conflicts*. Because the mobilization of ethnic minorities

is a necessary condition for ethnic conflicts to occur, the specific aim of this investigation is to determine whether power concentration may be conducive to ethnic minorities' mobilization against state authorities. For this, I explore three mechanisms that may link the degree of power concentration with ethnic mobilization against the state: identity-related state policies, electoral rules, and centralization. The empirical investigation is built on the analysis of three post-Soviet cases – Georgia, Moldova, and Ukraine – on the basis of the structured focused comparison technique.

In political science literature the negative attitude towards power concentration - when it comes to its possible implications for multi-ethnic states - is often attributed to the theory of consociationalism and particularly to Arend Lijphart's work. Consociationalism is a theory that linked ethnic conflicts with certain characteristics of political institutions. It suggests that in "plural societies" the institutional configuration shall be built in a way that would avoid the concentration of power: the electoral system should be proportional, the form of government should be parliamentary, the party system should be multi-party, the state territorial structure should be federal, and the decision-making process should include veto powers for minorities (Lijphart, 1999; 3-4). The supporters of this theory believe that in those "plural" states where institutional configuration encourages power concentration, ethnic minorities do not have political channels for effectively transmitting their demands and as a result, they choose confrontational strategies that lead to conflict (Lijphart, 1977, 1984; Nordlinger, 1972). Therefore, this theory suggests that power concentration represents an inherent danger for the inter-ethnic peace, because it reduces the likelihood for effective political representation of minorities.

However, in political science literature there is another field of study that, even if it does not address this question directly, implies an opposite answer to it. This field is the one on the theory of political opportunity structure for social mobilization. It suggests that social groups

generally mobilize when they have bargaining power vis-à-vis state authorities, power which is enhanced when the state “centre” is weak. Some scholars who analyzed the set of “political opportunity structures” suggested that social mobilization is encouraged where and when the central power is characterized by divided leadership and by unstable political alignments (Tarrow, 1996). Other scholars argued that when central authority is weakened, challenged, or withdrawn, local elites can mobilize on the basis of regional identities (Hechter, 2000). Finally, others suggested that ethnic mobilization – particularly the territorially based one – is encouraged by the lower economic dependence on the “centre” and by the increased access to local administrative resources (Treisman, 1997). Political opportunity structure theory is also supported by statistical research, such as the one conducted by Russel Dalton, Alex Van Sickle, and Steven Weldon (2009) on the waves of protest around the world between 1999 and 2002, in which the authors concluded that mobilization for protest is rather driven by protesters’ access to relevant resources than by their dissatisfaction with the government (Dalton *et al.*, 2009). Hence, according to this literature ethnic mobilization is more likely to occur when central power is diffused, and not when it is concentrated.

When viewed together, the two theoretical models have a diverging view on ethnic mobilization. Consociationalists seem to found their arguments on the primordialist approach: for them the “divided” or “plural” societies are assumed to be static characteristics and seldom analyzed as changeable phenomena. For consociationalists, the ethnic groups in ethnically “divided societies” have easily identifiable group structure, well formulated set of interests and clear political preferences, which are given factors to be considered. On the contrary, scholars who developed the political opportunity structure theory followed a constructivist approach<sup>1</sup>: they viewed ethnic mobilization as a dynamic phenomenon

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<sup>1</sup> Primordialism is the theory that sees ethnicity as “an emotion-laden sense of belonging or attachment to a particular kind of group”, while constructivism is the theory that sees ethnicity as “a social construct or a choice to be made” (Hale, 2004; 458).

provoked or discouraged by specific environmental conditions. As Mark Beissinger wrote about national mobilization, “it is not the case that coherent nations assert their identity and then engage in political action to secure a state. Rather, identities are altered by new circumstances and the tumult of events.” (Beissinger, 2002).

When applied to the post-Soviet region, the inferences of these two literature fields are opposite. Consociationalism predicts inter-ethnic instability in countries with “concentrated power” because it assumes that when power concentrates the ethnic minorities do not have sufficient access to political decision making institutions and hence, cannot block policies unfavorable to them. At the same time, political opportunity structure model predicts inter-ethnic instability in periods with dispersed power. In conditions of transition, dispersed power was characterized by what consociationalists advocated under the label of power sharing: non-majority coalitions in parliament, non-majority government, and lack of dominant parties within the party system.

Although the theoretical model of this thesis is built around both these inferences, the main assumption that guided this research is the constructivist belief that the ethnic self-identification of individuals and groups is a dynamic phenomenon enhanced or discouraged by various circumstances, and not a static attribute. This implies that the extent to which ethnic groups react to state policies unfavorable to them and the extent to which they become united and mobilize to pursue common goals is an empirical question to be explored, and not an expectation resulting from the assumed ethnic identity.

### **The Independent and the Dependent Variable:**

Political power can be generally concentrated or dispersed on two dimensions of political system: horizontal and vertical. The horizontal dimension is determined by the relation between state authorities at central level of power (mainly between the legislative and

the executive branches) and by the degree in which the legislature is fragmented. The vertical dimension refers to the relation between the central state authorities and state territorial subunits and is determined by the degree of territorial decentralization of the state.

The independent variable of this research is the horizontal dimension of political power. Therefore, the use of the terms “concentrated power” and “concentration of power” in the thesis are always in relation to its horizontal dimension (i.e. relations between branches of power at central level), unless specified otherwise. The term “concentrated power” is defined on the basis of some of the characteristics of Lijphart’s “majoritarian winner-take-all system”: the system with a majority executive branch, in which the executive branch dominates over the parliament, and which in some cases is also characterized by the concentration of the legislative power (Lijphart, 1999; 3). Horizontally concentrated power is the situation in which the decision-making process is concentrated in the hands of few political actors that are linked by shared policy positions, institutional ties, and loyalty.

The focus on this particular dimension of political power is relevant for several reasons. First, the horizontally concentrated power constitutes an important part of what Lijphart defined as “majority winner-take-all system”: it implies the existence of an absolute parliamentary majority, the dominance of the executive over the legislature, and the control of the executive branch by a majority party or coalition. Therefore, according to the consociationalist understanding, the horizontal dimension of political power constitutes an important part of the institutional determinant for the inter-ethnic stability. Second, to my knowledge there is no study that would focus exclusively on this dimension of political power and its impact on ethnic mobilization. The consociationalism scholars have not referred exclusively to horizontal concentration of power, as their understanding of majoritarian winner-take-all system comprised the degree of decentralization as well. Moreover, the several empirical studies that analyzed the combination of factors with greatest explanatory

power for ethnic conflicts have simply used “presidentialism-parliamentarism” dichotomy, which does not coincide with “concentrated-dispersed power” dichotomy, as explained in Chapter 2. Besides, these empirical studies have not revealed a detailed causal mechanism similar to the one I develop in this thesis.

In this research, the ethnic mobilization is understood as a subtype of social mobilization. Generally, social mobilization is defined as “the process of creating movement structures and preparing and carrying out protest actions which are visible movement ‘products’ addressed to actors and publics outside the movement” (Rucht, 1996; 186). The identifying feature of the ethnic mobilization subtype lies in the fact that claims are made on the basis of a particular identity within the group defined by the presence of certain ethnic markers.

Hence, ethnic mobilization as social phenomenon contains two necessary indicators: the existence of movement structures and the carrying out of protest actions. The movement structures are organizations that aggregate and represent the ethnic groups’ demands. The protest actions are what Tedd Gurr defined as “communal political actions”: the actions “initiated by members of a group on behalf of its interest and directed against, or designed to influence, state authorities” (Gurr, 1993; 168).

In this research the definitions mentioned above are applicable to the negative type of ethnic mobilization, which is necessarily targeted against the state. The existence of the opposite type of ethnic mobilization - the positive one – is also possible. Charles Tilly argued in his 1978 book that social mobilization can be repressed or tolerated by the state, but it can also be facilitated by it, particularly in totalitarian regimes where it can be used for legitimating and propaganda purposes (Tilly, 1978; 111). This kind of mobilization is obviously not targeted against governmental policies; therefore it can be classified as a “positive” mobilization.

The cases of ethnic mobilization targeted against the state power or against specific governmental policies are well known and easily detectable. However, ethnic minorities can mobilize in a positive way as well, in support for a certain (ethnic or non-ethnic) political party or candidate for elections. When this candidate is an incumbent president or when a party is the incumbent presidential party, the type of mobilization is obviously not targeted against the state power, but is supportive for it. This type of pro-state ethnic mobilization has been frequent in some post-Soviet states, in which the incumbent presidents mobilized ethnic minorities in order to win elections. For instance, this was the case of Uzbek ethnic group in Kyrgyzstan during the 1990's who greatly supported incumbent president Askar Akaev in elections (Fumagalli, 2007). For my research purposes the dependent variable – ethnic mobilization – is defined only by its negative dimension, i.e. the one that implies protest action against central government.

### **Case Selection:**

This research is based on the empirical analysis of three post-Soviet countries: Georgia, Moldova, and Ukraine. The analysis starts with 1991, the year in which these countries declared their independence, and follows the whole transition period until 2008. The choice of post-Soviet region as geographical main focus is justified firstly because all post-Soviet countries experienced transition processes during the studied period and because majority of post-Soviet republics also experienced state-building processes during these years. Moreover, the post-Soviet region is generally known as a region with multi-ethnic republics that have experienced internal conflicts perceived as inter-ethnic. This explains the expectation to find different degrees of ethnic mobilization within the countries of this region.

There are several further reasons for the particular focus on Georgia, Moldova, and Ukraine from among the 15 post-Soviet republics. First, all three countries are multi-ethnic,

as reflected in the 1989 and most recent population censuses (Annex 1). While some of these countries' ethnic minorities are numerically insignificant, there are some groups that have an absolute numerical power which is sufficient for initiating processes of political mobilization. Except for Armenia<sup>2</sup>, all other former Soviet Union republics have also multi-ethnic population, with both numerically significant and numerically insignificant ethnic groups. However, as discussed below, the remaining 11 republics do not satisfy other case selection criteria.

Second, during the period of transition all three countries experienced internal conflicts with ethnic character. Moldova experienced internal conflicts with its Eastern region called Transdnistria, which culminated with the 1992 war, and also with its Southern region, which culminated with the formation of a territorial autonomy in 1994 - Gagauz Yeri. The central government of Ukraine also faced demands for secession from the elites of its Crimean peninsula. The conflict was settled through the establishment of a territorial autonomy. Finally, Georgia faced three civil wars with ethnic character in two regions in the North – Abkhazia and South Ossetia – and had also a territorial autonomy in South-Eastern region of the country – Adjara. As demonstrated in Chapter 3, these were not the only cases of ethnic mobilization in the three republics during the period under investigation. Although this thesis does not address all the above-mentioned conflicts, they are still relevant for the case selection process. The fact that there have been inter-ethnic clashes at the beginning of 1990s in these countries and that they still have identity-based territorial autonomies justifies the expectation that the general level of ethnicity saliency has been high during the whole period of transition. Accordingly, a high level of ethnicity saliency justifies the expectation for instances of ethnic minorities' mobilization against the central governments. The occurrence of such instances makes these cases relevant for the research goal of this thesis.

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<sup>2</sup> Armenia is the only post-Soviet republic in which the titular ethnic group constituted more than 90% by the time of the last Soviet Union population census in 1989 (Sakwa, 1998; 242-250).

Third, a simple analysis of the post-independence political history of these three republics reveals that they experienced both periods with concentrated and with dispersed power. Political power was concentrated during some of Leonid Kuchma's presidency years in Ukraine, during some of Eduard Shevardnadze's presidency years in Georgia, and during Vladimir Voronin's presidency in Moldova. Political power was dispersed during Mircea Snegur's and Petru Lucinski's presidencies in Moldova, before the Rose Revolution in Georgia, and during Viktor Yushchenko's and Leonid Kravchuk's presidencies in Ukraine. In each of these three countries, the degree of power concentration varied during the transition period, which makes intra-country over-time comparison possible. The existence of both periods of dispersed and of concentrated power in each of these states makes it possible to analyze closer the processes of power concentration in light of the main research question.

The existence of relatively enduring periods with concentrated power, followed or preceded by periods with dispersed power, makes intra-country over-time comparison relevant, which is of significant relevance for the research question of this thesis. This type of power dynamics has not been experienced by the three post-Soviet Baltic States (Estonia, Latvia, and Lithuania). However, it has been experienced by other post-Soviet republics. For instance, Russia had dispersed power during the 1990s and concentrated power in 2000s when Vladimir Putin became president and gradually consolidated it. Kyrgyzstan also experienced periods with concentrated power under Askar Akayev's presidency. However, these republics do not satisfy the last case selection criterion relevant for this thesis.

Fourth, Georgia, Moldova, and Ukraine have been assessed as having had a minimum level of democratic development during almost the entire period of transition. As Table 0.1 below illustrates, the time-series data elaborated by Freedom House classified Moldova, Ukraine, and Georgia predominantly under the "partly free" category, which means that there has been a minimum level of "political" and "civil" rights in these countries between 1991

and 2008. In addition, according to Polity IV data, the three countries have been predominantly democratic since 1991.<sup>3</sup>

<b>Table 0.1: Level of Democracy in Moldova, Ukraine, and Georgia (1991-2008)</b>					
	Freedom House (1991-2008)			Polity IV <sup>4</sup> (1991-2007)	
	Not Free	Partly Free	Free	Democracy	Non-democracy
Moldova	-	1991-2008	-	1991-2007	-
Ukraine	-	1991-2004	2005-2008	1991-2007	-
Georgia	1991	1992-2008	-	1995-2007	1991-1994

While it is highly probable that in an authoritarian regime the concentrated power can minimize the ethnic mobilization against state authorities through repression, in a regime that does have a minimum level of democracy it is reasonable to expect the use of more complex means than ordinary repression for diminishing the ethnic mobilization against state authorities. This is the reason for which this research does not include the post-Soviet multi-ethnic countries from Central Asia, which according to the two databases mentioned above have performed significantly worse in terms of democratic practices than Moldova, Ukraine, and Georgia. The mentioned-above Russia and Kyrgyzstan had both periods assessed as “non-free” by the Freedom House and by Polity IV. As in both cases the “non-free” periods coincided with the periods with power concentration, the two cases are not included in this study.

The case selection process is also relevant for the selection of the ethnic minority groups to be included in this investigation. According to the local population censuses, the number of ethnic groups in each of these countries is relatively high (Annex 1). Nevertheless, only some

<sup>3</sup> Because most of the existing quantitative data on democratic development either cover a specific region/ number of cases, or are focused on a time snapshot/ time series that are beyond the scope of this research, the data provided by Freedom House and Polity IV constitute the only option to make a general assessment of the democracy level in Moldova, Ukraine, and Georgia since their Independence (Munk & Verkuilen, 2002; 6).

<sup>4</sup> Because the Polity IV dataset authors have not established a clear threshold between democracy and non-democracy, I use the method of calculating the relevant thresholds elaborated by Tatu Vanhanen in his comparative analysis of democratization in 170 countries. In order to define the group of “democratic countries”, Vanhanen subtracted the values for “Autocracy” variable from the ones for “Democracy” variable and added +10 to the obtained number. The countries for which the so calculated final score was between 15 and 20 were categorized as “democracies”, the rest were categorized as “non-democracies” (Vanhanen, 2003; 69-70).

of them are relevant for this study. The groups to be investigated shall have descriptive characteristics that make their eventual “threat” towards the central power credible: they have to be either territorially concentrated, or numerically relevant in terms of percentage out of the total population, or both. I assume that ethnic minorities constituting up to 1% cannot impose a credible threat to the centre in case they mobilize against state authorities, unless they are territorially concentrated at the frontier with a kin state. Also, from the list of minority groups to be analyzed in this study, Russians and Greeks from Georgia are excluded. Because they emigrated massively at the beginning of 1990s when the economic conditions and the level of political stability worsened, their share in the total population decreased significantly after 1991.<sup>5</sup> The group of Jewish minority in Moldova is excluded from this study for similar reasons.

Furthermore, the processes of ethnic minorities’ mobilization in the regions of Abkhazia, South Ossetia (Georgia), and Transnistria (Moldova) are studied only during the first years of transition, prior to the period of “frozen conflict” between the central governments and these regions. After the civil wars with these secessionist territories (1991-1993 in Georgia and 1992 in Moldova) the respective central powers lost any authority over the internal affairs of these regions. Therefore, the level of consequent ethnic mobilization within these territories could not be influenced by the degree of central power concentration in Moldova and Georgia.

Hence, this research mainly focuses on Gagauzians, Bulgarians, and non-Transnistrian Ukrainians and Russians in Moldova; on Armenians and Azeris in Georgia; and on Russophones in Ukraine. These groups differ in their relative size, degree of territorial concentration (Annex 2 illustrates the latter) and - as described in Chapters 3 and 4 - also in the type and intensity of political demands expressed in various moments of transition period.

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<sup>5</sup> Source: author’s interview with Mikheil Aidinov, the chairman of the Russian-speaking journalists of Georgia (October 2008, Tbilisi)

### **Inputs from the State-of-the-Art on the Post-Soviet Region:**

The academic literature on the post-Soviet region does not provide a clear and comprehensive answer to the question of how power concentration influenced the processes of ethnic mobilization against state authorities. To my knowledge, there is no research on the region that would have analyzed this question as the primary focus of investigation. As shown in Chapter 4 of this thesis, scholars of post-Soviet region analyzed extensively the types of ethnicity-related policies in the former Soviet republics and attempted to determine the state-minority relations model that these republics followed. In addition, as discussed in Chapter 2, there has been some research conducted on the dynamics of forms of government in post-Soviet states by taking as basis the presidentialism-parliamentarism dichotomy and by trying to determine the category under which separate republics in separate periods of time could be classified. Scholars of post-communist region also analyzed the scope and form of minorities' political representation, as well as its importance for the moderation of minorities' protest, as discussed in Chapter 1.

In their analysis of ethnic conflicts around the world between 1985 and 1998 which included countries of the post-Soviet region, Stephen Saideman et. al. hypothesized that presidentialism performs better than parliamentarism in reducing ethnic conflict. This is because in presidentialism "there are more points within the system to block unfavorable actions" which makes ethnic groups feel safer, while parliamentarism "can be threatening to minority groups if they cannot get significant representation and especially threatening if one party tends to gain control with no need for coalitions" (2002; 110-111). As shown in Chapter 2, parliamentarism/ presidentialism dichotomy does not necessarily go hand in hand with the power separation/ power concentration dichotomy. Still, in their research Saideman et. al. took the relation between the two for granted. This is probably the reason for which the

authors have found no relation between the form of government and the degree of ethnic conflict escalation and suggested that the issue should be further explored (2002; 122).

John Ishiyama also argued that relatively powerful presidents are associated with less ethnic protest. In his study of ethno-political conflicts in post-communist region he explained this effect of strong presidencies through the characteristics of presidentialism that Horowitz defined: first, presidential regimes are less likely to monopolize both legislative and executive branches than the parliamentary regimes; second, “the existence of a directly elected and powerful presidency can act to provide an incentive in an ethnically divided society to cooperate in order to elect a joint candidate” (2000; 54). The author’s empirical findings were in line with this expectation.

There are studies that reached the opposite conclusion, i.e. that parliamentary regimes are better suited to accommodate minorities in the region than the presidential regimes. However, the core of their argument is similar: the multi-ethnic states should have political regimes that do not tend to concentrate the power and that give more chances for minorities’ political representation. Sonia Alonso and Ruben Ruiz Dufino’s analysis of ethnic conflict in the new democracies of Eastern Europe and the former Soviet Union argued that “for this region, parliamentary systems allow for effective representation while semi-presidential regimes do not”. This is because parliamentary regimes of the region have relatively strong legislative committees, while semi-presidential regimes tend to have relatively strong presidents and insignificant parliaments, “so representation of minorities in them is insignificant as well” (2007; 242).

There are also studies that connect the ethnic mobilization against the state with political opportunity structure, which is also relevant for the research question of this thesis. Among them, Daniel Treisman’s analysis of ethnic politics in Russia explains the strategies used by the leaders of ethnically defined regions and republics to establish the scope of their regional

authority at the beginning of 1990s vis-à-vis the central power. The author concluded that the more the local leaders owed their seats to the president, the less likely they were to have separatist claims. By contrast, the popularly-elected leaders were more likely to have separatist demands than the leaders appointed by the centre. The presence of local parliaments was also associated with more separatism (Treisman, 1997).

Graham Smith and Andrew Wilson also pointed to the characteristics of national elites while explaining the ethnic mobilization in Ukraine and Estonia. While analyzing the ethnic mobilization in Ukraine at the beginning of 1990s, they mentioned that the political parties in the Russian-speaking region of Donbass emerged when the elites in the capital Kiev experienced deep cleavages and periodic shifts in ruling alignments (1997; 849). In other words, the ethnic leadership in a minority-speaking region consolidated when the central power got fragmented. Another scholar of post-Soviet region – Christoph Zurcher – also concluded that the ethnic conflicts in the Caucasus since the collapse of the Soviet Union were triggered – besides other things – by the internal fragmentation of new nationalist elites (2007; 220).

When the escalation of ethnic conflicts in post-Soviet region is explained through the prism of political opportunity structure approach, the importance of institutional resources is particularly mentioned. For instance, Svante Cornell argued that the institutional resources offered by the autonomous structures played a crucial role in the escalation of ethnic conflicts in the Caucasus, because they empowered the ethnic elites with control of state-like institutions and enhanced factors such as leadership, economic viability, and external support (2002; 275). Taras Kuzio and David Mayer also attributed the mobilization of Russian minorities in the Ukrainian peninsula of Crimea at the beginning of 1990s to the existence of institutional structures typical for territorial autonomies left as a Soviet legacy (1999; 299).

Hence, the research conducted on the region does not give a unanimous or comprehensive answer based on extensive empirical research to the question whether power concentration augments or attenuates ethnic mobilization. Although some authors mentioned the preference for regimes that would less likely lead to concentration of power, there is no research that would have determined empirically the actual effect of power concentration on ethnic mobilization. On the other hand, the scholars who used political opportunity structure approach on the case of post-Soviet region pointed to the augmenting effect of power fragmentation over ethnic mobilization against the state, but typically without specifying the causal mechanisms. This thesis aims at bringing a contribution to the relevant literature, by investigating the causal links and the causal mechanisms between power concentration and minorities' mobilization against the state.

### **Methodological Approach:**

When scholars build causal arguments through large or small-N comparative research, usually the major focus is on the dependent variable. Specifically, researchers seek to answer questions belonging to the category “what causes the outcome Y?” In the scholarly literature on ethnic mobilization and ethnic conflicts, researchers specifically ask “what factors cause or favor ethnic mobilization or the occurrence of inter-ethnic conflict”? This approach implies specific comparative research designs (“most similar-” or “most different” research designs, or statistical analyses based on a large number of cases) with causal arguments that usually are correlational in nature.<sup>6</sup> The contribution of such type of studies consists in proving the superiority of a proposed explanatory model vis-à-vis the already existing explanatory models.

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<sup>6</sup> One of the widespread typology of causality in social science defines “correlational” causal analysis and the analysis of causal mechanisms or processes. The former refers to covariational patterns between a cause and an effect; the latter refers to the connecting pathways between the cause and the effect. For a more elaborate discussion of types of causality, see John Gerring’s article (2005).

As the research question of this project implies, I follow an opposite approach: the main focus is not on the dependent variable, but on the independent one. Namely, I am interested in exploring the question: “what was the effect of the cause X?” In other words, what was the effect of the concentrated power on ethnic mobilization? More specifically, does horizontally concentrated power attenuate or by contrary, encourage the ethnic mobilization against the central power in transition states?

Therefore, this thesis does not have as ultimate goal to prove that its independent variable – i.e. nature of horizontal power – better explains ethnic mobilization than any other variables explored before. In many cases the effects of horizontally concentrated power on ethnic mobilization can be overturned by the effects of other factors influencing ethnic mobilization. Moreover, the numerous academic studies on the topic prove that no factor can singularly explain ethnic mobilization, as there is always a combination of factors and each has its share of impact on the effect. Therefore, the main goal of this thesis is to determine the mechanism through which the concentrated power influences the degree of ethnic mobilization in those cases when it is among the relevant causes.

This project is driven by a research objective that Alexander George and Andrew Bennett called “building block”. This implies that the project is not focused on developing a “covering law” that would combine several relevant factors and would result in a particularly strong explanatory model for a large part of relevant cases. The “building block” objective assumes that the analyzed causal factor fills a space within-, and therefore contribute to- the improvement of a broader theory. The “building block” objective can be achieved in different ways, one of which consists on “explaining the causal role of one particular independent variable across cases” (George & Bennett, 2005; 79). This is precisely the approach that I use in this thesis. Specifically, I assume that concentration of power is a “block” within a set of factors that together may explain a certain level of ethnic mobilization. In other words, I

assume neither necessity, nor sufficiency of my particular independent variable for the occurrence of certain level of ethnic mobilization in all cases at all times.

The research design of this project is built around the analysis of the causal mechanism linking the independent and the dependent variable. Generally, the term of causal mechanism is defined as a set of independent stable factors that under certain conditions link causes to effects (George & Bennett, 2005). The relationship between causes and outcomes that the causal mechanisms identify shall be applicable to other contexts, which should be related to the theoretical domain of the proposed theoretical model (Geddes, 2003). As Carl Gustav Hempel explained, “each link within a causal chain should be supported by a ‘covering law’ that would explain the observation as a generalized and generalizable regularity” (Hempel, 1965; 345-347). Therefore, determining a causal mechanism does not simply imply determining descriptive inferences based on empirical study, but more importantly, it implies determining generic inferences based on theoretical reflection. The Chapters 4, 5, and 6 of this thesis are built according to this logic.

As already mentioned, the comparative element of this project is inspired neither by the “method of difference”, nor by the “method of agreement”.<sup>7</sup> As argued by Stanley Lieberson, the two methods are not compatible with the probabilistic approach in social sciences. The probabilistic approach implies that explanatory factors increase or decrease the likelihood of an outcome, rather than determine it (Lieberson, 1994). Moreover, the literature on ethnic mobilization points to so many possible explanations that it would be difficult to find even a small number of cases that would differ in respect to all – except one – explanatory factors and that would be at the same time similar in the degree of ethnic mobilization. Similarly, it would be difficult to find even a small number of cases that would be similar in respect to all

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<sup>7</sup> The “method of difference” consists on comparing “cases with similar background characteristics and different values on the study variable, [...] looking for other differences between cases”; the “method of agreement” consists on comparing “cases with different characteristics and similar values on the study variable, looking for other similarities between the cases [...]” (Van Evera, 1997; 23).

explanations – except one – and differ in respect to the degree of ethnic mobilization. Finally, when the aim of a research is to establish a specific causal mechanism linking pre-determined sets of causes and effects, the comparative element must be driven by a different logic.

Consequently, the “structured focused comparison” developed by George and Bennett (2005; 67-72) is the most appropriate method of investigation for the purpose of this research. Although it contains the comparison element, the method is primarily based on a set of parallel case studies, but structured in a specific manner: each individual case study is focused on a set of pre-determined and standardized questions, which is aimed at collecting standardized evidence from each of the cases under investigation. The evidence hence collected is then used to answer a pre-established theoretical enquiry. The structured focused comparison is undertaken with a specific objective in mind that is theoretically driven. The theoretical focus of the structured focused comparison has a place in the more general relevant literature. In other words, it can be theoretically justified. While studying individual cases, only specific pre-established aspects of the cases are analyzed and evidence is being collected in support to the specific questions asked across the cases, while the data not connected to the specific questions is left out. This latter characteristic of the structured focused comparison is what differentiates it from the classical case study method (George & Bennett, 2005; 70).

Accordingly, the logic of the structured-focused comparison drives the general research design of my project. While the effects of power concentration in post-Soviet Georgia, Moldova, and Ukraine are independently analyzed, the analysis is driven in individual chapters by standardized questions that are determined through the theoretical framework of the research.

### **Structure of the Thesis:**

The structure of the thesis results from the application of the methodological approaches described above. In the first chapter, I determine the causal mechanisms that connect the horizontally concentrated power with ethnic mobilization, on the basis of theoretical reflection. I focus specifically on three causal paths: first, the one going through governmental policies that define the state-minority relations; second, the one going through the electoral systems; third, the one going through the territorial organization of state power. The second and third chapters have each a theoretical and an empirical goal. The theoretical goal is to define the concept of horizontally concentrated power and respectively that of ethnic mobilization, as well as to determine the most appropriate methods for operationalization. The empirical goal is to determine the periods with concentrated power and respectively the periods with ethnic mobilization in Georgia, Moldova, and Ukraine during the period under investigation. The central aim is to determine the degree in which certain level of power concentration correlated with certain level of ethnic mobilization in the three post-Soviet republics. The fourth, fifth, and sixth chapters focus on the elaboration of each of the three causal paths discussed in the theoretical chapter. Specifically, I explore the empirical validity of each link within the causal chain in the cases of Ukraine, Moldova, and Georgia. The analysis of each case is organized according to the structured-focused comparison.

## **Chapter I: Theoretical Linkages between Power Concentration and Ethnic Minorities' Mobilization**

The main goal of this thesis is to determine whether the process of power concentration intrinsically contains elements that may be favorable for the escalation of ethnic conflicts, i.e. whether it may be conducive to ethnic minorities' mobilization against state authorities. The initial step into this investigation is to determine the theoretical linkages between power concentration and ethnic minorities' mobilization. Therefore, the task of this chapter is to establish the causal mechanism between the two variables. For this, I first present a detailed analysis of the existing theoretical approaches that are relevant to the main research question of this thesis. Second, based on these approaches, I establish the causal mechanism between power concentration and ethnic minorities' mobilization, by developing three distinct causal chains as summarized in Figure I.1.

### **1.1. Main Theoretical Approaches:**

In political science literature there are two concepts that can be associated with the link between central power and ethnic minorities' mobilization against the state. The first is consociationalism and the second is political opportunity structure. These two concepts are at the core of theories that explain the way in which certain formal and informal characteristics of central power affect the ethnic mobilization. For a comprehensive understanding of the way in which these two sets of theories help at connecting power concentration with ethnic minorities' mobilization, I proceed with their detailed analysis.

#### ***1.1.1. Political Opportunity Structure for Social Mobilization:***

The term "political opportunity structure", initially introduced by Peter Eisinger in 1973, refers to the characteristics of political system in general and those of central power in particular that can influence, in a positive or negative way, the process of social mobilization.

In Charles Tilly and Sidney Tarrow's words, political opportunity structure refers to the "features of regimes and institutions that facilitate or inhibit a political actor's collective action and to the changes in those features" (Tilly & Tarrow, 2007; 49). Scholars proposed various lists of political opportunity structure features. Each of these lists contains both formal (institutional) and informal structures of power relations specific to political regimes at a given point in time. Doug McAdam (1996; 27) listed the following dimensions of political opportunity structure as to be the main ones: the relative openness or closure of the institutionalized political system, the stability or instability of existing political alignments, the presence or absence of elite allies, and the state capacity or incapacity for repression. One more dimension that Tarrow specifically analyzed is the degree of division within the political elite (Tarrow, 1994), dimension which is particularly relevant for the purpose of this thesis. The ways in which these dimensions may influence social mobilization are analyzed below.

When there are multiple independent centers of power within a political system, some political elites have the incentive to mobilize mass supporters on their side, in order to compensate for a possibly resource-poor status (Tarrow, 1996), incentives which lack in conditions of concentrated power. This is because a state is "strong" when the power is concentrated in the hands of a unified majority or under a strong leader, and "weak" when that majority is divided or opposition to it grows (Tarrow, 1998; 83). This implies that the more the power is fragmented in "independent centers of power", the more the possibility for social mobilization increases.

The openness of the regime to new actors also facilitates social mobilization, because it facilitates the access of political mobilizers to necessary resources. However, the link between this feature of political opportunity structure and the social mobilization is more complex. In some authors' opinion, it constitutes a curvilinear relation: neither full access to political power, nor its absence encourages the greatest amount of protest (Beissinger, 2002).

Moreover, it is believed that a democratic system with reduced political openness is more likely to induce confrontational social mobilization (mass demonstrations) than a democratic and opened political system in which social mobilization will manifest through conventional means as petitioning (Kitschelt, 1986).

Additionally, when there are unstable alignments at the level of central power, there are signals for new possibilities of coalition emerging, which may encourage political opponents to seek support outside the political class. Also, the existence of influential allies for potential mobilizers within the political elite facilitates social mobilization, because in this case the chances that social mobilizers' demands will be included on political agenda is increased (Tarrow, 1996). Finally, a high capacity of repression decreases the chances for social mobilization because it implies that the central power has the necessary means to raise the costs of organizing and mobilizing opinion (Tilly, 1978).

Therefore, the formal and informal structure of state power decreases the political opportunity for social mobilization in the following circumstances: when there is reduced division within the elite, when the institutionalized political system is relatively closed, when political alignments are relatively stable, and when state's capacity for repression is relatively high. On the contrary, political opportunity structure facilitates social mobilization in the following circumstances: when political elite is fragmented, when political system is relatively opened, when political alignments are unstable, and when state has a low capacity to repress potential mobilization.

The systems with concentrated power manifest characteristics which are specific for a reduced political opportunity structure for social mobilization. First, in horizontally-concentrated power systems political power is controlled by a majority group or a strong leader, therefore there is no multiplicity of power centers. Moreover, when incumbents manage to preserve the power concentrated during more than one consecutive legislative

mandate, political alliances supporting the incumbent power tend to be stable. Also, when there is a perpetuating majority in power, the system becomes relatively closed to potential challengers, because the parliamentary opposition has reduced political leverage for decision-making processes. Finally, in a regime with concentrated central power there is a concentrated control over the means for repression, as the Cabinet ministries that coordinate the state resources for repression tend to be led by presidential appointees or by members of the dominant, majority party. Hence, overall political opportunity structure theory implies that the horizontally concentrated power reduces the probability for social mobilization, while dispersed power increases it.

As a type of social mobilization, the ethnic mobilization is conditioned upon the access to structural, financial, loyalty, and elite resources for making mobilization possible. Therefore, the same logic that links social mobilization with political opportunity structure features is applicable for ethnic mobilization as well. Mark Beissinger used elements of political opportunity structure theory in his explanatory scheme of national mobilization in the collapsing Soviet Union. One of his conclusions about the occurrence of national mobilization in this region and period was that the waves of mobilization were provoked by change within institutions, specifically, by significant divisions within political elites, and shifts within political opportunities that activists and populations faced (Beissinger, 1996).

### ***1.1.2. Consociationalism:***

Originally introduced in the academic community by Lijphart and Gerhard Lehmbruch in 1967 (Steiner, 1981), the term consociationalism designates a democratic form of government in which the institutional arrangements are believed to guarantee group representation. Consociationalism was often suggested as a solution for ensuring governmental stability and for managing communal conflict in plural societies (Lijphart, 1996). The consociational democracy is specifically associated with ethnically “divided

societies” in which the power-sharing principle of government is believed to have the role of stabilizer for inter-ethnic relations. The cases of Netherlands, Belgium, and Switzerland were often quoted as examples of consociationalist regimes (Armingeon, 2002; E. Jones, 2002; Koole & Daalder, 2002), although Belgium did not prove to be an example of persistent political stability (Deschouwer, 2002).

Lijphart specified four main elements that stay at the core of consociational democracy: the existence of grand coalition governments, the practice of mutual veto, the practice of proportionality, and the implementation of segmental autonomy. In an ethnically plural society<sup>8</sup>, each of these four elements is believed to encourage the political participation of ethnic groups. This participation is believed to make it possible for ethnic minorities to block policies unfavorable to them (Lijphart, 1977). The existence of grand coalition governments implies an inclusive cabinet coalition of ethnic representatives, in which the elites cooperate to rule together. The practice of mutual veto implies that there is an “informal understanding that minorities can effectively protect their autonomy by blocking any attempts to eliminate or reduce it” (Lijphart, 1996; 261). The practice of proportionality implies that the representation of ethnic groups within state institutions shall be proportional with the ethnic group’s total population share. In terms of formal practices, this implies the use of the proportional electoral system. Finally, segmental autonomy implies that ethnic groups can enjoy culturally-based community laws, due to federal arrangements and/or cultural autonomy to administer ethnic minorities’ cultural institutions (Lijphart, 1977).

The opposite of consociational democracy is the “majoritarian” democracy, which Lijphart defined as the system in which political power tends to be concentrated within one political party that controls the Cabinet and that is supported by a majority of deputies in the legislature. Also, in a “majoritarian” democracy the one-party majority cabinet dominates

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<sup>8</sup> In the literature on consociationalism, the terms “plural society” and “divided society” are used interchangeably (author’s observation).

over the legislature (Lijphart, 2008; 114-115). Consociationalists suggest that this type of political system is highly inadvisable for plural societies, because majoritarian winner-take-all systems by their very nature block the access of ethnic minorities to the decision-making process, which leads to their alienation and which increases the chance for minorities' protest. Hence, in consociationalists' view political systems with concentrated power create incentives for ethnic minorities' mobilization against central power and/or specific governmental policies. These incentives may result from two implications of "majoritarian" systems. First, as these systems reduce the probability for ethnic political representation, ethnic groups are neither able to react to legislative initiatives and policies that might not be favorable to their interests, nor are they able to effectively advance policy proposals that are in their interest. Second, in such systems the pressure on political elites to favorably respond to minorities' demands is reduced, because the incumbent elites having dominant control over power have reduced incentives to attract new supporters or new allies. Moreover, as in such systems there are few institutional channels to bring ethnic demands on legislative or governmental agenda, the ethnic groups might use confrontational means of expressing demands, as mass demonstrations or even rebellions.

In conclusion, political opportunity structure and consociationalism suggest opposing answers to the research question of this thesis. Political opportunity structure theory implies that the intensity of social mobilization (and by extension - of ethnic mobilization) depends on the informal and formal political environment in which social mobilizers act. As shown above, all political opportunity structure dimensions that are considered unfavorable for social mobilization are at the same time defining components of concentrated power. All in all, the theory suggests that in systems with concentrated power the probability for negative social mobilization is reduced, because the system reduces the access to effective means for mobilization. Consociationalism also implies that the occurrence of ethnic mobilization

depends on the characteristics of formal and informal political environment in which ethnic communities live. But as shown above, consociationalists suggest that ethnic conflicts and protest actions are more likely in political systems based on “majoritarian” logic. Consociationalist theory implies that in systems with concentrated power the probability for the ethnic mobilization is increased because in such systems minorities are more likely to have reasons for getting involved in anti-governmental protest.

## **1.2. Power Concentration and State-Minority Relations**

Both theories of consociationalism and of political opportunity structure suggest that in “majoritarian” democracies there is a high chance for unfavorable policies towards minorities’ interests. According to consociationalists, in the periods with horizontally concentrated power ethnic minorities tend to be less represented in power. Because of the reduced chance for political representation, the likelihood that the central government would implement unfavorable policies towards minorities is increased. According to political opportunity structure, in the periods with horizontally concentrated power ethnic minorities’ opportunities for mobilization against the state are reduced. From here, one can infer that governments do not have incentives to abstain from the implementation of unfavorable policies towards minorities. This section analyses this presumed effect in more details and elaborates a first causal chain and hypothesis linking power concentration with ethnic minorities’ mobilization against the state.

### ***1.2.1. “Multi-Ethnic” States, Ethnically “Plural States”, and Ethnic Mobilization:***

The terms “multi-ethnic state” and ethnically “plural state” conceptually designate different things. Multi-ethnicity refers to the descriptive composition of a state population and can be determined by calculating the probability that two individuals randomly selected in a country will be from different ethnic groups (Fearon, 2003; 208). It is also determined by the

cultural distance between the ethnic groups, measured - for instance - through the differences in the languages they speak (Fearon, 2003). Ethnic “plurality” refers to the degree in which “multi-ethnicity” is politicized and therefore characterizes the societies in which ethnic group identities have a high degree of salience, exceeding the salience of alternative identities, and in which the level of antipathy between ethnic groups are high (Horowitz, 2000; p. 327). The salience of ethnic boundaries in „plural societies” is strengthened - besides other things - by their overlapping with social, economic, and/or political cleavages (Mozaffar & Scarritt, 1999; p. 241).

Because of this difference, it is important to understand which of the two factors – “multi-ethnicity” or “pluralism” – is more prone to lead to inter-ethnic conflicts. There used to be a persistent common view among political practitioners, academics, and journalists that a greater degree of ethnic diversity by itself - without presuming “plurality” - makes a country more prone to ethnic conflict (Fearon & Laitin, 2003). For instance, John Stuart Mill (1991 [1861]) claimed that democracy was incompatible with the structure of multi-ethnic societies because of the high probability of ethno-cultural conflict in them. Similarly, Bingham Powell (1982) argued that the level of political instability and the degree of ethnic fractionalization correlate.

However, more recent studies reveal that there is no independent and direct relationship between the level of multi-ethnicity and ethnic conflict. In James Fearon and David Latin’s research on 127 “civil wars”, the authors found that no matter how economically developed the country is, the correlation between its ethnic diversity and the occurrence of an ethnic conflict remains weak (2003; 82). Also, there are case studies based on process-tracing approach that also demonstrate that the degree of multi-ethnicity by itself is not conducive to negative ethnic mobilization (Reilly, 2000). This may be because multi-ethnicity does not automatically imply politization of the ethnic boundaries, which are necessary conditions for

the ethnic mobilization against the state and for the actual ethnic conflict. On the contrary, in ethnically “plural” societies in which ethnic boundaries are enforced by other non-ethnic identities, the ethnic groups may engage in conflict. From this point of view, a state with a relatively low level of multi-ethnicity, but with highly politicized ethnic boundaries, is more prone to experience ethnic mobilization than a greatly multi-ethnic state.

### ***1.2.2. Consociationalism and “Plural Societies”***

Consociationalist theory argues that majority “winner-take-all” political systems are dangerous for plural societies. Consociationalists believe that the only way to accommodate different segmental interests in a “plural society” and hence, to guarantee political stability is a system based on the principle of proportionality. In order to understand what exactly consociationalists imply by “plural” or “deeply divided” societies, I analyze below the way in which they defined these concepts.

In his first article about consociationalism, Lijphart defined “plural societies” as societies in which communal groups are sharply polarized by overlapping social, economic, and political cleavages (Lijphart, 1969). In a later response to Jurgen Steiner’s critique of the “too vague” distinction between what a “plural” and what a “non-plural” society was (Steiner, 1981), Lijphart elaborated a more detailed set of criteria. He specified the following:

- In a completely plural society it must be possible to identify the segments into which society is divided (Lijphart, 1981). Referring earlier to the “strength of subcultural segmentation”, Steiner specified that its degree depends firstly on the intensity of self-identification of different subcultures (Steiner, 1981).

- In a plural society, it must be always possible to identify the exact size of each segment.

- In a completely plural society, there must be perfect correspondence between segmental boundaries and boundaries between economic, social, and political organizations.

In such a society, cleavages cumulate. Some critiques of consociationalism found a great inconsistency between this defining criterion of “plural society” and one of the “favorable” conditions Lijphart formulated in one of his works - the existence of “cross cutting cleavages” - condition that according to Lijphart facilitates the development of consociational democracy in a “divided society” (Andeweg, 2000).

- Political parties constitute one type of organizations covered by the third criterion. A final test for a “completely plural society” is that there should be little or no change in the voting support of the different parties from election to election. In a perfectly plural society, an election is a segmental census (Lijphart, 1981).<sup>9</sup>

Horowitz – one of the critics of consociationalism – further clarified the concept of plural society. However, he used a different term – the one of “severely divided societies” – when he wrote about consociationalist model and its implications:

“In a severely divided society, ethnicity finds its way into a myriad of issues: development plans, educational controversies, trade union affairs, land policy, business policy, tax policy. Characteristically, issues that would be relegated to the category of routine administration assume a central place in the political agenda of ethnically divided societies.” (Horowitz, 1985; 8).

In “severely divided societies” the saliency of ethnicity is also reflected in the organizational, economic, and political structure. Moreover, in such societies there are ethnically based parties with irreconcilable claims, as well as a tendency of non-ethnic parties to be captured by one or another ethnic constituency (Horowitz, 1985; 8-10).

These definitions reveal that while referring to “plural societies” both consociationalists and their critics had in mind societies with “sub-cultural segmentation”, and not simply linguistic, religious, or cultural diversity. According to the examples that served for an initial

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<sup>9</sup> In a 1981 article, Steiner criticized Lijphart for having had used data that were only relevant for the measurement of cultural diversity, and not for sub-cultural segmentation of “pluralism” (Steiner, 1981). Nevertheless, in later works Lijphart went beyond simple measurements of cultural diversity and also used more complex indicators for the countries’ classification in “plural”, “semi-plural” and “non-plural”, such as organizational differentiation of segments in society, and depth of division between segments (Lijphart, 1999).

empirical illustration of this model, Switzerland and Belgium were considered to be ethnically “plural” societies. The existence of political stability in certain periods of time in the two countries was attributed to the “consociationalist” institutional arrangements, present in Belgium since 1918 and in Switzerland since 1943 (Andeweg, 2000; 514).<sup>10</sup> Therefore, in “plural” societies a certain degree of positive ethnic mobilization is a given feature, existent and institutionalized. The positive ethnic mobilization implies that ethnic groups have at disposal three attributes: loyalty of group members, organizational structures in place, and distinguishable leadership. In such societies the ethnic minorities are loyal to their groups because ethnicity constitutes a strong element of self-identification. In addition, ethnic groups have organizational resources because by definition in “plural” societies the saliency of ethnicity is reflected in the existing political and economic organizations and also, in the political party systems. Furthermore, in “plural” states the ethnic groups have leadership resources due to their organizational structures.

Scholars who studied negative social mobilization (i.e. mobilization targeted against the state) identified the types of resources needed for it. Susan Olzak identified loyalty, financial and organizational resources as the main mobilization resources (Olzak, 2004). Svante Cornell also mentioned leadership as a necessary resource for ethnic mobilization (Cornell, 2002). In an ethnically “plural” society, the already existing positive mobilization implies that ethnic groups do have at their disposal organizational, loyalty, and leadership resources and therefore, are able to mobilize also negatively.

However, Lijphart did not limit his recommendations for proportionality-based political systems to the “plural societies”. In his analyses of government forms and performance in 21 countries (1984) and later in 36 countries (1999) the scholar suggested that regardless of the

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<sup>10</sup> However, scholars do not recognize unanimously the relevance of the cases of Switzerland and Belgium for the “success” of consociationalism. Brian Barry argued that Switzerland was not deeply divided society according to the criteria established by consociationalist scholars. Neither did he agree that the “deeply divided” Belgium was a consociational system, because the parties involved in the consociational arrangement did not represent the Flemish and Walloon segments (Barry, 1975).

level of plurality, “consensual” democracies are still better than the “majoritarian” ones. A democracy is as close to the “consensus” type as its political system contains the following elements: broad coalition cabinets, horizontal separation of powers, multi-party systems, proportional (electoral) representation, corporatist interest group system, bicameralism, federalism and decentralization, entrenched constitution, judicial review, and independent central bank (Lijphart, 1999). Both types of democracies (consociational and consensus) are based on the principle of proportionality and - by extension - are opposed to the “majoritarian” democracy that is based on the principle of majority and is characterized by concentration of power. In Lijphart’s analysis of 36 democracies, consensus democracy is strongly and significantly correlated with the democratic quality and particularly with such democratic virtues as women’s representation, political equality, high participation in elections, and close proximity between government policy and voters’ preferences. For these reasons, he concluded that the consensus option is more attractive than the majoritarian one in countries that are designing their first democratic constitutions (Lijphart, 1999).

Therefore, consociationalists specifically suggest that in countries with “majoritarian” political systems there is an increased risk for ethnic mobilization for protest in the following circumstances: when the ethnic identity is a salient element for self-identification, when the ethnic groups’ boundaries cumulate with other cleavages, and when the ethnic boundaries are transposed into the party system and party competition.

### ***1.2.3. Power Concentration and State-Minority Relations:***

As mentioned in the thesis introduction, contrary to consociationalists and in line with theorists of political opportunity structure, I assume in this research that the manifestation of ethnic identities is fluid. I also assume that this fluidity is particularly typical for state building periods and for transition processes, because it is in these conditions that it is being decided whether the ethnic diversity of state population will be transposed in the state institutional

structure or mirrored in political organizations. Finally, I assume that institutions and policies can transform the saliency of ethnic identity, particularly in transition periods and periods of state building process.

A consequent question is how institutions can transform ethnicity saliency in a multi-ethnic state. Specifically, how the existence of power concentration can transform the saliency of ethnicity in conditions of transition and state building processes? Keeping in mind that horizontally concentrated power is based on a centripetal - rather than centrifugal - logic, one can expect that political incumbents would be interested in attracting the support of as many social categories of voters as possible. This implies that incumbents would be interested in blurring the boundaries between ethnic categories, or in constructing a unifying national identity common for everybody regardless of ethnicity. In practical terms, this would bring governmental policies that would decrease ethnic identity saliency.

The ethnicity-related policies of a state can have two types of implications: they can encourage integration of minorities into a common identity, or they can encourage the preservation of minorities' specific identity. There are many conceptual tools in the academic literature that attempted to capture these differences. The ones proposed by Rogers Brubaker link state-minority relations with the general state-building process: according to him, states can follow a "nationalizing" or a "multi-ethnic" path during the state-building process. In case of the former, the state is built "of and for a particular nation" (Brubaker, 1995), while in case of the latter, the state is built „of and for two or more ethno-cultural core nations" (Brubaker, 1996a, 105).

The conceptual tools elaborated by John McGarry et.al. (2008) spell out further the policy choices that these two paths imply. They set up that states with communal diversity have two sets of public policy choices. The first set forms the "integration" repertoire, according to which the state promotes "equality of individual citizens before the law and

within public institutions”. The second set forms the “accommodation” repertoire, according to which the state promotes “dual or multiple public identities” and institutionalize the existing differences at public level (McGarry et al., 2008, 41).

The incumbents of horizontally concentrated power in multi-ethnic states, while seeking to blur the boundaries between different ethnic groups, will seek to implement policies that specifically are aimed at creating a nationalizing path of state-minority relations. In other words, despite the political discourses they may use during the electoral campaigns, in actual policies the incumbents of horizontally concentrated power will avoid transposing the ethnic differences in institutional patterns. While implementing governmental policies that blur the ethnic boundaries, on a long run political elites will limit the access of potential ethnic mobilizers to loyalty resources, loyalty coming from the ethnic community. From here, the first hypothesis of this thesis results:

***Hypothesis 1:** By discouraging the institutionalization of multi-ethnicity and by encouraging the integration of minorities into a common public identity, power concentration tend to de-politicize the ethnic diversity of the state and hence, hinder the access to loyalty resources for potential minorities’ mobilization against the state.*

### **1.3. Power Concentration and Ethnic Minorities’ Political Representation:**

As discussed in the sections above, consociationalism implies that political power concentration reduces the chances of ethnic minorities to have effective political representation, because of which minorities are more prone to express their interests and demands outside state institutions and through confrontational means. In the subsections below, I analyze in more details this effect of power concentration over ethnic minorities’ representation.

### *1.3.1. The Perpetuation of Power Concentration:*

The basic assumption in this chapter is that incumbent politicians seek to perpetuate and even increase their political influence by seeking to stay in power.<sup>11</sup> There are various methods that political incumbents may use in order to concentrate/ or preserve the power concentrated. When presidents have considerable legislative and decree powers and when the formation of a pro-presidential parliamentary majority imposes high costs, concentration of power can be achieved by fragmenting the parliament, in order to prevent the formation of an influential opposition. As shown in Chapter 2, among the cases studied in this thesis, in Ukraine during Kuchma's presidency the horizontal power was concentrated due to a highly fragmented parliament.

Concentration of power can be also achieved through the formation of a stable pro-presidential parliamentary majority that would support all legislation initiated by the president. In Georgia during Shevardnadze's and Saakashvili's presidencies, as well as in Moldova during Voronin's presidency, political power was concentrated through the formation of pro-presidential parliamentary majorities. Thomas Remington (2006) noted that even when presidents can rule through decrees and hence disregard the parliament, for legitimacy reasons they prefer being backed by a parliamentary majority whenever this is possible.

Pro-presidential parliamentary majorities can be formed in different ways. Remington specified that in order to get a parliamentary majority, a president may reward deputies for their support by supplying them with material benefits such as money, with electoral benefits such as inclusion in the top of a pro-presidential party list, or with policy benefits such as

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<sup>11</sup> The counter-argument to this assumption is that political leaders' ultimate goal may not be necessarily to stay in power. They could rather give priority to ideological preferences or to long-term interests such as political stability, than to self-interested preservation of own political positions (Taagepera, 2002; 250). However, in post-Soviet transition countries the interest for preserving incumbency was often enhanced by various factors, such as the ambiguity about how democratic institutions would evolve in time, the tight link between the economic and political elite, as well as the usually corrupt character of power. These factors might have given a feeling of more security to politicians in power than to those in opposition.

appropriation of budget funds for a pet project. But these strategies do not guarantee continuous loyalty, therefore the formation of a disciplined pro-presidential party or coalition is more desirable (2006; 12).

When such a party or coalition exists, incumbents can also use their privileged access to political resources in the periods of electoral campaigns (financial and media resources) in order to increase the visibility of a pro-presidential electoral competitor. In addition, leaders can push for the organization of concurrent elections, i.e. holding presidential and parliamentary elections at the same time. Matthew Shuggart proved through a large-N analysis that concurrent elections diminish the likelihood of opposition majority formation in the parliament and that the midterm elections increase this likelihood (Shugart, 1995)<sup>12</sup>.

A more complex strategy to increase power concentration is to use the available institutional mechanisms in an advantageous way for the potential pro-presidential parliamentary majority. One of the institutional mechanisms that are relatively easy to mold is the electoral system, or the set of specific electoral rules. Scholars have extensively analyzed how electoral systems influence the structure of the legislative branch, implicitly, how they can contribute to the concentration of horizontal power. Electoral systems have been also characterized as the most powerful instrument available for constitutional engineering, with far reaching consequences for party systems and composition of parliaments (Sartori, 1994).

Electoral systems are particularly important for this thesis because they can also shape ethnic minorities' political representation. Consociationalist theory suggests that political representation constitutes the key solution for increasing the likelihood of inter-ethnic stability. If the choice of the electoral system is determined - besides other things - by

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<sup>12</sup> In the countries studied in this thesis, the organization of concurrent elections have been always followed by periods with horizontally concentrated power. In Georgia, concurrent elections have been held in 1995, 2004, and 2008. The 1995 elections greatly contributed to the concentration of power under Shevardnadze's presidency, while the 2004 and 2008 elections similarly contributed to the consolidation in power of President Saakashvili. In Ukraine, the 1994 concurrent elections also marked President Kuchma's consolidation in power, although for different reasons than in Georgia: the 1994 Ukrainian parliamentary elections resulted in a highly fragmented parliament with an equally fragmented opposition. In Moldova, no concurrent elections have ever been held.

political leaders' motivation to increase the degree in power concentration and at the same time, specific electoral systems can influence minorities' political representation, then electoral systems constitute an intervening variable for the causal chain linking power concentration with minorities' mobilization against the state (Figure I.1).

### ***1.3.2. The Origins of Electoral Systems Change:***

The academic literature on electoral systems points to a variety of possible factors that may determine specific electoral rules. It similarly points to a variety of actors who may trigger changes in the electoral system. In addition, the literature on post-Soviet region points to the determinants of electoral system choice specific for post-Soviet states in transition. The purpose of this section is to determine whether any of the factors or actors considered as having a role in shaping the electoral systems may be theoretically linked with the nature of horizontal political power.

The electoral systems may be generally determined by the history of a country. Jon Elster, Claus Offe, and Ulrich Preuss noted that when a country returns to a democratic system after a period of autocracy, implementing the system that existed during the democratic past may be justified by the symbolic power it implies (Elster *et al.*, 1998). Societal characteristics have also been identified among the possible determinants: Stein Rokkan argued that the earliest moves towards proportional representation (PR) in Western Europe occurred in the most ethnically heterogeneous societies (Rokkan, 1970). Political actors may also shape the electoral systems for economic reasons: majoritarian systems might be preferred when class is the only economic division, while PR might be preferred when investments are activity specific and geographically dispersed (Cusack *et al.*, 2007). The shape of electoral systems may be also determined by external factors: countries may adopt electoral rules as advised by international political and financial organizations; also, former colonies may adopt the electoral systems of the former colonial rulers (Golder & Wantchekon, 2004). Political actors

may choose a certain electoral system for social concerns such as fair representation or governability (Dunleavy & Margetts, 1995). Electoral systems can be also changed with the aim to encourage conciliation between rival societal groups (Lijphart, 1994a).

Besides the factors listed above, the scholars extensively explored the role of political actors' office-seeking interests while determining the shape of an electoral system. Many studies on the subject suggest that political party leaders and executive elites may be interested in molding the electoral rules in a way to maximize their own political standing. In case of parties, leaders prefer the electoral rules that they believe will maximize their party seat share relative to those of other parties (Benoit, 2007; Boix, 1999; Colomer, 2004; Ishiyama, 1997). However, electoral rules may be changed for office-seeking purposes only when the configuration of power makes the change possible: as such changes usually require majority or super-majority vote in the legislature, when the involved political groups are ill-defined or have heterogeneous interests, electoral system change may be held back (Benoit, 2007; 19). Therefore, the power configuration – or degree of horizontal power concentration - may also determine whether political actors will manage to mold the electoral system for instrumental purposes.

There are some theoretical inputs in the literature that point to the link between the nature of political power and the electoral system change. In a 1999 investigation of electoral systems change during the XXth Century in the developed countries of the world, Carles Boix argued that while being in a strong political position without facing competition from other consolidating parties, the ruling parties were always interested in preserving the electoral systems with a high entry threshold. This was because the high entry thresholds helped them to preserve a dominant position. In contrast, when the popularity of the ruling parties was weakened in favor of the new entrants on political arena, the ruling party leaders initiated changes in the electoral systems by diminishing the entry threshold, in order to secure their

presence in power (Boix, 1999; 609). Josep Colomer also argued that political configurations with dominant parties tend to produce choices in favor of rather restrictive or exclusionary electoral systems, while pluralistic settings with multiple parties tend to produce systems with more inclusive electoral formulas (2004; 3). While analyzing actual electoral system change, Colomer observed that exclusionary electoral systems have been in reality adopted where previously existing political configurations were dominated by few parties. At the same time, multi-party systems already existed before the introduction of more inclusive electoral rules, therefore the latter rather confirmed than increased the existence of multi-party configuration (2005; 17-18).

While referring to the post-socialist electoral system choice, Ishiyama also argued that political parties' motivation to maximize seats determined the electoral rules. "Parties expecting a plurality or near-plurality of popular vote [...] will tend to favor electoral laws that magnify that into an even larger plurality of seats in the legislature". This would include, besides other things, "electoral formulae that tend to reward larger parties (such as d'Hondt rather than a Hare quota formula), provisions for bonus seats, higher electoral thresholds, and perhaps categoric rather than ordinal ballots". At the same time, smaller parties will prefer "laws that promote greater proportionality in representation". The author further attributed this explanation to the electoral system choice in Hungary, Estonia, and Bulgaria at the beginning of 1990s (1997; 103-107).

From the theories and observations listed above, one can infer that when the electoral system is changed in conditions of horizontal power concentration, the resulting electoral rules will most probably imply more disproportionality than in conditions of dispersed power. This is because when power is concentrated, political leaders have both the incentives and the necessary means to implement an electoral system that would consolidate their position in power and diminish the risks for the opposition's power consolidation. The following section

explores what were the electoral systems implied the greatest degree of disproportionality in the post-Soviet transition countries.

### ***1.3.3. Electoral Systems and their Level of Disproportionality:***

The degree of electoral systems' disproportionality is determined by the difference between parties' percentage votes in elections and their percentage of seats in the parliament. An electoral system is perfectly proportional when this difference equals to zero. When the percentage of seats is smaller than the percentage of votes, the difference is negative and it designates the percentage of "wasted votes".<sup>13</sup> On the contrary, when the percentage of seats is greater than the percentage of votes, the difference is positive and it designates the percentage of extra-seats that mainstream parties gained from the redistribution of the wasted votes.

In the academic literature, the increased ratio of wasted votes was often attributed to the majority electoral systems. This view started with Maurice Duverger's famous hypothesis that the single-member plurality elections tend to constrain the number of parties in a polity at a much greater extent than the multi-member proportional electoral systems. Duverger argued that the plurality electoral formulas have the mechanical effect to exaggerate the share of votes for the leading parties at the expense of the minor ones (1965; 226). Lijphart also stated that plurality systems tend to exaggerate the power of the strongest parties, whereas PR produces a distribution of seats proportional to the votes received (Lijphart, 1994a). It is therefore generally expected that under majority electoral system there is more chance for the formation of a single-party government than under PR (Blais & Carty, 1987).

Besides the mechanical effect of disproportionality, Duverger and other scholars revealed the psychological effects of electoral systems. They determined that in majority systems voters tend to refrain from giving their votes to smaller parties for fear of "wasting"

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<sup>13</sup> The total amount of wasted votes that an electoral system produces is calculated by summing up all the negative differences.

the votes and instead, choose the “less evil” of the two leading parties (Lijphart, 1999; 165; Norris, 1997; 299). Similarly, elites refrain from forming new parties because they know it is difficult for small parties to win seats (Blais & Carty, 1991). Conversely, PR systems are believed to encourage the formation of multi-party systems, because votes are not wasted to the same extent. Instead, small parties are awarded seats according to their proportion of votes (Blais & Massicotte, 1996).

However, several studies challenged this common view on electoral systems’ effects. Their authors state that Duverger’s hypothesis does not apply in socio-political conditions different from the ones characteristic for Western Europe. Various case studies and comparative analyses revealed that in the post-communist region the majoritarian electoral systems did not have as effect the decrease in the number of parties (Birch, 2000; Jasiewicz, 1992; Moser, 1997; Sedelius, 2001). Sarah Birch, for instance, empirically proved that in Eastern Europe it was the single member districts and the single-member component of mixed systems that led to the parliamentary representation of the largest number of parties. Conversely, the proportional systems with high thresholds greatly increased the level of disproportionality and hence led to the decrease in the number of parties in the parliaments of several post-communist countries (Birch, 2000; 22).

There are several reasons for this effect. Scholars observed that in conditions of transition to democracy parties are weakly institutionalized. This implies that voters and elites have no previous democratic electoral experience, no accurate pooling information, no continuity between elections, and in fact no established party identification. This prevents them from applying the strategic behavior typical for Western European countries with majority electoral systems (Cox, 1997; 79; Moser, 1999). Moreover, when the major parties do not have their dominance established yet in all regions of the country, they have a high chance of losing the electoral competition to the regional parties. Pippa Norris explained that

a majoritarian electoral system produce two-party systems only when parties are already developed, and have national organizational and electoral coverage (Norris, 1999).

On the contrary, small parties in transition countries and independent candidates even benefit from the majority electoral rules. When majority systems are introduced before the consolidation of political parties, they can encourage the formation of regional parties, especially in countries with territorially concentrated groups of voters with specific ideological, racial, or ethnic characteristics (Birch, 2000). It can similarly favor the success of independent candidates (Moser, 1995). Conversely, the application of proportional systems with relatively high thresholds decreases the number of parties winning elections, because party leaders lack the experience of the punishing effect of high thresholds and therefore, do not perceive the building of pre-electoral coalitions as optimal strategy (Sedelius, 2001; 14).<sup>14</sup>

At the same time, the electoral systems that favor nation-wide parties and among them - the pro-presidential party, may also favor the presidential opposition in the parliament. Even with this risk, as Remington argued, presidents prefer to use PR systems with high thresholds and hence diminish the number of parliamentary parties than to use majority systems that in transition countries are expected to increase the number of parliamentary parties. This is because for presidents it is more costly to make concessions to all kind of local interests (i.e. to MPs elected through majority system) for gaining support, than to deal directly with the leadership of a party or parties that have the potential to form a majority (Remington, 2006; 25) and become president's allies. This tendency can be observed when there is potential for the formation of parliamentary majority loyal to the president. When such potential is weak, presidents use other strategies, as illustrated through the analysis of the case of Ukraine in Chapter 5.

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<sup>14</sup> The degree in which different electoral systems produced disproportional outcomes in post-Soviet Georgia, Moldova, and Ukraine is thoroughly analyzed in Chapter 5. Generally, in post-Soviet Georgia the proportional electoral rules produced up to 44% of wasted votes; in Moldova – up to 28%, and in Ukraine - up to 34%. This confirms that proportional electoral systems combined with a high threshold can be effective in strengthening the position of big and nation-wide parties, at the expense of the small ones.

#### ***1.3.4. Electoral Systems and Ethnic Minorities' Political Representation:***

The effect of electoral systems on political representation of minorities has been highly debated in the literature. The dominant view is that in divided societies the electoral system should facilitate the entry into the parliament of small, ethnic and/or regional parties, in order to increase political representation of minority groups (Lijphart, 1994a; 13; Zimmerman, 1994). An increased scope of minorities' political representation in the parliaments of post-communist states has been associated with the moderation of ethnic demands, especially when combined with the existence of a single party representing the ethnic minorities and with a weak nationalism of the mainstream ethnic groups (Ishiyama & Breuning, 1998; 173-179).

However, not all scholars agree that the best solution to accommodate minorities is encouraging the formation and parliamentary representation of small regional or ethnic parties. In his 1985 book on ethnic groups in conflict, Horowitz argued that "by appealing to electorates in ethnic terms, by making ethnic demands on government, and by bolstering the influence of ethnically chauvinist elements within each group, parties that begin by merely mirroring ethnic divisions help to deepen and extend them" (Horowitz, 1985).

The scholars in the first category argue that the PR formulas are better than the majority formulas in increasing the chance for minorities' representation (Bird, 2003; Taagepera, 1994; 237). Among the frequently stated reasons is that PR systems, in contrast with the majoritarian ones, facilitate the entry of smaller parties in parliament and among them, of the ethnic minority parties. However, as discussed in the sections above, this expectation is not confirmed in the transition countries. In the specific circumstances of post-communist transition countries the PR systems with high threshold should not be expected to facilitate the political representation of ethnic minorities.

In the academic literature, political systems are categorized into “centripetal” and “centrifugal” types, which is relevant for this discussion. Centripetal systems are defined as the ones “designed to focus competition at the moderate centre rather than at the extremes by making politicians do more than just shop for votes in their own community”. In the centripetal systems the electoral rules are designed in such a way that politicians have electoral incentives “to reach out to and attract votes from ethnic groups other than their own, thus encouraging candidates to moderate their political rhetoric on potentially divisive issues and forcing them to broaden their policy positions.” Also, the centripetal systems are characterized by “the development of *centrist, aggregative, and multiethnic political parties* or coalitions of parties that are capable of making cross-ethnic appeals and presenting a complex and diverse range of policy options to the electorate” (Reilly, 2002; 159). On the contrary, politics becomes centrifugal when “competition for votes takes place at the extremes rather than the centre” and when as result, political process becomes “increasingly polarized” and “the strategic incentives for office-seeking politicians often push them in the direction of encouraging ethnic hostilities and perceptions of group insecurity” (Reilly, 2001; 10).

The electoral system is one of the elements of political systems that may induce centripetalism or centrifugalism. In centripetal systems the electoral rules “encourage cooperation and accommodation between rival groups, and therefore work to break down the salience of ethnicity rather than foster its representation in parliament” (Reilly, 2001; 21). The electoral system having this effect are considered by some scholars as being the “most powerful” for the divided societies because it promotes bargaining and accommodation across the group lines (Horowitz, 2002).

Regarding the precise electoral formula that induces centripetalism, scholars consider that the alternative vote<sup>15</sup> has the highest potential for encouraging cross-ethnic bargaining

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<sup>15</sup> The Alternative Vote system is the one in which electors rank the candidates in the order of preference. First preferences are initially counted. In case they form a majority, the counting is stopped. If there is no majority

and coalitions (Reilly & Reynolds, 1999; 19). In the political circumstances typical for post-Soviet states in transition, the PR with high threshold has a similar effect: due to the fact that the formation and existence of small and one-issue parties are discouraged by the high thresholds, the leaders of ethnic minorities are encouraged to seek cross-ethnic and cross-regional alliances for increasing the chances to win in elections. For similar reasons, the leaders of nation-wide parties may also seek to attract the votes of ethnic minorities and hence form cross-ethnic alliances.

According to Olzak, among other things ethnic minorities need organizational structures in order to get mobilized. According to Dieter Rucht's classification of mobilizing agents, party organizations can be a particularly useful organizational resource for ethnic mobilization, case in which there will be a "party-oriented" type of ethnic movement structure (Rucht, 1996). With this type of movement structure, ethnic minorities can mobilize through their own ethnic parties or - in case of concentrated minorities - by regional political parties. This type of ethnic mobilization is possible only when such parties are legally allowed, and when their formation and consolidation is encouraged by the existing electoral rules. The analysis above suggests that in conditions of concentrated power the formation of such parties is discouraged.

Therefore, when a political force captures presidency and has a solid support in the parliament, it will promote an electoral system with high threshold for access to parliament that favors the preservation of incumbents' power. While not necessarily designed against the interests of ethnic minorities, such a system leads to their weaker representation through own political parties. At the same time, the incentives to secure majorities in parliament that power concentration induces may encourage incumbents to use strategies of co-optation of minority leaders. The combination between the two effects – weakening the ethnic parties and co-

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after the first preference count, the candidate with smallest number of first preferences is eliminated and second preferences in his/her ballots are counted and transfer to the other contestants. The counting continues until an absolute majority is achieved (Blais & Massicotte, 1996; 56).

opting minority leaders into mainstream parties – may have also a discouraging effect on minorities’ mobilization against the state, because the access to organizational and leadership resources for mobilization would be reduced. From here, the second hypothesis of this research results:

***Hypothesis 2:** By inducing disproportional elements into the electoral systems, power concentration compromises the success of ethnic parties and encourages minorities’ co-optation into mainstream parties, and as a result decreases the likelihood for ethnic minorities’ mobilization against the state.*

#### **1.4. Power Concentration and Territorial Organization of State Power:**

Consociationalists argue that multi-ethnic states with territorially concentrated ethnic minorities should be structured in a way to guarantee to minorities the possibility of self-administration. In practical terms, this means a high degree of decentralization in a federal system, or in a unitary system with autonomy arrangements (Lijphart, 2004; 105), in which local leaders would have extensive control over the local affairs. As explained in the sections below, concentration of power tend to discourage decentralization, which is in contradiction with what consociationalists suggest as optimal territorial arrangements for multi-ethnic states. This section analyses whether by virtue of discouraging decentralization, power concentration alienate ethnic minorities and hence encourages their mobilization against the state. Decentralization is generally viewed as the “shift of authority towards local governments and away from central governments, with total government authority over society and economy imagined as fixed” (Rodden, 2004; 482). By contrary, recentralization is defined as “a series of changes designed to reverse prior reforms that expanded subnational autonomy and thereby limited the prerogatives of the national government” (Eaton & Dickovick, 2004; 94).

#### ***1.4.1. Linking Horizontal Concentration with Vertical Concentration of Power:***

The literature on territorial organization of state power has focused extensively on the social-economic and political consequences of decentralization. At the same time, the macro- and micro-determinants of decentralization have been investigated at a much lesser extent (Arzaghi & Henderson, 2005). Nevertheless, the few studies that explore decentralization as a dependent variable suggest that there seems to be certain empirical regularities concerning forces that promote or hinder decentralization.

Some studies suggest that decentralization increases particularly with the level of democracy, economic growth, urbanization, country size, population size, and ethnic fractionalization (Arzaghi & Henderson, 2005; Panizza, 1999). While there seems to be strong evidence in support of these determinants, they can only explain decentralization on a long term, and not the variation in the degree of decentralization within a shorter period of time. Other authors suggested that fiscal crisis may lead to decentralization, when central governments perceive it as a cheap way to shrink their responsibility for providing public goods by devolving it to sub-national governments (Bresser-Pereira, 1993; Seely, 2001). The “pressure from below” also seems to play a role: “popular movements demanding greater local autonomy [...] could so destabilize a government that the cost of giving up some of its centralized power [...] could be outweighed by the benefit of keeping the peace” (O'Neill, 2004; 40).

Finally, the influence of external factors may matter as well. The international pressure may lead to increased decentralization, particularly when this pressure comes from international lenders (Seely, 2001; 502; Woodward, 2002; 18). The diffusion effect can also play a role, especially in transition countries where local elites attempt to find an institutional model to replace the old structures. Decentralization reforms have been implemented in post-Socialist European countries at the beginning of 1990s following the institutional models of

the neighbors on the West. The new members of EU may have inspired the candidates for the EU membership for their decentralizing institutional choices (Grabbe, 2001; 1014).

Some researchers of decentralization in Latin America and Africa argue that the political determinants have the strongest explanatory power for decentralization in the context of the respective regions (Eaton, 2001; Montero, 2004; Seely, 2001). These scholars claim that the arguments focused on political institutions and electoral-partisan dynamics “offer the best avenue for progress in the cross-national research on decentralization” (Montero, 2004; 28). As discussed below, this approach of decentralization analysis is the most relevant to the research question of this thesis.

The political explanations of decentralization depart from the question why incumbents of central government would ever be interested in giving up their power to the local-level politicians. Assuming that any politician would prefer more power to less, the choice of giving up power may appear as a paradox. The literature on political determinants of decentralization reveals some possible circumstances in which decentralization is viewed by incumbent central politicians as optimal solution to maximize power. As these circumstances are linked to the nature of horizontal power, it results that the latter can be associated with the degree of decentralization to be expected.

According to some studies on territorial organization of state power in Bolivia and Venezuela, decentralization can be attractive to those holding central power when they believe that they would lose their dominant positions in upcoming national elections, but would still manage to gain substantial electoral support in certain regions of the country. When the control over national power cannot be taken for granted, politicians seek to secure control over the local power. In such cases, their interest in increasing the power of local governments becomes evident (O'Neill, 2004; 43). When a political party in power faces a

legitimacy and popularity crisis, sub-national offices may become more attractive (Penfold-Becerra, 2004).

Other studies reveal that the pressure to increase decentralization may also come from an influential opposition party in central government, as a means to reduce the political influence of a dominant party and hence avoid concentration of power. This pressure may be successful when such a party manages to accumulate enough parliamentary support for adopting a decentralizing reform. This was the case in Argentina, when the Peronist Party was in opposition and supported revenue decentralization (Eaton, 2001).

Finally, other studies link the central government's incentives to decentralize power with the internal organization of the governing political parties. Specifically, when the leadership of these parties is organized at sub-national level and the national legislators act as "delegates" to represent sub-national interests, decentralization is encouraged. Similarly, when political parties in power have a decentralized internal organization, the pressure on central government coming from party local factions is increased and therefore the likelihood for a more decentralized country is higher (Willis & Haggard, 1999). In contrast, fragmented governments have small capacity to implement such major reforms as centralization. Also, they have weak incentives to implement such reforms because this would bring extra-authority to the central level of government, accompanied by the need to divide it among rival factions.

Hence, the literature quoted above suggests that decentralization may be initiated by the central government in three cases: when incumbents feel that they risk losing upcoming national elections, but still have substantial electoral support at local level; when a strong opposition manages to pass decentralizing legislation in order to prevent the concentration of power by its adversaries; when parties in power are internally decentralized, and/or when their leadership is concentrated at regional level. I argue that none of these three situations are

likely in conditions of horizontally concentrated power. The first case would be possible in a period with de-concentration of power, when the incumbents perceive as more advantageous to secure political power at local level than to preserve it at the central level. When incumbents face a high enough risk of losing upcoming national elections to consider local-level offices instead, this is a sign of decay for the horizontally concentrated power. The second case would not be possible in conditions of concentrated power by definition: in conditions of concentrated power, the opposition does not have a strong enough position to pass legislation that would weaken incumbents' power. Finally, decentralized governing parties are not likely to lead to power concentration in the first place. In order to reach the state of concentrated power the presidents need to rely on their parties' internal discipline, because if the governing (pro-presidential) parties are not disciplined the presidents would not have guaranteed majority parliamentary support for the initiatives of the executive branch. However, party internal discipline is hard to guarantee with decentralized parties.

Instead, incumbents of regimes with concentrated power would seek to preserve/ and increase control over the regional politics. There is some empirical evidence in the literature that horizontal power concentration goes hand in hand with territorial centralization. Lucas Gonzales' empirical analysis revealed that in Latin America powerful presidents tended to increase fiscal and administrative centralization. The author argued that if presidents are politically powerful in terms of both institutional capabilities and partisan powers, they will be more likely to centralize resources and administrative functions, as this would be in line with their assumed desire to increase the power that they already have (Gonzalez, 2008). Also, Kent Eaton's study on Argentina illustrates an example of a party which supported fiscal decentralization while in opposition, but which re-centralized it while in control over both executive and legislative branches (Eaton, 2001; 106-112). Similarly, the empirical data in Carsten Schneider's study of Latin American and European democracies confirm that

countries with horizontally concentrated power rarely have vertically dispersed power at the same time.<sup>16</sup> Schneider's data show that only in three out of 32 countries political power was vertically dispersed and horizontally concentrated simultaneously (2009; 85). In Lijphart's 1991 study of the degree of consociationalism in 21 democracies, almost none of the federal countries were characterized by the dominance of the executive branch (1991; 117), which is also in line with the argument presented here.

As the empirical data presented in Chapter 6 demonstrate, in post-Soviet Georgia, Moldova, and Ukraine the level of centralization tended to be higher in the periods with concentrated power than in the periods with dispersed power. The degree in which elites could control the regions in these three countries is relevant for the study of ethnic mobilization because these countries have territorially-concentrated ethnic minorities (see Annex 2).

#### ***1.4.2. Linking Vertical Power Concentration with Ethnic Minorities' Mobilization:***

The previous section suggests that regimes with horizontally concentrated power tend to prefer centralization to decentralization, because the former allows more control over regional politics and implicitly over electoral resources than the latter, which makes political incumbents' perpetuation in power more likely. If centralization is associated with horizontal concentration of power, it is necessary to determine its potential influence on ethnic minorities' mobilization. This section attempts to determine the type of state territorial organization that is most likely to encourage territorially concentrated minorities to mobilize against the state.

Scholars who study ethnically diverse societies often state that increased decentralization reduces ethnic conflict. The reason for this is intrinsic to the main implication of decentralization: as governments are brought closer to the people, the opportunities for

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<sup>16</sup> According to the author's definition, the vertical dimension refers to the degree of power dispersion between national and sub-national units, while the horizontal one refers to the power dispersion at the national level of political system. (C. Q. Schneider, 2009)

territorially concentrated ethnic minorities to participate in government and hence to have more control over their own political, social, and economic affairs, are increased (Gurr, 2000; Lijphart, 1977, 1996; Lustick *et al.*, 2004; Stepan, 1999). Through decentralization, minorities can better protect their various interests at regional level, which will prevent them from mobilizing for protest. According to this logic, centralized systems in states with territorially concentrated minorities have the opposite effect, because centralization reduces minorities' opportunities to participate in government (Lijphart, 1977).

There are also scholars who consider that ethnic minorities can coexist in post-war situation only if they are demographically separated in self-governing communities. Eric Kaufman argues that "restoring civil politics in multi-ethnic states shuttered by war is impossible because the war itself destroys the possibilities for ethnic cooperation". This is why, the only effective and stable resolutions to ethnic wars are possible "only when the opposing groups are demographically separated into defensible enclaves" (Kaufmann, 1996; 137).

David Lake and Donald Rothchild also argued that decentralization may be a valuable tool for inter-ethnic conflict resolution because "it can serve as a costly signal of moderation by the political majority and, when offered, can help allay minority fears about its likely treatment in the future." However, the scholars specified that "it is not decentralization itself that mitigates conflict, [...], but the *offer of decentralization* that reveals information about the moderate intentions of the majority" (2005; 2).

On the other hand, there are scholars who argue that political decentralization does not reduce ethnic conflict, but rather intensifies it. Generally they invoke two arguments: first, that political decentralization reinforces regionally-based ethnic identities; second, that political decentralization supplies elites at regional level with resources necessary for organizing ethnic mobilization, ethnic conflict, and possibly secession.

In a study of Indian federalism during the second half of XXth Century, Robert Hardgrave stated that “India has been remarkably successful in accommodating cultural diversity and managing ethnic conflict through democratic institutions” (1993; 55). At the same time, the author argued that “the creation of linguistic states [in India] has reinforced regionalism and stimulated demands for even more increased state autonomy” because it permitted people “more effective access to government – with the drawback that their use of this access may all too often reflect the parochialism of language and region”. He attributed to this effect the split of several initially bigger states into bifurcated smaller entities in the 1950s and 1960s (1993; 59).

Jack Snyder, who studied ethnic conflicts in post-communist region, linked the ethnic conflicts in former Yugoslavia with the “radically decentralized ethno-federal structure of the Yugoslav state”. He argued that “although communist Yugoslavia had always had an ethno-federal state, the decentralizing reforms in the 1960s and 1970s sharply increased the power of ethnic republics. This is believed to have been one of the causes for the ethnic conflicts at the beginning of 90s” (Snyder, 2000; 209).

In his study of Caucasian ethnic conflicts, Svante Cornell stated that political decentralization may induce, rather than reduce, ethnic mobilization. His argument refers particularly to territorial autonomies as form of decentralization. He wrote that ethnic territorial autonomies can promote ethnic mobilization because in autonomous structures there are institutional and financial resources needed for it. Moreover, autonomies may alienate ethnic groups and isolate minorities from participation in the large sphere of the state (Cornell, 2002).

Based on a statistical analysis of thirty democracies between 1985 and 2000, Dawn Brancati argued that “decentralization increases ethnic conflict and secessionism indirectly by encouraging the growth of regional parties.” This effect occurs because regional parties may

reinforce ethnic and regional identities, “producing legislation that favors certain groups over others, and mobilizing groups to engage in ethnic conflict and secession” (Brancati, 2006; 651).

Paul Hutchcroft also claimed that decentralization may be dangerous in conditions of transition to democracy, because it increases the access of potentially-paternalistic “local bosses” to the local resources of coercion. “Where local bosses wield substantial coercive power, devolution may end up promoting forces hostile to democracy, while certain measures of centralization [...] may actually promote democracy” (2001; 42). In a similar way in which “local bosses” may resist democratic reforms, they can also use the local resources of coercion for mobilizing the local population to assert certain demands to the central government.

Referring particularly to decentralization as solution for inter-ethnic conflicts, Lake and Rothchild explained why it cannot be a viable solution on a long run:

“Peace consolidates majority power and, over time, this group [...] uses its political strength to centralize state authority and resources into its own hands. Alternatively, the political minority group, fearing the consequences of centralization, may continue to push for full independence, and the possibility for ongoing or renewed violence persists.” (2005; 110)

There are also scholars who in spite of having a general pro-decentralization and anti-majoritarian standing did acknowledge that decentralization may entail certain risks of increasing potential tendencies for secession in the ethnically plural societies. Will Kymlicka and Frank Cohen are among them. Kymlicka argued that decentralization may strengthen regional identities, referring particularly to federalism and to potential tendencies for secession:

“The very success of federalism in accommodating self-government may simply encourage national minorities to seek secession. The more the federalism succeeds in meeting the desire for self-government, the more it recognizes and affirms the sense of national identity amongst the minority group, and strengthens their political confidence. Where national minorities become politically mobilized

in this way, secession becomes more likely, even with the best designed federal institutions.” (Kymlicka, 1998; 139)

Moreover, the author viewed in ethnically driven federalism a possible threat to citizens’ loyalty towards the state:

“Multi-national federalism divides the “people” into several “peoples”, each with its own historical rights, territories and powers of self-government, and each therefore with its own political community. They may view their own political community as primary and the value and the authority of the larger federation as derivative”. (Kymlicka, 1998; 140)

In one of his empirical article, Cohen argued that federalism as a “majoritarian ethnic conflict management” solution “encourages discontented ethnic groups to engage in more frequent but moderate forms of resistance to the status quo”, but at the same time it “discourages their engagement in the less frequent but much more severe resistance to the status quo.” The author concluded that “institutionally reinforcing ethnic divisions is a risky ethnic conflict management strategy” (1997; 624, 628).

Hence, the academic literature suggests that decentralization may decrease the likelihood of minorities’ mobilization against the state by reducing the possible reasons to protest. At the same time, it also suggests that centralization may decrease the likelihood of minorities’ mobilization by diminishing the access of minority groups to mobilizing resources, notably to institutional and financial resources and also, to intra-group support and loyalty. In other words, in decentralized systems minorities are unlikely to have reasons to protest, while in centralized systems they are unlikely to have the necessary means for it.

On the other hand, the presence or absence of means may shape the reasons. When the access to necessary means for mobilization are combined with a local leadership willing to further increase the control over local resources of power, these means may be used to “remind” to the local population about their specific regional or ethnic identities and about the implicit rights unsatisfied by the central government. As Hardgrave (quoted above) suggested,

decentralization strengthen the territorial ethnic boundaries and this may stimulate demands for more decentralization and autonomy and consequently, lead to the advancement of further demands.

Hence, centralized systems do not only imply diminished access to means for mobilization, but also diminished possibility to politicize ethnicity at local level, politicization which would be inherent to mobilization. In post-conflict situations when minorities have already a strong intra-group organization and strong self-identification, ethnic groups may preserve their demands even when the access to mobilization resources is reduced. Still, territorially concentrated minorities who were not recently in conflict with the central power may find it difficult to express demands without the necessary means for mobilization.

#### ***1.4.3. Developing the Causal Chain:***

As argued above, when horizontal power is concentrated, the control of the central power over local authorities – implicitly over local authorities in minorities’ regions – is likely to be increased. As the centre increases its control over the regions, local leaders are more likely to owe their jobs to the central elites. Also, their access to financial resources is more likely to be controlled by the central power. The two main elements of ethnic mobilization against central government are the organizational structures and the protest actions. In order to mobilize ethnic minorities against the state, mobilizers need mobilization resources, namely loyalty, financial, and organizational resources, as well as identifiable and coherent leadership. For territorially concentrated minorities, the access to these resources is determined, besides other things, by certain dimensions of territorial organization of state power.

First, the territorial organization of state power may impose a limited access to local financial resources for the potential ethnic mobilizers. When the budgets of regional tiers of government are significantly dependent on the financial transfers and redistribution of taxes

by the central government, central authorities have important means to eventually “punish” non-loyal local leaders with reduced transfers. Such “punishments” can be practiced particularly in transition periods, in which the budgetary system is not well institutionalized so that to contain formalized quotas of annual financial transfers from the central to the regional budgets, or explicit criteria for the calculation of these quotas.

Because the loyalty of the regions’ population towards local leaders depends, besides other things, on the success of their administrative performance, and because this performance is determined by the amount of financial resources at local leaders’ disposal, the motivation of local leaders to discourage local ethnic mobilization against the central government and through this, demonstrate their loyalty to the central power, is increased. This stimulus is particularly effective when there are directly elected local leaders: their interest in attracting the loyalty of the region’s population can be motivated by subsequent local elections.

The weakening effect of an eventually increased level of fiscal centralization over the ethnic mobilization can be augmented by the existence of a central authority with concentrated power. This is because in conditions of concentrated power the political opposition has little influence on deciding how state budget resources are to be distributed to particular regions. When a strong president who leads over the government has control over the parliament through a loyal-to-the-president majority parliamentary faction, the regional leaders have weak incentives to ally with the opposition at central level in order to lobby for more financial resources. This is because in such systems the opposition has no lobby potential on financial resources redistribution. In situations with horizontally fragmented power the regional leaders would have such incentives.

Second, the territorial organization of state power may impose limited access to leadership resources for local ethnic mobilizers, through an eventual control over the local executive appointments and through a weak electoral decentralization (i.e. reduced local

elections). In a 1997 article about secessionism in post-Soviet Russia, Daniel Treisman hypothesized that the likelihood for ethnic mobilization against the state depends on the extent to which local leaders owe their jobs to the president. When the most important local administrative functions depend on the central authorities, local leaders have strong incentive to gain or preserve the loyalty towards the central leadership (Treisman, 1997). Eventually, any change in the loyalty of central power's appointees may be followed by a circulation of local administrative appointees. Moreover, when the central authorities have control over the local administrative leadership, they may grant important administrative portfolios to potential ethnic mobilizers and hence, "decapitate" territorially concentrated ethnic groups of their leadership resources. In conditions of concentrated power, this "decapitation" is particularly efficient, because the appointment of local administrative cadres is controlled by the incumbents of the concentrated power.

Central authorities' control over regional processes of ethnic mobilization was much practiced in Soviet Union. Philip Roeder explained in his analysis of Soviet federalism that in Soviet Union cooptation of local indigenous elites to power at local level was frequently used to keep inter-ethnic peace in place. These local leaders were put in front of the choice between supporting/ or even allowing local ethnic mobilization against the Centre and losing their authoritative position with all related advantages (Roeder, 1991). A similar central control over local processes of ethnic mobilization can also occur in democratizing states with reduced electoral and appointment decentralization. Hence, the third thesis hypothesis results accordingly.

***Hypothesis 3:*** *By increasing the control over fiscal and leadership resources at regional level, the incumbents of horizontally concentrated power can decrease the likelihood for ethnic minorities' mobilization against the state.*

#### ***1.4.4. Decentralization and Democracy:***

If concentration of power diminishes the likelihood for minorities' mobilization against the state due to decreased decentralization, does it necessarily mean that the mechanism intrinsic to this cause-effect relation is undemocratic? In the academic literature, there is a common tendency to associate decentralization with democracy and centralization with authoritarianism. As democratization is believed to bring governments and decision-making process closer to the people, to encourage popular participation in public life, and to strengthen the accountability of politicians, decentralization is believed to encourage democratization.

However, the research on the subject remains inconclusive (De Vries, 2000). While some theorists argue that decentralization and democracy are causally connected, others do not see such a link. The main argument of the latter is that decentralization may foster citizens' participation and empowerment, as well as politicians' accountability towards citizens, but only under certain conditions that shall not be taken for granted. For decentralization to foster citizens' participation, the local leadership shall be committed to encourage it. Moreover, some mechanism of accountability shall be already in place before the introduction of decentralization reforms, upon which the latter would continue to build (Crook & Manor, 1998; Kulipossa, 2004).

When local politics is elite-based, dominated by special interests and closed to meaningful participation, decentralization may result in the consolidation in power of "local bosses" and can also be "instrumental in the development of newly decentralized, predatory networks of patronage" (Hadiz, 2004; 699). These local networks of patronage may not necessarily be interested in encouraging popular participation and strengthen accountability. Instead, they may seek to increase their coercive and socio-economic power within the provinces, to which decentralization may contribute. This was the case with decentralization

in Russia in the 1990s, where the amount of autonomy gained by the federal republics at the beginning of transition did not lead to the consolidation of democracy, but to the consolidation of “an ethnically exclusive autocratic system” at local level, in which local incumbents created barriers to any opponent seeking to enter the political scene (Hale, 1998; Stoner-Weiss, 1998) Finally, decentralization may be a choice of autocratic regimes as well, in situations when authority is devolved to authoritarian enclaves at local level, and therefore, is not necessarily inherent to democratic regimes (Hutchcroft, 2001; 41).

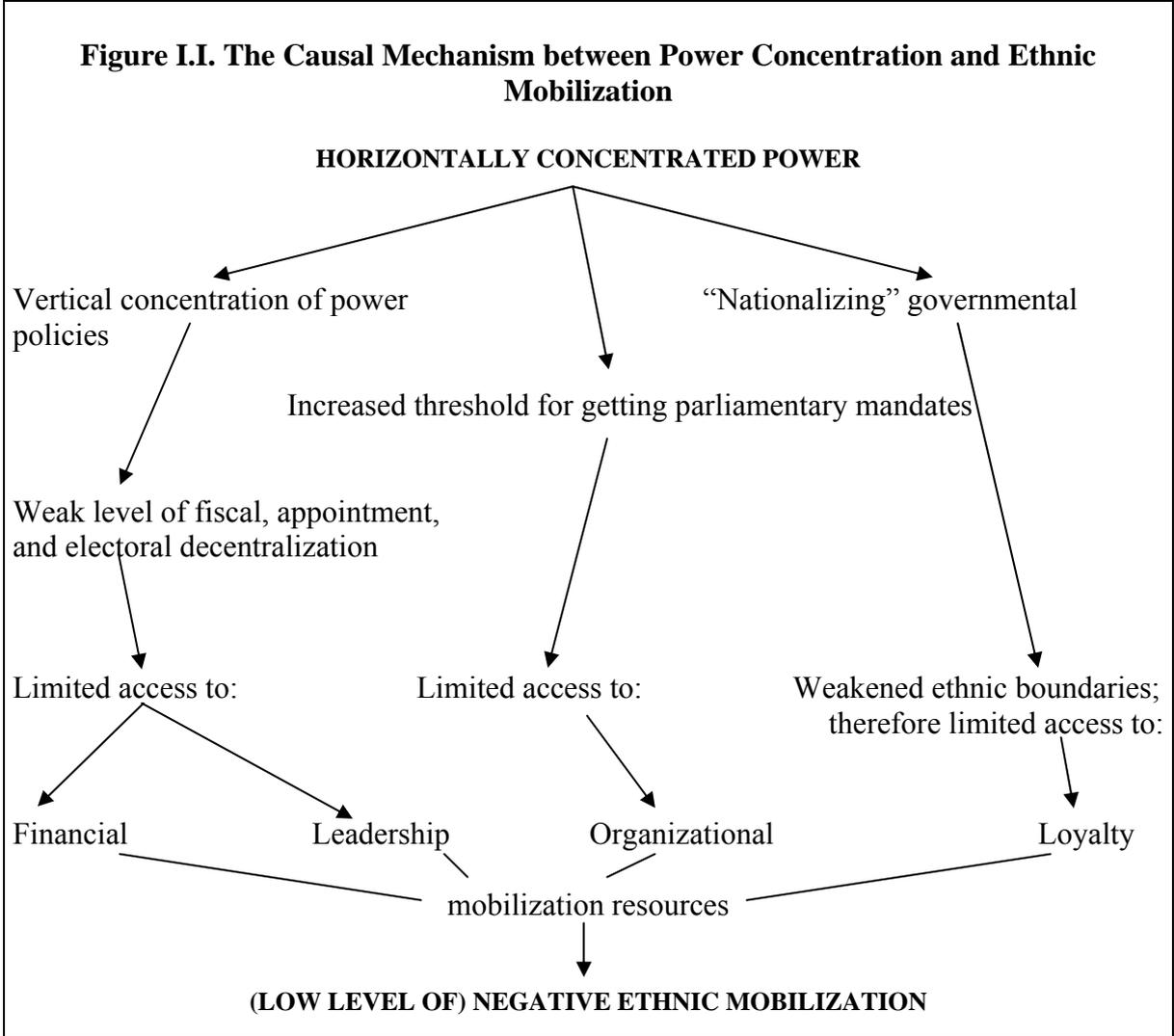
On the other hand, centralization is not necessarily intrinsic to authoritarian regimes. In certain circumstances, democratic/ or democratizing states may implement elements of centralization in order to strengthen the national unity, to establish uniform laws and institutions, to correct inequalities between regions, and also to control the distribution of scarce resources between the regions (Illner, 1998; 26; Kulipossa, 2004; 770). These goals are particularly important in periods of transition characterized by political and economic intense transformations and by a general atmosphere of societal fragmentation. Also, certain centralizing measures may at times be an effective force of democratization, particularly when democratization reforms are sabotaged by local authoritarian leaders (Hutchcroft, 2001; 33, 42). Countries such as Great Britain and France have experienced periods with centralizing tendencies: in the former the central power strengthened its intervention in regions’ financial affairs during the 1980s (Hutchcroft, 2001; 40), while in the latter – the degree of centralization until 1981 made the country to be considered a quasi-ideal case of centralized state (Thoenig, 2005; 685). These centralizing tendencies did not compromise democracy in these countries.

Therefore, whether centralization leads to authoritarianism is a question of how much of centralization and in how many spheres one refers to. Nevertheless, a causal relationship

between centralization/decentralization and authoritarianism/ democracy should not be taken for granted, but demonstrated if the case.

**Final Remarks:**

The scheme in Figure I.1 summarizes the causal mechanism between power concentration and ethnic mobilization discussed in the sections above. It reveals three paths through which in countries with power concentration the access to resources for the ethnic mobilization may be reduced.



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The scheme represents in a graphical way the three hypothesis of this thesis: first, that in regimes with power concentration the state-minority relations are built in line with a

nationalizing state which on a long run de-politicize ethnicity; second, that power concentration favors disproportional electoral systems which reduces the access to leadership and organizational resources that ethnic minorities need for mobilization; third, that power concentration also favors centralization which reduces the access to leadership and financial resources that are also needed for mobilization. The three hypotheses overall suggest that power concentration decreases the likelihood for ethnic mobilization against state authorities. The following Chapters elaborate and test empirically these hypotheses on the cases of post-Soviet Georgia, Moldova, and Ukraine.

## **Chapter II**

## **: Defining and Measuring Power Concentration**

The power configuration implied by what Lijphart called “majoritarian winner-take-all system”, which in this thesis is called “concentrated power”, is the one characterized by the existence of a mono-party executive branch, by the dominance of the executive branch over the parliament, and by the concentration of the legislative power within one majority party (Lijphart, 1984). In George Tsebelis’ terms, power concentration is determined by the existence of few, congruent, and cohesive veto players, as compared to the diffusion of power characterized by the existence of many incongruent and non-cohesive veto players on the political arena (Tsebelis, 1995). Hence, in regimes with horizontally concentrated power the decision making process is concentrated in the hands of few political actors that are linked by shared policy positions, institutional ties, and loyalty.

### **2.1. The Forms of Government and the Power Concentration:**

In the academic literature, the concentration of power has been often associated with the parliamentary form of government, as the dichotomy presidentialism/parliamentarism had at its core the separation vs. fusion of powers (Cheibub & Limongi, 2002; 1). Parliamentarism was generally defined as the system of “mutual dependence”, in which the executive power must be supported by a legislative majority and can fall if it receives a vote of no confidence, and in which the executive has the capacity to dissolve the legislature. In contrast, presidentialism was defined as the system of „mutual independence”, in which the legislative and executive powers have their own fixed electoral mandates that constitute their own source of legitimacy” (Stepan & Skach, 1994; 120).

Most post-Soviet countries have been categorized as “semi-presidential”, i.e. regimes in which there are both a popularly elected fixed-term president and a prime-minister and cabinet responsible to the legislature (Elgie, 2007; Elgie & Moestrup, 2008; 4). Some of the

post-Soviet republics (Russia, Belarus, Kazakhstan, Armenia, and Azerbaijan) have been further categorized as “super-presidential”, due to the particularly strong powers of their presidents. The post-Soviet republics analyzed in this thesis have been also labeled as “president-parliamentary” regimes during the 1990s, because their presidents had relatively strong executive powers, but relatively weak arbiter authorities (Beliaev, 2006; 385).

However, the association between presidentialism/parliamentarism dichotomy and separation/fusion of powers is often confusing and therefore, criticized. Lijphart, for instance, argued in a 1994 article that presidentialism has greater tendency to make democracy majoritarian (and implicitly, concentrationist) than parliamentarism, which contradicts the general association of presidentialism with separation of powers. He argued that presidentialism tends to concentrate the executive power in one party or in one person, to encourage two party systems and to impose unidimensionality in political competition (Lijphart, 1994b).

On the other hand, Thomas Poguntke and Paul Webb illustrated the processes through which in Western democracies with long tradition of parliamentarism, the power can get concentrated in a way that is typical for the presidential regimes. The authors determined that due to the gradual personalization of electoral processes, dominance of prime ministers within cabinets, and increasing independence of cabinet vis-à-vis parties in parliament, one can observe in some parliamentary systems a personalized type of political leadership and separation of executive and legislative branches, characteristics believed to be typical for presidentialism (Poguntke & Webb, 2005; 9-11).

Various scholars and among them Bert Rockman (1997), George Tsebelis (1995), and Jose Cheibub with Fernando Limongi (2002) explained that both parliamentary and presidential systems conceal a great deal of variation in the extent to which they concentrate or disperse power. Cheibub and Limongi argued that despite the formal “separation of

powers” in the presidential regimes, the legislative powers that the presidents may have makes this separation “not as complete as [it] is considered to be” (Cheibub & Limongi, 2002; 6). Similarly, Rockman argued that the coalition government in a parliamentary regime diffuses power in multiple veto points, hence modifying its “fusion of powers” characteristics (Rockman, 1997). Even Lijphart pointed to both elements of “consensus” and “majoritarian” models of democracy in presidential systems, attributing to the former the independence of legislative and executive branches and to the latter, the concentration of the executive power in the hands of one person (Lijphart, 1984; 67). Therefore, it is not enough to attribute a certain form of government to a case in order to determine its degree of horizontal power concentration. Additional indicators are needed.

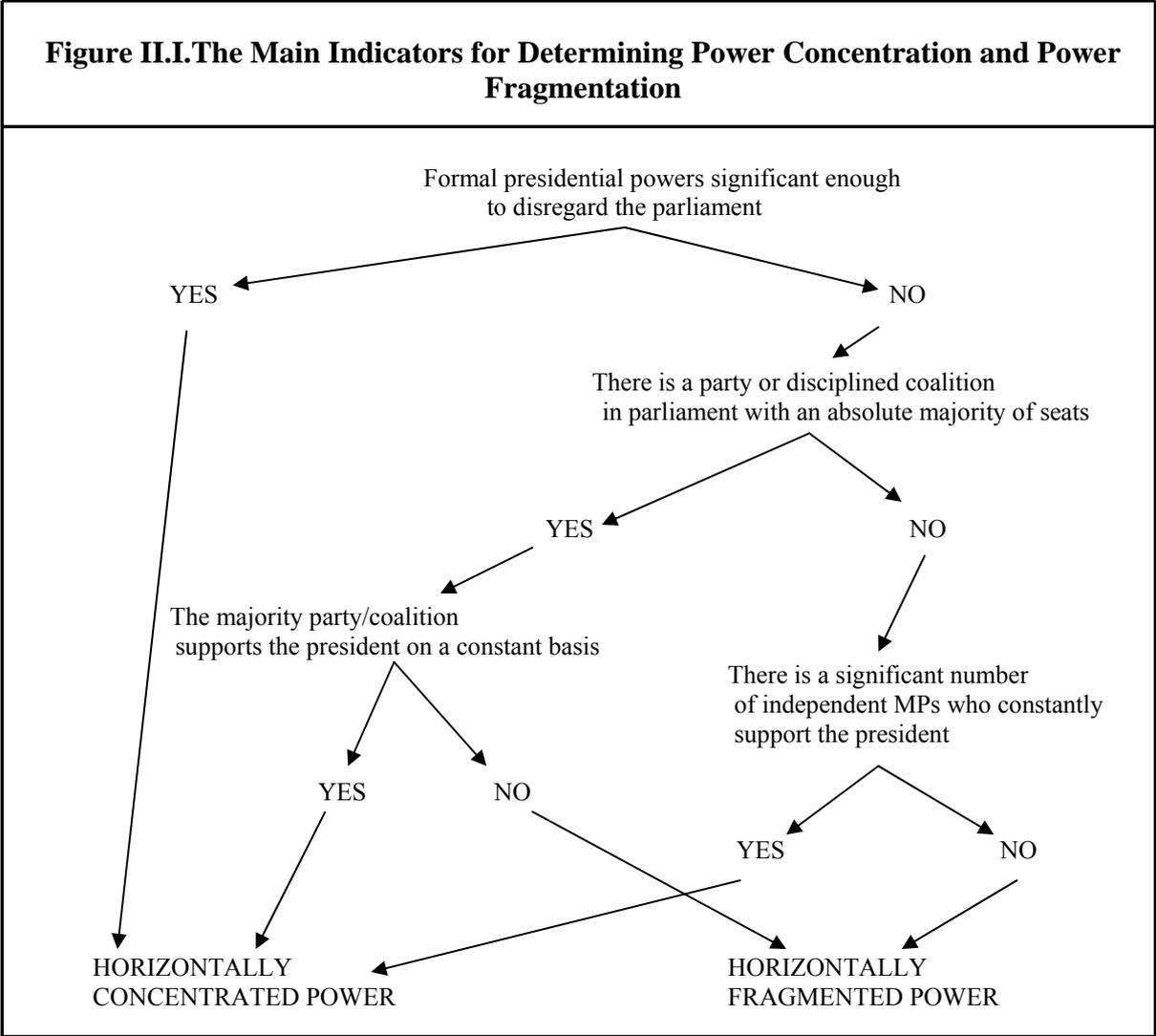
## **2.2. Power Concentration - Operationalization and Measurement:**

The main indicators for measuring the degree of horizontal power concentration have been suggested by Andres Malamud, who defined two types of presidencies, based on the degree of presidents’ parliamentary support. He defined “concentrationist presidencies” as the type in which there is an absolute majority in parliament persistently supporting a pro-presidential government, and “separationist presidencies” as the type in which the head of state lacks a persistent support in parliament (Malamud, 2001; 10). From this classification, it results that for measuring the degree of power concentration it is important to determine whether there was a pro-presidential, persistent, and absolute majority in parliament, and whether that majority was characterized by internal discipline.

To the above it can be added that the weaker the formal powers of presidents, the more presidents need a stable parliamentary majority support in order to arrive to a situation of concentrated power. This is because the stronger the formal presidential powers, the less the parliament can block presidential decisions. Presidents with particularly strong formal powers

can use the situation of a highly fragmented parliament with undisciplined parties in their advantage, as long as their potential opposition in parliament is highly fragmented.

Figure II.1 combines the main indicators for determining the periods with power concentration and the periods with power fragmentation into a set of research steps. The indicators included in the Figure are the formal presidential powers as set up in the existing legislation and formal procedures, the structure of parliament, and the nature of parliamentary support for the president. The sequence of these steps is used in the sub-sections below for determining the periods with power concentration in post-Soviet Georgia, Moldova, and Ukraine.



In order to determine the formal presidential powers, I use the measurement scheme elaborated by Matthew Shugart and John Carey in 1993, which contains seven indicators for measuring legislative presidential powers and four indicators for measuring appointment powers (Annex 3). As the initial scheme was not designed for Eastern European context, I use a modified version of it proposed by Timothy Frye, who adapted it to Central and Eastern Europe (Frye, 1999). Among all the existing sets of indicators that were elaborated to measure presidential powers (Bunce, 1997; Frye, 1997; Mainwaring & Shugart, 1997), Shugart and Carey's scheme fits best to the purposes of determining whether horizontal power is concentrated or fragmented. This is because their scheme is designed in such a way that presidential powers are measured in comparison with the formal powers of the legislative branch. A greater score for presidential powers obtained through this measurement scheme implies a smaller score for the power of the legislature.

As Shugart and Carey's scheme has this particular advantage, it is possible to determine the degree in which a president needs parliamentary support for his initiatives for power to get concentrated: the greater the presidential power, the less the president needs the support of a parliamentary majority. One can establish a threshold above which presidential power is so significant that the parliament becomes of little relevance for the decision-making process. In practice, such a political regime has a president with extensive right to introduce legislation, with significant veto power, budgetary powers, power to organize referenda, and call for judicial review of laws. In such regime the president has also few restrictions in forming and dissolving the Cabinet and in dissolving the parliament, while the parliament has little power to censure the Cabinet or individual ministers. In such a regime, political power is horizontally concentrated regardless of the degree in which a possible parliamentary majority supports the president.

However, if the presidential institution is not granted with such significant formal power, the president needs support from a parliamentary majority in order to pass his/her legislative initiatives and have his/her candidates for the Cabinet seats approved. The level of parliamentary fragmentation is also a determinant factor, because it reveals whether there is a disciplined majority party or coalition that would be a potential supporter of the president and that would have enough seats for passing laws without negotiations with other parliamentary parties or coalitions. While analyzing the structure of the parliament, it is also important to determine the numerical strength of the opposition, especially in the cases in which there is no absolute majority parliamentary party. This is because when there is no absolute majority, a possibly strong opposition may enter into alliance with other parliamentary factions and hence, counter-balance the position of the parliamentary party with numerical relative majority.

The academic literature offers a variety of formalized measurements for the level of parliamentary fragmentation through mathematical formulas. One of the first formulas of the kind was developed by Douglas Rae (1967), whose “fractionalization index” was based on systematical weighting of parties that won seats after elections. Later in 1979 Laakso and Taagepera proposed the more intuitive formula of “effective number of parties” that was frequently used by scholars who needed to measure parliamentary fragmentation (Kline, 2008). After that, Coulier and Dumont elaborated the “effective number of relevant parties” index to also capture the coalition potential of parliamentary parties in the counting (Dumont & Caulier, 2006). The issue with these formulas is that they are based on the assumption that parliamentary parties are disciplined when it comes to voting. As Dumont and Coulier stated themselves, the use of these formulas is possible only when party members vote as unitary actors (2006; 9-10). But the realities of post-Soviet countries during the period of transition have been different: as parties and party systems have been in process of formation, not all

parliamentary parties were disciplined enough for its members to vote unanimously. During the 1990s party members could also change their party affiliation during the parliamentary mandate. This is why the use of a formalized method for determining the level of parliamentary fragmentation cannot be used in the cases analyzed in this thesis. Instead, I rely on the qualitative description of parliaments in the secondary sources and also on the information provided in interviews with former MPs.

The party discipline generally refers to the degree in which members of one party vote unanimously in the parliament. Tsebelis gave a slightly different understanding of it: he established that “party discipline refers to the ability of a party to control the votes of its members inside parliament” (Tsebelis, 1995; 311). Such control is possible only if voting in parliament is conducted openly, because it makes possible for the party elite to monitor party members’ behavior and eventually, punish specific defectors. Therefore, by using the information from interviews with former parliamentary deputies I also check for the actual internal discipline of majority parliamentary parties.

A next step in determining whether political power is concentrated or fragmented is to establish the degree in which an existing majority in parliament supports the president. If the majority has a relatively disciplined voting behavior and supports presidential initiatives on a constant basis, political power is concentrated. If the support has an ad-hoc character, political power is dispersed. I determine the degree in which the president found support in a parliamentary majority in various stages of the time framework considered in this research, through the analysis of local press materials, interviews with former parliamentary deputies, and through the study of available secondary sources.

In some particular cases, the parliamentary party/coalition supporting the president may not have an absolute majority of mandates to secure a persistent parliamentary support for presidential initiatives. In this case, the parliamentary support for the president can be

completed due to the support from independent candidates. Timothy Frye argued that the presence of a considerable number of independent MPs is a favorable condition for the increase of presidential power. A big number of independent MPs is usually a sign of high level of parliamentary fragmentation, in which there is no unified force to defend the powers of the parliament. Also, presidents may find it easier to attract independent MPs by offering private benefits than attracting groups of MPs by offering collective benefits (Frye, 2002; 93). Therefore, for each case in which there is no absolute majority party to support the president, one needs to determine the number and legislative behavior of independent MPs.

To summarize, a political regime in a given moment of time is characterized by power concentration if the president has enough formal legislative and appointment powers to disregard the parliament, OR if the president has constant support of a parliamentary party/coalition that controls over a majority of parliamentary seats. Otherwise, the political regime is characterized by power fragmentation.

### **2.3. Power Concentration in Post-Soviet Georgia:**

In order to determine specific presidential powers in Georgia, I analyzed all relevant legal acts and norms of Georgia since Independence that regulated the division of formal powers between executive and legislative branches (Annex 4). Formal presidential powers in Georgia obtained Constitutional legitimacy only with the adoption of the Georgian Constitution in 1995. Between 1991 and 1995, all formal rules regulating the role of the head of state had provisional character. The measurement results presented in Table II.1 reveal that except for the period between 1992 and 1995, the presidents in Georgia always had strong formal powers. Because the presidents had always the right to nominate candidates for Cabinet formation and the parliament could only react through accepting or rejecting them, the Cabinets were always pro-presidential.

<b>Table II.1. Fluctuations in Formal Presidential Powers in Georgia (2001-2008)<sup>17</sup></b>					
Parliamentary mandates		1991-1992	1992-1995	1995-2004	2004-2008
<b>legislative powers (max=4)</b>					
1	Package veto	3	2	3	3
2	Partial veto	3	2	3	3
3	Decree	2	1	2	2
4	Exclusive introduction of legislation	0	1	2	3
5	Budgetary powers	0	0	3	3
6	Proposal of referenda	4	0	3	3
7	Judicial review <sup>18</sup>	n/a	n/a	1	1
<b>non-legislative powers (max=4)</b>					
1	Cabinet formation	3	2	3	2
2	Cabinet dismissal	3	0	4	3
3	Censure	1	0	4	2
4	Dissolution of the assembly	4	0	0	3
<b>Total</b>		<b>23</b>	<b>8</b>	<b>28</b>	<b>29</b>
<b>Maximum possible</b>		40	40	44	44

However, the formal rules established several means through which the parliament could block presidential initiatives. First, the Georgian presidents have never had formally unlimited powers to appoint Cabinet members, as in all periods presidents needed at least the consent of the parliament for the Cabinet formation. Second, they have never had the right of non-over-rideable veto. Third, they have never had unlimited powers to issue decrees or to introduce legislation, except for the two cases in which states of emergency were declared. The first case occurred between 1993 and 1994 when a state of emergency was declared for four months, during which there were no parliamentary sessions and therefore the parliament could not amend presidential legislative and appointment decisions (Wheatley, 2005; 83-89). The second case occurred in November 2007<sup>19</sup>. Hence, the degree of parliamentary support for incumbent presidents for the whole transition period is also relevant.

As mentioned before, in order to determine how much a president can rely on parliamentary support, an analysis of the structure of parliament is firstly needed, i.e. the degree of parliamentary numerical fragmentation, in order to reveal the existence of any

<sup>17</sup> Source: Table compiled by the author, on the basis of the legislative provisions listed in Annex 4.

<sup>18</sup> The Constitutional Court of Georgia that is responsible for the judicial review functions since 1996.

<sup>19</sup> Georgia under State of Emergency, in *BBC News*, 8 November 2007.

Online: <http://news.bbc.co.uk/2/hi/europe/7083911.stm>, accessed on 19 January, 2009.

potential parliamentary majority that could support the president. The level of parliamentary numerical fragmentation in various periods of transition in Georgia is presented in Table II.2.

Election year	First winning party/bloc	Seats %	Strongest opposition	Seats %	Independents %
1990	Round Table-Free Georgia	62	Communist Party	26	4
1992	Peace Coalition	16	October 11 Coalition	8	27
1995	Citizens' Union of Georgia	46	National Democratic Party	15	13
1999	Citizens' Union of Georgia	56	Revival of Georgia	25	7
2004	National Movement Democrats	65	Coalition "Rightist Opposition"	10	9
2008	United National Movement – for Victorious Georgia	80	Coalition "The Joint Opposition"	11	0

The data in the table above reveal that since the declaration of independence in 1991 Georgia had ten years with one-dominant-party parliament, four years with a slightly fragmented parliament, and three years with a highly fragmented parliament, with no constant majority to adopt organic and ordinary laws. The data also reveal that since the last parliamentary elections in 2008 Georgia had one-dominant-party parliament, with sufficient power to adopt solely constitutional changes and extra-ordinary laws.

The data also reveal a relatively small numerical strength of the opposition, as well as a significant proportion of independents in most of parliamentary mandates. The presence of relatively powerful parliamentary party, together with a relatively weak opposition to it and the presence of a significant number of independents are signs of a significant potential for power concentration. This potential can manifest only if the greatest parliamentary party is disciplined and if its members constantly support the president.

The data I collected through interviews with Georgian former MPs (Annex 7) reveal that generally the internal discipline of majority parliamentary parties was high enough for the party leaders to count on party members' voting behavior. Nevertheless, there were two cases of particularly low internal discipline of the formal majority in the parliament: during the

<sup>20</sup> Source: Table compiled by the author on the basis of data provided by the Central Elections Commission of Georgia, at the author's request in October 2008.

1990-1992 and during the 1999-2003 mandates. In the former case, the majority group “Round Table–Free Georgia” split in several factions soon after the 1990 parliamentary elections. By the beginning of 1992, there was not a single parliamentary faction that could secure a stable majority.<sup>21</sup> In the latter case, the majority party officially split in September 2001. Between 2001 and 2003, there was no majority and no stable pattern of voting behavior, the alliances being created on an ad-hoc basis.<sup>22</sup>

The 1995-1999 parliamentary mandate requires additional explanations. The data in Table II.2 reveal that the winning party did not win an absolute majority of parliamentary seats after the 1995 elections. However, a closer analysis of the parliament in this period demonstrates that in reality the winning party managed to secure an absolute majority soon after the elections. This majority was firstly obtained due to the fact that most of the independent MPs allied with the winning party during the whole 1995-1999 legislature. The parliamentary faction in which they formally joined after elections constantly supported “Citizens’ Union” with their vote, and hence guaranteed a stable parliamentary majority able to easily pass ordinary and organic laws.<sup>23</sup>

An ultimate determinant for power concentration consists in establishing the degree in which the parliamentary formal or informal majority (when the case) supported the incumbent president. The existence of a parliamentary majority, when combined with relatively powerful presidencies, can lead both to high degrees of power concentration and of power fragmentation, depending on the actual relation between the two forces.

The first Georgian president Zviad Gamsakhurdia was officially president between April 1991, when the institution of presidency was created, and December 1991, when he was removed from power through a coup d’état. Although the “Round Table-Free Georgia”

<sup>21</sup> The author’s interviews in Tbilisi (October, 2008) with Zura Sanikidze (MP during 1990-1992); Koba Kikabidze (MP during 1992-1995).

<sup>22</sup> The author’s interviews in Tbilisi (October, 2008) with Demur Giorkelidze (MP during 1999-2003).

<sup>23</sup> The author’s interview in Budapest (April, 2009) with Koba Kikhabidze, senior specialist within the 1995-1999 Georgia Parliament for the parliamentary committee “Local Government and Regional Politics”.

movement that he chaired secured an absolute majority of mandates in the 1990 legislative elections, many of his supporters within the movement gradually abandoned him, including the prime-minister and the chief of the National Guard, whom he himself appointed in their functions (Wheatley, 2005; 53-56). Moreover, there was an alternative legislative branch formed in 1990 – the “National Congress” – that was opposing the president and that was supported by a nationalist paramilitary group named “Mkhedrioni”, formed as a response to the creation of separatist paramilitary groups in Ossetia and Abkhazia regions (Wheatley, 2005; 53-56).

Between 1992 and 1995, there was no official institution of presidency in Georgia. There was a head of state – Eduard Shevardnadze – who had extremely weak power base by 1992, with limited formal power and no persistent majority in parliament to support him. Shevardnadze started to concentrate power only by the end of 1993, when he managed to bring the Ministry of Internal Affairs under his control and to institute a four-month state of emergency (Nodia, 1998). During the state of emergency period, he appointed in the Cabinet his former-KGB loyalists, whose candidacies at that moment could not be rejected by the parliament because there were no parliamentary sessions held (Wheatley, 2005; 88). After the state of emergency, Shevardnadze managed to establish a supporting majority in parliament and to form the party called “Citizens’ Union” that had as main goal to support Shevardnadze’s initiatives (Nodia, 1998). Hence, by the beginning of 1994 the “head of state” secured a supporting absolute majority in parliament and by 1995 he was the strongest actor on Georgian political scene.

The 1995 parliamentary and presidential election results strengthened Shevardnadze in power. First, he won the presidential elections. Second, the Citizens’ Union Party that was formed around/and chaired by Shevardnadze won the parliamentary elections. Although the Party was composed by separate groups of “reformers” and “nomenclature”, their voting

behavior in parliament was unanimous on many matters (Wheatley, 2005; 103-136). Shevarnadze's position was also strengthened by "Citizens' Union" allies in parliament. The president enjoyed a constant parliamentary support between 1995 and 2001, period which covered almost two parliamentary mandates.

The process of power diffusion started in 2000, when the reformists from "Citizens' Union" started to lose trust in the president. Gradually, this internal opposition within the presidential party intensified and finally, split the party in 2001, as result of which the president lost the secured majority support in parliament. After the 1999 elections "Citizens' Union" had 119 mandates, but by the end of 2001 it was left with only 41 (Wheatley, 2005; 128). The fact that the president lost the support of parliament after 2001 became most visible in 2002, when the parliament rejected the presidential initiative to introduce the system of premiership<sup>24</sup>, because MPs considered that such constitutional changes would "strengthen the vertical of power and the role of the executive".<sup>25</sup>

After the "Rose Revolution" in 2003, the horizontal power became concentrated again, as the incumbent president Mikheil Saakashvili obtained control over more than two thirds of parliamentary seats in the new parliament, which were occupied by MPs from the pro-presidential "United National Movement". These MPs were loyal to the president, since "many were handpicked by him on the party list before the 2004 elections" (Mitchell, 2006). After the 2008 elections, the pro-presidential coalition secured even more parliamentary seats (Table II.2) and the Georgian president had enough power and support to change the constitution without the need for the agreement from the opposition.

Hence, during the transition period Georgia experienced relatively short periods of power fragmentation and long periods of power concentration. The former were characteristic

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<sup>24</sup> Between 1992 and 2004 there was no institution of premiership in Georgia. The president was directly chairing the Cabinet.

<sup>25</sup> The author's interview in Tbilisi (October, 2008) with Demur Giorkelidze (MP during 1999-2003, member of the Citizens' Union).

for the Georgian political regime of 1991-1994 and 2001-2003, periods characterized by a high degree of parliamentary fragmentation and the lack of stable alliances. In contrast, during the periods with concentrated power (1995-2000, 2004-2008) the presidents with relatively strong formal powers managed to secure the constant support of an absolute majority of parliamentary deputies.

#### **2.4. Power Concentration in Post-Soviet Moldova:**

In order to determine the extent of formal presidential powers in Moldova during the post-Soviet period, I analyzed the legislation of Moldova adopted since Independence on the division of formal powers between the legislative and executive branches (Annex 4). The Constitution of Moldova adopted in 1994 established most clearly the separation of powers. Between 1991 and 1994, the separation of powers was regulated by several provisory laws and changes in the Soviet Moldova Constitution.

In 2000, a major reform was initiated by the parliament of Moldova to modify the constitution, with the goal to transform the form of government from semi-presidentialism into parliamentarism. Some scholars categorize the Moldovan form of government since 2000 as parliamentary (Way, 2003; 456). Some research even focused on explaining why Moldova became more authoritarian after implementing a parliamentary form of government (Mazo, 2004). However, the data in Table II.3 reveal that in fact Moldova did not become a genuine parliamentary country after the constitutional reform in 2000. In the parliamentary regimes the formal powers of the president are reduced to symbolic attributes. However, a closer analysis of the content of this reform reveals that after 2000 the presidential attributes that constitute the presidential formal power have not changed. Therefore, in Moldova the parliamentary form of government has been only reflected in the mode of presidential

elections: while until 2000 the presidents were elected in direct elections, after the 2000 reform the presidents were elected by the parliament.

<b>Table II.3. Fluctuations in Formal Presidential Powers in Moldova (2001-2008)<sup>26</sup></b>				
Parliamentary mandates		1991-1994	1994-2000	2000-2008
<b>legislative powers (max=4)</b>				
1	Package veto	3	1	1
2	Partial veto	3	1	1
3	Decree	2	1	1
4	Exclusive introduction of legislation	2	0	0
5	Budgetary powers	1	1	1
6	Proposal of referenda	1	1	1
7	Judicial review <sup>27</sup>	n/a	1	1
<b>non-legislative powers (max=4)</b>				
1	Cabinet formation	3	1	1
2	Cabinet dismissal	3	0	0
3	Censure	4	0	0
4	Dissolution of the assembly	0	1	1
<b>Total</b>		<b>22</b>	<b>8</b>	<b>8</b>
<b>Maximum possible</b>		40	44	44

The analysis of the relevant legislation reveals that the only period with significant formal presidential powers in Moldova was the period before the adoption of the 1994 Constitution. The president had significant attributes in the formation of the government and also, he could issue decrees. Nevertheless, the scope of these powers was not extensive enough to disregard the legislative branch. All presidential nominees to executive functions had to be approved by the parliament. Moreover, the parliament had the force to reject presidential legislative initiatives. Therefore, in order to check whether the relatively strong presidential powers between 1990 and 1994 induced power concentration, the analysis of the parliamentary structure and of the degree of parliamentary support for the president is necessary.

A general examination on the level of parliamentary fragmentation between 1990 and 2008 in Moldova (Table II.4) reveals that there was only one parliamentary mandate (1998-

<sup>26</sup> Source: Table compiled by the author, on the basis of the legislative provisions listed in Annex 4.

<sup>27</sup> The Constitutional Court of Moldova that is responsible for the judicial review activates since 1995.

2001) in which no party or coalition managed to secure an absolute majority after elections that would have been sufficient to adopt ordinary laws. In the case of other parliamentary mandates, at least right after the elections the level of parliamentary fragmentation was low.

Elections year	First winning party/bloc	Seats %	Strongest opposition	Seats %	Independents %
1990	Communist Party	65	Popular Front	35	n/a
1994	Democratic Agrarian Party	56	Alliance of the Popular Christian Democratic Front	9	0
1998	Party of Communists	40	Democratic Convention Coalition	26	0
2001	Party of Communists	70	“Braghis Alliance” Coalition	19	0
2005	Party of Communists	55	Democratic Moldova Coalition	34	0

Nevertheless, a closer analysis of the first Moldovan parliament (1990-1994) reveals that its structure was characterized by frequent changes in the parliamentary groups and alliances. Immediately after the 1990 elections, there were two groups in parliament, one representing the Communist Party and the other representing the Popular Front. Some data reveal that out of the 380 elected MPs in 1990, 130 represented the Popular Front and the remaining MPs represented the Communist Party.<sup>29</sup> However, shortly after the elections the two groups split in several parts that later constituted the foundation of political parties. Within the first period, the Communist Party divided between the “hard liners” and “soft-liners” (Crowther & Roper, 1996). Later, after the Communist Party was officially forbidden in 1991<sup>30</sup> the MPs reorganized in several groups. The Popular Front also disintegrated and by 1991 remained with only 30 parliamentary seats (Roper, 2008; 110). None of these groupings ever managed to secure an absolute majority in parliament and the adoption of laws was based on the formation of ad-hoc alliances.

<sup>28</sup> Source: Table compiled by the author, based on data provided by the Association for Participatory Democracy ([www.e-democracy.md](http://www.e-democracy.md)), at the author’s request in September 2007.

<sup>29</sup> *Deputies’ Grievance*, published in *Sfatul Tarii*, on January 30, 1993.

<sup>30</sup> *Decision of Moldovan Parliament Presidium “On the Communist Party”*, published in *Sfatul Tarii*, on 24 August, 1991.

At the beginning of 1993, one of the factions – „The Village Life” – managed to consolidate its forces by attracting more and more MPs on its side. However, although this faction managed to secure a stable and disciplined relative majority in parliament, it never reached an absolute majority necessary for the adoption of laws.<sup>31</sup> Hence, even if the 1990-1994 parliament was formed with an absolute majority, the fragmentation of the main parliamentary groups lead to a high level of parliamentary fragmentation during its overall mandate.

The second parliamentary mandate in the post-Soviet Moldova (1994-1998) also started with a certain potential for power concentration. In the 1994 parliamentary elections the Agrarian Democratic Party gained a relative majority of votes that were transformed in an absolute majority of seats, strong enough to adopt ordinary laws and to destitute the Cabinet. But as in the previous parliament, political power got fragmented due to the fast disintegration of the majority party. One year after the elections, 11 MPs of the Agrarian Democratic Party left it and formed a separate parliamentary faction. Hence, despite the initial presence of an absolute majority, the second Moldovan parliamentary mandate quickly fragmented as well.

In the third post-Independence Moldovan parliament (1998-2001) no party or electoral coalition managed to secure an absolute majority of seats. Right after the 1998 elections, three parliamentary factions formed a coalition called „The Alliance for Democracy and Reforms”, with an absolute majority of votes that allowed counter-balancing the relative majority of the opposing Party of Communists. Nevertheless, this Alliance was rather fragile and has disintegrated in less than one year, after which the parliament re-became fragmented. Between 1999 and 2001 the level of factions’ discipline was very low, defections occurred frequently, and alliances were made on ad-hoc basis.<sup>32</sup>

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<sup>31</sup> Author’s Interview in Chisinau (October, 2009) with Alexandru Burian and Victor Puscas (MPs during the 1990-1994 Parliament of Moldova).

<sup>32</sup> Author’s Interview in Chisinau (October, 2009) with Vitalia Pavlicenco (MP during the 1998-2001 Parliament of Moldova).

The situation changed with the fourth and fifth parliaments of Moldova (2001-2005, 2005-2009). In both cases, the Party of Communists had absolute majority of seats. The position of the Party of Communists was particularly strong during the 2001-2005 parliamentary mandate, when it had enough seats to elect the head of state, to form the Cabinet, and to solely change the Constitution. In contrast with the previous cases of parties or alliances with majority seats in parliament, the Party of Communists had a strong hierarchical structure and a high level of internal discipline (Protsyk *et al.*, 2008; 137). These characteristics secured a high level of power concentration during the two parliamentary mandates.

The degree of parliamentary support for the president in Moldova during transition also varied. At the beginning of 1990's president Mircea Snegur had a constant support in „Village Life” parliamentary group, but because this group never had an absolute majority in parliament and had to negotiate with potential parliamentary allies, this support did not lead to a genuine concentration of power. After the 1994 parliamentary elections, president Snegur kept the alliance with the majority Agrarian Party, but this alliance gradually eroded and collapsed when the party disintegrated one year after the elections, when 11 of its members defected in order to form a new pro-presidential faction in the parliament. Overall, the first Moldovan president enjoyed less than one year of parliamentary support from an absolute number of MPs.

Petru Lucinski, the second Moldovan president, was elected at the end of 1996, when the majority party in parliament was already disintegrated. However, after the elections the president made an “alliance of convenience” with the remaining relative majority of Agrarian Party and with the Socialists-Edinstvo Bloc, which in the view of the opposition of that time constituted the „leftist governance”.<sup>33</sup> But this alliance also lasted only for one year, because

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<sup>33</sup> *Mircea Snegur's Speech*, published in *Tara* on 13 January, 1998.

new parliamentary elections were scheduled for the beginning of 1998 and because after the elections the president lost the constant parliamentary majority support. Therefore, the second Moldovan president had also only one year of parliamentary support from an absolute number of MPs.

The third president Vladimir Voronin was the only Moldovan head of state who managed to secure a durable majority support in the parliament. This was due to the specific circumstances of the 2000 Constitutional changes in Moldova, which provided that the head of state shall be elected by 2/3 of MPs after each parliamentary election. Because Voronin was the leader of the highly hierarchical and disciplined Party of Communists and because this party gained a majority of mandates after the 2001 and after the 2005 elections, the president could rely on the parliamentary support due to the majority presence of his own party in it.

To sum up, Moldovan political regime during the 1990s was mostly characterized by power fragmentation and during the 2000's - by power concentration. The high level of power fragmentation in the 1990s was due to the low degree of parliamentary parties' discipline. Although the first two Moldovan presidents had short moments of majority parliamentary support during their mandates, these moments did not last long enough to make a difference.

### **2.5. Power Concentration in Post-Soviet Ukraine:**

The presidential powers in Ukraine have constituted a great matter of dispute in the constitution building process of Ukraine since its declaration of independence. As the data in Table II.5 reveal, during the transition period the presidential powers were modified four times. One of the reasons for which the Ukrainian post-Soviet constitution was adopted only five years after Ukraine's declaration of independence was the long negotiation process around the separation of powers between the legislative and executive branches (Wolczuk,

2001). Before the adoption of the Ukrainian Constitution, the formal division of powers was based on several provisory legal acts (Annex 4).

The 1992 amendments to the Ukrainian Soviet Constitution stipulated the presidential right to elaborate decrees in economic matters, to veto parliamentary law projects, to lead the activity of the Cabinet and also, to appoint and dismiss ministers. At the same time, some limits to these powers have been established, as the president's veto could be overridden by a simple majority of votes, the presidential executive nominees needed parliamentary consent and the president could not dissolve the parliament or call for new elections.

<b>Table II.5. Fluctuations in Formal Presidential Powers in Ukraine (1991-2008)<sup>34</sup></b>					
parliamentary mandates		1991-1995	1995-1996	1996-2006	2006-2008
<b>legislative powers (max=4)</b>					
1	package veto	1	2	2	2
2	partial veto	1	2	2	2
3	Decree	2	2	2	2
4	exclusive introduction of legislation	4	2	4	1
5	budgetary powers	1	1	1	1
6	proposal of referenda	3	3	3	3
7	judicial review	n/a	n/a	1	1
<b>non-legislative powers (max=4)</b>					
1	cabinet formation	3	4	3	1
2	cabinet dismissal	3	4	4	0
3	Censure	0	0	0	1
4	dissolution of the assembly	1	1	1	1
<b>Total</b>		<b>19</b>	<b>21</b>	<b>23</b>	<b>15</b>
<b>Maximum possible</b>		40	40	44	44

The 1996 Constitution was adopted with considerably large scope of appointment and legislative presidential powers, through which the president obtained the right to appoint the prime minister with the parliamentary consent, but also to choose cabinet members without parliamentary approval. The president could also dismiss the prime minister and ministers without parliamentary agreement, while the parliament could give a vote of no confidence only after one year of government activity. Moreover, the president could initiate legislation,

<sup>34</sup> Source: Table compiled by the author, on the basis of the legislative provisions listed in Annex 4.

temporarily (until 1999) adopt economic decrees, and veto parliamentary bills with 2/3 override. Presidential formal powers remained in this format until late 2005.

The final reform regulating the legislative-executive relations was proposed by President Leonid Kuchma before Viktor Yushchenko took over the presidential seat. Kuchma proposed a constitutional reform in December 2004 during the Orange Revolution negotiations, which entered into effect in 2006 and which drastically reduced the presidential formal powers. According to the reform, it was the parliament to appoint and dismiss the prime-minister and the members of the Cabinet. The president remained with the right to appoint the ministers of defense and foreign affairs, but only with the parliamentary consent (Christensen *et al.*, 2005).

Elections year	First winning party /bloc	Seats %	Strongest opposition	Seats %	Independents %
1990	Communist Party	75	Democratic Bloc	n/a	n/a
1994	Communist Party	25	People's Movement	8	7
1998	Communist Party	25	People's Movement	9	34
2002	Viktor Yushchenko Bloc "Our Ukraine"	24	Communist Party	20	22
2006	Party of Regions	24	Yuliya Tymoshenko Bloc	23	0
2007	Party of Regions	32	Yuliya Tymoshenko Bloc	30	0

As data in Table II.6 reveal, most of Ukrainian parliaments since independence were rather fragmented, with lack of absolute majority party/coalition, with lack of strong opposition and with a high number of independent MPs. The first legislature (1990-1994), although initially elected with an absolute majority of seats for the Communist Party, was not less fragmented than the legislatures that followed after that. This is because many MPs

<sup>35</sup> Source: table compiled by the author, based on the data collected by the Central Electoral Commission of Ukraine (<http://www.cvk.gov.ua/>).

shifted alliances during the parliamentary mandate and the initial parliamentary groups greatly disintegrated (Wolczuk, 2001).

The majority and minority parties during the other parliamentary mandates were also highly undisciplined and therefore, weak. In his book on Ukrainian politics, Paul D'Anieri attributed the undisciplined character of parliamentary parties in Ukraine to the mixed electoral system through which most parliaments were elected and to some specific internal regulations in the Ukrainian legislatures. He argued that mixed electoral systems did not give enough incentives to small political parties to merge and hence, consolidate. As a result, the parliaments were composed of multiple small parties (D'Anieri, 2007b; 148-163). Also, the internal parliamentary regulations during the 1990s provided high incentives for political parties to divide into separate small parliamentary factions, while at the same time they provided simplified conditions for the creation of parliamentary factions. Adding to this the dominance of secret parliamentary voting, the party leaders could hardly keep their parties integral (D'Anieri, 2007b; 174-186).

Due to the lack of disciplined parliamentary majority, the Ukrainian presidents could not rely on a strong parliamentary support. This is why the horizontal power during the presidency of Leonid Kravchuk (1991-1994) was dispersed. The lack of a dominant and disciplined pro-presidential group in parliament also explains the high level of power fragmentation during Victor Yushchenko's presidency (2004-2010). Nevertheless, the highly fragmented parliament did not prevent President Leonid Kuchma (1994-2004) to concentrate power, situation that is analyzed below.

Although the first Ukrainian presidency was granted with important formal powers, their use was hindered by the president's lack of support in parliament and by the fact that these powers were not guaranteed within a new constitution. As Kataryna Wolczuk explained, president Kravchuk was formally powerful, but "without a new Constitution [these powers]

were fluid, ill defined and ultimately depended on parliament, which had an exclusive right to interpret [them]” (Wolczuk, 2001; 115). At the beginning of his mandate, president Kravchuk was supported by former nomenklatura in the parliament, but soon many of these deputies defected because of their unwillingness to carry out any of the economic or political reforms proposed by the president (Ryabchuk, 1994; 145). Moreover, by 1992 president Kravchuk had a great challenger within the executive branch in prime-minister Leonid Kuchma, who managed to convince the parliament to grant him the right to legislate on economic questions for six months, which contradicted Kravchuk’s previously established authority to issue economic decrees and which led to an intra-executive authority crisis (Bach, 1996; 219).

After Kuchma gained the presidential seat in 1994, he started to concentrate political power around the executive branch. He used the highly fragmented parliament with undisciplined factions in order to push for the adoption of a pro-presidential constitution in 1996. For this, he managed to attract nationalists and national democrats to support him in pressing for a constitution with strong presidential powers (Wolczuk, 2001; 205-209). Hence, after 1996 his position strengthened a lot due to the newly adopted Constitution.

The 1998 parliamentary elections created a legislature with little potential to counter-balance the relatively strong presidential powers. This is because in the newly elected legislature there was no majority coalition that could override presidential decrees or that could oppose presidential appointment decisions for the Cabinet formation and dismissal. Also, there were many independent MPs in the newly elected parliament that the president could attract on his side. Finally, during the third Ukrainian legislature (1998-2002) there was much intra-parliamentary struggle, which contributed even more to the power concentration in favor of the executive branch.

During the fourth Ukrainian legislature (2002-2006) president Kuchma’s position at the core of a horizontally concentrated political power started to weaken, due to the new

configuration of forces in the parliament. In the 2002 parliamentary elections two blocs opposing the president – Viktor Yushchenko’s Bloc “Our Ukraine” and “Yuliya Tymoshenko Bloc” – won an important number of mandates (31%). Later, during the parliamentary mandate, their power increased even more as they managed to attract the Socialist Party members in an alliance against president Kuchma’s “machine politics”, which contributed to the gradual loss of his political influence, with the peak in the 2004 “Orange Revolution” (D'Anieri, 2005).

Horizontal power got fragmented in Ukraine during the presidency of Victor Yushchenko, the winner of the “Orange Revolution”. Due to the initiated constitutional reform in 2004 that was supposed to reduce presidential formal powers, president Yushchenko lost much of the appointment powers that his predecessor had. Once president Kuchma felt his weakening popularity in favor of his main opponent Yushchenko, he initiated changes in the balance between the executive and legislative branches that made his adversary weak (Christensen et al., 2005). This initiative has been settled into a political reform as part of the bargaining process during the “Orange Revolution” between Kuchma and Yushchenko at the end of 2004.

Moreover, until the parliamentary elections in 2006 president Yushchenko was supposed to confront a parliament in which his political opponents – the Communist Party, the United Ukraine Bloc, and the United Socialist Democratic Party - constituted an important majority. Also, after the “Orange Revolution” president Yushchenko lost the support of his main ally Yuliya Tymoshenko, because of some “corruption allegations”. The political authority of president Yushchenko was further weakened after his direct opponent was elected as prime minister by the Ukrainian parliament in 2006.

After the 2006 parliamentary elections the situation with the horizontal fragmentation of power has not changed. This is because - the “Party of Regions” that has been Yushchenko’s

strongest opponent since the “Orange Revolution” won a significant majority of seats. The party formed a big “Coalition of National Unity” against the president with the Communist and the Socialist parties that together had 53% of parliamentary mandates (Hesli, 2007). This fragmentation provoked a political crisis that determined the president to dissolve the parliament (April 2007) and call for new elections, which did not result in a less fragmented political power.

To sum up, the horizontal political power in Ukraine was fragmented before the adoption of the Constitution in 1996 and since the “Orange Revolution” in 2004. Between these two events in the Ukrainian post-independence political history, the horizontal political power was concentrated around the presidency of Kuchma. Compared to the cases of Georgia and Moldova, the concentrated power in Ukraine around the president occurred without the existence of a highly disciplined parliamentary party or bloc that would have constantly supported the presidential initiatives. In Ukraine, the concentration of power went hand in hand with a highly fragmented legislative branch.

### **Final Remarks:**

Table II.7 illustrates the general dynamics of political power in Georgia, Moldova and Ukraine since the declaration of independence in these countries. It emphasizes the periods with concentrated power, in which presidents with stronger or weaker formal powers were supported by majority of MPs in parliament on a constant basis, or using Tsebelis’ terms, the periods characterized by the existence of few, congruent and cohesive veto players (Tsebelis, 1995).

According to the consociationalist theory, concentration of power imposes a danger for the inter-ethnic peace because it tends to reduce ethnic minorities’ access to political power. Accordingly, it is in these particular periods that more pronounced signs for ethnic minorities’

mobilization against the state should be observed. The main task of the following chapter is to determine whether this was indeed the case in the post-Soviet Georgia, Moldova, and Ukraine.

<b>Table II.7. The Periods with Concentrated Political Power in Georgia, Moldova and Ukraine (1991-2008)</b>																	
1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008
				<b>GEORGIA</b>									<b>GEORGIA</b>				
		<b>M</b>			<b>M</b>				<b>MOLDOVA</b>								
					<b>UKRAINE</b>												
	Fragmented																
	Concentrated																

## **Chapter III: Ethnic Minorities' Mobilization and Power**

### **Concentration**

The main goal of this chapter is to determine the dynamics of ethnic mobilization in Georgia, Moldova and Ukraine between 1991 and 2008 and to compare it with the dynamics of power concentration described in Chapter II. For this, I discuss the definitions and measurement tools used in the empirical analysis; then I measure the degree of ethnic mobilization against state authorities in each of the three countries. I conclude with an analysis of the degree in which the ethnic mobilization can be associated empirically with power concentration in the three post-Soviet states.

#### **3.1. Ethnic Political Mobilization - Definitions and Measurements:**

The concept of ethnic mobilization has been widely used in the academic literature on ethnic politics. The broadest definitions of ethnic mobilization refer to the activation of ethnic boundaries in a state. From this perspective, ethnic mobilization is “the collective action that takes some set of ethnic markers (skin color, language, territorial identification) as criteria for membership.” (Olzak, 1983; 357). According to this comprehensive definition, a variety of events could be categorized as “ethnic mobilization”, ranging from the formation of socio-political organizations meant to preserve or increase the ethnic consciousness, to the engagement of ethnic groups in protest actions and civil conflicts.

The meaning of ethnic mobilization in some academic works has been used with narrower and more defined implications than the definition mentioned above. For some scholars “ethnic mobilization” necessarily included the component of conflict. Anthony Smith used the term in the context of analyzing the ethnic conflict, war and genocide (1981; 390). For other scholars the term does not necessarily imply high-scale civil unrest, but it unavoidably means the engagement of ethnic groups in some forms of claim-making activities

or hostility directed against state authorities or against another group (Olzak, 2006; 36). Finally, for other scholars “ethnic mobilization” means the formation of ethnic movements in pursuit of ethnic groups’ interests, which may or may not be accompanied by protest or conflict (Gurr, 1993; 169).

Ethnic mobilization can refer either to the mobilization of a majority ethnic group, or of an ethnic minority group. The former is often called “nationalist mobilization” (Beissinger, 2002).<sup>36</sup> In addition, the ethnic groups can mobilize in order to protest against state-led policies or against the dominant groups, or in order to form an aggregate and coherent representation in politics. In order to distinguish these two types of mobilization, Susan Olzak categorized the latter as “ethnic solidarity” and specified it as being determined by the degree in which group members are willing to engage in ethnic activities, such as joining organizations or engaging in group monitoring behaviors, but not necessarily in protest actions (2006; 36).

For some scholars the organizational component of mobilization constitutes an important element. For Taras Kuzio and David Meyer the ethnic mobilization is “the construction and activation of political organizations and/or institutions that are [...] under the exclusive control of an ethnic group” (1999; 298). For other scholars both the organizational and the behavioral components are important. Dieter Rucht defined “social mobilization” as “the process of creating movement structures and preparing and carrying out protest actions which are visible movement ‘products’ addressed to actors and publics outside the movement” (1996; 186).

All these general and specific definitions can be analytically useful depending on the type of research question that is being asked. The broadest definitions were generally used in studies that aimed at explaining ethnic mobilization with factors that are relatively constant in

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<sup>36</sup> The term “nationalist mobilization” was also used to designate social movements that make claims for territorial sovereignty (Hechter, 2000).

time, such as modernization or globalization (Olzak, 1983). Definitions based on the organizational structure component were used in sociological research, such as the analysis of groups' identity strength and political awareness (Kuzio & Meyer, 1999). Similarly, the definition that I choose for my thesis results from the enquiry of this research. The main goal of this thesis is to determine whether power concentration is conducive to ethnic tension by virtue of its inner logic. Therefore, the definition of "ethnic mobilization" on which I focus should directly imply a conflict element, which implies that having only mobilization structures meant to strengthen the "ethnic solidarity", such as cultural organizations, is not enough. Moreover, the definition of ethnic mobilization relevant for this thesis should imply that its defining component is easily changeable in time. This last element is necessary because the main enquiry in this thesis assumes that the degree of "ethnic mobilization" can vary in accordance with changes in power concentration. Once formed, the ethnic movement structures can be resistant in time, no matter how much the degree of power concentration varies. What can vary, however, is minorities' ability to react to state policies, or their ability to politicize demands.

Therefore, in this thesis I use Olzak's definition of ethnic mobilization, according to which "ethnic political mobilization implies that an [ethnic] group engages in some form of claims-making, conflict, or hostility directed against a state authority or against another group" (2006; 36). This definition incorporates the conflict element. Olzak further elaborated that ethnic mobilization can include "proactive movements", in which group members express demands for expanded rights, and "reactive movements", in which group members express grievances against state authorities (2004; 667). Olzak's definition also implies that ethnic mobilization can be targeted against the state or against another ethnic group. Because my research is about the impact of state power on ethnic mobilization, only the instances of mobilization against the state are analyzed.

For the purposes of this thesis the most suitable measurement tool for ethnic mobilization is the one elaborated by Tedd Gurr for the Minorities at Risk project (1993; 169). He measured the level of ethnic mobilization by using three parallel scales of “communal political action”: the first is for “non-violent action”, the second - for “violent protest”, and the third - for “rebellion”. The advantage of Gurr’s measurement is that it combines scaling with categorization, which allows to aggregate data and at the same time to retain the information on the nature of ethnic mobilization. The updated Gurr’s measurement scheme reduced it to two scales, one measuring “protest” and the other measuring “rebellion”, which I use in the empirical analysis below. The scores for measuring “protest” range from 0 to 5: the smallest (1) is attributed to instances of declarative opposition against the state that is manifested through actions such as petitioning and agitations; the highest is attributed to the organization of large-scale mass demonstrations. The scores for measuring “rebellion” range from 0 to 7: the smallest (1) stands for sporadic political banditry targeted against the state; the highest stands for civil war (Annex 5).

### **3.2. Ethnic Minorities’ Mobilization in Post-Soviet Georgia:**

By the time Soviet Union collapsed, there were eight ethnic groups in Georgia that were officially recognized and that constituted more than 1% out of the total population (Annex 1). Georgians constituted 70%, while Armenians, Russians, and Azeris formed the biggest groups of ethnic minorities (5-8% each). There were four ethnic groups with significant territorial concentration in different parts of the country: Armenians and Azeris in the South, Abkhazians in the Northeast, and Ossetians in the North (Annex 2 Map 1). During the first half of the 1990s the ethnic composition of Georgia changed considerably. Between 1990 and 1993 Georgia experienced two secessionist conflicts – one with the region of Abkhazians and the other with the region of Ossetians. Since then, Georgian government never succeeded in

its efforts to control the two territories. In addition, at the beginning of 1990s a considerable part of Russian, Greek, and Ukrainian minorities left the country due to the worsened living conditions. Therefore, by the time of the 2002 population census there were only four ethnic groups constituting more than 1% of the total population (Annex 1).

The ethnic minorities in Georgia reacted differently towards Georgia's independence, towards the political processes at the beginning of transition, and also towards central authorities' position vis-à-vis ethnic minorities. Depending on a multitude of characteristics specific for each minority group and its leadership, the demands ranged from collective reactions towards perceived discrimination, to claims for territorial autonomy and secession. The expression of demands also took different forms, ranging from limited protests to guerillas and civil wars.

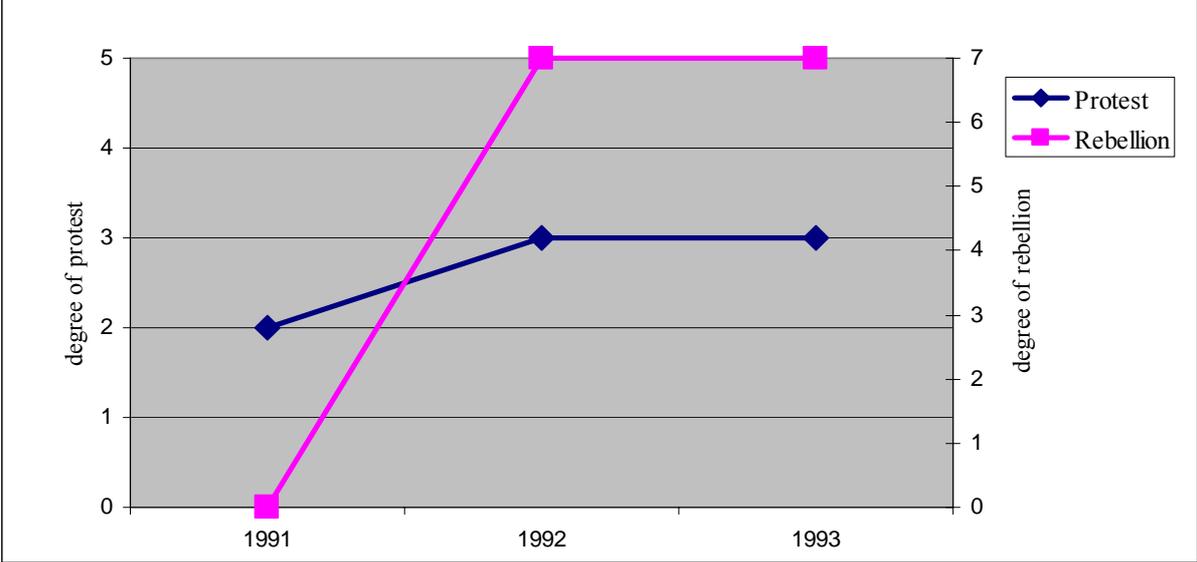
### ***3.2.1. Abkhazians:***

The Abkhazian ethnic group is mainly concentrated in the region of Abkhazia located in the Northwestern part of Georgia. The region had autonomous status during the Soviet Union. The ethnic mobilization of Abkhazians started prior to Georgia's declaration of independence. By 1985, when Mikhail Gorbachev initiated the reforms for economic restructuring and greater cultural openness, Abkhazians started to claim more cultural and political autonomy. Before 1991, Abkhazian leadership had already lobbied Moscow for removal from the jurisdiction of Georgia and sake the status of a separate republic within USSR. The first violent mass demonstrations of Abkhazians with demands for independence were also organized before 1991 (Toft, 2003; 94).

The data in Minorities at Risk (MAR) database indicate that by 1991 Abkhazian population protested through symbolic resistance, which evolved in 1992 and 1993 in small mass demonstrations and riots. At the same time, the data reveal the occurrence of a civil war

between 1992 and 1993, which constitutes the highest level of rebellion in the ethnic mobilization measurement scheme (Graph III.1).

**Graph III.1. Political Mobilization of Abkhazians**



In 1991, the situation in Abkhazia was calmer than in the previous years, but still tense. Abkhazian and Georgian leadership could not agree on the constitutional reforms to be implemented in the autonomous region. In July 1992 the Abkhazian leadership reinforced its claims for independence by adopting a resolution to restore the 1925 Abkhazian Constitution. This Constitution described Abkhazia as independent republic, but “united with the Georgian Soviet Socialist Republic on the basis of a special Union Treaty” (Cornell, 2002). Soon after it, the Abkhazian elite’s conflict with the Georgian central power escalated into a war that lasted for almost two years.

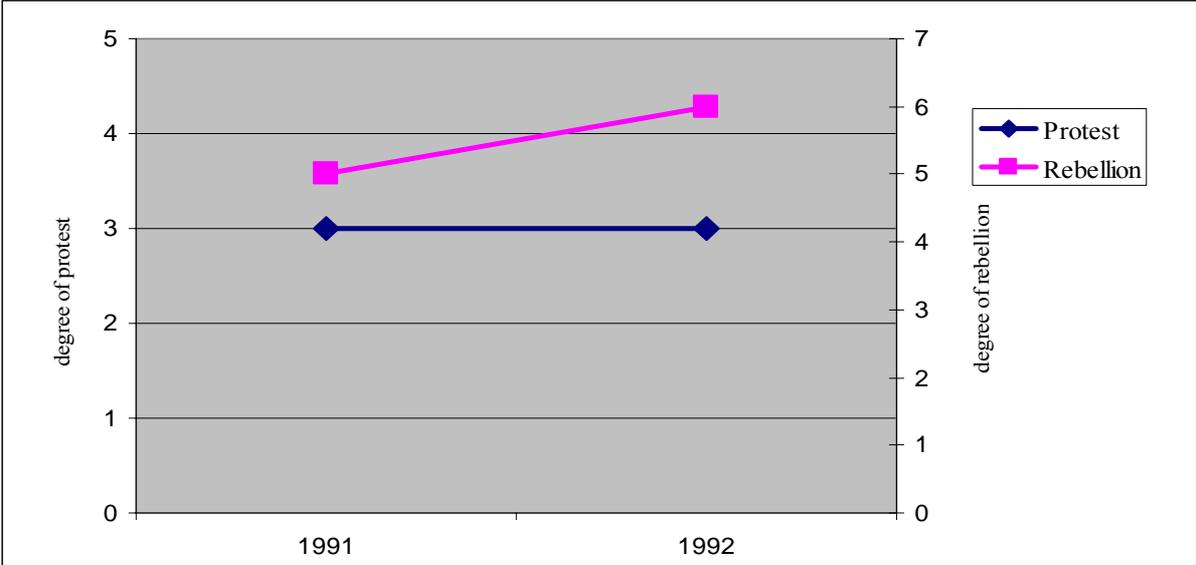
The mass mobilization was facilitated by the existence of local political organizations. *Aydgylara* formed in 1989 and *Union of Abkhazian People* formed in 1991 were among the most important organizations that managed to secure a high level of support among the local population (MAR, 2008). Nevertheless, the local administrative elite had the greatest role in the process of mobilization, due to the direct access to local coercive forces. The main goal of the ethnic mobilization in Abkhazian region was to obtain independence vis-à-vis the

Georgian government, which was *de facto* achieved in December 1993, when the Abkhazian war ended with an official ceasefire.

**3.2.2. Ossetians:**

The Ossetian minority is mostly concentrated in the region called South Ossetia, located in the Northern part of the country. The regions had territorial autonomous status during the Soviet Union. Similarly with the Abkhazian minority, Ossetians started to voice demands for more cultural and political autonomy in 1985, when Gorbachev initiated the liberalization reform. Between 1988 and 1989, the Ossetian leaders lobbied Moscow for territorial independence vis-à-vis Georgia. Ossetian population also mobilized for mass protests, in which they voiced demands for territorial independence.

**Graph III.2. Political Mobilization of Ossetians**



The Minorities at Risk (MAR) database indicates that between 1991 and 1992 Ossetians protested at a relatively high level, through organized demonstrations, rallies and strikes, paralleled by rebellion actions that eventually evolved in large-scale guerilla activities (MAR, 2008). The eruption of an armed conflict took place after the Georgian central government responded to the South Ossetia’s declaration of sovereignty in August 1990 by abolishing the

status of separate administrative entity that the territory had. The violent conflict lasted for almost 2 years (Graph III.2).

The political mobilization in South Ossetia was also facilitated by local political organizations. By 1988 the *Ademon Nykhas* (Ossetian Popular Front) was formed, organization which had a high level of popularity in the region. However, it was the local administrative elite who had control over the local resources and who played the most important role in the escalation of the conflict with Georgian central authorities. After the cease-fire signed in June 1992, the Georgian central government lost its control over the territory.

### **3.2.3. Armenians:**

According to the 1989 population census, the Armenians constituted 8.1% of the total population in Georgia and therefore formed the greatest ethnic minority group in the country. In 1990s, a significant part of Armenian population emigrated to Armenia and Russia, which explains to a certain extent the fact that by 2002 they constituted 5.7% (Annex 1).<sup>37</sup> Armenian population in Georgia is spread in several parts of the country, notably in the biggest cities and in the region of Abkhazia. Nevertheless, the most important geographical concentration is in the Southern region of the country, where there are two territorial-administrative units (Akhalkalaki and Ninotsminda) where more than 90% of population is Armenian.<sup>38</sup> The Armenians of this region mobilized politically after Georgia's declaration of independence.

The Southern region of Georgia where Armenians are territorially concentrated is considered to be the third region of the country with potential for ethnic conflict. In different moments of transition, the local population and local leaders manifested discontent vis-à-vis the policies of central authorities. An analysis of Armenians' political mobilization dynamics

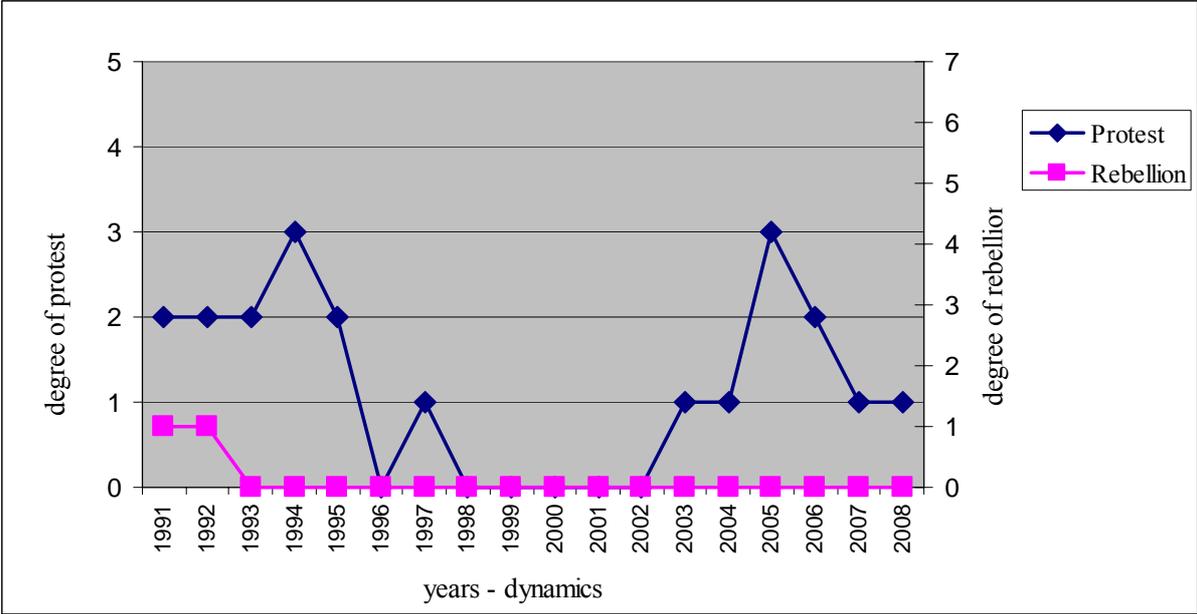
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<sup>37</sup> Another explanation is the fact that a considerable part of Armenian population lives in Abkhazia, where the population could not be counted during the 2002 general census.

<sup>38</sup> Population Census Data, compiled and provided at author's request by the European Centre for Minority Issues in Georgia.

between 1991 and 2008 reveals that the group was involved both in protest and in rebellion actions, notably at the beginning of 1990s and after the Rose Revolution.

**Graph III.3. Political Mobilization of Armenians**



Armenians’ political mobilization started with the creation of a local organization called *Javakh* that had local administrative leaders among its members.<sup>39</sup> The organization declared as main goal the preservation of Armenian cultural heritage and demanded the protection of local “national” institutions, the learning of Armenian history in local schools, and territorial autonomy for the region. (Guretski, 1998).

During the first years of Georgia’s independence, the Armenian leadership mobilized for protests against central authorities, which was manifested through verbal opposition and symbolic resistance. Some sporadic violent incidents also occurred. Most notably, the local leadership refused to accept Georgian president’s representatives (prefects) appointed for the region, because the proposed candidates did not have Armenian nationality.<sup>40</sup> Without a representative of central authorities, the region was virtually beyond the jurisdiction of the central power. The local leadership created a self-governing body – the Council of

<sup>39</sup> Author’s interview with Mihail Kolikidi, chairman of Forum for Civic Integration in Akhalkalaki, Georgia, in October 2008, Akhalkalaki  
<sup>40</sup> Author’s interview with Mihail Kolikidi.

Representatives – that governed the region until November 1991, when the central power proposed a new prefect from among the local elite.<sup>41</sup> However, even after that the region remained virtually independent from the centre.

In these circumstances, political mobilization of Armenians was maintained at the level of verbal opposition and symbolic resistance until 1997, even after Georgian president Shevarnadze managed to establish some degree of control over the region. For instance, in 1995 there were protests manifested within the local parliament against the Georgian administrative reform that aimed at unifying the region with majority of ethnic Armenians with a region with majority of ethnic Georgians. During these protests, demands for territorial autonomy were voiced again. In 1997 these demands were reduced to asking for a separate territorial administrative unit for the region, for which local elites organized a collection of signatures and addressed a petition to the central government (Guretski, 1998). Still, the already-established territorial-administrative division of Georgia was never changed in line with Armenians' demands.

After several years of relative silence, in 2003 signs of ethnic political mobilization in re-appeared the region. This occurred when the leader of a local unregistered political party – *Virk* – addressed the central government with the request to grant the region with territorial concentration of Armenians either a formal status of autonomy, or the status of federative unit within a federal or confederal Georgia.<sup>42</sup> In 2005, political mobilization processes evolved into relatively large mass demonstrations. These demonstrations were not primarily caused by ethnic issues, but by the closure of the Russian military base in the region, which the local population opposed because the military base was an important employment provider. However, in relation to these demonstrations the leaders of one of local leading organizations

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<sup>41</sup> Interview with Rafik Melkumian, former administrator over Akhalkalaki Electroenergy Service, conducted in October 2008, Akhalkalaki.

<sup>42</sup> Georgia's Armenian community proposes talks on status (by 12/09/2003 issue of the CACI Analyst), <http://www.cacianalyst.org/?q=node/1740>

- *United Javakh* - claimed more cultural and linguistic rights for Georgia's Armenian population, but also more self-governing rights for the region, during negotiations with the central authorities (Lohm, 2007; 40). Some smaller scale demonstrations in the region were organized by 2006 as well. In these demonstrations participants voiced demands for territorial autonomy, the use of Armenian in local public administration, as well as more political representation in the state institutions (ICG, 2006; 3). Nevertheless, after that the ethnic mobilization in the region gradually decreased.

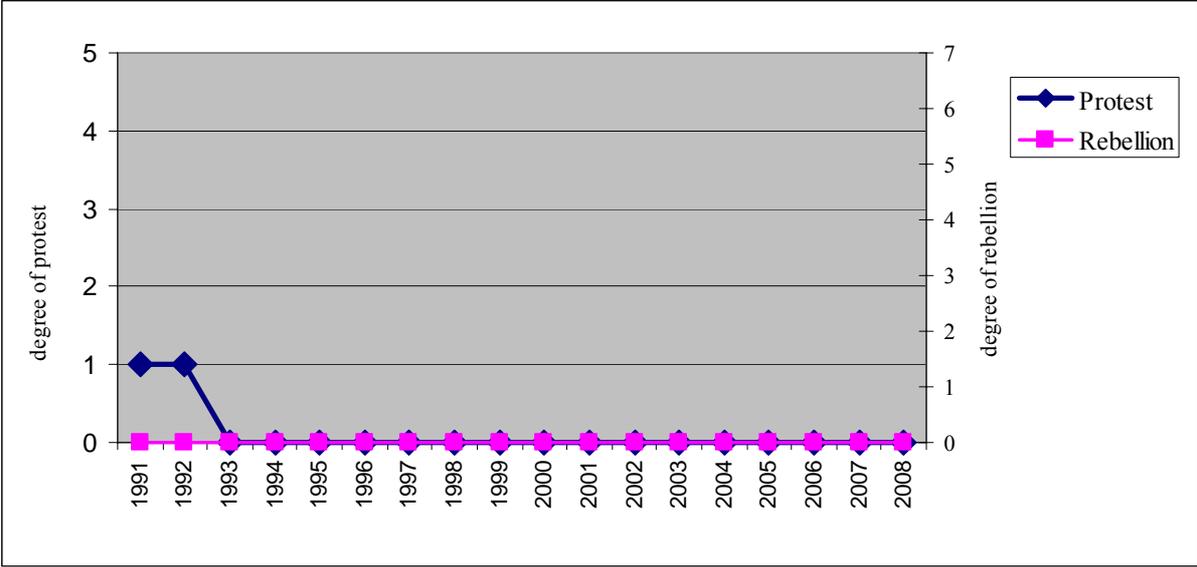
#### **3.2.4. Azeris:**

By 1989, the Georgia Azeris constituted 6% of the total population and hence formed the second largest minority group in the country. Most Azeris live in the Southern part of the country in a rural region, where there are three administrative territorial units at the border with Azerbaijan – Marneuli, Bolnisi and Dmanisi – in which more than 65% of the population is Azeri. Compared to other minority groups in Georgia, the Azeris emigrated at a lesser extent during the transition period. The 2002 population census data reveal that the percentage of Azeri population in Georgia changed very little (Annex 1).

The Azeri minorities mobilized less than the Armenian community during the period of transition (Graph III.4). At the end of 1980s, Azeris engaged in protest actions against central authorities. Mass demonstrations with an ethnic character were organized prior to Georgian independence, during which people were voicing concerns about the ethnic discrimination and about the Georgian nationalism. However, between 1991 and 1992 Azeris' protest actions were expressed only through small-group meetings supporting different local elites. During Shevardnadze's presidency, there were no important protest actions in the region with Azeri territorial concentration, except small-group occasional gatherings expressing concerns about the land distribution, but not about ethnicity related issues. Neither after the 2003 Rose

Revolution was there any ethnically-driven protest action in the region with Azeri territorial concentration.<sup>43</sup>

**Graph III.4. Political Mobilization of Azeris**



At the beginning of 1990s, the Azeris had a highly popular and well supported local ethnic organization, called *Geyrat*. The organization had as primary goal to protect Azeris’ cultural rights and the community from being forced out of the country by Georgian nationalist organizations. Between 1992 and 1994, *Geyrat* had the role of providing local security for Azeri citizens from local criminal groups. By 1995 *Geyrat* started to decline, as its main leaders have been co-opted by the central power. By the end of 1990s the organization was highly fragmented and contained three different factions with competing leaders.<sup>44</sup> After 2000, several organizations have been registered in the region with Azeri compact settlement, but none of them developed a capability to mobilize more than a handful of people to protect the local interests or the community’s interests. The organizations that existed up until 2008 focused on Georgian language training, civic and education (ICG, 2006; 17).

<sup>43</sup> Author’s interviews in October, 2008 with: Fait Mammedov (professor in University of Marneuli); Fizuli Mustafaev (vice-mayor of Marneuli); Izumrud Qurbanov (co-founder of *Geyrat* organization).

<sup>44</sup> Author’s interviews with Fait Mammedov, Fizuli Mustafaev and Izumrud Qurbanov.

### **3.3. Ethnic Minorities' Mobilization in Post-Soviet Moldova:**

By the time Soviet Union collapsed there were five officially recognized ethnic groups in Moldova, each constituting more than 1% of the total population. The majority ethnic Moldovans constituted 65%, while Ukrainians and Russians formed the biggest groups of ethnic minorities (14% and 13% respectively; Annex 1). Most Russians have been living in the urban areas of the country, but were not concentrated in any particular region. Ukrainians were also spread throughout the country, although they formed oases of territorial concentration in the North, South, and in the region of Transdnistria. There have been also two significantly smaller ethnic groups in Moldova – Gagauzians and Bulgarians – with compact settlement in the South (Annex 2 Map 2).

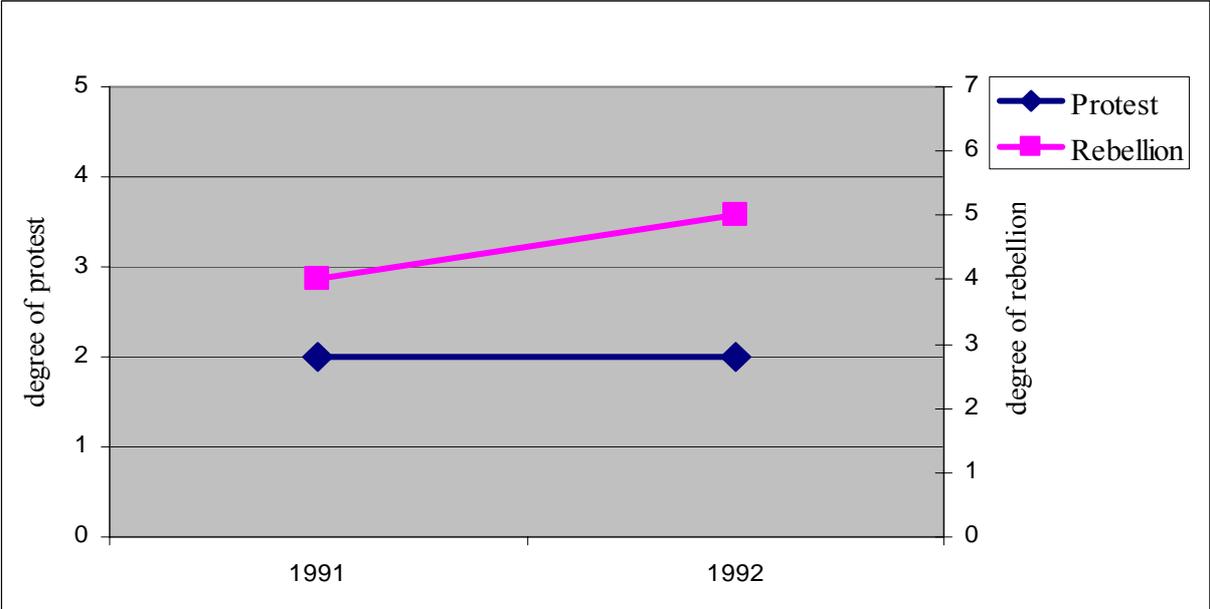
Similar to Georgia, Moldova experienced internal conflicts with ethnic character at the beginning of 1990s. The most notable was the conflict with Transdnistria, the Eastern region of Moldova, where according to the 1989 census more than half of local population was Ukrainian and Russian. The conflict was mainly driven by local elites' demand for secession and escalated in a civil war in 1992, after which Moldovan central government never succeeded in its attempts to establish control over the region. Another noteworthy case of ethnic mobilization against central government was the one led by Gagauzian leadership between 1990 and 1994, which ended in the formation of the Autonomous Territorial Unit of Gagauzia in the Southern part of Moldova (Annex 2 Map 3). As shown below, the other ethnic groups mobilized at a lesser extent.

#### ***3.3.1. Slavs in Transdnistria:***

The conflict with Transdnistria had an ethnic dimension because it started as a negative reaction of non-majority groups to the 1989 language legislation that granted Romanian the status of the only official language in the Moldovan Soviet Republic. In their attempt to mobilize the local population, Transdnistrian leaders claimed to act in the name of non-

Moldovan ethnic groups living there. The ethnic mobilization in this region was not driven by one single ethnic minority, but by local Ukrainians, Russians and russified Moldovans. The authors of Minorities at Risk project described this case of ethnic mobilization as being driven by the local group of *Slavs* (MAR, 2008).

**Graph III.5. Political Mobilization of Slavs in Transdnestria**



As in the case of other secessionist conflicts in former Soviet Union, the political mobilization of Slavs in Transdnestria started before Moldova declared its independence and continued during the first transition years. In 1989 the *Edinstvo* movement, which declared to have as main goal the protection of Russians living in Moldova, organized regional branches in Transdnestria where it was very active in mobilizing the local population. In September 1990, the Transdnestrian leaders declared the creation of the *Dniester Soviet Republic*, which paralleled Moldova’s declaration of sovereignty. Later in the same year, they also boycotted the organization of Soviet Moldovan parliamentary elections on the territory of the region. In 1991, prior to Moldova’s declaration of independence, the Transdnestrian parliament declared that the enterprises in the region would no longer contribute to the state budget and that the local leadership intended to create their own state banking system (Snegur, 2008; 427-464).

During the first two years after Moldova's declaration of independence the Transdnestrian Slavs' high level of rebellion was paralleled with a middle level of protests (Graph III.5).<sup>45</sup> The local population mobilized for frequent mass demonstrations, strikes and rioting (Snegur, 2008; 428, 460, 466). By 1991, the protest level was reduced to symbolic resistance. At the same time, the level of rebellion was increased to small scale guerilla activity and later, to a genuine military campaign, which ended with a ceasefire signed in July 1992. After the ceasefire, Moldovan authorities never managed to bring back the region under their control, while the formal status of the region remains unresolved.

### **3.3.2. Gagauzians:**

Gagauzian minority started to mobilize politically in 1989 when the *Gagauzian Movement* was formed and when its leadership declared the autonomous status for the region with compact Gagauzian settlement. More tensions arose in 1990, when Gagauzian leadership declared the secession of the Gagauzian territories from the then Moldovan Soviet Republic and the intension to remain within Soviet Union. The Declaration provoked a conflict situation with Moldovan central authorities, who nullified it and outlawed the *Movement* (MAR, 2008).

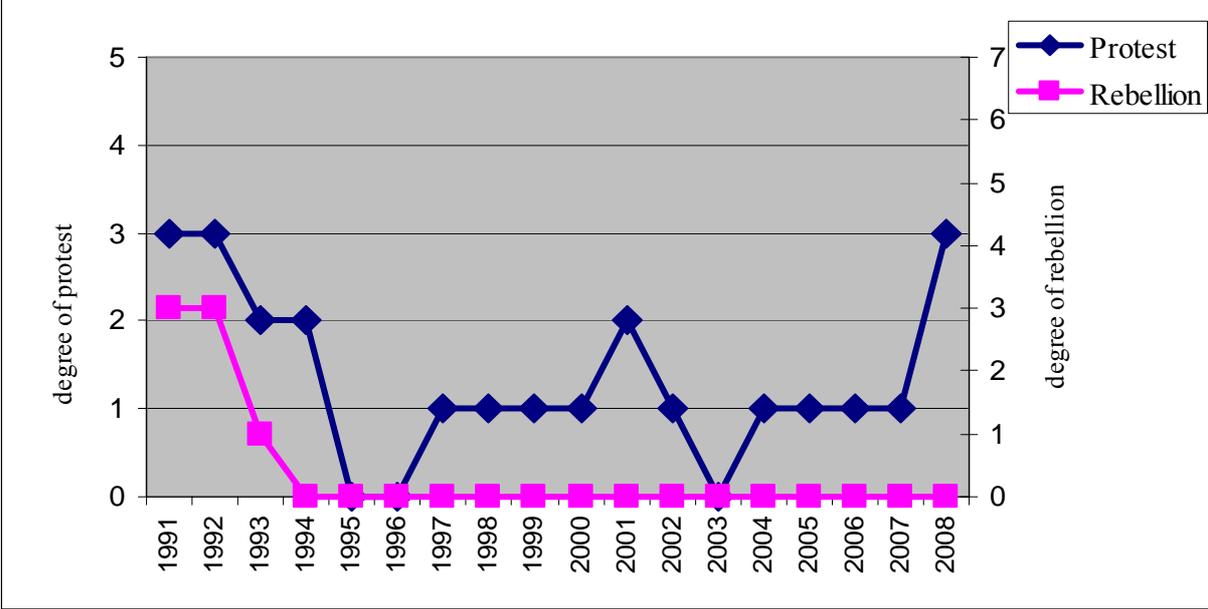
During the first years of Moldova's independence, Gagauzian region was virtually beyond the control of the central government. The local elites attempted to consolidate the independence of the territory vis-à-vis central authorities, by breaking the economic relations with the central government, by trying to create an independent banking system, and by seeking support from Transdnestrian authorities. These actions were paralleled with local public demonstrations and also with several violent clashes between local population and state security (Snegur, 2008; 342-353). In 1993, the conflict started to attenuate and Gagauzian authorities accepted to negotiate a territorial autonomous status with the Moldovan

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<sup>45</sup> Data in Graph III.5 are based on Minorities at Risks' scores.

government. After more than one year of negotiations the conflict was settled through the adoption in December 1994 of the Law on the Special Legal Status of Gagauzia.

**Graph III.6. Political Mobilization of Gagauzians**



After this legal settlement, the Gagauzian leadership never ceased entirely to express demands towards central authorities in the name of the Gagauzian community (Graph III.6). One of the reasons for the perpetual political mobilization in the region was the ambiguous character of certain provisions in the 1994 Law on the Special Legal Status of Gagauzia. The Law did not specify the details on taxation and on other financial matters, or on the division of decision-making authorities between central and regional powers (Järve, 2008; 317). As a consequence, underlying tensions between the Gagauzian and the central authorities surfaced from time to time, through occasional non-compliance with national legislation, through sporadic public actions, political statements, or symbolic gestures (Protsyk & Rigamonti, 2007). By the end of 1997 a group of opposition parties in the autonomy – *Vatan, Communists and Gagauzia People’s Party* – argued that the region was run by an "anti-popular regime" which imposed tough censorship laws to prevent any ethnic dissidence (MAR, 2008). In 1998 some tensions also arose when the Moldovan Supreme Court nullified

the decision of Gagauzian legislative body to hold a referendum on a Constitution for the region, arguing that it was not in line with Moldovan Constitution. (Järve, 2008; 319).

In 2000, Gagauzian leaders also made public statements in which Moldovan central power was criticized. The main subject of critique was the local financial resources. Gagauzians complained on the reduced control over the local revenues and asked for more control over the border services in the region<sup>46</sup>. They also criticized the 2000 Moldovan budget for not allocating enough resources to the region and in line with this, demanded a greater financial autonomy from the central authorities<sup>47</sup>.

Gagauzian leaders continued to make political statements with conflictual character in 2001. During a local public celebration, the speaker of the autonomy's legislature stated that if Moldovan authorities fail to adjust the national legislation to accommodate Gagauzian laws, the Gagauzian authorities will reactivate the 1990 declaration of independence and set up their own state structures. Later, the local authorities took several decisions against central government: to stop the validity of Moldovan laws in the autonomy, to ignore Moldova's national holidays, to appoint an ambassador in Transdnistria, and to establish Gagauzian own customs along the territorial border of the autonomy. These actions were allegedly a reaction to the unsatisfied promises of Moldovan president of that time to support Gagauzian leaders in case of his party's victory in February 2001 parliamentary elections (Botan, 2007; 13). After these declarations and decisions, central authorities' reaction followed.

In 2002 the most pronounced instance of tensions between Gagauzian leadership and Moldovan central power occurred. The conflictual situation was a result of the attempt by the recently elected central government to replace the governor of Gagauzia with a loyal candidate through a public referendum. This provoked a negative reaction from the local

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<sup>46</sup> Gagauzia isi doreste propriul serviciu vamal [*Gagauzia wants its own Border Service*], in *Moldova Azi*, 16 November 2000. Online: <http://www.azi.md/news?ID=9791>, accessed on 30 January, 2010.

<sup>47</sup> Gagauzia revendica autonomie financiara maxima [*Gagauzia asks for Maximal Financial Autonomy*], in *Moldova Azi*, 16 November 2000. Online: <http://www.azi.md/news?ID=9878>, accessed on 30 January, 2010.

administration and the scission of the local parliament. Although the referendum was never held, the central government managed to replace the Gagauzian governor with its candidate through the 2002 anticipated elections. This alienated part of local leadership from central authorities (Järve, 2008).

The 2002 tensions pushed the most influential local forces of Gagauzia to unite against state authorities' "interference in the local autonomy's affairs", by supporting the opposition faction in the local legislative branch and by consolidating the opposition movement "*United Gagauzia*". Since 2003 this movement took the role of raising public awareness every time its leaders considered that Moldovan central authorities acted against Gagauzia autonomy's interests. In 2005 the movement appealed to the help of international community to stop Moldovan authorities' initiative to modify the 1994 Law on the Legal Status of Gagauzia, according to which the governor of the autonomy was to be elected by the local parliament and not through popular elections<sup>48</sup>.

In 2008 Gagauzian political mobilization increased further. "*United Gagauzia*" adopted an appeal addressed to Moldovan central authorities in the name of the whole Gagauzian ethnic minority, in which it was noted that Gagauzians continued to face the same risks of being assimilated as at the beginning of 1990s and that the central authorities did not help enough the Gagauzian leadership to preserve the community's ethnic identity. The appeal also pointed to the lack of political representation within central power and urged Moldovan leadership to change the attitude toward the ethnic minorities<sup>49</sup>. During a mass protest that "*United Gagauzia*" organized in the region in the same year, protesters voiced demands for more political representation, for the allowance of regional political parties' creation, and for

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<sup>48</sup> Miscarea "Edinaia Gagauzia" a chemat comunitatea internationala sa puna capat faradelegilor comise de comunisti in autonomie [*The United Gagauzia Movement appealed to the international community to stop the communists' misdeeds in the autonomy*], in *Moldova Azi*, 25 August 2005. Online: <http://www.azi.md/news?ID=35714>, accessed on 1 February, 2010.

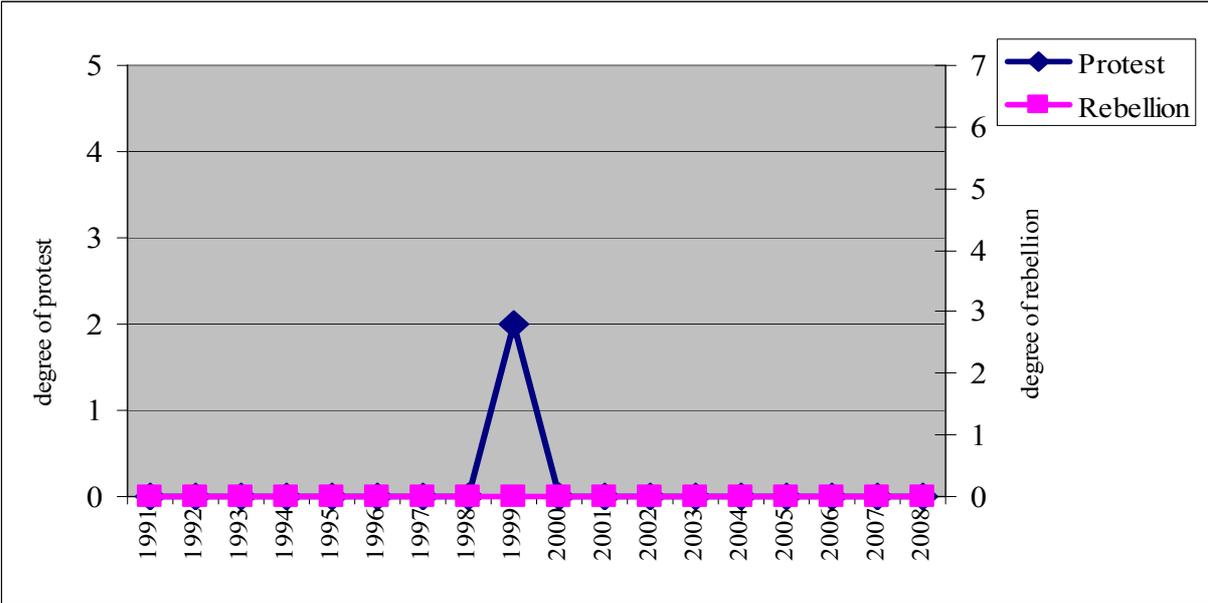
<sup>49</sup> Apelul miscarii "Edinaia Gagauzia" catre conducerea Republicii Moldova [*The Appeal of "Edinaia Gagauzia" Movement to the Authorities of Republic of Moldova*], in *Moldova Azi*, 11 March 2008. Online: <http://www.azi.md/news?ID=48481>, accessed on 31 January, 2010.

clearer division between the central and local powers<sup>50</sup>. This process of mobilization occurred one year before Moldovan parliamentary elections, as result of which the Party of Communists lost its absolute majority in the legislature.

**3.3.3. Bulgarians:**

The Bulgarians in Moldova are compactly settled in the Southern region of the country, in an administrative unit called *Taraclia* (Annex 2 Map 3). Graph III.7 shows that during the transition period Bulgarians have never been politically mobilized. The single case in which the administrative elite of the region with Bulgarian majority attempted to mobilize the local population and address demands to central authorities occurred in 1999. The situation is described below.

**Graph III.7. Political Mobilization of Bulgarians**



In 1998 the Moldovan parliament adopted new laws on local public administration that were meant to put in place a process of territorial decentralization. These laws implied the reorganization of the existing territorial units. The 37 units created during the Soviet Union were to be regrouped in nine new regions with more decision-making and financial local

<sup>50</sup> Manifestantii din Gagauzia cer transformarea UTA in republica [*The Demonstrators in Gagauzia ask for the Transformation of the Territorial Autonomy into a Republic*], in *Moldova Azi*, 21 July 2008. Online: <http://www.azi.md/news?ID=50243>, accessed on 31 January, 2010.

powers. This process required the unification of *Taraclia* with a neighboring administrative unit. This constituted the reason for which the local administrative elite organized a campaign of political mobilization against the central government (Radu, 2000). The protest was manifested through the organization by *Taraclia*'s administration of a local referendum in which people were asked whether they were for the preservation of the old borders for their administrative unit. Eighty percent of local population participated and the popular support for elite's initiated protest proved to be considerable (92% from votes). Moldovan central authorities reacted by declaring the referendum illegal (Radu, 2000). Later during the year, local authorities continued to manifest their protest when they boycotted the organization of Moldovan local elections on the territory of *Taraclia*, by refusing to cooperate with the Electoral Commission for establishing voting sites in the region's villages<sup>51</sup>. Although the state authorities' initial position was to refuse to Bulgarians' demands to keep a separate administrative unit, by the end of 1999 they modified the existing legislation in order to transform the former territorial unit of *Taraclia* into the tenth new administrative unit of Moldova (Radu, 2000).

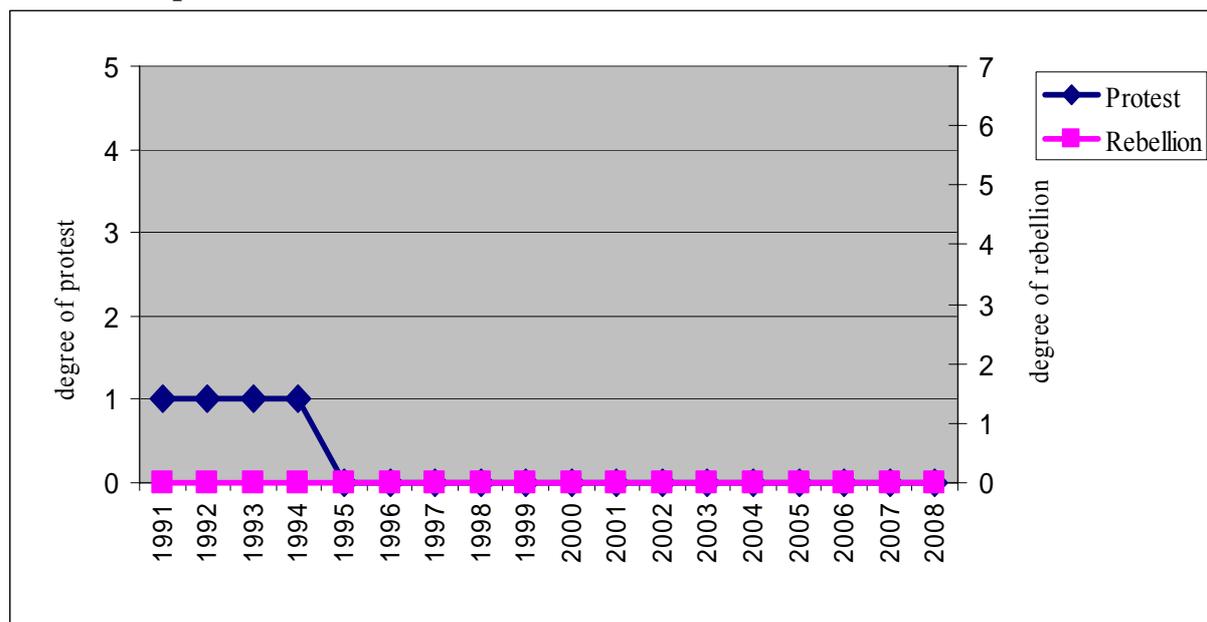
#### ***3.3.4. Ukrainians and Russians outside Transdnistria:***

The Ukrainians of Moldova were the least politically mobilized group, although numerically the biggest ethnic minority. As Charles King noted, their influence was far outweighed by that of numerically smaller groups as Gagauzians (2000; 170). Since 1990 Moldovan Ukrainians as a distinct ethnic group have been represented only by ethnic-cultural organizations. At the same time, they were politically represented by the *Socialist Party* and "*Unity*" *Movement* that claimed to represent several Russian-speaking minorities of Moldova, notably Russians and Ukrainians.

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<sup>51</sup> Mitul unui nou conflict etnic in sudul tarii [*The myth of a new ethnic conflict in the southern part of the country*], in *Tara*, Chisinau, 3 August 1999.

**Graph III.8. Mobilization of Ukrainians and Russians outside Transdnistria**



The ethnic mobilization of Russians and Ukrainians in the Western part of Moldova during the period of transition was generally low.<sup>52</sup> They mobilized for protest actions between 1989 and 1990, as a reaction against the declaration of Romanian official state language. During the protests they demanded the status of second state language for Russian (MAR, 2008). However, since 1991 there was no other attempt of mass protesting. At the beginning of 1990s Russians and Ukrainians' mobilization was reduced to the level of verbal opposition and public declarations in and outside the parliament (Graph III.8). This verbal opposition was voiced against the attempt of the Moldovan authorities to impose the attestation of state agencies' employees for their knowledge of Romanian language, attempt which was annulled in 1994<sup>53</sup>. Ukrainians and Russians also protested against authorities' attempt to introduce Romanian as main language of instruction in the education institutions in

<sup>52</sup> Author's interview with Igor Pivovar (chair of the Centre of Interethnic Research of the Republic of Moldova) and Galina Rogovaia (chair of "Prosvita - Taras Shevchenko" Society of Ukrainians in Moldova); Chisinau (October, 2009).

<sup>53</sup> Atestarea lingvistica se amana. Opozitia se detaseaza de aceasta decizie [*The Language attestation is postponed. The opposition rejects this decision*], in *Saptamana*, Chisinau, 17 April 1994.

which teaching used to be conducted in Russian language during the Soviet Union.<sup>54</sup> However, after 1994 there was no other manifestation of protest by Ukrainians and Russians.

### **3.4. Ethnic Minorities' Mobilization in Post-Soviet Ukraine:**

In 1989, the ethnic Ukrainians constituted 73% of Ukraine's population. The remaining 27% were composed by ethnic Russians (22%) and several other minority groups, each constituting less than 1% (Annex 1). The Russians have a considerable territorial concentration in the Eastern region called Donbass (Annex 2 Map 5) and in the Crimean peninsula, where the number of Russians is completed by the ethnic Ukrainians who use Russian as their first language (Wilson, 2002). According to the 2001 census, about 70% of population in the region of Donbass and about 90% in Crimea declared Russian as their native language (Annex 2, Map 4). In addition, several small minority groups are compactly settled in the Western region of Transcarpathya (Annex 2, Map 5), in which Hungarians and Romanians are territorially concentrated and in which a part of local Ukrainians claim Ruthenian identity (Stroschein, 1996). During the post-Soviet period, the Russians in Crimea had the greatest level of ethno-political mobilization. At the beginning of 1990s, they fought for separation from Ukraine. The Russian population in the other parts of Ukraine also mobilized politically in different moments of transition and as shown below fought for the consolidation of Russian language in the Ukrainian society and particularly in the regions with Russians' compact settlement. Other minority groups in the Western part of the country have also attempted to mobilize, but at a significantly smaller extent.

#### **3.4.1. Russians in Crimea:**

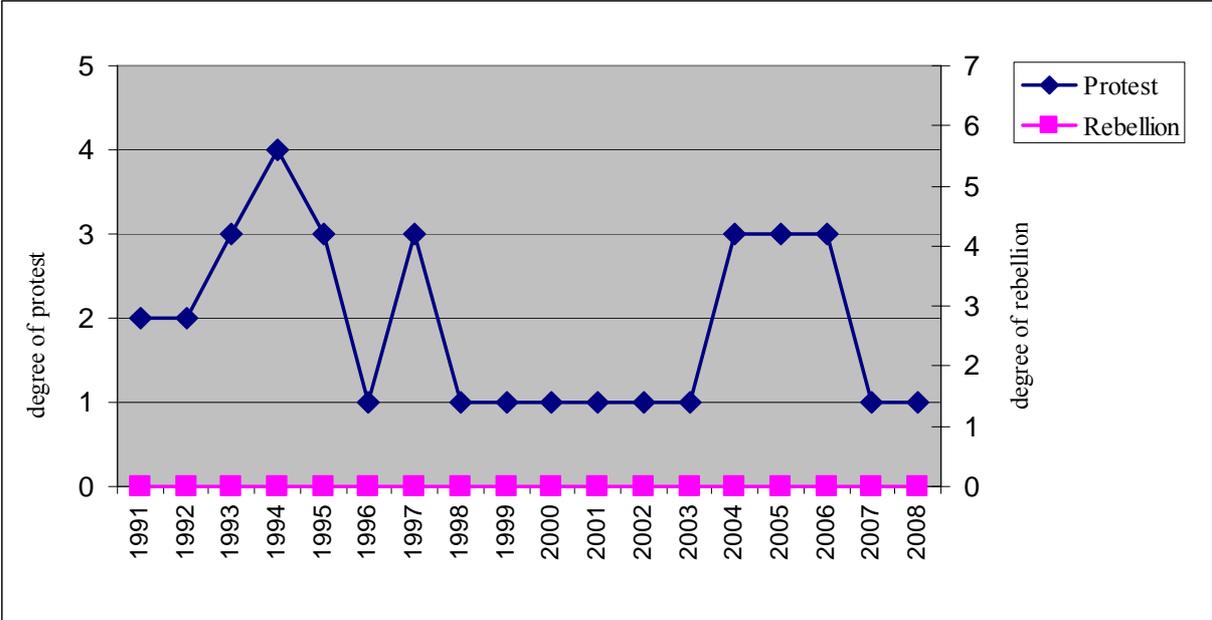
The Russians and russified Ukrainians in Crimea are the ethnic group who mobilized the most during the post-Soviet period. Their mobilization started prior to the independence of

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<sup>54</sup> Гражданам Молдовы - свободу выбора языка обучения! [To Moldovan citizens – freedom of choice in language of instruction!], in *Nezavisimaya Moldova*, Chisinau, 20 July 1994.

Ukraine, when in 1988 Crimean local authorities demanded the status of territorial autonomy for the peninsula. Between 1988 and 1990, this demand was also voiced in mass demonstrations organized in the biggest cities of Crimea. Among the voiced reasons for claiming an autonomous status were the alleged raise of Ukrainian nationalism and the adoption in 1989 of the language law that transformed Ukrainian into the single state language. The mobilization was mainly driven by the local branch of the *Communist Party*, which was the first to recommend in 1989 the organization of a local referendum to decide on questions related to multilingualism and autonomy (Sasse, 2007; 130). The referendum took place in 1991 and resulted in 93% of local voters’ support for the "restoration of the Crimean Autonomous Soviet Socialist Republic as a subject of USSR and as a party to the Union Treaty" (MAR, 2008). Shortly after this referendum, the Ukrainian Supreme Soviet restored Crimea as an autonomous republic within the borders of Ukraine. Nevertheless, this did not put an end to Crimean Russians’ mobilization, because a battle for the division of power between central authorities and Crimean leadership continued.

**Graph III.9. Political Mobilization of Russians in Crimea**



Crimean Russians’ highest level of political mobilization occurred at the beginning of 1990s, period in which several local pro-Russian political organizations (*Russian Community*

of Crimea, Russian Society of Crimea, Russian Movement of Crimea) were formed. These organizations were highly amorphous conglomerates of politicians and activists, united by the idea of separatism, Russian nationalism, and reintegration with Russia. All these movements were led by people with strong position in the local administration (Sasse, 2007). The beginning of 1990s was also the period of largest mass demonstrations, organized by the above-mentioned movements. In 1993, anti-Ukrainian mass protests were organized in Sevastopol and Simferopol (the two of the biggest cities of Crimea), during which protesters voiced demands for the transfer of Crimea back to Russia.<sup>55</sup> In addition, the personnel of Black Sea Fleet located in Crimea protested against Ukrainian authorities. They raised the Russian naval ensigns on the ships and organized demonstrations in which they demanded the transfer of the Fleet to Russia (MAR, 2008). In 1994 and 1995 low and medium scale mass rallies were also organized. In these rallies, protesters insisted on their demands for Crimean independence vis-à-vis Ukraine (MAR, 2008).

At elite level the protest of Crimean Russians was manifested through a “battle of laws”, during which both parts adopted laws and regulations unacceptable by the opposite side. In 1993, Crimean parliament created the post of president of Crimea, while in 1994 it organized presidential elections, in spite of the latter being unrecognized by the Ukrainian authorities. The elected president Yuri Meshkov, the leader of the *Russian Movement of Crimea* that had a majority of seats in the local parliament. In 1994, Crimean leaders drafted a Crimean constitution that provided wide regional powers, notably the power for the president to issue decrees with force of law. After 1994 the Crimean president also started to issue decrees. The Ukrainian central power responded with other decrees, which resulted in the formation of parallel institutions in Crimea (Sasse, 2007).

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<sup>55</sup> This demand had a historical explanation: it was only in 1954 that the peninsula became part of Ukraine, when the Soviet leadership transformed it from an administrative unit of Soviet Russia into an administrative unit of Soviet Ukraine.

However, Crimean elite fragmented shortly after the Crimean presidential elections. This made possible a more effective intervention of the government of Ukraine in the region. Gradually, Crimean president Meshkov started to lose his influence both within the local parliament and in the region. In March 1995, he was removed together with his office, following an intervention of the Ukrainian parliament. By 1995, the Ukrainian authorities managed to increase their influence over the Crimean leadership, which eventually led to the establishment of the legal status for the Autonomous Republic of Crimea in 1998, under conditions accepted by both parts (Kuzio & Meyer, 1999; 313).

After 1995 a certain degree of Crimean Russians' political mobilization was preserved. This was manifested through occasional protests against the language policies of Ukraine, as the latter were supposed to affect Crimean education system and mass media. In 1997, Crimean pro-Russian organizations organized several mass riots, during which protesters called for the return of the peninsula to Russia. Some forms of protests coming from Crimean Russian organizations continued until the Orange Revolution (2004), with occasional public declarations against the processes of "Ukrainization" (MAR, 2008).

During and after the 2004 Orange Revolution the Crimean Russians' level of mobilization increased again. This time the aim was to support Viktor Yanukovich, the pro-Russian candidate in the Ukrainian presidential elections. During the Orange Revolution and occasionally within the two years that followed, the Crimean pro-Russian political parties organized mass demonstrations in different cities of Crimea, in support for Yanukovich and his Party of Regions. During these demonstrations, participants emphasized their support for granting to Russian the status of second state language (Matsuzato, 2009). After the 2006 parliamentary elections, in which the Party of Regions led by Yanukovich obtained a significant majority of mandates, the level of Crimean Russians' mobilization decreased.

### 3.4.2. *Russians outside Crimea:*

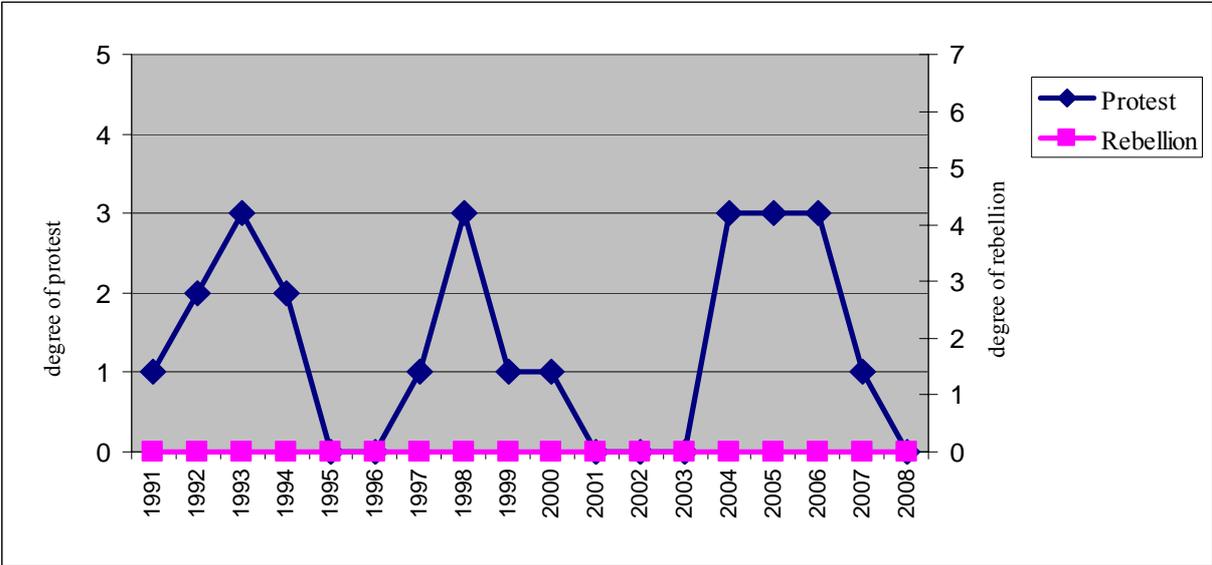
Since the independence of Ukraine, Russians outside Crimea also engaged in political mobilization, notably in the Eastern region of *Donbass* where they constituted an absolute majority (Annex 2, Map 5). The mobilization of Russians and Russian-speaking population in the Eastern part of Ukraine was mostly economically driven. When Soviet Union collapsed, the Eastern region of Ukraine was the most developed economically and the most industrialized. This implied that under an independent Ukraine, this region had to support the poorer regions of the country. Moreover, the mining industry in *Donbass* benefited from the close economic relations with Russia, therefore local entrepreneurs were interested in keeping them (Birch & Zinko, 1996). At the same time, the ethnic question had an important place in the respective political mobilization: the “Russianness” of local population was often emphasized, while the preservation of a dominant position for the Russian language in the region was among the mostly voiced demands.

At the beginning of 1990s, the political mobilization of Russians in *Donbass* started at the elite level, when pro-Russian political movements with strong support in the region (i.e. *Ukrainian Interfront* and *Rebirth of Donbass Movement*) demanded local official status for the Russian language, dual citizenship with Russia, and regional autonomy for Donbass within a federal Ukraine (Kuzio & Meyer, 1999; 319). Other more moderate movements (*Rebirth of Donbass*) demanded the formation of a free economic zone in the region and the federalization of Ukraine. In addition, the local administration of Donbass region demanded a greater degree of local autonomy (Solchanyk, 1994; 59).

Between 1992 and 1994, several regional political parties formed in *Donbass*. Among them were *Liberal Party*, *Labor Party*, and *Civic Congress Party of Slavonic Unity*. (Solchanyk, 1994). All these parties pleaded for granting to Russian the status of second state language and an official local status of language of administration in Donbass. They also

pleaded for the status of local autonomy for the region. In 1993, these demands were also voiced during the miner strikes that were primarily organized for protesting against the degrading conditions of mining industry in Eastern Ukraine. In parallel to these strikes, groups of teachers in the Eastern city of Donetsk rioted against the Ministry of Education’s campaign for ukrainization of local schools, campaign that local school administrations refused to implement. In 1994, the mobilization was manifested through the organization of a referendum in the region, in which 90% of participants polled in favor of giving Russian an official status (MAR, 2008).

**Graph III.10. Political Mobilization of Russians outside Crimea**



After a relatively short period of passivity, Russians in Ukraine and notably in the Eastern part of it restarted to protest against central power. In 1998, the *Civic Congress of Ukraine* and the regional committee of the *Socialist Party* organized a public protest in the Eastern city Donetsk, during which city residents picketed against the governmental measures to promote the development and use of the Ukrainian language in the region. In the same year, similar protests were organized in the capital Kiev. In 1999 and 2000, Russian community leaders continued to protest against ukrainization, notably through official

declarations, mass media publications, and petitioning. The unanimous demand was to grant to Russian the status of second state language (Kulyk, 2002; 117).

During the 2004 electoral campaign and during the Orange Revolution the ethnic mobilization in Ukraine was reactivated. This was due to the discourse of *Party of Regions* led by Viktor Yanukovich, in which the question of the status of Russian language was reopened. The demand to increase the status of Russian language was voiced during the mass demonstrations organized after the Orange Revolution in different regions of Ukraine and notably in the Eastern region of *Donbass*. In 2006, the City Councils of several cities in the Eastern and Southern parts of Ukraine declared Russian as official regional language, which was later overturned by the regional courts<sup>56</sup>. This decision of local administrations was accompanied by mass demonstrations organized by pro-Russian local associations, in which protesters condemned once again the processes of ukrainization and demanded the increase of the legal status of Russian<sup>57</sup>.

### **3.4.3. Ethnic Minorities in Western Ukraine:**

The minorities compactly settled in the Western region of Ukraine called Transcarpathya also attempted to mobilize against central power. According to the 1989 census, the majority of population in the region was Ukraininan (78%), followed by Hungarians (13%), Russians (4%), and Romanians (2%).<sup>58</sup> A considerable part of Ukrainians in the region claimed having Ruthenian ethnic identity, which was never officially recognized by Ukrainian authorities. The level of these groups' political mobilization has been generally small during the post-Soviet period. There were only two instances – in 1991 and in 1999 – when these groups cooperated politically for expressing ethnically-driven demands.

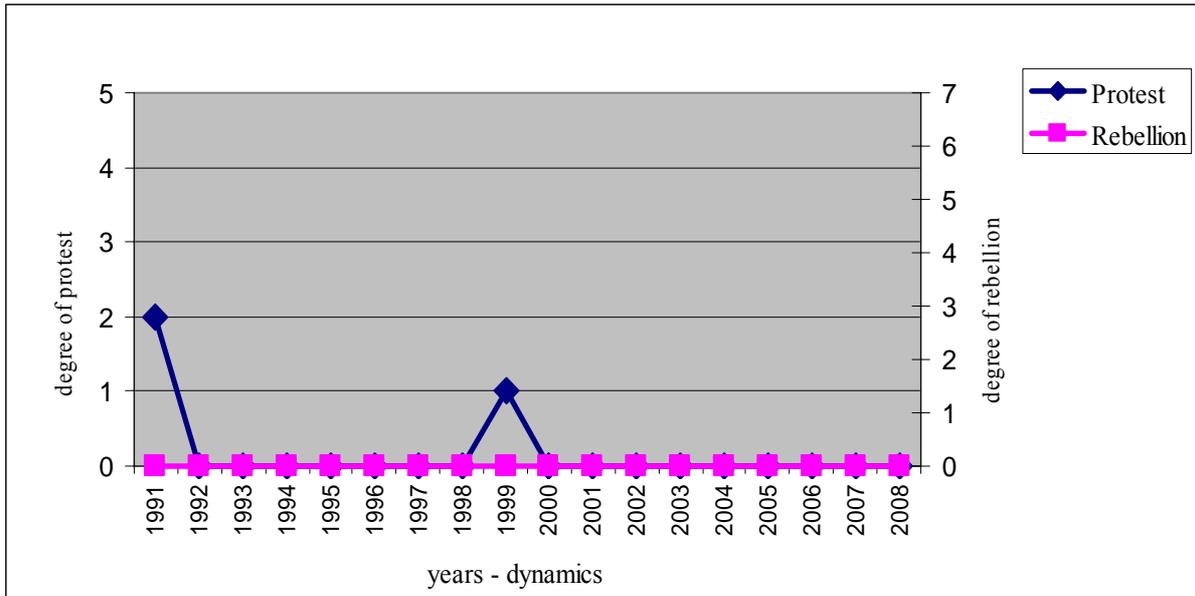
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<sup>56</sup> Харьковский горсовет не позволил прокурору запретить русский язык [*Kharkov City Council did not allow to the Prosecutor to forbid the Russian language*], in *Tomskij Obzor*, Tomsk, April 2006. Online: <http://obzor.westsib.ru/news/78625>, accessed on 8 February, 2010.

<sup>57</sup> В Одессе проходит митинг с требованием предоставить русскому языку статус регионального [*In Odessa a mass demonstration is organized for the support of the regional status for Russian language*], in *Russian News*, 26 May, 2006. Online: <http://www.newsru.com/world/22feb2006/ruslang.html>, accessed on 8 February, 2010.

<sup>58</sup> Soviet Union Population Census 1989.

**Graph III.11. Political Mobilization of Ethnic Minorities in Western Ukraine**



In 1990 the *Society of Carpathian Ruthenians*, created originally as a cultural-educational organization, declared the return of the Autonomous Status for Transcarpathya, which the region lost when it was annexed in 1946, to the Ukrainian Soviet Republic. At the same time the local administration also demanded the transformation of the region into a free economic zone and into a self-governing administrative territory as part of the independent Ukraine (Solchanyk, 1994; 62-63). In 1991 the local authorities organized a referendum, in which the population was questioned whether Transcarpathya should have a territorial status of autonomy within an independent unitary Ukraine, which yielded 78% of affirmative responses (Stroschein, 1996; 165). However, shortly after this referendum, the issue of autonomy was taken out of the local political agenda and the local elite have not attempted to mobilize the population on an ethnic basis again.

In 1999, the ethnic groups in Transcarpathya manifested some signs of ethnic mobilization again, this time in cooperation with the minorities residing in other regions of Western Ukraine. These groups formed a Confederation, with a view to increase ethnic minorities' influence over local authorities. The Confederation cited cases of ethnically-driven discrimination, including the prevention of ethnic minority representatives to hold office in

local administration and the reduction of schooling in ethnic minority languages (MAR, 2008). But the activity of this confederation never evolved into more intense political mobilization and more insistent expression of demands.

**Final Remarks:**

The main goal of this chapter was to determine the degree in which ethnic mobilization is empirically correlated with power concentration in Georgia, Moldova, and Ukraine. This empirical exercise constitutes the first step into the analysis of the causal chain between power concentration and ethnic mobilization against the state. Graphs III.12, III.13, and III.14 combine the data on power concentration discussed in Chapter I with the data on minorities’ mobilization against the state discussed in this chapter, while Table III.1 summarizes the findings by comparing the averages of ethnic minorities’ mobilization – both for protest and for rebellion - in the years with power concentration, with the respective averages in the years with power fragmentation. The comparison reveals that in the three studied countries the ethnic mobilization was overall higher in the periods with fragmented power than in the periods with concentrated power.

<b>Table III.1. Ethnic Minorities’ Mobilization in the Years with Concentrated Power and in the Years with Fragmented Power: Averages Compared</b>				
	Averages for Protest		Averages for Rebellion	
	Fragmented Power	Concentrated Power	Fragmented Power	Concentrated Power
Georgia	1.4	0.5	1.0	0
Moldova	0.7	0.5	0.5	0
Ukraine	1.4	0.8	0	0
Maximum value possible	5	5	7	7

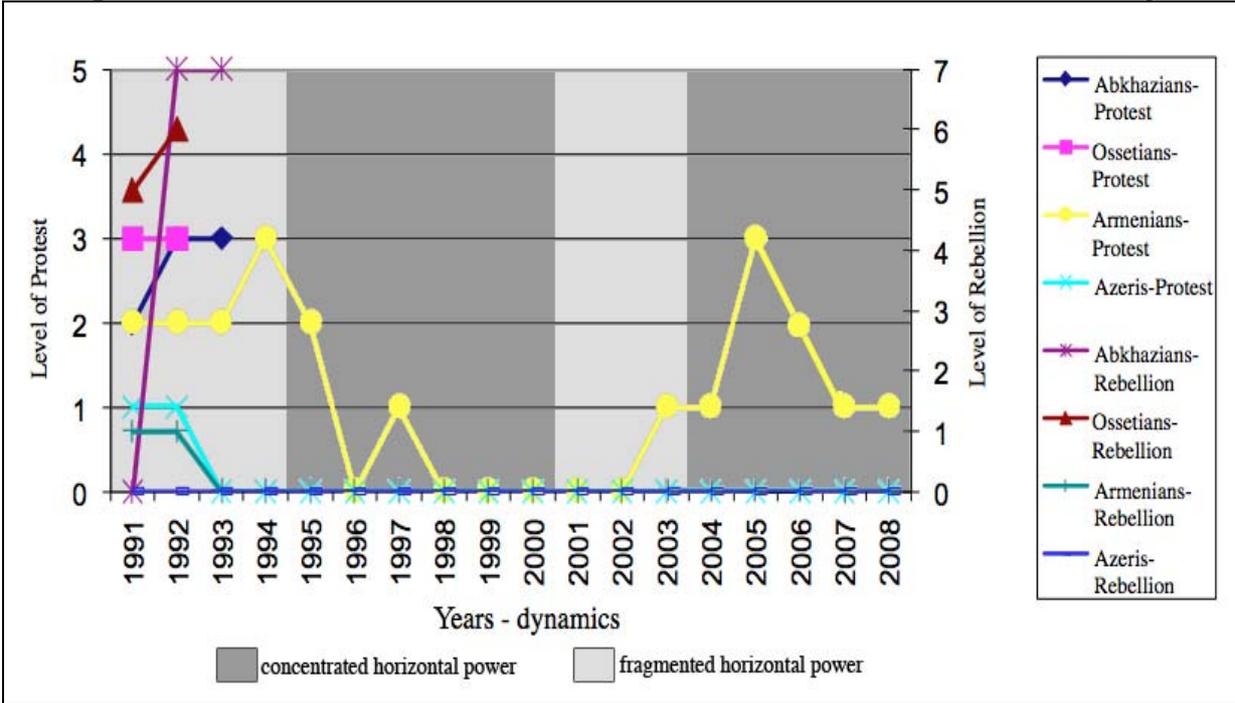
In the case of some minority groups, the level of mobilization decreased when horizontal power got concentrated. This was the case of Georgian Armenians between 1995 and 2000, of Moldovan Gagauzians, Russians and Ukrainians between 1993 and 1995, and of Crimean Ukrainians between 1996 and 2002. However, there were cases of minority groups

whose level of mobilization intensified when horizontal power got concentrated. This was the case of Georgian Armenians between 2004 and 2008 and of Moldovan Gagauzians between 2001 and 2008.

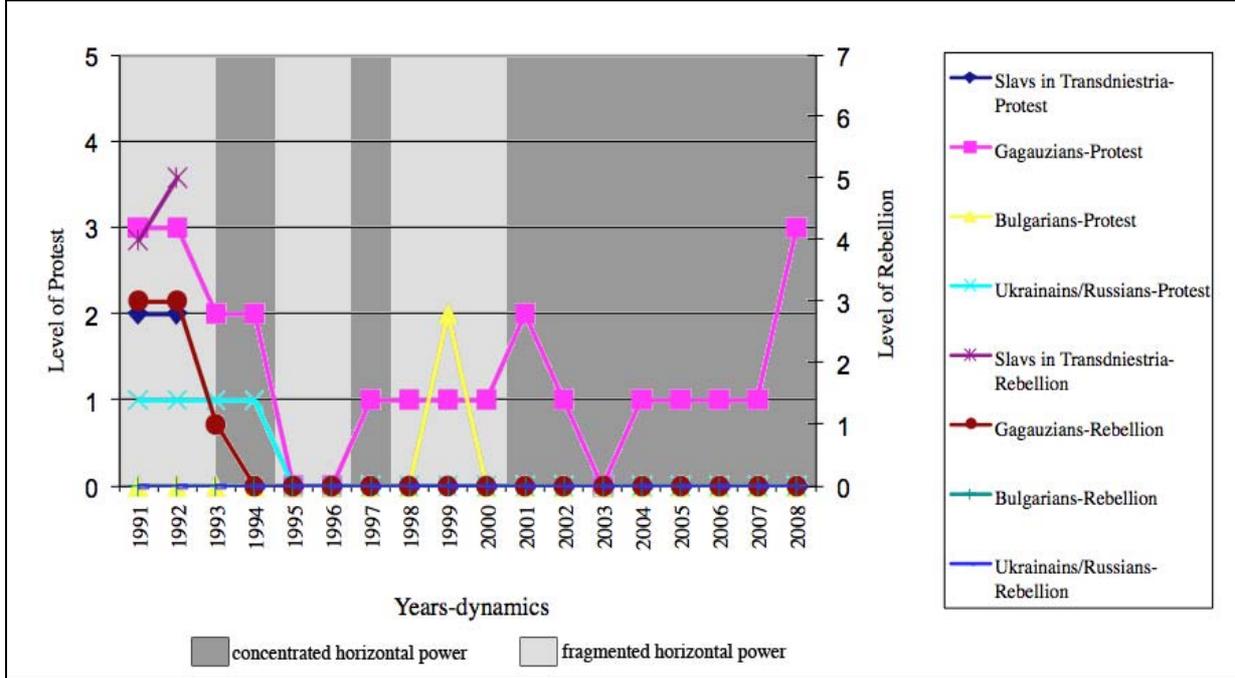
Finally, some minority groups intensified their level of mobilization in periods of fragmented power, after periods of concentrated power: Crimean and non-Crimean Russians in Ukraine between 2003 and 2008, and Bulgarians between 1998 and 2000. The comparison also shows that in the post-Soviet Georgia, Moldova, and Ukraine the highest level of mobilization occurred during the first years of transition and in periods with strongly fragmented power, when the mobilization was intensified by the number of ethnic minority groups that mobilized, by the level of minorities' protest, and also, by the level of minorities' rebellion.

These findings also suggest that the cases of power concentration can differ with respect to how much political elite incumbents manage to control minorities' access to mobilizing resources, in respect to how much they respond to ethnic minorities' demands, and in respect to how much their concentrated regimes guaranteed political representation for minorities.

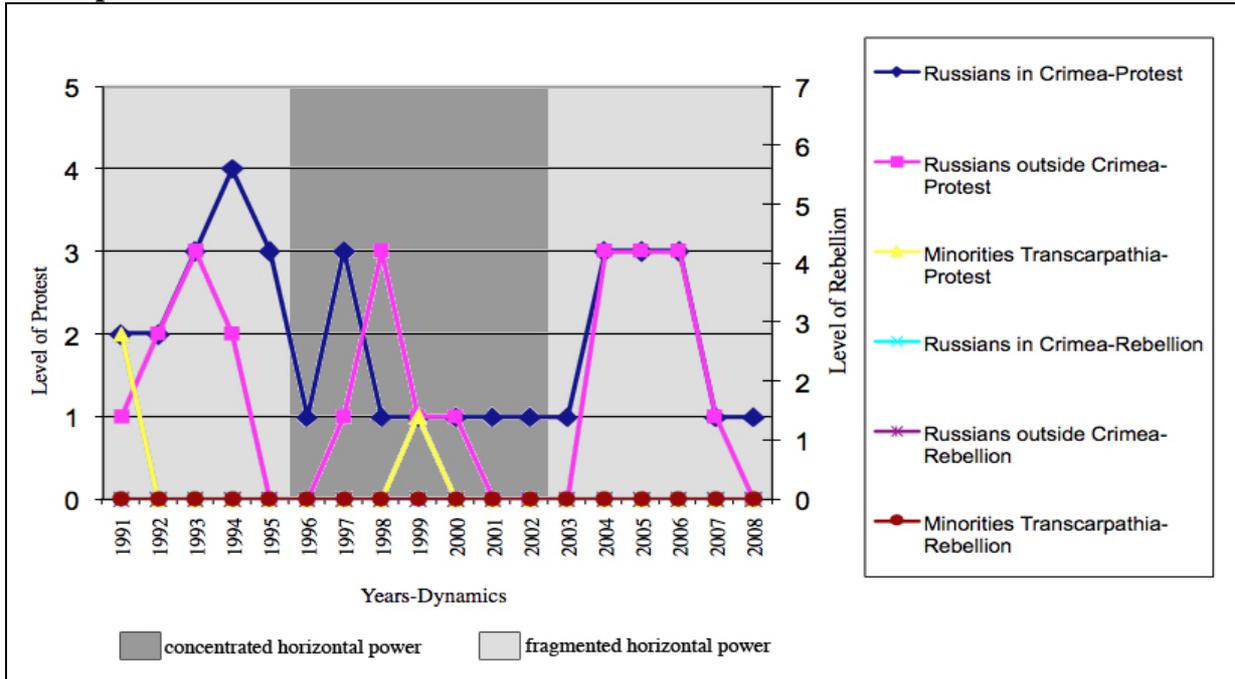
**Graph III.12. Ethnic Minorities' Mobilization and Power Concentration in Georgia**



**Graph III.13. Ethnic Minorities' Mobilization and Power Concentration in Moldova**



**Graph III.14. Ethnic Minorities' Mobilization and Power Concentration in Ukraine**



## **: Power Concentration and State-Minority Relations**

As discussed in Chapter 1, the first hypothesis of this thesis is that *by discouraging the institutionalization of multi-ethnicity and by encouraging the integration of minorities into a common public identity, power concentration tends to depoliticize the ethnic diversity of the state and in this way hinder the access to loyalty resources for potential minorities' mobilization*. In this chapter, this hypothesis is empirically tested on the cases of post-Soviet Georgia, Moldova, and Ukraine. Specifically, I determine the periods with most favorable and the periods with most unfavorable state position towards ethnic minority groups.

### **4.1. Conceptual Framework:**

In order to determine the level in which the governmental policies have been sensitive towards minorities' interests, reference criteria for the assessment of specific policies are necessary. Two possible criteria can be used in the context of this research. The first is the set of international standards of minority rights: the policies of specific countries may be more or less in line with them. The second is the nature of change over time of specific governmental policies towards minorities: with time, these policies may change in favor of- or against minorities' interests.

The first reference criterion – international standards of minority rights – is the most frequently used in political discourses. Both states and minorities can refer to these standards, in order to legitimize the need for more minority rights, or to argue that minority rights are respected enough. Several international documents elaborated by the United Nations, Council of Europe, and Organization of Security and Cooperation in Europe constitute currently the international standards that establish ethnic minority rights and the general obligations of states to implement them. However, the international standards contain rather vague provisions and therefore let a great amount of discretion to the states in the way they apply

them (Henrard, 2000, 158). They leave at the discretion of states the identification and recognition of minority groups<sup>59</sup>. Moreover, while the international standards explicitly state the principles of non-discrimination and basic cultural autonomy, there is too much ambiguity on how these principles shall be applied (Hadden, 2005, 173). At the beginning of 1990s the Conference on Security and Co-operation in Europe and the Council of Europe endorsed territorial autonomy as a “best practice” for minority rights protection, but this position was abandoned by middle of 1990s and replaced with more general standards, because of its little suitability to social-political peculiarities of the post-communist region (Kymlicka, 2008).

Hence, the international standards can be useful for determining whether states included the minimum-required non-discrimination principles in their legislation, but they can be used at a lesser extent for determining how states interpret these standards and adjust them to their own political systems. States can apply the principle of non-discrimination by integrating all citizens into shared national institutions, or by accommodating diversity through minority-specific institutions (McGarry et al., 2008). None of the two choices is explicitly denied or categorized as discriminatory by the international standards. Therefore, in order to assess state policies towards ethnic minorities the over-time analysis of ethnicity-relevant policies is more useful.

As discussed in Chapter 1, the ethnicity-related state policies can encourage either the integration of minorities into a common identity, or the preservation of minorities’ identity. Rogers Brubaker categorized the two policy directions into “nationalizing” and “multi-ethnic” (Brubaker, 1995, 1996a), while McGarry *et. al.* categorized them into “integration” and “accommodation” and specified the policy choices falling into each of the two categories

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<sup>59</sup> Neither the United Nations, nor the Council of Europe has formulated a comprehensive definition of what a “national minority” is. International organizations apply some general criteria to determine who the “national minorities” are, in connection with the monitoring activities of minority rights protection. These criteria may be objective characteristics (such as national or ethnic origin, language and/or religion), self-identification, the time element (minorities must have long term presence in the territory concerned), and the number of group members (Alfredsson, 2005). However, their application is case-sensitive.

(McGarry et al., 2008; 28). States rarely choose all policies from exclusively one of the two repertoires. Instead, they adopt a mixture of integrationist and accommodationist elements (Choudhry, 2008, 32-34). Moreover, specific public policies can be integrationist or accommodationist at different degrees, i.e. there is variation within each of the two repertoires (McGarry et al., 2008, 45-67). This is why in practice the “integration/accommodation” constitutes a continuum, with countries approaching one or another of the two ends, depending on the nature of each implemented policy. Similarly, any changes in specific ethnicity-related policies over time can imply enhanced support for one or another of the two directions.

Supporters of both integration and accommodation have substantiated arguments that the policies they advocate provide more stability, democracy, and distributive justice than the policies promoted by the opposite side. Supporters of accommodation also believe that stability is more likely under the policies they advocate because ethnic minorities’ interests are more satisfied and hence, minorities do not have incentives to rebel. On the contrary, integrationists believe that their policies condition more stability because they blur the divisions between communities and prevent the reinforcement of loyalty towards ethnic elites (McGarry et al., 2008, 71-72). Supporters of accommodation also believe their policies are more democratic because they better guarantee minorities’ representation; at the same time, integrationists argue that their policies are more democratic as they guarantee more protection for individuals (McGarry et al., 2008; 82-84). Finally, for supporters of accommodation the distributive justice is reinforced by extensive group rights, while for integrationists the recognition and public power of a minority group may determine it to repress its own members, or to privilege the identity of some groups’ members over those of other groups (McGarry et al., 2008; 78-79).

My assumption in this thesis is that ethnic minorities in post-Soviet Georgia, Moldova, and Ukraine have been generally supportive for the policies that encouraged accommodation. This is because after the collapse of Soviet Union the three countries have experienced processes of transition that implied much ambiguity regarding the degree of democracy that could be institutionalized in each of these states. The accommodationist policies were perceived as giving more guarantees to ethnic minorities that they were not risking discrimination. Moreover, some of these minorities had privileged position during the previous regime and in their perspective, the implementation of integrationist policies implied loosing former privileges. Therefore, I assume that minorities tended to perceive those policy changes and official discourse statements that implied a step closer towards accommodation as being “minority-friendly”. Similarly, minorities tended to perceive those policies that implied a step closer towards integration as being “minority-unfriendly”. Therefore, a particular ethnicity-related policy was in *minorities’ interest* if it contributed to strengthening the accommodationist character of state-minority relations over time.

Integration and accommodation repertoires imply different views on what specific policies should be implemented. McGarry et al. (2008) described the differences between actual integrationist and accommodationist policies. Table IV.1 lists those differences that are relevant for the countries studied in this research. The policies related to political parties, bureaucracy, and internal political boundaries refer to minorities’ involvement in social-political processes of the state. The bill of rights refer to state official recognition of minority groups. State language, church-state relations, and civic associations refer to minorities’ identity preservation. To these policies, I also add education and official discourse.<sup>60</sup>

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<sup>60</sup> Education has been a highly relevant policy for state-minority relations in the three studied countries; official discourse is added to the constitutional preamble because the latter have not changed during the transition period in Georgia, Moldova, and Ukraine, and because it does not cover the transition period before the adoption of constitutions.

**Table IV.1. Models of State-Minority Relations<sup>61</sup>**

No.	Policy/Domain	Integration Repertoire	Accommodation Repertoire
1	Official Discourse	Building a nation-state, with one people.	Building a multi-national state, with several peoples or nationalities or faiths.
2	Bill of Rights	Statewide bill of rights. Exclusive emphasis on individual rights.	State and regional bills of rights. Emphasis on both individual and groups rights.
3	Civic associations	Favors “bridging” associations that transcend nation, ethnic, linguistic, or religious groups.	Acceptance of group-based associations.
4	Church-State Relations	Direct or indirect recognition of a state religion.	Various religions formally recognized and supported. No official or state religion.
5	Education	Common schools. Prescribed national curriculums.	Separate schools for minorities.
6	State Languages	One official (public) language.	More than one official (public) languages.
7	Bureaucracy	Emphasis on difference-blind compositional rules. Impartiality. Meritocracy. Professionalism.	Stresses on descriptive representation of communities in key public posts.
8	Political Parties	Favors state-wide and programmatic parties. Sometimes favors rules that require parties to have state-wide organization.	Acceptance of party system that is based on sub-state national, ethnic or religious communities.
9	Internal Political Boundaries	A unitary state with no significant internal boundaries, or non-ethnic federation.	Internal boundaries organized to allow self-governance to minorities.

The policy descriptions in Table IV.1 reveal that in an ideal integrationist state the official discourse explicitly prioritize the nation-state and “nationalizing” state building process, while the bill of rights promotes exclusively individual rights; the internal legislation prioritizes exclusively individual rights and promotes one official language, one (semi-) official religion, common schools for everybody, state-wide non-ethnic parties, “bridging” associations, and non-ethnic internal territorial boundaries. In contrast, in an ideal accommodationist state the official discourse recognizes the state’s multi-ethnic character and prioritizes the “multi-ethnic” state-building path; the internal legislation accentuates both group and individual rights and allows several official languages, supports minority schools,

<sup>61</sup> Source: McGarry et. al. (2008, 70), with author’s modifications (i.e. education and official discourse added as additional domains; also, definition for church-state relations domain modified to fit more to the situation of Eastern Europe).

associations, and religions, allows the development of regional and ethnic parties, and establishes ethnically based internal territorial boundaries.

The policies and domains listed in Table IV.1 have different degrees of significance. Church-state relations domain is relevant only when ethnic group boundaries coincide with the religious group ones. Internal political boundaries are relevant only for territorially concentrated minorities. Political parties are relevant only for territorially concentrated minorities if the legislation restrains the formation of regional parties. The official discourse and bill of rights have mostly symbolical character because they do not necessarily have policy implications. This is why they are less significant than education, state languages, religion, association, and bureaucracy.

In the sections that follow, I determine the degree in which specific policies in post-Soviet Georgia, Moldova, and Ukraine approached accommodation or integration in different periods of transition. For this, I analyze the changes in each of the nine domains listed in Table IV.1, for each country between 1991 and 2008. For the sake of comparison, I establish an internal degree scale for each of the two repertoires, with 0.1 and -0.1 indicating the minimum amount of accommodation and respectively, integration; and with 3.0 and -3.0 indicating the maximum amount of accommodation and respectively, integration.<sup>62</sup>

#### **4.2. The Dynamics of State-Minority Relations in Post-Soviet Georgia:**

There are two relatively big ethnic groups in Georgia. The first is constituted by Armenians, 46% of whom live in the Southern region called *Samtskhe-Javakheti*, at the border with Armenia and Turkey, where they constitute 55% of the local population. The second is constituted by Azeris, 79% of whom live in another Southern region called *Kvemo-Kartli*, at the border with Armenia and Azerbaijan, where they constitute 45% of the local

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<sup>62</sup> The empirical analysis in this chapter is based on the legal acts related to state-minority relations as listed in Annex 6, on interviews with ethnic minority leaders, journalists, and researchers as specified in Annex 7, as well as on various secondary sources.

population. The other minority groups are significantly smaller and mostly territorially dispersed. In the following subsections I analyze how the state policies and discourse towards minority groups in post-Soviet Georgia evolved since 1991.

#### ***4.2.1. Official Discourse:***

None of the constitutions of post-independent Georgia ascribed the state sovereignty to a particular ethnic group. There was no ethnic hegemony attributed to the general or specific rights established in the fundamental texts. Neither was there the building of a nationalizing state explicitly stated in the constitutional preambles.<sup>63</sup> References were made to “citizens of Georgia” or to “the people”. All constitutions valid in Georgia during transition recognized the existence of ethnic minority groups in the country, as well as the need to protect their rights against discrimination and their identity preservation. The 1921 Constitution even contained a separate section on ethnic minorities.<sup>64</sup> All three presidents of post-Soviet Georgia recognized the existence of minority groups and the historical character of Georgian multi-ethnicity in their public discourses.<sup>65</sup> Zviad Gamsakhurdia even declared Abkhazians a constituent nation within the Georgian state.<sup>66</sup> At the same time, presidents emphasized the Georgian identity as the basis for the Georgian state building (Nodia, 1996).

Nevertheless, this recognition never went so far as to officially attribute to Georgia the “multi-national” character. The ethnic groups were rather mentioned in the context of human rights and non-discrimination principles, than in the context of state building. The only exception was the group of Abkhazians: the 1995 constitution granted them rights that are

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<sup>63</sup> See Article 2 in the Constitution of the Soviet Socialist Republic of Georgia (1978) and Article 5 in the Constitution of Georgia (1995).

<sup>64</sup> See Chapter XIV (Articles 129-137) in the Constitution of Republic of Georgia (1921).

<sup>65</sup> See, for instance, the Speech of First Georgian President Zviad Gamsakhurdia to the Session of Supreme Soviet of Republic of Georgia on 7 June, 1991. *Svobodnaya Gruzija*, 13 June 1991; The Call of President of Georgia Zviad Gamsakhurdia towards all population of Georgia, 12 June 1991. *Svobodnaya Gruzija*, 14 June 1991.

<sup>66</sup> The Speech of First Georgian President Zviad Gamsakhurdia to the Session of Supreme Soviet of Republic of Georgia on 7 June, 1991. *Svobodnaya Gruzija*, 13 June 1991.

typically attributed to constituent nations.<sup>67</sup> Moreover, the constitutions provided a single state language – Georgian – and forbade double citizenship, elements which generally imply the building of a nationalizing state. For these reasons, Georgian official discourse since 1991 implied soft integration and this position was never fundamentally revisited during the period of transition.

#### **4.2.2. Bill of Rights:**

All constitutions of post-Soviet Georgia explicitly stated the principle of non-discrimination on ethnic, religious, or linguistic basis.<sup>68</sup> This principle was also embodied in the main Georgian laws adopted during the 1990s.<sup>69</sup> Moreover, all constitutions provided to ethnic minorities the right to use their own language in private and public, as well as to develop their own culture.<sup>70</sup> Hence, the Constitutions did make some references to group rights, which is specific to the accommodationist perspective of state-minority relations.

At the same time, the constitution parts listing the human rights made always an exclusive emphasis on the individual, without any reference to the group rights. Even the 1978 Constitution that provided autonomous statuses to Abkhazia and South Ossetia did not present these statuses as being in relation to the ethnic minorities that were settled there.<sup>71</sup> The articles referring to the right of education, cultural development, political participation, and access to information that are relevant for ethnic minorities as groups have been in all cases formulated as individual rights.<sup>72</sup> The only exception is the 1921 Constitution, which contains a separate section on the rights of minorities that also states the rights for self-government and

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<sup>67</sup> See Article 8 in the Constitution of Georgia (1995).

<sup>68</sup> See Article 129 in the Constitution of Republic of Georgia (1921); Articles 32 and 34 in the Constitution of the Soviet Socialist Republic of Georgia (1978); Articles 14 and 38 in the Constitution of Georgia (1995).

<sup>69</sup> See the Law on “Citizenship” (1993); the Law on Political Unions of Citizens (1997); Articles 72 and 75 of the Criminal Code of Georgia (1999); Articles 3, 6, 9, 19, and 33 of the Law on “Culture” (1997).

<sup>70</sup> See Article 129 in the Constitution of the Republic of Georgia (1921); Article 34 in the Constitution of the Soviet Socialist Republic of Georgia (1978); Article 38 in the Constitution of Georgia (1995).

<sup>71</sup> See Articles 79-84 in the Constitution of the Soviet Socialist Republic of Georgia (1978).

<sup>72</sup> See Articles 16-45 in the Constitution of the Republic of Georgia (1921); Articles 37-67 in the Constitution of the Soviet Socialist Republic of Georgia (1978); Articles 12-37 and 39-47 in the Constitution of Georgia (1995).

cultural autonomy.<sup>73</sup> However, because the 1921 Constitution functioned in parallel with the 1978 one at the beginning of 1990s, the relevance of this exception for political life is uncertain. This is why the bill of rights included in the constitutions in force during the post-independence period implied a soft form of integration.

This tendency to support integration was strengthened even more in 2005, when the Georgian parliament ratified the Framework Convention for the Protection of National Minorities. With this ratification, the Parliament adopted a Resolution that defined the term “ethnic minority”. According to the Resolution, an individual could be considered as part of a “national minority” if s/he had Georgian citizenship and resided on the territory of Georgia for a long time, if his/her ethnic group was living in compact territorial settlement, and if there were differences in culture, language, and ethnic identity as compared to the dominant part of the population. The implications of these criteria restricted the categories of citizens that could refer to the ethnic minority rights stated in the fundamental law. By including the territorial criterion, the state formally denied membership within a „national minority” group to territorially dispersed minorities and to small minority groups that constituted nowhere a majority in Georgia (i.e. Russians, Ukrainians, and Greeks). Therefore, from the point of view of „bill of rights”, by 2005 Georgia strengthened the integration principle of state building process, as compared to the period before.

#### **4.2.3. Civic Associations:**

The formation of ethnic group-based associations was always legally allowed in post-Soviet Georgia. In practice, many civic organizations with ethnically based focus were registered and activated during the 1990s and 2000s. In the first years after independence, some of these organizations were substitutes for local political movements. This was particularly the case of the Armenian organization *Javakh* and of the Azeri organization

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<sup>73</sup> See Chapter XIV in the Constitution of the Republic of Georgia (1921).

*Geyrat* (NITG, 2008; 15). Hence, the Georgian policies on civic associations during the period of transition have been in line with the accommodation principle of state-minority relations.

#### **4.2.4. Church-State Relations:**

Two of the greatest minority groups of Georgia do not share the Orthodox belief of the majority population. The Azeris are predominantly Muslim, while Armenians worship in the Armenian-Gregorian church. This is confirmed by the 2002 census data presented in Table IV.2. According to the census, the Armenian-Gregorian and Muslim believers constitute the two greatest minority religious groups in Georgia. The greatest part of Armenian-Gregorian church worshippers live in the district with Armenians' compact settlement, while the greatest part of Muslim believers live in the district with Azeris' compact settlement.

<b>Table IV.2. Religion of Compactly Settled Minorities in Georgia (%)<sup>74</sup></b>						
	Regions	Ethnic Minorities	Orthodox	Catholic	Armenian Gregorian	Muslim
1	Total-Georgia	16,2	<b>83,9</b>	0,8	3,9	9,9
2	Kvemo-Kartli	55,3	48,7	0,2	5,7	<b>45,4</b>
3	Samstkhe-Javakheti	56,6	40,9	13,4	<b>42,3</b>	2,8

The Georgian 1995 constitution was the first to establish the state position towards religion. It stated that “the persecution of an individual for his thoughts, beliefs or religion is prohibited, as is the compulsion to express opinions about them”.<sup>75</sup> At the same time, the constitution recognized the exclusive role of the Georgian Orthodox Church in the Georgian history.<sup>76</sup> Before 2002, these two constitutional articles were the only legal provisions about state-church relations. Although they allowed diversity of religious views, during the 1990s the importance of the Orthodox Church at all levels of society made it a state religion *de facto* (Amor, 2004). Therefore, state-church relations supported the integrationist repertoire of state-building process.

<sup>74</sup> Source: Republic of Georgia Population Census Data, 2004.

<sup>75</sup> See Article 9 in the Constitution of Georgia (1995).

<sup>76</sup> See Article 19 in the Constitution of Georgia (1995).

In 2002, the tendency towards integration in the policies towards religion was strengthened even more, due to the “Constitutional Agreement” that the Orthodox Church signed with the state. According to this Agreement, the Orthodox Church obtained the “legal entity of public law”, with a range of privileges such as ecclesiasts’ freedom from military service, formal recognition of marriages performed by the church, the right to have chapels in all penitentiaries, and more importantly, tax privileges and property ownership (Tsintsadze, 2007). Through this agreement, the state formally strengthened the role of the Orthodox Church as “state religion” because the other religious groups did not have similar privileges.

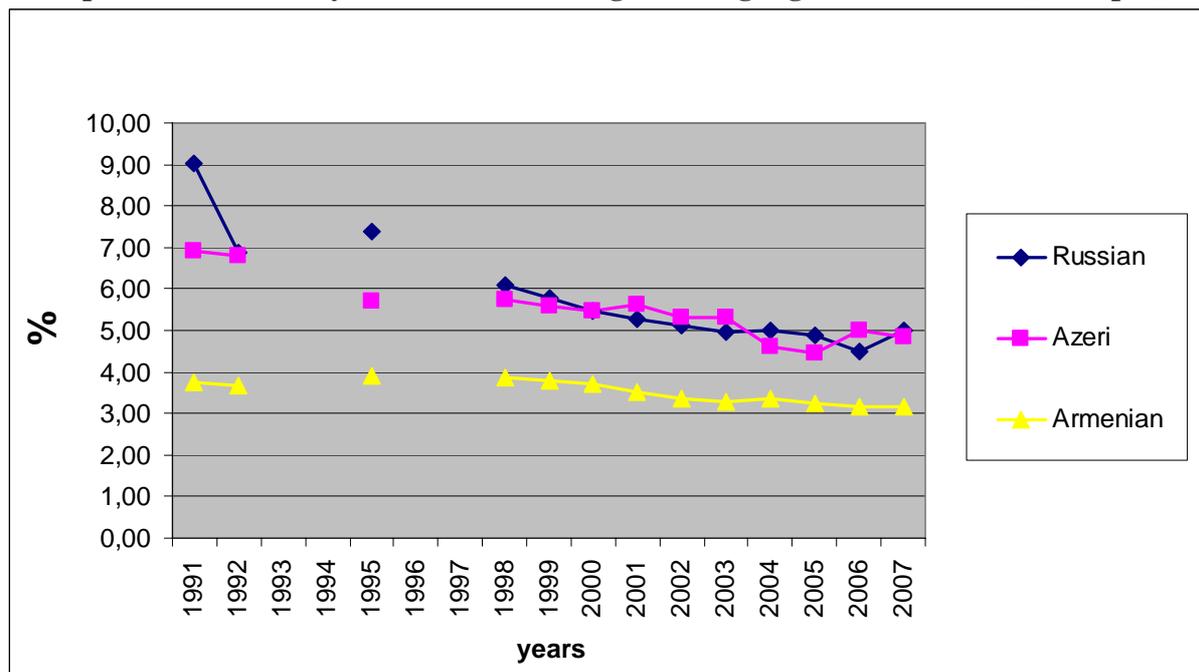
In 2005, the Georgian Parliament passed an amendment allowing religious associations to register as private non-commercial entities (NGOs), which came as solution for the lack of legal status for non-orthodox churches. However, several churches protested against this solution on the grounds that they merited higher status than that of private NGOs (Wheatley, 2006). According to the international observers, after the adoption of the 2002 “Agreement” the Muslims and Armenian-Gregorians continued to freely practice their beliefs and generally there has been no violence towards these “traditional” religions (Mardirossian, 2005; Tsintsadze, 2007). However, the fact that there was another religion with formally recognized legal status put them on an unprivileged position. Hence, the integration character of state-church relations specific for the 1990s was intensified in the 2000s.

#### ***4.2.5. Education:***

Two indicators point to the degree in which education policies in Georgia approached integration repertoire of state-minority relations. The first is the legislation related to education that was adopted since 1991. The second is the minority schooling statistics for the period between 1991 and 2008. Graph IV.1 below presents statistical data on the number of secondary school pupils studying in majority and minority languages, for almost each year between 1991 and 2008. It illustrates that there was never a sudden decline in the number of

students instructed in a minority language since independence. Instead, there was a gradual decline, which is rather linked with the changes in the total percentage of minority population than with particular state education policies. At the beginning of 1990s many minorities emigrated abroad to flee the harsh economic and political situation of Georgia of that time and consequently, the number of pupils belonging to minority groups declined as well.<sup>77</sup>

**Graph IV.1. Secondary Education in Georgia – Language of Instruction (% Pupils)<sup>78</sup>**



However, the analysis of legislation shows a different pattern. The laws on education adopted before the 2003 “Rose Revolution” guaranteed to ethnic minorities the right to have full instruction in their mother tongue. The 1997 Law on Education guaranteed the right to education in non-Georgian languages for those citizens whose first language was not Georgian, if the local government recommended so (Lohm, 2007; Wheatley, 2006). Moreover, even if there were some subjects for which the Education Law imposed the implementation of uniform state-elaborated curricula, the Ministry of Education did not provide to minority schools adequate teaching materials. In the regions with compact

<sup>77</sup> Author’s interview Mikheil Aidinov.

<sup>78</sup> Source: Ministry of Education of Georgia, data given at author’s request in October 2008.

settlement of Armenian and Azeri population the manuals were brought as donations from Armenia and respectively from Azerbaijan.<sup>79</sup>

After the “Rose Revolution”, the implementation of state education curricula in minority schools started to get enforced. Manuals for general subjects were published in Armenian language, according to the national curriculum. For Azeri schools, the Ministry agreed with Azerbaijan government to publish books according to the Georgian curriculum.<sup>80</sup> Moreover, efforts were made to improve the effectiveness of learning Georgian, with alternative methodology elaborated and with material incentives increased for teachers of Georgian to work in minority schools in the regions with compact minority settlement.

The formal rules related to education also changed after the “Rose Revolution”. The 2005 Law on General Education provided that in all schools the teaching of Georgian literature, history, and geography, as well as ‘other social sciences’ shall be conducted only in Georgian starting with the 2010-2011 academic year (Mekhuzla & Roche, 2009). Moreover, in 2005 the Ministry of Education established national entrance examinations for all state-accredited higher education institutions, among which an examination on Georgian language and literature (Wheatley, 2006; 30-36).

Hence, at the beginning of 1990s the education policies in Georgia had an accommodationist character. By 1997, the formal rules encouraged integration, although without measures for their actual implementation. After 2004, the integrationist character of education policies was intensified, both due to new policies and due to a more efficient implementation of the rules elaborated in the 1990s. Overall, education policies since 1991 became more and more integrationist.

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<sup>79</sup> Author’s interviews with minority representatives in Akhalkalaki and Marneuli, October 2008.

<sup>80</sup> Author’s interview with Fait Mammedov.

#### ***4.2.6. State Languages:***

Between 1991 and 1995, the legislation of Georgia was very vague in what concerned the language use in public sphere. The deep political and economic crisis of the time made language policies of a secondary priority. Nevertheless, when relevant, it implied quite extensive rights to use non-Georgian languages in public life. In 1991 the Supreme Soviet issued a decree which stated that „the use of non-state languages is secured in all state and public bodies, cultural, educational and other institutions”, which allowed the use of minority languages in regions with minority groups concentration (ICG, 2006; 26). The 1991 Parliamentary Regulation allowed non-Georgian MPs to use their mother tongue for parliamentary speeches.<sup>81</sup> Besides, Russian was still widely used in practice for administrative purposes during this period in the regions with minority compact settlement.<sup>82</sup>

Since the adoption of the 1995 Constitution the use of non-Georgian language in public sphere was gradually restricted. Most legal acts adopted during Shevardnadze’s presidency strengthened the position of Georgian language in public life. The Constitution itself established Georgian as the single state language.<sup>83</sup> Later, the 1998 Law on Public Service provided that all public services in Georgia were to be exercised in Georgian, that the lack of its knowledge could lead to dismissal, and that candidates applying for public posts and for posts in local self-government needed to have command of Georgian.<sup>84</sup> Furthermore, the 1999 Administrative Code provided that if an application/statement or any other document presented by an interested party was not in the state language, the party had to present a notarized translation of the document.<sup>85</sup>

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<sup>81</sup> Temporary Parliamentary Regulation (1991).

<sup>82</sup> Author’s interviews with: Mihail Kolikidi, Nair Iritsian, Merujan Iezuian, Fait Mammedov, Fizuli Mustafaev, and Izumrud Qurbanov.

<sup>83</sup> Note: only for Abkhazia did the Constitution recognize two state languages (Abkhazian and Georgian). However, considering that Abkhazia was beyond the control of Georgian government during transition, this is of little relevance for state-minority relations in Georgia since independence.

<sup>84</sup> See Articles 15, 16, 98(1) of the Law on Public Services (1998).

<sup>85</sup> See Article 73 (4) of the 1999 Administrative Code of Georgia.

Since 2003, the state legislation strengthened even more the role of Georgian in public sphere. According to a 2003 amendment to the Election Code, MPs were required to speak Georgian.<sup>86</sup> Another amendment to the Election Code (2005) provided that all candidates for membership in the Central Election Commission and the District Election Commissions had to be fluent in Georgian. Finally, the 2005 Self-Governance Law established that Georgian was to be used for all governmental sessions (ICG, 2006; 26).

During both Saakashvili's and Shevarnadze's presidencies the formal rules on language use gradually encouraged integration. However, the degree in which the relevant legislation was applied differed considerably between the two presidencies. During Shevarnadze these rules were hardly ever applied and the use of Russian was common.<sup>87</sup> Neither the state, nor the local authorities discouraged it. Most administrative contacts between state governmental agencies and the agencies in the minority districts were conducted in Russian (Lohm, 2007; 31). During Saakashvili's presidency, the relevant laws were more strictly enforced. Most ministries started to refuse documents in Russian coming from local agencies and natural persons.<sup>88</sup> Overall, it is only at the beginning of 1990s that the language policies in Georgia had elements typical for the accommodation repertoire of state-minority relations. Between 1995 and 2008 the language policies became more and more integrationist.

#### **4.2.7. Bureaucracy:**

All relevant legislation on bureaucratic recruitment ever adopted in Georgia since 1991 was based on the principle of meritocracy, professionalism, and non-discrimination. There was no reference to the need for minorities' descriptive representation in the administrative

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<sup>86</sup> The Election Code of Georgia, as amended at 14 august 2003.

<sup>87</sup> For determining the degree of informal use of non-Georgian languages in public life during different presidencies, I interviewed minority representatives in regions with minority territorial concentration.

<sup>88</sup> Author's interview with Nair Iritsian, the mayor of Akhalkalaki district.

apparatus at different levels.<sup>89</sup> Therefore, the relevant legal framework in Georgia encouraged bureaucratic integration.

The tendency towards integration when was also reflected in the actual representation of minorities in the bureaucratic apparatus since 1991. The scholars and international reporters argue that since independence minorities have been always under-represented in bureaucracy (Lohm, 2007; Popjanevski, 2006; Wheatley, 2006). Only in the administrative district *Akhakalaki*, where Armenians constitute 95% of population, have key public posts been occupied predominantly by Armenians. In the regions with ethnically mixed population the key bureaucratic post have been mostly held by ethnic Georgians, even in the districts with significant percentage of Azeris (Popjanevski, 2006; 47).

There was an attempt to strengthen even further the bureaucratic integration in the first years after the Rose Revolution, when president Saakashvili's government implemented qualification examinations for the holders of various public posts. Although the main goal of these examinations was to determine the level of professional expertise, cases of failures due to poor knowledge of Georgian (the examining language) were reported. Due to minorities' complaints, later the testing started to be consistently performed with translators (ICG, 2006; 23). Hence, since independence Georgia tended to support integration through its bureaucracy-related legislation and practices and this tendency was particularly intensified between 2005 and 2006.

#### **4.2.8. Political Parties:**

The first Independent Georgia Law on Political Associations (1991) forbade the formation of political parties on ethnic and/or territorial basis.<sup>90</sup> With the 1997 amendments to the law, the rules were slightly loosened, as they imposed restrictions only on the formation of territorially based parties. Nevertheless, even after these amendments the ethnic parties were

<sup>89</sup> See Article 2 in the Labour Code of Georgia (2006).

<sup>90</sup> See Article 2 in the Law on Political Associations of Georgia (1991).

refused registration by the Ministry of Justice. This was the case of the pro-Armenian “Virk” party, which was denied registration in 1999 (ICG, 2006; 17). Therefore, the Georgian policies on political parties since the beginning of transition strongly encouraged integration. Although the legislation slightly liberalized in 1997, parties still needed a statewide organizational basis and programmatic focus beyond the interests of a particular category of population. This determined minorities’ leaders to join the mainstream parties. With no doubt, these effects strengthened the integration repertoire of state-minority relations.

#### ***4.2.9. Internal Political Boundaries:***

Since its declaration of independence, Georgia was always a unitary state. Except for Adjara region, which between 1991 and 2004 functioned as a de facto territorial autonomy, there were no regions with special self-governing statuses in post-Soviet Georgia. The 1995 constitution left opened the question of state territorial organization for the times when the two separatist regions Abkhazia and South Ossetia would be reintegrated in the country.<sup>91</sup> However, because reintegration never happened, this provision is of little relevance. Therefore, by virtue of its unitary character, state territorial structure of Georgia is in line with integration.

Georgia is organized in 65 administrative districts that were created in 1921, according to the Soviet principle of “democratic centralization” (Khaindrava et al., 2004; 24). In seven of these districts, Armenian and Azeri minorities constitute an absolute majority. Two of these districts (*Akhalkalaki* and *Ninotsminda*) form the historical-geographical region of *Javakheti*, known for its predominantly Armenian population. In 1995, the 65 districts of Georgia were grouped in nine big regions, which added one more tier of government to the state territorial structure. As the 2002 census data presented in Table IV.3 illustrate, when the nine regions were formed the districts populated predominantly by Azeris and Armenians

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<sup>91</sup> See Article 2 in the Constitution of Georgia (1995).

were grouped with districts with ethnically-mixed or with predominantly Georgian population.

<b>Table IV.3. The Ethnic Composition of Minority Populated Regions and Districts in Georgia (%)<sup>92</sup></b>					
Ethnic groups		Georgians	Armenians	Azeris	Other
Regions and districts					
<b>Samstkhe-Javakheti region</b>		43	55	0	2
<b>districts</b>	Adigeni	96	3	0	1
	Aspindza	82	17	0	1
	Akhalkalaki	5	94	0	1
	Akhaltzikhe	62	37	0	1
	Borjomi	84	10	0	6
	Ninotsminda	1	96	0	3
<b>Kvemo-Kartli region</b>		45	6	45	4
<b>districts</b>	Rustavi City	88	2	4	6
	Bolnisi	27	6	66	1
	Gardabani	53	1	44	2
	Dmanisi	31	1	67	1
	Marneuli	8	8	83	1
	Tetri Tsqaro	74	10	6	10
	Tsalka	12	55	10	23

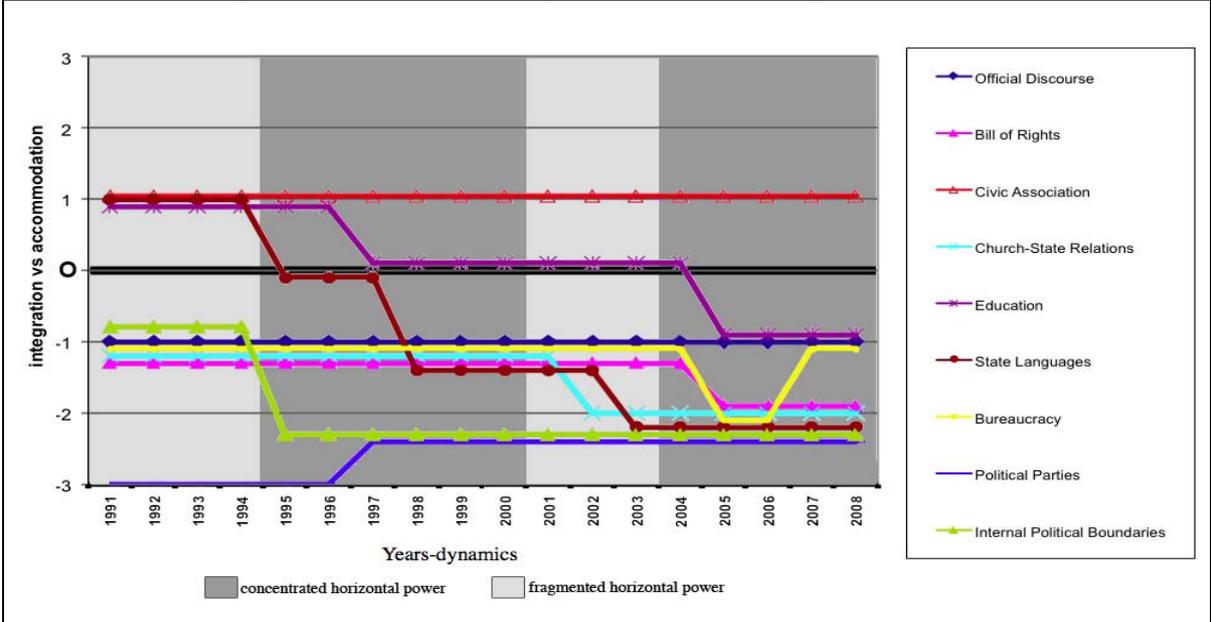
The predominantly Armenian *Javakheti* region was united with four predominantly Georgian districts. The newly formed *Samstkhe-Javakheti* region had considerably less percentage of Armenians than *Javakheti* region taken separately. Similarly, the predominantly Azeri districts *Bolnisi*, *Dmanisi*, and *Marneuli* were fused with districts in which Azeris were not in majority. It is believed that by merging the ethnic minority districts into larger multi-ethnic regions in 1995 the government wanted to prevent the trends towards ethnic autonomies at district level (CIPDD, 2002). Regardless of the reasons that led to the formation of the 9 regions, their boundaries strengthened even more the already-integrative character of the state territorial structure. As between 1995 and 2008 there were no relevant changes in these boundaries, their integrative logic was preserved.

Graph IV.2 illustrates the dynamics of state-minority relations in Georgia between 1991 and 2008, in accordance with the nine policy areas discussed above. It shows that during the

<sup>92</sup> Source: Republic of Georgia Population Census Data, 2002.

transition period Georgia followed the integration repertoire of state-minority relations and consequently, the “nationalizing” path of state building process. Except for the policies on civic associations, all domains eventually approached the integration end on the accommodation/integration continuum. The Graph also reveals that Georgia was more accommodationist at the beginning of transition than twenty years later. Important policies for minorities’ identity preservation such as education, religion, and language became more integrationist over time. The political parties’ domain was the only one that became less integrationist, but still preserved the highest degree of integration if compared to the other eight policy areas.

**Graph IV.2. State-Minority Relations in Georgia (1991-2008)<sup>93</sup>**



When the dynamics of these nine policy areas is compared with the dynamics of ethnic minorities’ mobilization against the state discussed in Chapter 3, one can observe that the highest degrees of minorities’ rebellion and protest in Georgia occurred in the periods with the friendliest policies towards ethnic minorities, i.e. between 1991 and 1994. In addition, the comparison reveals that by middle of 1990s, when important ethnicity-related policies such as

<sup>93</sup> Graph compiled by the author, based on the qualitative data analyzed in sections 4.2.1.-4.2.9.

education, language, church-state relations, and internal political boundaries became more integrationist, minorities' level of protest was insignificant. The only period in which unfavorable-for-minorities policy changes were followed by minorities' mobilization against the state occurred between 2003 and 2008, when Armenians in *Samstkhe-Javakheti* region protested against unfavorable policy changes in the fields of education, bureaucracy and language.

Moreover, when the dynamics of these nine domains is compared with the dynamics in the power concentration discussed in Chapter 2 (comparison represented in Graph IV.2 above), one can reveal that in periods with power concentration important policies became more integrationist than they were before. Between 1995 and 2000 during Shevarnadze's presidency, the policies on language, education, and internal political boundaries became more integrationist than they were between 1991 and 1994. Similarly, between 2004 and 2008 during Saakashvili's presidency the bill of rights, bureaucracy, and education domains made a step closer towards integration, as compared to the previous period. At the same time, two policy domains - language and religion - became more integrationist in the period with fragmented power between 2001 and 2003.

Overall, in case of Georgia the concentration of power went hand in hand with unfavorable policies towards minorities' interests, if one assumes that minorities' interests are satisfied when accommodationist (rather than integrationist) policies are implemented. This implies that the case of Georgia confirms the implications of consociationalist and political opportunity structure theories that in "majoritarian" democracies minorities risk facing policies unfavorable to them. At the same time, the case of Georgia does not confirm that unfavorable policies towards minorities necessarily raise their protest against the state. The data show that minorities protested when state policies did not move towards more integration

and that in some instances minorities did not protest when policies did become more integrationist.

### **4.3. The Dynamics of State-Minority Relations in Post-Soviet Moldova:**

In post-Soviet Moldova there are four relatively sizeable ethnic minority groups with different degrees of territorial concentration. Among them, the Ukrainians and Russians are spread throughout the country, with some pockets of territorial concentration in the North, South, and in Transdnistria. In contrast, most Gagauzians (87%) live in the South in the territorial autonomy called *Gagauzia* in which they constitute 82% of the local population. Bulgarians have some territorial concentration too: 43% of them live in the Southern district *Taraclia*, where they constitute 65% of the local population.

The boundaries between religious groups in Moldova do not coincide with the ethnic or linguistic ones. According to the 2004 population census, 93% of Moldovan citizens are Orthodox. Therefore, for the case of Moldova the church-state relation is not relevant for determining the path chosen for the state-building process. On the other hand, because of the existence of territorially concentrated minorities, the legislation on parties and on internal boundaries is relevant. In the following sub-sections, I analyze how the eight relevant policy areas evolved in Moldova between 1991 and 2008.

#### ***4.3.1. Official Discourse:***

The authors of the 1994 Moldovan constitution did not refer to one nation exclusively when they formulated the text of the fundamental law. The Preamble stated that “Moldovan people” is composed both by Moldovans and by citizens of other ethnic origin. Moreover, throughout the constitutional text, references are made mostly to the “citizens of Moldova”, while exclusive mentioning of particular national groups are only made in the stipulations

about group rights protection.<sup>94</sup> The constitution provides only one state language – Moldovan – and guarantees the right to preserve and develop Russian and other languages used within the state.<sup>95</sup> Therefore, since its adoption the Moldovan fundamental law has encouraged integration.

At the level of official discourse, the first two Moldovan presidents also promoted integration. Although they generally acknowledged the multi-ethnic character of Moldovan population<sup>96</sup>, they promoted the formation of a civic state in which all ethnic groups would integrate into a single, unitary, and decentralized Moldovan community.<sup>97</sup> This discourse was in line with the language used in the constitution. In contrast, the third Moldovan president attempted a multi-national discourse in his messages and hence, encouraged more accommodation than integration. He put a stronger accent on the multi-ethnic character of Moldova and often referred to it. This is particularly visible in the Conception of National Politics of Moldova adopted in 2003 that strongly emphasized the multi-ethnic and multi-linguistic character of the country. Moreover, the third president often referred to the need to promote the use of Russian language in society and his party even supported the raise of its status at the level of second state language.<sup>98</sup> Most importantly, he held many of his official speeches in Russian.

Therefore, the constitutional preamble and the official political discourse during the 1990s were in line with integration: despite recognizing the multi-ethnic character of Moldova, the general political message accentuated the goal to integrate all groups into “one people”. In contrast, the official political discourse between 2001 and 2008 was in line with

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<sup>94</sup> See the Preamble and the Articles 2 and 10 in the Constitution of Republic of Moldova (1994).

<sup>95</sup> See Article 13 in the Constitution of Republic of Moldova (1994).

<sup>96</sup> Snegur discourse “Poporul trebuie întrebat și ascultat” [*the People must be asked and listened to*], in *Moldova Suverana*, December 1992; Lucinski disagrees with the idea of federalization. *Moldova Suverana*, 14 September 2000.

<sup>97</sup> Mircea Snegur’s Speech. *Sfatul Tarii*, 12 February 1994; Petru Lucinski’s electoral manifesto. *Moldova Suverana*, 14 November 1996. Mircea Snegur: Federalization means bureaucratization. *Moldova Suverana*, 16 June 1992; President Lucinski disagrees with the idea of federalization. *Moldova Suverana*, 14 September 2000.

<sup>98</sup> See the Party of Communists Manifesto for the 2001 elections. Available online at: <http://www.e-democracy.md/elections/parliamentary/2001/opponents/pcrm/program/> (accessed on 7 August, 2010).

accommodation, as the general political message accentuated the multi-national character of the state.

#### **4.3.2. Bill of Rights:**

The legislation adopted during the 1990s in Moldova guaranteed the principles of non-discrimination on ethnic basis and citizens' right to develop their own ethnic identity.<sup>99</sup> But these principles were rather formulated as individual than as group rights. Except for the 1994 constitutional provisions that guaranteed the protection of Russian and other minority languages, as well as the right to choose the language of education, no legal text adopted during the 1990s contained ethnic-based group rights.<sup>100</sup>

However, at the end of 1996 the Moldovan parliament ratified the European Framework Convention for the Protection of National Minorities.<sup>101</sup> Although the Convention principles are only a first step for providing group rights to ethnic minorities (i.e. the internal legislation must be adjusted accordingly), its ratification signified a step closer towards accommodation. Another such step was the adoption of the Law on the Protection of National Minorities in 2001. The Law stipulated a range of group rights for Moldovan minorities, such as the use of minority languages in public life, the participation and representation in administration and politics, the access to information in minority languages, and the state's obligation of the state to contribute to the preservation and development of minorities' ethnic identity.<sup>102</sup> In addition, in 2003 the parliament introduced in the constitution stipulations about Gagauzia as an ethnic-based territorial autonomy (Țveatcov, 2009; 70).

Hence, at the beginning of 1990s the formulation of the bill of rights in Moldova was in line with integration, as the adopted legislation mainly guaranteed individual rights protection

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<sup>99</sup> See Article 4 in the Law on Political Parties (1991); Articles 10 and 16 in the Constitution of Moldova (1994); Article 3 in the Electoral Code; Article 4 in the Law on Social Associations (1997).

<sup>100</sup> See Articles 13 and 35 in the Constitution of Moldova (1994).

<sup>101</sup> Note: Moldova signed the European Convention for the Protection of National Minorities on 13 July 1995, and ratified it on 13 November 1996. The Convention entered into force on 1 February 1998.

<sup>102</sup> See Articles 1-25 in the Law on Minorities (2001).

and the non-discrimination principle. In 1996 a step closer to accommodation was made, while in 2001 the adoption of a special law for ethnic minorities' protection indicated a complete shift towards accommodation.

#### **4.3.3. Civic Associations:**

Moldovan legislation has never imposed any restriction in the formation of ethnic-based civic associations. Besides allowing their formation and activity, the relevant laws stipulated the state's obligation to support them.<sup>103</sup> Since 1991, most ethnic minority groups had their own social, cultural, or scientific associations. By 2000, forty-six such associations were officially registered. They benefited of total or partial tax exemption and some of them even benefited of buildings that the state put at their disposal (COE, 2000). Moreover, since 1991 the state has given some financial support for the implementation of their cultural projects.<sup>104</sup> All these facts indicate that civic association policies in Moldova have been in line with the accommodation repertoire during the whole transition period.

#### **4.3.4. Education:**

The legal provisions related to education that were ever elaborated since the collapse of Soviet Union in Moldova did guarantee the right for minorities to benefit of instruction in their mother tongue. The 1989 Language Law stipulated that education at all levels would be provided in Moldovan<sup>105</sup> and Russian and (where needed) also in the other minority languages.<sup>106</sup> The 1995 Law on Education also guaranteed the right of minorities to receive education in their mother tongue and the obligation of the state to provide the necessary

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<sup>103</sup> Article 1 in the Law on Social Associations (1997); Articles 18-22 in the Law on Minorities (2001).

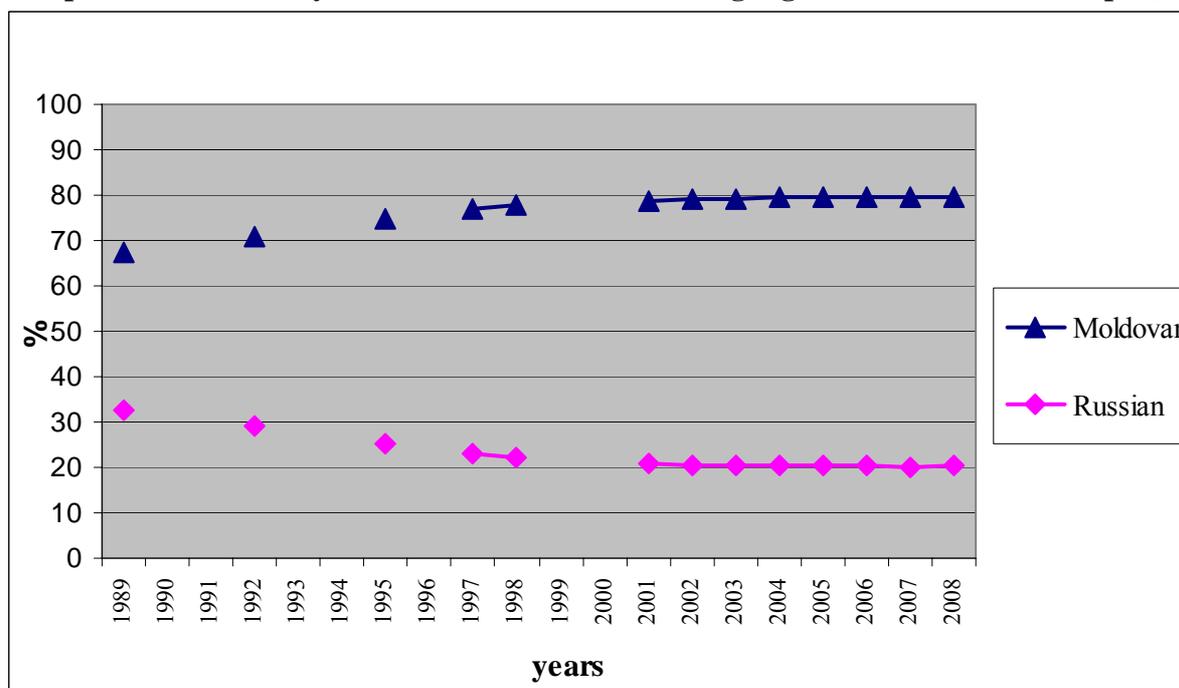
<sup>104</sup> Author's interviews with Galina Rogovaia and Igor Pivovar.

<sup>105</sup> In Moldova since the beginning of transition, the correct name of titular ethnic group's language has been a politically sensitive issue and the focus of numerous debates. For an extensive discussion of the issue, see the research of Matthew Ciscel (2007) and of Donald Leroy Dyer (1999). In this thesis, only the name "Moldovan" is used to designate the language of Moldova's titular ethnic group. This use is only instrumental and is justified by the fact that in the Constitution of Moldova the name "Moldovan" is indicated as well. This does not reflect the author's position on the issue.

<sup>106</sup> See Article 18 in the Law on the Functioning of Languages (1989).

conditions for it.<sup>107</sup> Therefore, at formal level Moldovan education policies have encouraged accommodation. However, the statistical data on education available since the beginning of 1990s reveal a different situation. Graph IV.3 represents the percentage of secondary school pupils instructed in Moldovan and Russian in different years since 1989.

**Graph IV.3. Secondary Education in Moldova – Language of Instruction (% Pupils)<sup>108</sup>**



The data reveal two facts: first, the percentage of Russian-language instruction gradually decreased between 1989 and 1997 by almost 10%, in parallel with the proportional increase of Moldovan-language instruction; second, virtually all secondary-school education in Moldova since 1989 has been conducted either in Russian, or in Moldovan. Only about 0.8% of pupils have been instructed in other languages in special classes within Russian-speaking schools,<sup>109</sup> which is considerably little when contrasted with the general ethnic composition of

<sup>107</sup> See article 8, Law on Education (1995).

<sup>108</sup> Source: Statistical data on Secondary Education (2001-2008), Moldova Department of Statistics, online available at: [http://www.statistica.md/public/files/serii\\_de\\_timp/invatamint\\_stiinta/invatamint/primar/7.2.7.xls](http://www.statistica.md/public/files/serii_de_timp/invatamint_stiinta/invatamint/primar/7.2.7.xls); “Campaign against the Russian language and its followers”, published in *Comunistul*, 26 March 1999; Chinn and Roper (1995), Trombitaia (1998).

<sup>109</sup> Statistical data on Secondary Education (2001-2008), Moldova Department of Statistics, online available at: [http://www.statistica.md/public/files/serii\\_de\\_timp/invatamint\\_stiinta/invatamint/primar/7.2.7.xls](http://www.statistica.md/public/files/serii_de_timp/invatamint_stiinta/invatamint/primar/7.2.7.xls) (accessed on 7 August 2010).

Moldova. The decrease of Russian-language instruction at the beginning of 1990s can be explained at least through two factors. The first is that during the Soviet Union the university education was conducted predominantly in Russian. At the beginning of 1990s Moldovan became the main language of instruction in higher education,<sup>110</sup> which determined many parents to opt for secondary school instruction in Moldovan language. The second is that many schools that were bilingual during the Soviet Union were re-organized as Moldovan-language schools during the first years after independence, which reduced the Russian-language teaching. Both these factors constituted a step closer towards integration.

The absence of instruction in other minority languages is inherited from Soviet times, when non-Russian minorities of Soviet Moldova were mainly educated in Russian. Therefore, the lack of education in Ukrainian, Gagauzian and Bulgarian may result from the ignorance of the issue by Moldovan government, rather than from its unwillingness to guarantee a fundamental right to non-Russian Slavic minorities. Nevertheless, the effect of this ignorance was that non-Russian minorities were being integrated into the Russian ethnic group, because since independence the education in Russian has been used as a substitute for the education in other minority languages (Chinn & Roper, 1998; 91; CREDO, 2008). The lack of education in non-Russian minority languages persisted during the whole period of transition (Pivovar, 2009).

Hence, Moldovan education policies have been in line with accommodation when it comes to the Russian minority and in line with integration when it comes to other minority groups. Considering that Ukrainians, Bulgarians, and Gagauzians constitute together more than the double of the Russian group, this integration effect has been significant. Moreover, even when it comes to Russian minority, at the beginning of 1990s the education policies

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<sup>110</sup> “Problems of the Russians in Moldova”, in *Kishinevskie Novosti*, December 4<sup>th</sup>, 1993, p. 2.

made a step towards integration, because Russian-language teaching was reduced in favor of Moldovan language teaching.

#### **4.3.5. State Languages:**

The legislation ever adopted in Moldova since 1989 guaranteed the development and free use in public sphere of minority languages, along with Moldovan as state language. All relevant laws guaranteed the use of minority languages in public life, especially in the regions with territorial concentration of minorities.<sup>111</sup> Moreover, all legislation encouraged bilingualism, because Russian had the status of language of inter-ethnic communication.<sup>112</sup> Therefore, at a first glance, language legislation of post-Soviet Moldova has been in line with accommodation.

However, Moldovan language legislation contains an implicit integrationist element. According to the relevant laws, Moldovan citizens have the right to communicate with public employees either in Russian, or in Moldovan, which implies that public employees need to be fluent in both languages. At the beginning of 1990s this was problematic for the Russian speaking citizens, because they were not encouraged to learn Moldovan during the Soviet Union and therefore, could not use it in their daily jobs (Quigley, 1994). This integrationist element was significantly strengthened in 1992, when a presidential decree established a two-year term for public employees to learn Moldovan, which was to be evaluated by 1994 through a process of cadre attestation.<sup>113</sup> This decree meant more integration because it imposed the knowledge of Moldovan language as a condition for ethnic minorities' social-political participation. However, the attestation never occurred: in June 1994 the newly elected Moldovan parliament postponed it for 1997,<sup>114</sup> then abandoned the idea altogether.

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<sup>111</sup> See Article 2 in the Law on the Functioning of Languages (1989); Article 3 in the Law on Status of Gagauzia (1994); Article 7 in the Law on National Minorities (2001).

<sup>112</sup> See Article 3 in the Law on the Functioning of Languages (1989); Article 8 in the Law on National Minorities (2001).

<sup>113</sup> Decree of the President of Moldova (21 September, 1992).

<sup>114</sup> See Article 2 in the Resolution of the Parliament of Moldova (17 June, 1994).

Generally, since 1991 the Russian language has been widely used in Moldovan public sphere. According to the legislation, all official documents had to be written both in Moldovan and in Russian,<sup>115</sup> stipulation that was also respected in practice. The official communication between the central government and administrative units where minorities resided has been accepted in both languages.<sup>116</sup> Therefore, despite the attempts at the beginning of 1990s to encourage integration, Moldovan language practices were based on bilingualism. Between 2001 and 2002 the governing party attempted to increase even more the status of Russian by granting it the status of second official language,<sup>117</sup> by making compulsory its study in Moldovan schools,<sup>118</sup> and also by opening a state Slavonic university. However, because these attempts provoked significant mass protests, after 2002 the governing party continued its attempts to increase the importance of Russian language only through its extensive use in official discourses.

As far as non-Russian minority languages are concerned, although the Moldovan legislation guaranteed their free development and public use in the regions with territorially concentrated minority population, in reality their use in public sphere since 1991 has been negligible. NGO reports on language policies in Moldova reveal that in practice Russian language has been extensively used in the local public administration in those regions with significant Bulgarian, Gagauzian, and Ukrainian population, as a substitute for their respective native languages (Chinn & Roper, 1998; CREDO, 2005). This reveals another important integrationist element of Moldovan language policies, especially because the

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<sup>115</sup> See Articles 9 and 11 in the Law on the Functioning of Languages (1989); Articles 8 and 11 in the Law on National Minorities (2001).

<sup>116</sup> See Article 3 in the Law on the Status of Gagauzia (1994).

<sup>117</sup> “The Faction of the Party of Communists launched the initiative to grant an official status to the Russian language”, published by *Moldova Azi*, 28 December 2001. Available online at: <http://www.azi.md/news?ID=17148> (accessed on 7 August 2010).

<sup>118</sup> “The Russian language – is it again in the service of ideology?”, published by *Moldova Azi*, 8 January 2002. Online available at: <http://www.azi.md/news?ID=17238> (accessed on 7 August 2010).

majority of Bulgarian, Gagauzian, and Ukrainian minorities have been using their native languages in private communication.<sup>119</sup>

Therefore, Moldovan language policies since 1991 had both elements of integration and accommodation. By encouraging bilingualism, Moldovan language policies have been accommodationist, above all within the 2001-2002 period. At the same time, by providing a single state language and by ignoring the right of three large minority groups to use their languages in public sphere, Moldovan language policies have been integrationist, above all between 1992 and 1994 when the government attempted to reduce the use of Russian language in public life. Overall, the period between 1992 and 1994 was the one in which language policies were the closest to integration, while in the period between 2001 and 2002 they were the closest to accommodation.

#### **4.3.6. Bureaucracy:**

The Moldovan legislation since independence was generally based on the meritocracy principle for personnel recruitment in the bureaucratic apparatus. There has been no stipulation to guarantee the descriptive representation of ethnic communities in key public posts. The only exception was the 2001 Law on the Protection of National Minorities, which provided for the proportional representation of ethnic groups in state political, bureaucratic, and legal organs<sup>120</sup>. However, because this provision has never been implemented in practice, it remained important at declarative level only.

There have been no special mechanisms to ensure the representation of ethnic minorities in the parliament, governmental institutions, or local public administration. To some extent, the ethnic minorities have been represented in the local councils of the regions in which they

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<sup>119</sup>According to the 2004 Moldovan Population Census Data on “languages usually spoken by ethnic minorities”, 42% of Ukrainians speak Ukrainian, 69% of Gagauzians speak Gagauzian, and 55% of Bulgarians speak Bulgarian. Data available online at: <http://www.statistica.md/pageview.php?l=ro&idc=295&id=2234> (accessed on 7 August 2010).

<sup>120</sup> See Article 24 in the Law on the Protection of National Minorities (2001).

constitute a significant majority.<sup>121</sup> However, this local representation resulted rather from the respective demographic predominance than from specific policy mechanisms. The only exception has been the Gagauzian representative in the Moldovan government as *ex-officio* member, which was guaranteed by the 1994 Law on the Status of Gagauzia.<sup>122</sup>

Before 2001 some consultative bodies for minority-related issues existed in Moldova, such as the Commission for Inter-Ethnic Relations by the President of the Republic of Moldova, the Parliamentary Committee for Human Rights and National Minorities, the representation in the state Radio-TV company Board, as well as the Division of National Minorities Education within the Ministry of Education. These bodies could provide a minimal representation of minorities in the bureaucratic apparatus. But after 2001 they have been gradually liquidated, without an equivalent replacement (Pivovar, 2009).

#### **4.3.7. Political Parties:**

The first post-Soviet Moldovan Law on Political Parties did not introduce restrictions for the formation of parties on ethnic basis. For the registration of a party the law required minimum 300 members, which allowed even to small ethnic groups to form their own parties. A 1998 amendment to the Law increased this number to 5000 and later in 2007 another amendment decreased it to 4000.<sup>123</sup> However, considering that the majority of minority groups in Moldova contain significantly more than 5000 people, these amendments have not hindered the formation of ethnic parties.

On the other hand, the legislation impeded the creation of regional parties. This is because the minimum number of members required for party registration had to reside in at least half of Moldovan administrative units.<sup>124</sup> This provision was kept in all amendments to the Law. Two of the four biggest ethnic minority groups in Moldova – Gagauzians and

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<sup>121</sup> Author's interviews with Igor Pivovar and Galina Rogovaya.

<sup>122</sup> See Article 17 in the Law on the Status of Gagauzia (1994).

<sup>123</sup> See Article 5 in the Law on Political Parties (adopted in 1991 and also the modifications from 1998 and 2007).

<sup>124</sup> See Article 5 in the Law on Political Parties (1991, and also modifications of 1998 and 2007).

Bulgarians – have significant territorial concentration. It is particularly for them that this legislative provision imposed restrictions for the formation of own political parties. At the same time, this provision was not restrictive for the Russian and Ukrainian minorities because they have no territorial concentration. The legislation permitted them to form ethnically based parties. At the beginning of 1990s, *Unitate-Edinstvo Party* claimed to represent Russian-speaking minorities' interests. Later the parties *Ravnopravie* and *Patria-Rodina* had similar claims. Therefore, in the period of transition the policies on political parties combined both elements of integration and elements of accommodation.

#### **4.3.8. Internal Political Boundaries:**

Since the collapse of Soviet Union, Moldova has always been a unitary state. The idea of federalism appeared on political agenda at the beginning of 2000s as a solution for solving the conflict with Transdnistria. However, because the parts reached no agreement on the framework of a federal state, the idea was eventually abandoned. Despite Moldova's unitary principle of territorial structure, there have been internal boundaries organized to allow self-governance of the territorially concentrated Gagauzian and Bulgarian minority groups.

During the first years of independence, Moldova preserved the territorial structure inherited from the Soviet period, except that it lost its authority over the region of Transdnistria and over the Southern region where Gagauzians had compact settlement. During the Soviet Union and in the first post-independence years, the Gagauzian population constituted an absolute majority in three administrative units in the Southern part of the country. It was for these three units that the local Gagauzian elites demanded territorial autonomy at the beginning of 1990s. In 1994, the Moldovan Parliament adopted the Law on the Status of Gagauzia, which created the Gagauzian territorial autonomy. This implied a step closer towards the accommodationist repertoire of state-minority relations.

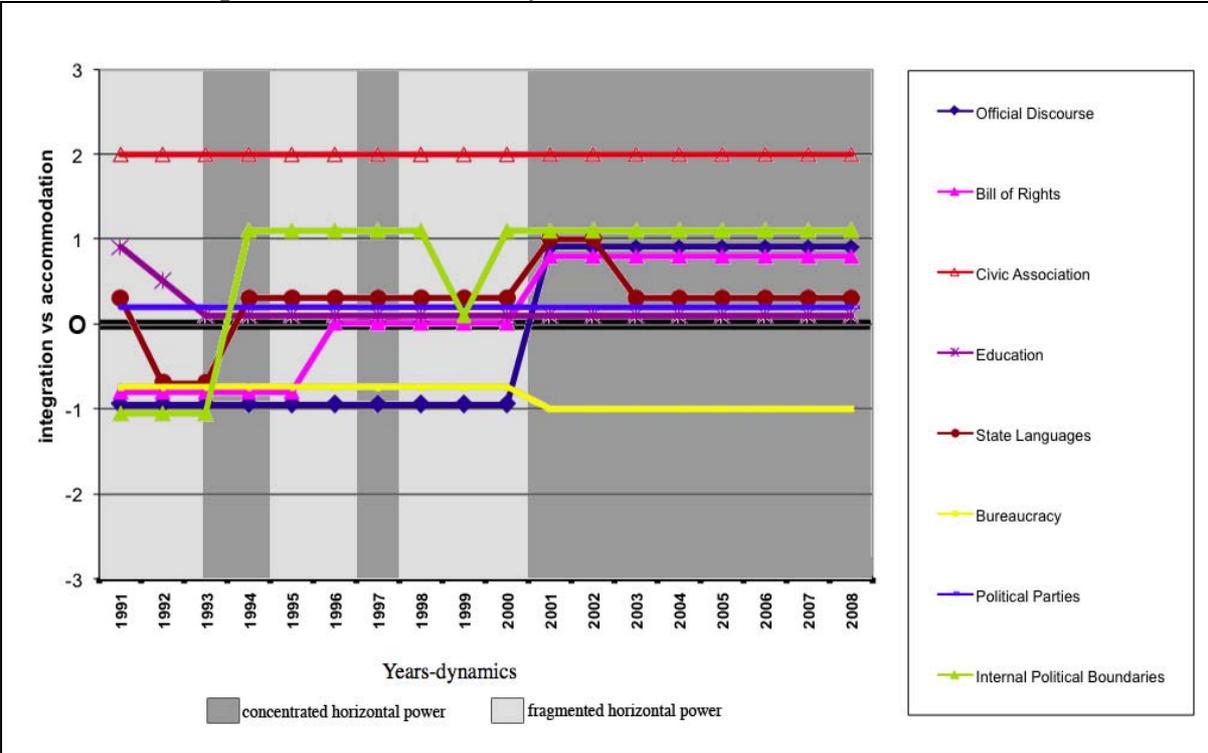
Among the 40 Moldovan administrative units created during the Soviet Union, *Taraclia* unit located in the South had a predominantly Bulgarian population. Although the unit did not have any special administrative status, its ethnic profile allowed a certain degree of self-governance to Bulgarian minorities. As described in Chapter 3, at the end of 1998 Moldovan central government attempted to fuse the unit with a neighboring one, as part of an administrative reform that aimed at regrouping the 40 Moldovan units into nine bigger regions. However, by the end of 1999, the idea was abandoned and the predominantly Bulgarian *Taraclia* was declared as the 10<sup>th</sup> and the smallest administrative region of the country. Since then, there has been no other attempt to modify its administrative boundaries.

Hence, the internal political boundaries of Moldova at the beginning of 1990s encouraged integration, because the country had a unitary character and except for Bulgarians, no ethnically driven territorial boundaries. However, the restructuring of internal boundaries in 1994 implied a significant step closer to the accommodationist repertoire, due to the creation of an ethnically based territorial autonomy. Except for 1999, when a failed attempt to re-approach integration was made, the accommodationist internal boundaries established in 1994 were preserved through the entire transition period.

Graph IV.4 illustrates the dynamics of state-minority relations in Moldova between 1991 and 2008, in accordance with the eight policy areas discussed above. A general look at this dynamics reveals that during the transition period the Moldovan government combined elements of integration with elements of accommodation in its relations with ethnic minorities. Important domains such as education, language, political parties, and internal boundaries were on the accommodationist side almost during the entire period of transition. The Graph also shows that the short attempt to approach integration at the beginning of 1990s (notably through linguistic and education policies and through the internal boundaries) failed.

Overall, the Graph proves that post-Soviet Moldova became more accommodationist over time.

**Graph IV.4. State-Minority Relations in Moldova (1998-2008)<sup>125</sup>**



When the dynamics of these policy areas is compared with the dynamics of ethnic minorities’ mobilization against the state discussed in Chapter 3, one can observe that minorities’ mobilization for protest and rebellion at the beginning of 1990s did coincide with the greatest amount of integrationist policies attempted by Moldovan government during its transition period. Considering the approach towards integration of linguistic and education policies at the beginning of 1990s, one can assume that they caused at least some of minorities’ protests. At the same time, the year in which two important domains – language and internal boundaries – approached accommodation, the degree of ethnic minorities’ protest decreased. On the other hand, Gagauzians during the late 1990s and 2000s mobilized for protest even if there were no moves of government towards more integration attitudes. Hence,

<sup>125</sup> Graph compiled by the author, based on the qualitative data analyzed in sections 4.3.1.-4.3.8.

the comparison shows that not in all cases minorities mobilized against the state as a result of unfavorable governmental policies towards them.

When the dynamics of these eight domains is compared with the dynamics in power concentration discussed in Chapter 2 (the comparison is illustrated in Graph IV.4), one observes that the central governments in the periods with concentrated power were more minority friendly than in the periods with dispersed power. During the first post-Soviet period with concentrated power, the government implemented language and internal political boundaries policies with a more accommodationist character. Similarly, between 2001 and 2008 the central government implemented more accommodationist official discourse and bill of rights and attempted to implement more accommodationist linguistic policies. In conclusion, the periods with power concentration in Moldova went hand in hand with favorable policies towards minorities, if one assumes that minorities tend to prefer policies from the accommodation repertoire.

#### **4.4. The Dynamics of State-Minority Relations in Post-Soviet Ukraine:**

In Ukraine the Russians are the only ethnic minority group with a considerable size and with certain degree of territorial concentration. Other smaller minority groups, such as Tatars, Romanians, and Hungarians are also territorially concentrated. Therefore, the state policies towards political parties and internal boundaries are relevant for determining state-minority relations. The ethno-political composition of Ukraine is complicated by the fact that many ethnic Ukrainians use Russian as their mother tongue, especially in the Eastern and Southern parts of the country. Therefore, in the assessment of the governmental policies towards minorities, I do not consider only the ethnic-based statistics, but also the language-based one. According to the latter, by 2001 the Eastern region *Donbass* was populated by approximately 65% of Russian speakers, while the Crimea peninsula – by approximately 80% of them. In the

following subsections I analyze how the nine policy areas of state-minority relations evolved in Ukraine between 1991 and 2008.

#### ***4.4.1. Official Discourse:***

The first post-Soviet Ukrainian constitution (1996) defined the “Ukrainian people” as being composed by “citizens of Ukraine of all nationalities”, therefore no ethnic hegemony was attributed to citizenship. In addition, the constitution guaranteed the development of ethnic, linguistic, and cultural identity of all indigenous people and ethnic minorities.<sup>126</sup> At the same time, the constitution also set as goal the development of the “Ukrainian nation and its historical consciousness” and established Ukrainian as the only state language,<sup>127</sup> which were constitutional principles with clear integrationist character. Therefore, the 1996 Fundamental Law established a softly integrationist message, which never changed since then.

At the same time, the official discourse of the Ukrainian presidents since independence varied. At the beginning of his mandate, the first president Kravchuk promoted the idea of a civic state with no division of population on ethnic lines and with all-inclusive principles. In his speeches, he was using the term “people of Ukraine” instead of “Ukrainian people” (Arel, 1995) and claimed that membership in the Ukrainian state was open to all nationalities living in Ukraine (Duncan, 1998; 199). Nevertheless, by mid 1992 his tone started to change. While continuing to emphasize “civicness”, he started to point frequently to the “minority” status of ethnic Russians in Ukraine, thus denying them the status of a constituent nation. He also emphasized the “Russians’ chauvinism” and historical ethnocide of Ukrainian people, showed little sympathy for the demands to having two state languages, and often strengthened the importance of the use of Ukrainian in public life and the lack of Ukrainian language schools in Crimea. By the time of the 1994 presidential election, Leonid Kravchuk was widely seen as a partisan of the nationalizing state (Wilson, 1997; 110-114). In the 1994 elections, the second

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<sup>126</sup> See Preamble and Article 11 in the Constitution of Ukraine (1996).

<sup>127</sup> See Articles 10 and 11, Constitution of Ukraine (1996).

president Kuchma ran on an explicitly anti-nationalist program. In his electoral discourse, he strengthened that Ukraine was multinational. He also pointed to the prevailing bilingualism and promised to grant Russian the status of “official” language (Wolczuk, 2000; 678). Moreover, he promoted the implementation of a decentralized federal system (Wilson, 1997; 143). However, later during his presidential mandate he de-emphasized the ethnic component of national identity in favor of the civic one, by strengthening the individual liberties rather than the collective group rights. Moreover, he promoted the use of the Ukrainian language and supported the consolidation of a unitary state (D'Anieri *et al.*, 1999; 59-64). The third president Yushchenko expressed a similar attitude as his predecessor Kuchma: while recognizing the multi-ethnic character of Ukraine and the need to protect the rights of ethnic minorities, he strengthened the civic principle of state-building process and the need to increase the role of Ukrainian in society (Korduban, 2007).

Hence, due to the promotion of all-inclusive civiness the official discourse in Ukraine has been generally in line with integration. At the same time, during the transition period there were two deviations from this general course: first, between 1992 and 1994 president Kravchuk promoted a more intensified integration repertoire, through his discourse with nationalist elements; second, between 1994 and 1995 president Kuchma promoted an accommodationist discourse, mainly through the pro-Russian elements in his 1994 electoral campaign.

#### **4.4.2. Bill of Rights:**

The 1996 constitution almost entirely attributed the human rights to the individual, except for the stipulations that guaranteed minorities the right to receive education in their mother tongue, to develop their culture, and to use and develop their languages.<sup>128</sup> At the same time, the 1991 Declaration on the Rights of National Minorities and the 1992 Law on

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<sup>128</sup> See Articles 10, 11, and 53 in the Constitution of Ukraine (1996).

National Minorities guaranteed a full range of ethnically relevant group rights, including the right to have national-cultural autonomy and in regions with significant proportion of minorities, to use minority languages in public sphere. Moreover, in the 1992 Law a rather broad definition of national minority was included, which attributed this status to “those who are not of Ukrainian nationality, but show feelings of national self-awareness and affinity”.<sup>129</sup> The recognition of the group rights in the Ukrainian legislation was further confirmed by the ratification of the European Convention for the Protection of National Minorities in 1998 and also, of the European Charter for Regional and Minority Languages in 2005. Therefore, since 1991 the Ukrainian legislation emphasized both individual and (ethnic) group rights, which is in line with the accommodation principle of state-minority relations.

#### ***4.4.3. Civic Associations:***

The formation and activity of ethnic civic associations in post-Soviet Ukraine was always legally guaranteed.<sup>130</sup> The state generally welcomed their activity as a sign of democratic development of the country (COE, 1999, 2006). Since 1991, more and more ethnically based civic associations were opened, activating notably in the cultural-educational sphere. By the end of 2008 there were more than 1400 associations of the kind, with both regional and all-Ukrainian status (COE, 2009; 24). Virtually all ethnic minorities in Ukraine had their own associations, unions, and/or communities. There is no evidence that the central government had ever hindered their activity (COE, 2002). Therefore, civic association policies in Ukraine have been in line with accommodation.

#### ***4.4.4. Church-State Relations:***

To a certain degree, the religious divisions in Ukraine do coincide with the ethnic boundaries. Unlike most Ukrainians and Russians who worship in the Orthodox Church,

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<sup>129</sup> See Article 3 in the Law on National Minorities (1992).

<sup>130</sup> See Article 6 in the Declaration on the Rights of National Minorities (1991) and Article 13 in the Law on National Minorities (1992).

many small ethnic groups worship in other religious institutions.<sup>131</sup> Polish minorities are adepts of the Romano-Catholic church, while most Hungarians are Reformists. The Orthodox Church itself was divided in three rival branches at the end of 1980s. One of these branches subordinated to the Moscow Patriarchate and was predominantly located in the Russian-speaking regions of the country (BDHRL, 2006; COE, 2009). This implies that religion had a potential to enforce the ethno-linguistic divisions, even if the Russian-speaking citizens of the East were predominantly non-believers (Krindatch, 2003).

From the perspective of legislation, the post-Soviet Ukrainian government has followed the accommodationist principle. The 1991 Law on Freedom of Conscience and Religion and the 1992 Law on National Minorities formally recognized the existence of different religions and their equality.<sup>132</sup> More importantly, no religion has ever been granted with the status of state or official religion. The 1996 constitution explicitly stated the principle of separation between state and religion and did not declare any religion as dominant or privileged.<sup>133</sup>

The church-state relations in Ukraine seem to have generally followed the accommodationist principle also in practice. According to the various international reports on religious affairs in Ukraine, the government has generally respected the principles of religious plurality and impartiality (BDHRL, 2006; COE, 2002). At the same time, scholars noted that the first Ukrainian president Kravchuk attempted to establish a state religion by strongly favoring the Autocephalous branch of the Ukrainian Orthodox Church and by putting pressure on the branch subordinated to the Moscow Patriarchate (Mitrokhin, 2001; 183; Tataryn, 2001; 162). Nevertheless, these attempts ended when Kuchma replaced Kravchuk in power in 1994 and since 2008, they were never re-taken.

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<sup>131</sup> For Ukraine, there are no statistical data on the proportion of believers in different religions and denominations. The 2001 Ukrainian population census did not collect data on citizens' religiosity. Nevertheless, approximate estimates based on various surveys are available (Krindatch, 2003).

<sup>132</sup> See Article 6 in the Law on National Minorities (2001).

<sup>133</sup> See Article 35 in the Constitution of Ukraine (1996).

#### ***4.4.5. Education:***

By the time Soviet Union collapsed, the education in Ukraine was largely russified. For the 65% of Ukrainian citizens with Ukrainian as native language at the beginning of 1990s, only 45% of secondary education pupils were taught in Ukrainian. This is why the “nationalizing practices” of government under Kravchuk’s presidency had as aim to bring the proportion of languages used in education to that of languages used in society. A 1992 directive of the Ministry of Education instructed the local educational bodies to bring the proportion of ‘first-graders’ with Russian and Ukrainian as language of instruction closer to the national composition of the population in each region (Janmaat, 1999; 482). Other 1993 decrees of the Ministry stipulated that all entrance exams in higher education shall be conducted in Ukrainian and that Russian language should be learnt optionally in Ukrainian schools (Arel, 1995; 175). Although these decrees were never implemented, their political impact was considerable because many Russian speakers in Eastern Ukraine perceived them as threatening and assimilatory.

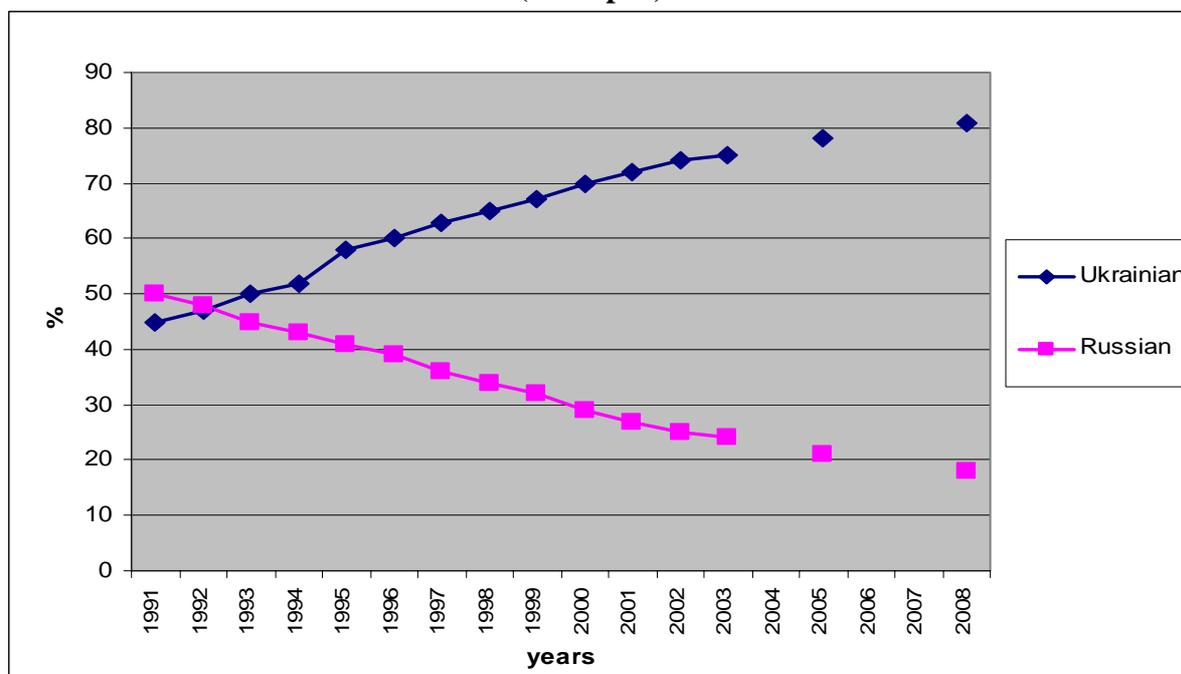
A clear image on education policies in Ukraine rises from the analysis of statistical data. Graph IV.5 compares the proportion of secondary education pupils studying in Ukrainian to the proportion of those studying in Russian during the period between 1991 and 2008. The data reveal that since the beginning of transition there was a gradual and constant decline in the Russian-language education. Considering that the proportion of population speaking Russian as primary language decreased only little since 1989,<sup>134</sup> the decline in Russian-language secondary schooling cannot be primarily explained by demographic processes such as emigration. Instead, it can be explained by the deliberate governmental education and linguistic policies that sake to strengthen the role of Ukrainian language in society. The data in Graph IV.5 reveal that these policies were also enforced during apparently pro-Russian

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<sup>134</sup> According to the population censuses of Ukraine, in 1989 there were approximately 30% of Ukrainian citizens speaking Russian as primary language, while in 2001 there were approximately 27,5% of them.

president Kuchma. After 2001, the proportion of Russian-language instruction at secondary school level dropped even below the proportion of Russian-language native speakers in society and hence entered the integration repertoire of state-minority relations.

**Graph IV.5. Secondary Education in Ukraine – Language of Instruction (I)**  
(% Pupils)<sup>135</sup>



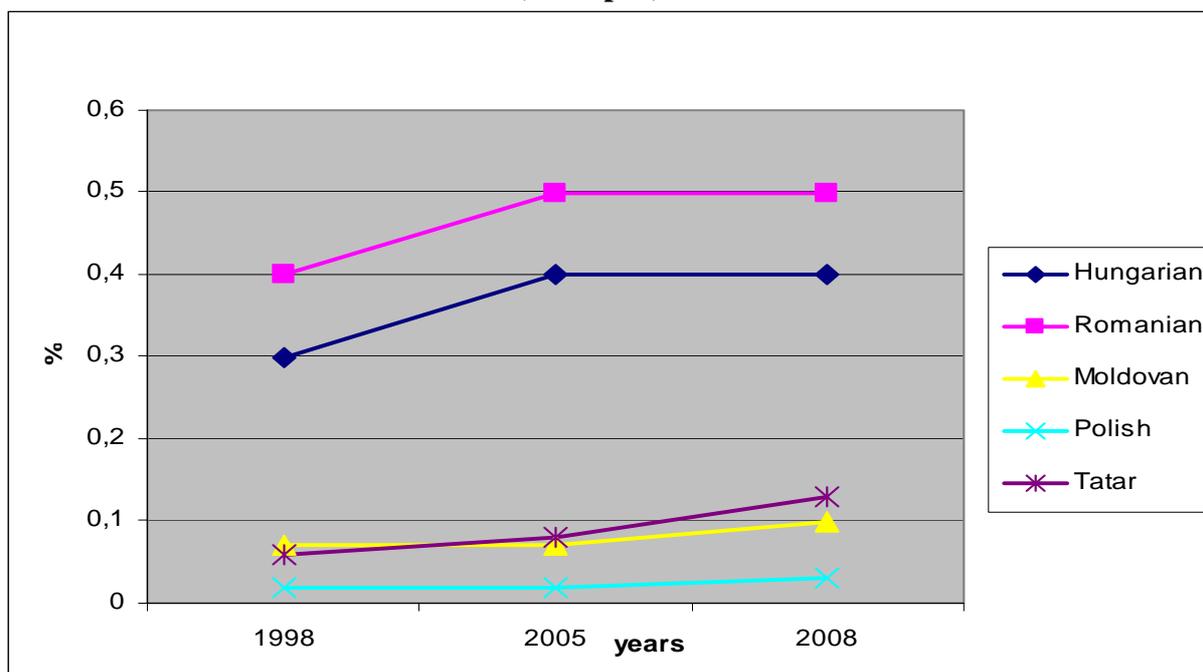
School instruction in Russian decreased in favor of the instruction in Ukrainian even in the predominantly Russian-speaking Eastern region Donbass, although at a much smaller degree and at a slower pace than in the entire country (Bilaniuk & Melnyk, 2008; 353). In Crimea Autonomy the state ukrainization policies were implemented at a much slower pace too: it was only in 1997 that the first school with teaching in Ukrainian was opened, while in 2005 out of the 571 Crimean schools, only in seven schools the primary language of instruction was Ukrainian (Bilaniuk & Melnyk, 2008; 354).

At the same time, the small minority groups in Ukraine have benefited of access to education in their mother tongue. The available data represented in Graph IV.6 demonstrate

<sup>135</sup> Sources: Council of Europe State Report of Ukraine (2009), Bilaniuk and Melnyk (2008; 353), Kulyk (2002; 106), Janmaat (1999), Arel (1995), Data of the Institute of Humanities and Political Studies, Ukraine, online available at: <http://www.igpi.ru/info/people/malink/1111152776.html> (date of access: 4 August 2010).

that since 1998 the proportion of schooling in Hungarian, Romanian, Moldovan, Polish, and Tatar languages increased. All these minority groups had their own schools in the regions with their compact settlement. However, in order to have access to higher education, all small minorities were encouraged to achieve a good level of Ukrainian by the end of their school instruction.

**Graph IV.6. Secondary Education in Ukraine – Language of Instruction (II)**  
(% Pupils)<sup>136</sup>



Overall, education policies in Ukraine since independence have gradually approached integration. Although since 1991 most ethnic groups had the opportunity to be schooled in their mother tongue, during the whole period of transition the government implemented measures for ukrainization of education, which were openly or tacitly supported by all post-Soviet Ukrainian presidents. After 2001, the education policies followed integration, because starting with that year the proportion of Ukrainian-language teaching outran the proportion of citizens considering Ukrainian as their mother tongue.

<sup>136</sup> Sources: Council of Europe State Report of Ukraine (2006, 2009), Bilaniuk and Melnyk (2008; 353).

#### ***4.4.6. State Languages:***

In Ukraine, the language policies since independence increasingly encouraged ukrainization. This path started with the 1989 Law “On Languages of the Ukrainian Soviet Socialist Republic” that established Ukrainian as the only state language, also allowing the use of other languages for official purposes in regions with territorial concentration of minorities.<sup>137</sup> Theoretically, this law implied that all public employees had to be fluent in Ukrainian. However, because there was no mechanism of control, the failure to do so did not imply any legal responsibility. Moreover, in the Eastern and Southern regions of Ukraine, Russian continued to be widely used in administration, despite the existing legislation (Arel, 1995; 172).

Ukrainization continued even during the allegedly pro-Russian Kuchma’s presidency. The 1996 constitution recognized only Ukrainian as state language, guaranteed its comprehensive development and functioning “in all spheres of social life throughout the entire territory of Ukraine”, and downgraded the status of Russian to the category of “other minority languages”.<sup>138</sup> In 1999, a decision of the Constitutional Court further reinforced this path, as it defined the Ukrainian as “the obligatory means of communication on all territory of Ukraine in exercising their powers by the bodies of state power and local self-government” (COE, 2009; 33). By 2000, the government promoted even more the use of Ukrainian, through “measures to popularize the [state] language” that encouraged its role in mass media, state affairs, and education (Kulyk, 2002; 112-113). The actual use of languages also changed: the formal interactions in public institutions were more and more conducted in Ukrainian language (Bilaniuk & Melnyk, 2008; 359).

The ukrainization language policies have not been applied in the Crimea Autonomy, where according to its formal status three languages were recognized for public use: Russian,

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<sup>137</sup> See Article 2 in the Law on Languages (1989).

<sup>138</sup> See Article 10 in the Constitution of Ukraine (1996).

Ukrainian, and Tatar, although in practice only Russian was identified as language of actual use (Belitser, 2000). Moreover, the official use of Russian in Eastern and Southern regions of Ukraine remained important, so much that in 2006 six regional and city councils even voted to give Russian an official status, in line with the European Charter for Regional Minority Languages that Ukraine ratified in 1999. The decision was approved by a Court of Appeal in 2007,<sup>139</sup> although according to Ukraine's legislation these decisions had no legal effect.

However, these facts are not sufficient for categorizing Ukrainian policies as accommodationist. Although in the regions with considerable proportion of Russian-speaking population the use of Russian in public life remained tolerated, it is the formal side of state policies that demonstrates that on a long run the state of Ukraine aimed towards an increased role of Ukrainian as single state language, which was in line with integrationist state-minority relations.

#### **4.4.7. Bureaucracy:**

The Ukrainian legislation since independence has been generally based on the meritocracy principle. As the principle of non-discrimination was stipulated in several laws,<sup>140</sup> at least at formal level minorities had equal opportunities with the ethnic majority to be represented in bureaucracy. At the same time, the Ukrainian legislation never provided special norms for representation of ethnic minorities in the bureaucratic system, such as ethnic quotas (Stepanenko, 2000; 325-330). The 1992 Law on National Minorities allowed to ethnic groups to participate in government through their associations, as these associations could nominate candidates for local and central elections<sup>141</sup>. However, this stipulation did not guarantee bureaucratic representation. The only guaranteed bureaucratic representation has been manifested through the activity of representative bodies within the local and central

<sup>139</sup> Court upholds Russian as regional language in East Ukraine, published by *RIA Novosti*, 2007. Online available at: <http://www.cdi.org/russia/johnson/2007-42-38.cfm> (accessed on 7 August 2010).

<sup>140</sup> See Article 24 in the Constitution of Ukraine (1996); Article 10 in the Code of Administrative Justice; Article 1 in the the Law on National Minorities (1992).

<sup>141</sup> See Article in the Law on National Minorities (1992).

governmental agencies. Among them, the Council of Representatives of Civic Associations of National Minorities activated during the whole period of transition. The Council has taken part in the elaboration of legislative initiatives and in the implementation of state programs, but only as advisory body (COE, 2009; 47; Stepanenko, 2000; 330). Therefore, in the post-Soviet Ukraine the bureaucratic policies have been in line with integration.

#### **4.4.8. Political Parties:**

The Ukrainian legislation on parties has never explicitly forbidden the creation of ethnic-based parties. The minimum number of party members established in 1991 that was required for registration was 300 (Wilson & Bilous, 1993; 693), which allowed to small minority groups to create their own parties. Until 2001, there was no restriction for the formation of regional parties, which gave to territorially concentrated minorities the possibility to mobilize politically. Regional parties were formed indeed. At the beginning of 1990's, there was a *Subcarpathian Republican Party* (Solchanyk, 1994; 17). The two main nationalist Ukrainian parties had most of their members in the Western region Galicia, while most members of the main centre-left, pro-Russian parties were concentrated in the East and Central Ukraine (Wilson & Bilous, 1993; 2). Also, there were regional parties in Crimea, such as *Russian Party of Crimea* and *Communist Party of Crimea* (Wilson, 1995; 370). Hence, until 2001 the Ukrainian party legislation was in line with the accommodation principle of state-minority relations.

The 2001 Law on Political Parties established the requirement of ten thousand minimum members coming from at least two thirds of territorial administrative units, including Crimea Autonomy.<sup>142</sup> This legislation had an unbalancing effect for the potential of ethnic groups' representation, as it left only the territorially dispersed Russians and russified minorities with the possibility to mobilize into own ethnic parties. However, the non-Russian minorities of

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<sup>142</sup> See Article 10 in the Law of Ukraine on Political Parties (2001).

Ukraine could not develop their own viable political parties even before this law, due to their small numerical proportions.

#### **4.4.9. Internal Political Boundaries:**

Although at the beginning of 1990s the idea to have a federal Ukraine was voiced within various regional political circles and minority groups (Wolczuk, 2002; 72-73), post-Soviet Ukraine has always functioned as a unitary and at times, highly centralized state. As at the beginning of 1990s the pro-federalists were very weakly represented in power at central level, it was the unitary principle of state territorial-administrative organization that was established in the 1996 constitution.<sup>143</sup>

Nevertheless, Ukraine does have some ethnically relevant internal political boundaries. First and most important, in 1991 the Supreme Council of Ukraine renewed the status of Autonomous Republic for the predominantly Russian-speaking Crimea, which the peninsula had lost in 1945 (Sasse, 2007; 133). Although the process of establishing the scope and limits of the Crimean Autonomy were negotiated until 1998, the status of territorial autonomy was granted since the very beginning of transition. Moreover, the administrative division of Ukraine into 24 regions, which has been inherited from Soviet period, contains some ethnically relevant boundaries. In the Eastern part of Ukraine there are two *oblasts* – Donetsk and Lugansk – with at least 65% of Russian-speaking population. In addition, in the Western part of Ukraine there is a sub-region – Berehovo – in which 76% of population is Hungarian. Between 1991 and 2008, the central government never initiated changes in the boundaries of these territories that would have modified their ethno-linguistic composition in favor of the native Ukrainians.

Therefore, since 1991 Ukraine's internal political boundaries combined elements of accommodation with elements of integration. The former have been manifested through the

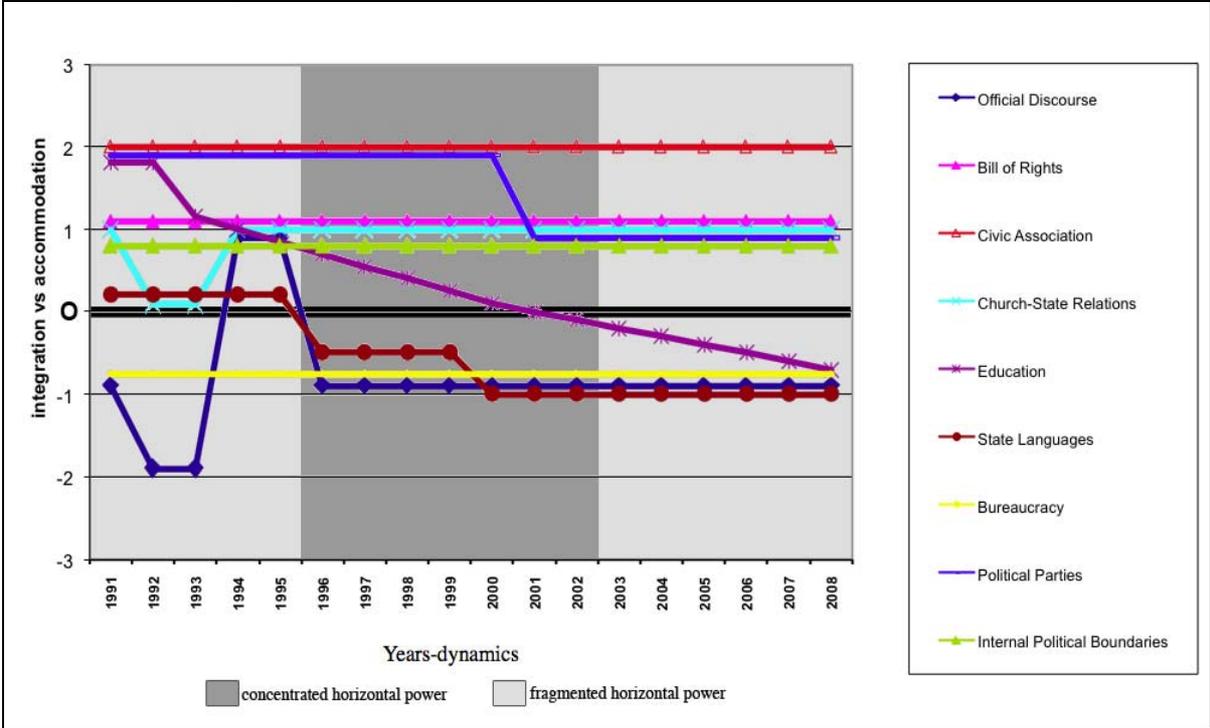
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<sup>143</sup> See Article 2 in the Constitution of Ukraine (1997).

existence of ethnically relevant political boundaries, while the latter – through the generally unitary character of the country. Because the Ukrainian government never implemented any major reform of its territorial-administrative structure and except for Crimea, still functions with the *oblasts* established in 1954, there has been no relevant fluctuation during the 1991-2008 period as far as internal political boundaries are concerned.

Graph IV.7 illustrates the dynamics of state-minority relations in Ukraine between 1991 and 2008. It shows that during the transition Ukraine combined accommodation with integration. At the same time, the country made some significant attempts to approach more integration during the transition period, by following an integrationist path in two of the most important domains for ethnic identity preservation - language and education. Overall, the Graph demonstrates that Ukraine was more accommodationist in 1991 than in 2008.

**Graph IV.7. State-Minority Relations in Ukraine (1991-2008)<sup>144</sup>**



When the dynamics of these nine domains is compared with the dynamics of ethnic minorities’ mobilization against the state discussed in Chapter 3, one can observe that the

<sup>144</sup> Graph compiled by the author, based on the qualitative data analyzed in sections 4.2.1.-4.2.9.

implementation of unfavorable policies towards minorities were followed by the ethnic groups' protests. At the same time, between 2000 and 2003, the intensity of these protests greatly diminished, in spite of the fact that by 2000 language laws became even more "ukrainizing". In addition, the re-intensification of minorities' mobilization against state authorities took place after 2003, in a period not marked by particularly worsening ethnicity-related policies.

Moreover, when the dynamics of these policy areas is compared with the dynamics of power concentration discussed in Chapter 2 (comparison illustrated in Graph IV.7 above), one can notice that integrationist policies have been implemented both in periods with fragmented power (1991-1995) and in periods with concentrated power (1996-2002). When power was fragmented at the beginning of 1990s, the preferences for more integration were manifested in the state-church relations, in education policies, and in presidential official discourse. When power became concentrated by 1996, the central government implemented more integrationist linguistic and education policies, despite president Kuchma's pro-Russian messages during the 1994 electoral campaign.

In conclusion, the Ukrainian period of concentrated power went hand in hand with gradual process of ukrainization, which was not the social-political course preferred by the largest ethnic minority group - the Russians. At the same time, during the period with concentrated power minorities mobilized the least against state's preference for the integrationist path of state-minority relations.

### **Final Remarks:**

The goal of this chapter was to test the hypothesis that by discouraging the institutionalization of multi-ethnicity and by encouraging the integration of minorities into a common public identity, power concentration tends to depoliticize the ethnic diversity of the

state and in this way, to hinder the access to loyalty resources for potential minorities' mobilization. In line with this hypothesis, the empirical analysis in the sections above first attempted to determine whether governments tend to impose more "nationalizing" policies in conditions of power concentration than in conditions of power dispersion. Second, it attempted to determine whether this tendency provoked ethnic protest.

In a 1996 article Brubaker anticipated that post-Soviet countries will mainly follow a nationalizing path in the state-building process, which would be expressed through a palette of integrationist policies and state-minority relations (Brubaker, 1996b). Overall, the data show that post-Soviet countries differ in the degree in which they followed the nationalizing path of state-building process. Almost twenty years after the collapse of Soviet Union, among the three studied countries only Georgia followed a clear nationalizing path, with intensified integrationist policies over time. Moldova's ethnicity-related policies have been more accommodationist during the 2000s than they were at the beginning of transition. Ukraine started as the most accommodationist among the three countries and, although it generally has approached the integrationist repertoire during the transition period, it did so at a relatively small and gradual pace. By 2008, Georgia was still more integrationist than Ukraine.

The data for Ukraine and Georgia confirm the expectation that in the most effective and intense processes of integration would occur in the periods with concentrated power. In Georgia, it was during Shevarnadze's and respectively Saakashvili's presidencies that most important integrationist ethnic-related policies were implemented, in case of Shevarnadze even without leading to minorities' protests against them. In Ukraine, it was during Kuchma's presidency that the strongest steps towards linguistic ukrainization were made. Kravchuk also attempted to implement integrationist policies, in a period with horizontally dispersed power, but less successfully. Therefore, the cases of Ukraine and Georgia confirms the theoretical

expectation that in periods with concentrated power ethnic minorities risk state policies and attitudes unfavorable to their interests.

In contrast, in Moldova, which is the country that followed rather an accommodationist repertoire of state-minority relations, the most minority-friendly policies were implemented in the periods with horizontally concentrated power. In addition, the strongest attempts to implement integrationist policies occurred in periods with horizontally dispersed power. However, these attempts usually failed, besides other things due to minorities' protests against them. Therefore, the case of Moldova contradicts the expectation that concentrated power necessarily leads to state policies and attitudes unfavorable to them.

The degree in which "nationalizing" governmental policies provoked protest of ethnic minorities also differs from case to case. In Georgia during Shevarnadze the implementation of integrationist policies were coupled with a decrease in the level of minorities' mobilization against the state. At the same time, minorities did protest against Saakashvili's nationalizing policies. In Ukraine, minorities did mobilize to protest against the nationalizing policies initiated under the presidency of Kuchma when power was concentrated, although at a lesser extent than they mobilized in the periods with dispersed power. Finally, in Moldova the concentration of power was not coupled with nationalizing policies.

## **Chapter V**

## **: Power Concentration and Ethnic Minorities' Political Representation**

This chapter tests the second hypothesis of this thesis, which states that *by inducing disproportional elements into the electoral systems, power concentration compromises the success of ethnic parties and therefore encourages minorities' co-optation into mainstream parties, and as a result, decreases the likelihood for ethnic minorities' mobilization against the state.* As explained in Chapter 1, a political system with concentrated power tends to promote electoral disproportionality that favors the incumbents. While not necessarily targeted against minorities, such systems weaken the chance for the formation and electoral success of ethnic parties and hence limit the access of ethnic minorities to mobilization resources. The degree to which this presents a factor for discouraging ethnic minorities from mobilization against the state is analyzed in the sections below. Before the presentation of the empirical data, I describe the possible types of ethnic minorities' political representation and the level of effectiveness of each type, as well as the respective measurement tools that I further use in the empirical investigation.

### **5.1. Types of Ethnic Minorities' Political Representation:**

One of the earliest analyses of the concept of representation belonged to Hannah Pitkin, who identified the “standing-for” and “acting-for” types of representation. In the former, it is not important what a legislature does, but how it is composed. It is the type measured through the degree of resemblance to what a legislature represents, as compared to the entire population. It is based on the idea that “in a democracy public officials may be selected to use their judgment as fair sample of the people, on the supposition that their opinion will be the same that the public itself would form, if it spent enough time to examine the matter thoroughly.” In the latter, it is not important how the legislature is composed, but what

particular members of parliament do. The test of “acting-for” representation is not whether the parliament represents a descriptive sample of the population, but how well representatives act to further the objectives of those they represent (Pitkin, 1967).

The “standing for” representation is often labeled in the literature as “descriptive”, while the “acting for” representation – as “substantive” (Bird, 2003; Cameron *et al.*, 1996; Powell, 2004). Applied to ethnic minorities, the descriptive representation is determined by the reflection of the entire population’s ethnic composition on the ethnic composition of the parliament. In practice, descriptive representation can be ensured through the application of quota systems. The substantive representation is determined by the degree in which political parties or individual MPs appeal to pro-minority discourse during electoral campaigns and while being in parliament; also, it can be determined by the degree in which political parties or individual MPs seek to defend minority interests or to express minorities’ demands during their mandates.

Additionally, there is a third type of political representation, which I label electoral representation. The electoral representation is determined by the degree in which the parties and leaders supported by ethnic minorities in elections are represented in government. The researcher of post-Soviet Ukrainian politics Paul D’Anieri identified this type of representation as “minorities’ empowerment” and measured it by looking at the electoral success of those parties and leaders who were supported by minorities (D’Anieri, 2007a). The electoral type of representation is different from the descriptive representation because it does not necessarily imply that the leaders supported in elections are ethnic minorities or that the parties supported are composed of ethnic minorities. At the same time, the electoral representation is not similar with the substantive representation, because the electorally supported parties are not necessarily pursuing an explicit pro-minority discourse and behavior while being in parliament.

Electoral representation is generally determined through the examination of ethnic minorities' voting behavior. The best way to determine voting behavior is to analyze mass survey data that contain information both on demographic characteristics of respondents (ethnicity included) and on their electoral preferences. Such data can reveal the importance of ethnicity as a factor for determining voting behavior in particular elections. However, this method is not always possible to apply, because reliable mass surveys are not always available. In countries where ethnic minorities have significant territorial concentration, there is an alternative method for determining voting behavior of minorities, which consists on analyzing the electoral results at regional level. Although this method can give valuable information on minorities' electoral preferences, it can imply some risk of ecological fallacy.

Various analyses of political representation attribute the greatest degree of effectiveness to the substantive type of representation, because it is the type that links parties' policy preferences and voting behavior with voters' preferences and interests (Alonso & Ruiz-Rufino, 2007; Pande, 2003). At the same time, scholars' skepticism towards descriptive representation results from the fact that ethnic minority MPs may find themselves under pressure to represent simultaneously different interests, notably party interests and group interests. In such situations they may choose to represent party interests at the detriment of the group ones, if this strategy increases the likelihood for their reelection (Bird, 2003).

However, descriptive representation still has some merits: most importantly, the simple presence of minorities in parliament is believed to strengthen legitimacy of power and also to increase the level of minorities' electoral turnout, especially when minority MP's are elected with majority electoral systems (Banducci *et al.*, 2004). Therefore, although it cannot be attributed with the same importance as the substantive representation, the descriptive representation cannot be disregarded.

The electoral representation is also limited in its effectiveness. This is because minorities' votes alone can be misleading as indicators for their preferences. There are situations in which minorities' electoral choice is limited by the alternatives offered by the party system and therefore, their vote might represent a choice of the least undesirable option available (Powell, 2000). However, the presence in parliament of parties and leaders that ethnic minorities voted for may also increase the level of trust in power and decrease the level of minorities' apathy. For this reason, in this chapter I also explore the level of electoral representation.

Therefore, in the analysis of ethnic minorities' political representation I use three indicators. The first consists in determining the degree in which parties and leaders supported by ethnic minorities in elections are represented in power. The higher is the percentage of obtained seats by political parties electorally supported by minorities, the greater is the electoral representation of ethnic minorities. The second indicator consists in calculating the proportion of MPs belonging to ethnic minority groups. The higher is the numerical presence of minority MPs, the greater is the descriptive representation of ethnic minorities. The third indicator takes into consideration the percentage of obtained parliamentary seats and the legislative bargaining power of pro-minority parties. The simple presence of these parties in parliament is not sufficient for guaranteeing effective substantive representation: they must equally have the numerical and strategic advantage to bring relevant issues on the parliamentary agenda and to influence the voting results. Further it remains to be clarified what a pro-minority party is and how the pro-minority positions of political parties can be empirically determined.

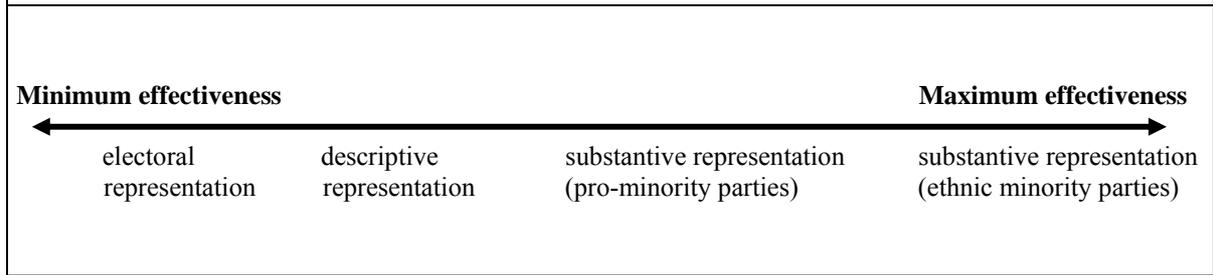
The pro-minority parties are the ones that through their electoral appeals, political discourse, policy preferences, and voting behavior in parliament positively respond to the ethnic minorities' demands or are generally in line with the ethnic minorities' interests. As

established in Chapter 4, ethnic minorities' interests are defined by those policies and attitudes that enhance the accommodationist (as opposed to integrationist) principles of state-minority relations. Hence, pro-minority parties are those parties that support and/or promote the dual or multiple ethnic identities and the institutionalization of existing ethnic differences at public level.

The pro-minority parties are not necessarily ethnic minority parties. The latter are defined in the literature as the political groups whose majority leaders and members belong to ethnic minorities, whose electoral platforms are centrally focused on programs of an ethno-cultural nature, and whose support is derived overwhelmingly from particular ethnic minority groups (Chandra, 2004; 3; Cott, 2007; 3; Horowitz, 1985; 291). The pro-minority parties can be mainstream parties, with electoral support from various population categories, but including ethnic minorities. Pro-minority parties are not necessarily one-issue parties. They can have comprehensive policy preferences, with the minority-friendly discourses and policy positions as only one aspect of an all-inclusive political platform. Finally, pro-minority parties may have representatives of ethnic minorities among their members and top leadership, but not necessarily in overwhelming majority. While the ethnic parties can indeed provide substantive representation at a highest degree of efficiency, the pro-minority parties can guarantee substantive representation too.

Hence, in this thesis the effectiveness of political representation is seen as a continuum, on which four conventional types are ranked in the following order: electoral representation, descriptive representation, substantive representation through pro-minority parties, and substantive representation through ethnic parties. The electoral representation is assumed to bring a minimum level of ethnic minorities' representation, while the substantive representation through ethnic minority parties - the maximum level of it. Figure V.1 illustrates the ranking of political representation types.

**Figure V.I. Ethnic Minorities' Political Representation - Types and Effectiveness**



Finally, in order to identify the parties that provide substantive representation for ethnic minorities, I mainly use the content analysis of party programs and electoral platforms. By using the pledge position content analysis method elaborated by Robert Harmel and Kenneth Janda (1995), in the case study sections I identify those parties with policy positions that have been mostly in line with accommodationist principles of state-minority relations.<sup>145</sup>

The pledge position method consists in gathering relevant texts that reveal the policy positions of parties. Most frequently these texts are party programs and/or electoral manifestos. Alternatively, when programs or manifestos are not available, party leaders' declarations, interviews, questionnaires, or any other electoral materials, can be used. The issues of interest must be identified before reading the texts, as well as the "leftist", "rightist", and "neutral" positions on each issue. Also, a scale needs to be elaborated, with the smallest value attributed to the "left", the middle value – to the "neutral", and the highest value – to the "right". After manifestos are read, scores are given for each issue of interest. The pledge-position scale elaborated for determining the party positions on ethnicity-related issues is presented in Annex 8. The set of pre-determined issues are in line with the set of policies that determine whether a state follows an integrationist or an accommodationist model of state-minority relations, which is presented and analyzed in Chapter 4. The results of the content analysis are analyzed in the case study sections below.

<sup>145</sup> I do not use the famous Comparative Manifesto Project method of party manifestos content analysis because this method has not been designed to capture specific ethnicity-related issues. The ethnicity-related variables used by Comparative Manifesto Project are too general for the purpose of this thesis (Protsyk & Garaz, 2011).

## 5.2. The Case of Georgia:

As discussed in Chapter 2, after the collapse of Soviet Union Georgia had two periods with concentrated power. The first lasted from 1995 until 2000 and had as main political figure President Eduard Shevarnadze. The second period, which had as main political incumbent President Mikheil Saakashvili, started in 2004 and continued through 2008, the last year included in the framework of this thesis. The main goal of this section is to determine the impact of the concentration of power on ethnic minorities' political representation. For this, I discuss the link between concentration of power and electoral system in Georgia, as well as the level of disproportionality that electoral systems implied. I also analyze the type and effectiveness of ethnic minorities' political representation between 1991 and 2008.

### 5.2.1. The Impact of Power Concentration on Electoral System Change:

Since 1991, Georgia always had a mixed electoral system, with proportional and majoritarian voting applied in parallel, on the whole territory of the country. However, specific electoral rules have been often changed. First, the proportion between seats elected through PR and seats elected through majoritarian voting changed several times. Second, not in all post-independence elections the PR voting was conducted on the basis of single nationwide constituency and nationwide party lists. Third, the threshold for the PR voting was modified several times. The main changes in the Georgian electoral system since 1991 are summarized in Table V.1 below.

Year of parliamentary elections	Total number of parliamentary seats	Electoral system – mixed		
		majoritarian component % seats	PR component % seats	PR threshold % votes
1992	225	33	67	0
1995	235	37	63	5
1999	235	36	64	7
2004	235	36	64	7
2008	150	50	50	5

<sup>146</sup> Source: data collected by the author from Central Elections Commission of Georgia, October 2008.

The PR share of the electoral system was always greater than the majoritarian share, except for the 2008 elections when the two parts of the electoral system had equal weight. This means that in most cases the PR vote had a greater influence on the election results than the majority vote and hence played a greater role for the degree of parliamentary fragmentation. In addition, for the first post-independence parliamentary elections in 1992 the PR threshold was removed, but in consequent elections it was gradually increased to 7%, and only decreased to 5% for the 2008 elections. Moreover, except for 1992, PR-based elections were conducted on single nation-wide constituency, with nation-wide party lists. In 1992 the electoral laws allowed the formation of different electoral lists for different regions, for the same party. Therefore, it was only in 1992 that the electoral laws encouraged the regionalization of political parties.

The 1992 elections were held in a context of deep fragmentation. The central power faced demands for increased autonomy from the leadership of Adjara region, and demands for secessionism from Abkhazia and South Ossetia. Moreover, the central power itself was highly fragmented, with no potential majority party. In these conditions, the head of state Eduard Shevarnadze and the State Council tried to make it easy for parties to register for elections and access the parliament. Therefore, the PR part of the mixed electoral system contained no threshold and was based on multiple-seat constituencies (Allison *et al.*, 1993; 175).

By 1994, following four months of state of emergency in which many of the important decrees have been adopted, Shevarnadze consolidated a supportive majority faction in the parliament which was the basis of eventual power concentration (Nodia, 1998). Due to this faction (which competed in the 1995 elections as the Citizens' Union Party), Shevarnadze managed to pass electoral rules with a higher threshold for accessing the parliament: the PR was to be organized in a single nation-wide constituency, based on nation-wide party lists, and with an electoral threshold of 5%. These rules have not encountered particular protest

from smaller and regional-based parties, beside other things because the respective parties did not seem to have a clear understanding of how these rules would affect their electoral success and how extensive their electorate actually was (Allison, 1996; 278).

For the 1999 parliamentary elections, having the support of the parliamentary dominant Citizens' Union Party and the All-Georgian Revival Union Party, president Shevarnadze managed to increase the electoral threshold to access the parliament from 5% to 7%, despite the critique of the opposition parties. As shown in the sections below, the introduction of the 5% threshold and then its increase to 7% induced a disproportionality effect large enough to accumulate the necessary ratio of "wasted votes" for the pro-presidential party to consolidate and later preserve its dominant position.

The 2003 parliamentary elections were held under similar electoral rules as the ones held in 1999. However, after the "Rose Revolution" the PR part of elections had to be repeated in 2004, three months after Mikheil Saakashvili was elected as president of the country. The change of government resulting from the 2003 "Rose Revolution" brought the expectation that the new political elite would consolidate the democratic institutions of the country and will create the necessary conditions for an enhanced pluralism. In line with these expectations, the representatives of the Council of Europe strongly suggested the decrease of the electoral threshold from 7% to 4-5%, warning that a too high threshold might result in a virtually one-party parliament (S. Jones, 2005; 310). However, President Saakashvili kept the 7% threshold for the 2004 repeated elections, arguing that the lowering of the barrier to enter the parliament "would be an incentive for the opposition, and parties in general, not to unite". He also stated that small parliamentary factions often trade their votes for political and economic favours, therefore their access to parliament should not be encouraged.<sup>147</sup>

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<sup>147</sup> New Leadership Downplays PACE's Criticism, in *Civil Georgia Daily News Online*, 2 March 2004, Tbilisi. Online: [http://www.civil.ge/eng/\\_print.php?id=6346](http://www.civil.ge/eng/_print.php?id=6346), accessed on March 23, 2012

After the 2004 elections and before the 2008 ones, the electoral system was a highly salient issue of debate between the dominant pro-presidential National Movement Democrats and the opposition. While the pro-presidential party kept emphasizing the alleged catalyzing effect of a high threshold on the consolidation of parties, the opposition criticized it as imposing an artificial barrier for opposition parties to access the parliament (Nodia & Scholtbach, 2006; 55).<sup>148</sup> The Council of Europe also interfered in this debate with several recommendations and with a resolution, containing among others the requirement to decrease the electoral system threshold at least by 2%.<sup>149</sup>

In conditions of an increased pressure from both the opposition and the international community, Saakashvili proposed the decrease of the electoral threshold, but in parallel with other important changes in the electoral system. First, the ratio of PR part of the mixed electoral system was to be decreased from 64% to 50%. This implied that the expected effect of a reduced electoral threshold would be overall diminished. Second, the duration of a parliamentary mandate was to be increased from four to five years.<sup>150</sup> Despite the intensive criticism of these initiatives by the opposition parties<sup>151</sup>, they were adopted with the absolute majority votes of the National Movement Democrats and several defectors from opposition parties, and eventually implemented.

Therefore, in Georgia in transition the incumbents of horizontal power always molded the electoral systems and their specific rules in a way to consolidate their own dominant position. Before the 1995 elections, the dominant pro-presidential parliamentary faction voted

<sup>148</sup> Opposition, Human Right Groups Address International Community, in *Civil Georgia Daily News Online*, March 24, 2006, Tbilisi. Online: <http://www.civil.ge/eng/print.php?id=12165>, accessed on March 24, 2012; “Labor Party Leader in Strasbourg for ECHR Hearings”, in *Civil Georgia Daily News Online*, 2 September, 2007, Tbilisi. Online: <http://www.civil.ge/eng/print.php?id=15708>, accessed on March 24, 2012

<sup>149</sup> PACE Calls for Reduction of 7% Electoral Threshold, in *Civil Georgia Daily News Online*, 14 September, 2007, Tbilisi. Online: <http://www.civil.ge/eng/print.php?id=15793>, accessed on March 24, 2012; Resolution 1477 (2006) - Implementation of Resolution 1415 (2005) on the Honouring of Obligations and Commitments by Georgia. Parliamentary Assembly of the Council of Europe

<sup>150</sup> Saakashvili’s New Initiatives, Amid Political Standoff, in *Civil Georgia Daily News Online*, 16 October, 2007, Tbilisi. Online: <http://www.civil.ge/eng/print.php?id=16038>, accessed on March 24, 2012

<sup>151</sup> Three Options for New Parliament Structure, in *Civil Georgia Daily News Online*, 20 March, 2008, Tbilisi. Online: <http://www.civil.ge/eng/print.php?id=17398>, accessed on March 24, 2012

for the increase of the electoral barrier to access parliamentary seats. As shown in the section below, due to this increase the respective faction (transformed eventually into the Citizens' Union Party) managed to consolidate its parliamentary dominance, due to the "wasted votes" produced by the electoral threshold. A similar effect occurred when the threshold was further increased for the 1999 elections and when it was kept at a high level for the 2004 elections. Only in 1992, an electoral year characterized by highly fragmented power and no dominant political force, did the electoral system contain a highly reduced barrier for accessing the parliament.

**5.2.2. The Level of Disproportionality of the Electoral System:**

Because Georgia had a mixed electoral system since independence, it is possible to compare the effects of the proportional part of the system with the majoritarian part, with the great advantage of keeping various confounding variables similar. The electoral system in Georgia has generally implied a high degree of disproportionality, which resulted particularly from its PR part. As discussed above, the degree of disproportionality can be calculated by counting the percentage of wasted votes. Table V.2 illustrates Georgian electoral systems' degree of disproportionality.

Election year	1992	1995	1999	2004	2008
Threshold %	0	5	7	7	5
Wasted Votes %	3.6	44.1	25.4	26.2	11.3

The percentages of wasted votes presented in Table V.2 are the result of the mechanical effects of the electoral system. As illustrated in the table, the introduction of a threshold was the main component of the PR system that led to the accumulation of wasted votes. The smallest amount of wasted votes was in the 1992 elections, when no threshold was applied. In

<sup>152</sup> Source: author's calculation, on the basis of data delivered by Central Elections Commission of Georgia and Stephen Wheatley's data (2005; 231)

1995, when the threshold of 5% was introduced, almost half of the PR votes have been wasted. This happened because by 1995 political leaders and regular voters had no previous experience with thresholds. In the following elections, the threshold “lesson” has partly been learnt, as the amount of wasted votes decreased despite the threshold increasing to 7%. The over-time learning effect is also visible in case of the 2008 elections, when a 2% drop in the threshold led to twice less wasted votes, if compared with the 2004 elections. Overall, the data in Table V.2 demonstrate that the PR system combined with a relatively high or previously inexperienced threshold can produce a great degree of disproportionality.

However, these data by themselves are not sufficient to prove that the PR part of the system with its thresholds produced more disproportionality than the majoritarian part. For this, a comparison with the amount of wasted votes produced by the majoritarian electoral formula is needed. However, because the complete electoral results on the majority component of Georgian parliamentary elections are not available, making such comparison is not possible. Nevertheless, there are alternative ways. First, by comparing the number of parties that entered the parliament through majoritarian and through PR formulas, it is possible to assess which of the two allowed to more competitors to obtain parliamentary seats. Second, by comparing the percentage of PR seats with the percentage of majority seats obtained by the greatest winner party, it is possible to determine which of the two formulas led to more parliamentary fragmentation. The respective data are illustrated in Table V.3.

Election year	1992	1995	1999	2004	2008
PR Threshold %	0	5	7	7	5
Number of parties competing in elections	36	54	45	20	12
Number of parties that won parliamentary seats	24	10	4	5	5
Number of parties that won seats through PR	24	3	3	2	3
Number of parties that won seats through Majority	8	10	4	5	3
% PR seats of greatest winner party	12.9	61.6	56.7	90.0	65.3
% Majority seats of greatest winner party	8	19.8	56.6	13.3	94.7

<sup>153</sup> Source: author’s calculation based on the electoral data delivered by Georgia Central Elections Commission

Table V.3 shows that it was only in 1992, electoral year in which the PR part of elections had no threshold, that the PR formula produced more parliamentary parties than the majority formula. In 1995, 1999, and 2004 there have been more parties entering the parliament through the majority part of elections than through the proportional part. In 2008 this number was equal, which confirms that there has been a learning effect over time. Table V.3 also reveals that except for 2008, the majority part of the system never produced a small number of parliamentary parties as predicted in the literature on electoral and party systems.

The data also show that in Georgia the electorally successful parties had more chances to obtain a majority of seats through the PR part of elections than through the majority part. The PR formula worked particularly better in forming absolute parliamentary majority than the majority formula at the beginning of the periods with concentrated power, i.e. in 1995 and 2004. In 1999 and 2008, when the incumbents of concentrated power were in stronger positions, they managed to obtain absolute majorities through majority electoral formula as well. Therefore, the data in Table V.3 proves that the greatest winners of Georgian parliamentary elections generally benefited of the mechanical effects of PR, especially in the years when their electoral popularity was not high enough to render the mechanical effects of electoral systems irrelevant.

Generally, the electoral systems that favor the big parties at the expense of small ones can favor both pro-presidential and anti-presidential parties. As presidents would not be interested in having a consolidated opposition in the legislature, the implementation of such electoral systems might impose certain risk. The data in Table V.4 illustrate the degree to which this was the case with Georgian pro-presidential parties and strongest opposition. The Table shows the percentages of extra-seats gained by the greatest pro-presidential party and by the greatest opposition party in each parliamentary election since independence. The

figures are calculated as the difference between the percentage of PR seats gained by a party and the percentage of PR votes attributed to it.

<b>Table V.4. Extra-Seats Resulting from the PR-Generated “Wasted” Votes, Georgia (1991-2008)<sup>154</sup></b>			
Election year	PR Threshold%	% extra-seats gained by the pro-presidential party	% extra-seats gained by the greatest opposition party
1992	0	“Peace” Bloc -4.8	“October 11” Bloc -2.3
1995	5	Citizens’ Union 37.9	National Democratic Party 13.3
1999	7	Citizens’ Union 14.6	Revival of Georgia 8.6
2004	7	National Movement Democrats 23.8	Bloc “The Rightist Opposition” 2.4
2008	5	United National Movement 6.2	Bloc “The Joint Opposition” 2.3

Overall, the data reveal that the pro-presidential parties, which have been also the first winning parties in each election, obtained considerably more extra-seats than the greatest opposition parties, as a result of PR formula’s mechanical effect. Only in 1992, when PR formula had no threshold, the greatest pro-presidential and opposition parties gained less seats than votes. This demonstrates that the specific context and conditions under which PR was used greatly favored the first-winning/ pro-presidential parties and at the same time, has not consolidated the opposition to the president. The latter has benefited of the disproportionality effect of the electoral system at a considerably lesser extent than the pro-presidential parties. Hence, the electoral system of Georgia contributed to the consolidation of concentrated power.

**5.2.3. Political Representation of Ethnic Minorities:**

For determining the electoral type of representation, data on minorities’ electoral preferences are needed. The mass surveys represent the most commonly used source of information for revealing specific groups’ electoral preferences. Surveys allow controlling for potential alternative factors that may also influence on an individual’s electoral preferences,

<sup>154</sup> Source: author’s calculation based on the electoral data delivered by Central Elections Commission of Georgia.

other than his/her affiliation to a certain ethnic group. However, in Georgia reliable mass surveys are unavailable. This is why I use an indirect indicator for determining ethnic minorities' electoral preferences – the regional voting results. In Georgia the biggest ethnic minority communities – Azeris and Armenians – have significant territorial concentration in the Southern districts of the country, as illustrated in Table V.5.

<b>Table V.5. Georgian Districts with Ethnic Minorities' Territorial Concentration. The 1989 and 2002 Population Censuses.<sup>155</sup></b>							
Regions/ censuses <sup>156</sup>	Districts with Armenians' territorial concentration - Armenian population %				Districts with Azeris' territorial concentration – Azeri population %		
	Akhalkalaki	Akhaltzikhe	Ninotsminda	Tsalka	Bolnisi	Dmanisi	Marneuli
1989	91.3	42.8	89.6	28.5	66.0	63.9	78.7
2002	94.3	36.6	95.8	55.0	66.0	66.8	83.1

As the table shows, there are four administrative units in Georgia with significant concentration of Armenian population. In two of these districts, Armenians constituted an overwhelming majority during the entire period of transition, therefore the voting results at the level of these two regions can be considered as representative for the Armenian population. In Tsalka region Armenians constituted only 28.5% of the population by 1989. Nevertheless, other 66% in the district were Greek and Azeri minorities. Similarly, even if Armenians constituted only 55% of Tsalka population by 2002, other 32% were constituted by Greeks and Azeris.<sup>157</sup> The Table also reveals that there are three districts in Georgia with significant Azeri territorial concentration. In Marneuli an overwhelming part of population was Azeri both in 1989 and in 2002. In Bolnisi and Dmanisi the percentage of Azeris is higher than 50%, although the share of Azeris in the total population is not as overwhelming as in Marneuli. Nevertheless, in the two districts there are other minority groups too and

<sup>155</sup> Source: data delivered by the National Statistics Office of Georgia, at authors request (October 2008, Tbilisi).

<sup>156</sup> The table includes both 1989 and 2002 census data, because demography is a dynamic variable and because this thesis analyses the entire post-communist period.

<sup>157</sup> Data delivered by the National Statistics Office of Georgia, at author's request (October 2008, Tbilisi).

Georgians are below 30%.<sup>158</sup> Therefore the voting results for these districts can also be taken as indicator for minorities' electoral preferences.

The data in Table V.6 illustrate the percentage of votes granted to the first winners in post-communist parliamentary elections, at the level of the seven districts with high concentration of minorities. These data reflect the degree of unanimity among territorially concentrated minorities concerning their voting preferences. The data in the Table also reflect the political influence that parties supported by minorities had in the elected parliament.

<b>Table V.6. Georgian Parliamentary Elections Regional Voting Results, 1991-2008. (first winners and their % of votes)<sup>159</sup></b>					
Elections <sup>160</sup> / Regions		1995	1999	2004	2008
Armenians	Akhalkalaki	CU: 47	CU: 94	NMD: 79	UNM: 90
	Akhaltshikhe	CU: 26	CU: 41	NMD: 75	UNM: 83
	Ninotsminda	“Solidarity”:18	CU: 67	NMD: 88	UNM: 91
	Tsalka	CU: 56	CU: 76	NMD: 85	UNM: 74
Azeris	Bolnisi	CU: 55	CU: 78	NMD: 71	UNM: 83
	Dmanisi	CU: 70	CU: 69	NMD: 80	UNM: 83
	Marneuli	CU: 43	CU: 80	NMD: 63	UNM: 85
Total % gained parliamentary seats		CU: 46 “Solidarity”: 0	CU: 56	NMD: 65	UNM: 79

In the 1995 elections minorities who populated the seven districts tended to support the pro-presidential party Citizens' Union, party which had a majority of parliamentary seats between 1995 and 2001 (see Chapter 1). At the same time, the data show that minorities were rather dispersed in their voting behavior, because in four of the seven minority districts no party obtained an absolute majority of electoral support. Nevertheless, in six out of the seven districts the first winning party was the one that formed a parliamentary majority.

<sup>158</sup> Idem

<sup>159</sup> Source: author's calculation based on the electoral data delivered by Central Elections Commission of Georgia. Abbreviations: CU – Citizens' Union; “Solidarity” – Political Union “Solidarity”; NMD – National Movement Democrats; UNM – United National Movement.

<sup>160</sup> There are available data at district level for all elections, except for the 1992 ones.

In the 1999, the 2004, and the 2008 parliamentary elections the ethnic minorities in the seven districts acted much more like coherent groups, as in most of the cases more than half of votes were granted to the same party. This was particularly the case with the 2008 elections, when in each of the seven districts at least 73% of votes were given to the same party. In all these three elections the parties quasi-unanimously supported by minorities gained absolute majority of parliamentary seats. This means that since 1999 minorities in the seven districts had significant electoral representation in the legislative branch and that between 1995 and 1999 they enjoyed partial electoral representation.

The data in Table V.7 illustrate the degree in which the voters in the seven minority-populated districts unanimously supported the same candidate in presidential elections. The data also reveal those cases in which candidates supported by minorities took over the presidential office.

<b>Table V.7. Georgian Presidential Elections Regional Voting Results, 1991-2008 (first winners and their % of votes)<sup>161</sup></b>						
Elections/ Regions		1991	1995	2000	2004	2008
Armenians	Akhalkalaki	ZG 52	DP 65-80	ES 94.0	MS 97.7	MS 84.0
	Akhaltzikhe	ZG 74	DP 80-95	ES 79.9	MS 97.3	MS 81.2
	Ninotsminda	ZG 70	DP 65-80	ES 82.1	MS 97.5	MS 90.2
	Tsalka	ZG 52	DP 80-95	ES 97.4	MS 97.7	MS 71.6
Azeris	Bolnisi	ZG 58	DP 80-95	ES 97.6	MS 97.6	MS 84.5
	Dmanisi	ZG 97	DP 80-95	ES 96.6	MS 88.8	MS 82.2
	Marneuli	ZG 86	DP 80-95	ES 99.1	MS 84.9	MS 90.0
Gained votes (%) in the entire country		ZG 86	DP 19	ES 80	MS 96	MS 54

Table V.7 shows that except for the 1995 elections, the winning candidates in presidential elections have been always supported by majority of voters in the seven minority-

<sup>161</sup> Source - for 2000-2008: data delivered by Central Elections Commission of Georgia at the author's request; for 1991: "Svobodnaja Gruzija", 8 July 1991, Tbilisi; for 1995: "Svobodnaja Gruzija", 16 November 1995. Abbreviations: ZG- Zviad Gamsakhurdia; DP- Djumber Patiashvili; ES- Eduard Shevarnadze; MS- Mikheil Saakashvili.

populated districts. Therefore, all three post-Soviet presidents of Georgia had at least partial minorities' electoral support. The percentage of votes granted to the winning candidates in the seven regions was particularly high during the last three presidential elections. For these elections the percentage of votes granted to Shevarnadze and respectively, to Saakashvili was higher than the percentage of votes that they obtained in the entire country. These regional voting patterns lead to two conclusions. First, the electoral representation of minorities through presidential elections has been significantly high. Second, presidential candidates appealed to minorities' electoral support for winning elections.

Overall, the presidential and parliamentary election results at district level demonstrate that territorially concentrated ethnic minorities in Georgia had at least significant electoral representation during the period of transition. Moreover, the electoral representation of ethnic minorities increased with the consolidation of power concentration. Minorities' electoral support for the incumbent political actors was instrumental in preserving the power concentrated, which implies that incumbents needed to appeal to minorities' votes in order to consolidate their political positions.

For determining the descriptive type of minorities' representation, I use data on the ethnic composition of Georgian parliament between 1991 and 2008. There are two characteristics specific for descriptive political representation: sufficiency and proportional efficiency. The former is determined by comparing the ethnic composition of the parliament with the ethnic composition of the population in the country. The latter is determined by the percentage of ethnic minority deputies in the parliament. The descriptive representation should be sufficient in order to give minorities a sense of fairness; at the same time, it should be numerically efficient so that minorities' representatives in parliament can have a voice.

The degree to which minorities' descriptive representation in post-Soviet Georgia has been sufficient is illustrated in Table V.8. The table contrasts the percentage of specific

minorities in the entire population of Georgia with the maximum percentage of parliamentary deputies belonging to the same minority groups. The table also indicates the years during which that maximum percentage was reached.

<b>Table V.8. Ethnic Minorities’ Descriptive Representation in Georgia. Comparing Minorities’ Presence in Parliament with Population Census Data.</b> <sup>162</sup>						
Minorities	Minorities total %	Armenians	Azeri	Russians	Ossetians	Abkhazians
1989 Census %	29.9	8.1	5.7	6.3	3.0	1.8
2002 Census %	16.3	5.7	6.5	1.6	0.9	0.1
Maximum % representation in the parliament	6.0	3.0	2.1	1.3	0.4	0.9
	1999/2004	1999/2004	1999/2004	1995/1999	1995/1999	1999/2004

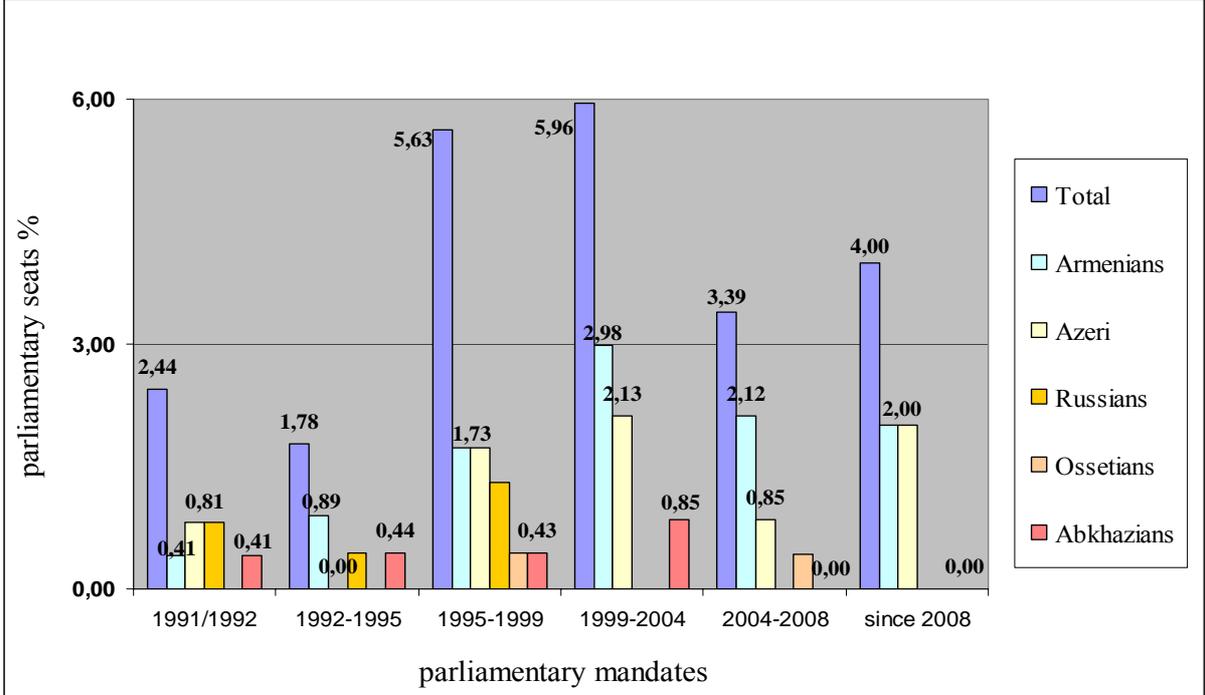
The data show that overall minorities have always been numerically underrepresented in the Georgian parliament. Between 1999 and 2004, when the greatest number of minority deputies were present in the legislature, the percentage of minority parliamentary deputies was about three times lower than the percentage of minority population in the country. The data on specific minority groups show a similar pattern. Virtually none of the ethnic minority groups had sufficient parliamentary representation, as their proportion in the parliament was in most cases smaller than their proportion in the country population. Therefore, the descriptive representation of ethnic minorities in post-Soviet Georgia has never been sufficient.

The degree in which minorities’ descriptive representation has been numerically efficient is illustrated in Graph V.1. It shows the percentage of parliamentary deputies having non-Georgian ethnic identity, as well as the percentage of parliamentary deputies belonging to specific minority groups, during all parliamentary mandates between 1991 and 2008. The most important fact illustrated in the Graph is that minorities were never present at more than 6% in the parliament. Therefore, as a separate group the parliamentary ethnic minorities could

<sup>162</sup> Source: author’s calculation, based on the data provided by European Centre for Minority Issues (Tbilisi) at author’s request.

never have a sufficient numerical strength to influence parliamentary agenda or parliamentary voting outcomes.

**Graph V.1. Descriptive Representation of Ethnic Minorities in the Georgian Parliament (1991-2008)<sup>163</sup>**



The substantive representation through pro-minority/ and ethnic minority parties can be determined through the content analysis of party programs and electoral platforms of those parties that were ever present in parliament, as well as through the analysis of voting behavior in parliament of parties and deputies belonging to ethnic minorities. Therefore, to determine the degree of minorities’ substantive representation, I proceed in identifying the pro-minority or ethnic minority parties. For this, I apply the pledge position method of content analysis developed by Harmel and Janda on party manifestos and programs, as well as public declarations and interviews of party leaders.<sup>164</sup> In addition, I determine the degree in which the ethnic minority parliamentary deputies acted as representatives of minority groups in the parliament, i.e. whether their voting behavior has been in line with the interests of minority

<sup>163</sup> Source: European Centre for Minority Issues (Tbilisi); data delivered at the author’s request in October 2008.

<sup>164</sup> The analyzed texts are listed in Annex 9. The specific ethnicity-related issues on the basis of which content analysis was done are presented in Annex 8.

groups, and/ or whether they have been active in voicing minority-related issues in the legislature. For this, I rely on the interviews conducted with former deputies in the Georgian parliament, listed in Annex 7.

The content analysis of party materials reveals that since the collapse of Soviet Union there has never been a registered party in Georgia that could be categorized as an ethnic minority party. One of the elements in the definition of ethnic party presented above states that its platform should be focused on programs of an ethno-cultural character. None of the analyzed parties had programs or otherwise electoral messages mainly focused on issues of ethno-cultural character. The absence of registered ethnic parties on Georgian political scene since 1991 is equally confirmed in the secondary literature (Nodia & Scholtbach, 2006; 66).

Similarly, there have been no pro-minority parties in Georgia. As defined above, pro-minority parties are the ones that do not focus mainly on ethnicity-related issues, but that constantly support ethnic minorities' interests through minority-friendly discourses and relevant policy actions. In post-Soviet Georgia, no party manifested a constant support for minority groups. The content analysis of party materials revealed that in all electoral campaigns for parliamentary elections between 1992 and 2008 the greatest "promise" made by parties to ethnic minorities was to respect their cultural rights and not to discriminate them on ethnic basis. Such promises were made by the pro-presidential parties Citizens' Union and National Movement Democrats that, as shown above, minorities greatly supported in elections. Nevertheless, no party ever referred to more specific pro-minority policies, such as minorities' political representation, administrative status of their regions, or use of their language in public life.<sup>165</sup>

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<sup>165</sup> It is true that in the 1992 and 1995 electoral campaigns there have been political parties that pleaded for the existence of territorial autonomies within a unitary Georgia. But they referred to the regions of Adjara and Abkhazia particularly, and not to other regions with minority territorial concentration such as the Southern regions with Armenians' or Azeris' compact settlement, or to South Ossetia. Taking into account that by the beginning of 1990s the regions of Abkhazia and Adjara were anyway beyond the control of Georgian government, one cannot consider that the policy stances of these parties had truly a pro-minority character.

On the other hand, the interviews with former Georgian parliamentary deputies which I conducted in October 2008 in Tbilisi (Annex 7) revealed that in the Georgian parliaments since 1991 the ethnic minority deputies have been overall inactive. They rarely brought ethnic issues on political agenda. Neither have such issues been raised by non-minority deputies. Moreover, minorities' voting behavior was generally in line with the positions of the parties they belonged to, even when it was about legislation directly affecting minority groups.

In conclusion, between 1991 and 2008 ethnic minorities in Georgia have been well represented only on the electoral type of political representation. In contrast, when it comes to the descriptive and to the substantive types of representation, minorities in Georgia were greatly under-represented in both periods with concentrated and with fragmented power. However, the analysis results show that ethnic minorities greatly supported in elections the pro-presidential parties during the periods with concentrated power. The section below attempts to find an explanation to this electoral support.

#### ***5.2.4. Electoral Systems and Political Representation of Minorities:***

As shown above, the mixed electoral system in Georgia, with its PR share exceeding the majority vote, and with its high threshold and nationwide party lists, greatly contributed to the formation of pro-presidential majorities in parliaments and hence, to the concentration of power. The system also contributed to the preservation of concentrated power in consecutive elections. Also, since independence minorities were under-represented in parliament and they never had substantive type of political representation. The further task is to analyze whether this under-representation was related to the peculiarities of the Georgian electoral system.

As discussed in Chapter 1, the electoral systems characteristic for centripetal political systems determine political parties to adopt political discourses and policy positions that would attract a range of social categories of voters, beyond specific categories such as ethnic minority or population of a peculiar region. This happens because the threshold for entering

the parliament is high and necessitates a certain diversity of electoral support. On the other hand, ethnic minority parties target a specific ethnic minority group's vote; therefore, such an electoral system reduces their chance to gain parliamentary seats. In such conditions, the formation of ethnic minority parties or even regional parties is discouraged.

In Georgia the formation of regional and ethnic parties was forbidden through the 1991 Law on Political Associations. Nevertheless, the 1997 amendments to this Law forbade only the formation of regional parties, and so allowed the formation of ethnic parties. Still, after 1997 there was no ethnic party registered in Georgia. Neither did parties adopt more specific pro-minority positions in order to monopolize the ethnic minority votes. The lack of pro-minority parties on the political scene of Georgia after the 1997 law amendments can be attributed, besides other things, to the restrictive characteristics of the electoral system.

The effect of the electoral system on political parties in Georgia is visible when the regional support for parties is analyzed. Even if the legislation forbade the formation of regional parties, it did not prevent the parties already registered to become regionally-focused afterwards. The Georgian legislation never forbade parties to focus on particular regional issues as part of their electoral campaign. Still, the analysis of Georgian party manifestos and electoral materials reveals that there have been no political parties which focused on regionally-based issues or on specific ethnic-based issues during the parliamentary electoral campaigns.

Nevertheless, in the 1995 elections there was a party that despite its inclusive electoral discourse had a region-based electoral support. This party was the All-Georgian-Revival Union, the third winner in the 1995 elections. The party was created within Adjara Autonomy by Aslan Abashidze, the autonomy's leader. In the 1995 elections this party had an

overwhelming regional support.<sup>166</sup> But between 1995 and 1999 the All-Georgian-Revival Union sought to increase its electoral support beyond the Adjara autonomy. In the 1999 parliamentary elections it made a coalition with other Georgian parties and obtained significant support outside Adjara autonomy and became the second-winning fraction in the parliament. The fact that the only regionally-based party entered in a broad coalition to get to parliament confirms that regionalization of parties was discouraged by the disproportional character of Georgian electoral rules.

As the electoral system discouraged the formation of ethnic-based parties, the most optimal solution for minority leaders to access power was to accept mainstream parties' membership. In conditions in which the formation of one-issue parties was discouraged, mainstream party leaders also could easily co-opt minority leaders into their party ranks. In the periods with concentrated power in Georgia the most influential parties have been the pro-presidential ones. By virtue of their political influence, pro-presidential parties could also offer the most attractive memberships.

Table V.9 reveals the party affiliation of ethnic minority parliamentary deputies between 1991 and 2008. The data show that majority of ethnic minority deputies obtained their parliamentary seats through the dominant and/ or pro-presidential party affiliation. Only few minorities entered the parliament through an opposition party or through non-dominant parties. These data may offer an explanation for why ethnic minorities in Georgia had such a high level of electoral representation: the parties they tended to support in elections were the ones that brought the greatest number of ethnic minority parliamentary deputies. This co-optation of minority leaders within the dominant party lists was beneficial for the respective

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<sup>166</sup> In the five districts of Adjara the All-Georgian-Revival Union gained between 42% and 95% of votes, while its support at country level was only 7% (based on the data provided by Central Elections Commission of Georgia).

parties because they attracted minority votes, but also it was beneficial for the minority elites because they became members of parliamentary dominant factions.

Parliamentary mandates	Number of ethnic minority deputies in the parliament	Minorities in the parliament representing the dominant and/or pro-presidential party	Minorities in parliament representing the greatest opposition party
1990-1992	7 (out of 246 deputies)	5	2
1992-1995	4 (out of 225 deputies)	n/a	n/a
1995-1999	16 (out of 235 deputies)	12	0
1999-2004	16 (out of 235 deputies)	12	1
2004-2008	12 (out of 235 deputies)	6	1
2008 (May)	6 (out of 150 deputies)	6	0

Hence, the nature of the electoral system in Georgia constitutes one of the causes for the low level of ethnic minorities' substantive political representation through ethnic parties. By virtue of its centripetal character, the electoral system hindered the formation of ethnic and regional parties. Also, it gave incentives to minority leaders to enter mainstream parties in order to access power. Therefore, the same factor that contributed to the preservation of the concentrated power contributed also to the substantive under-representation of ethnic minorities in power.

In conclusion, the process of power concentration in Georgia between 1991 and 2008 did contribute indirectly to the substantive under-representation of ethnic minorities. As shown above, the process of power concentration in Georgia facilitated the adoption of electoral rules with disproportional elements (i.e. high electoral threshold), which further consolidated the concentration of power and its preservation over time. The same electoral rules that were advantageous for the consolidation of concentrated power had a discouraging

<sup>167</sup> The following ethnic minorities are considered in this data compilation: Russians, Abkhazians, Ossetians, Armenians, and Azeris. Source: data provided by the European Centre for Minority Issues (Tbilisi), at the author's request.

effect on the formation of small and one-issue parties, i.e. on parties that would have appealed to a pro-minority discourse.

At the same time, in this section there is no link found between minorities' descriptive under-representation characteristic for post-independence Georgia and the electoral rules implemented for parliamentary elections. No evidence was found that the concentration of power in Georgia had a decreasing effect on this type of representation. The descriptive under-representation of the 16% of ethnic minorities might have been caused by factors different from the ones analyzed here.

Also, the data show that the electoral type of representation contributed to the consolidation of concentrated power. The regions with high degree of minorities' territorial concentration were populated by as many as 9% of Georgia's electorate, whose vote turnout was normally higher than the average per country.<sup>168</sup> This is why, attracting the electoral support of minorities from these regions was important for increasing the chance for gaining elections at a margin sufficient for preserving or even for consolidating the concentration of power. The question of how incumbents of concentrated power in Georgia managed to attract minorities' votes without adopting more explicit pro-minority discourse and policy positions is explored later in the thesis.

### **5.3. The Case of Moldova:**

During the post-Soviet period, Moldova experienced both highly fragmented and highly concentrated power. As discussed in Chapter 2, during the 1990s there have been two short periods with power concentration. The first lasted from late 1993 until the beginning of 1995 and resulted from the alliance between President Snegur and the then majority parliamentary faction "Village Life", faction that later became the Agrarian Democratic Party. The second

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<sup>168</sup> Author's calculation, on the basis of regional voting results provided by Georgia's Elections Commission, at the author's request.

occurred in 1997, after presidential elections that brought to power a president supported by the Agrarian Democratic Party. Nevertheless, the most significant period of concentrated power was the one between 2001 and 2008, when both presidency and absolute majority of parliamentary seats were controlled by a single party – the Party of Communists – with strong internal hierarchy and voting discipline. Following the theoretical discussion in Chapter 1, the focus of this section is to determine the impact of power concentration on minorities’ political representation in post-Soviet Moldova.

### ***5.3.1. The Impact of Power Concentration on Electoral System Change:***

The electoral system of Moldova has not changed during the transition period as much as the electoral system in Georgia did. All post-Soviet parliamentary elections in Moldova have been conducted under the PR system, on the basis of the d’Hondt formula of vote-seat calculation. The size of the parliament was relatively small and changed only once. The only substantive element of the system that changed several times was the electoral threshold, as illustrated in Table V.10.

<b>Table V.10. Electoral System of Moldova - Developments since Independence<sup>169</sup></b>				
Year of parliamentary elections	Total number parliamentary seats	PR thresholds %		
		for independent candidates	for parties	for electoral blocs
1994	104	4	4	4
1998	101	4	4	4
2001	101	3	6	6
2005	101	3	6	9; 12

The first two post-independence parliamentary elections contained the same threshold for all types of electoral competitors. However, for the other elections the legislation provided different thresholds for different situations. In 2001 the threshold was slightly decreased for the independent candidates, although this decrease never helped any independent candidate to enter the parliament. At the same time, the threshold was increased from 4% to 6% for all

<sup>169</sup> Source: data collected by the author from the Association for the Participatory Democracy of Moldova, online available at [www.e-democracy.md](http://www.e-democracy.md) accessed at 27 October, 2010.

types of parties and blocs. In 2005 the rules regarding the threshold became even more complex: the blocs composed of two parties could enter the parliament if they gained at least 9% of votes, while the electoral blocs composed of three and more parties could enter the parliament if they gained at least 12% of votes.

At the beginning of 1990s parliamentary party leaders advocated the implementation of a limited proportional electoral system or of a mixed system. These preferences came from the fact that after the 1990 parliamentary elections based on majority electoral system many deputies defected from the parties that promoted their candidacies. The high degree of parliamentary fragmentation and the ineffectiveness of the parliament between 1990 and 1993 were attributed to the majority electoral system applied in 1990. Party leaders promoted a system based on multiple constituencies, with each having several mandates proportionally with the number of voters. The constituencies were supposed to be formed based on the territorial administrative units.<sup>170</sup>

The initial electoral law adopted by the parliament in August 1993 established a proportional electoral system with multiple mandates and with no threshold. However, a later decision of the parliament established a single constituency for the whole country.<sup>171</sup> This decision was voted with a parliamentary majority mainly composed by the then-consolidating Agrarian Party (Village Life parliamentary faction). The explanation given to justify this decision was that having one single constituency would soften the speculations around the inability of the Moldovan central power to run elections in Transdnistria, territory that the government could not control by that time. Along with the single constituency, a threshold of 4% was also introduced. Although initially meant only for political parties, this threshold was eventually fixed for independent candidates as well. The smaller political parties with concentrated regional electoral support, as well as some of the minority ethnic group leaders,

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<sup>170</sup> Author's interview with Cornel Gurin, consultant in the Legal Department of the Parliament of Moldova between 1995 and 2001, conducted online in March, 2012.

<sup>171</sup> See Article 2 in the Decision for the modification of the Law on Parliamentary Elections (October 30, 1993).

criticized these decisions as being disadvantageous for their political positions and as favoring the positions of bigger and better consolidated parties (Huffman *et al.*, 1993; 30). As shown in the next section, eventually the system proved to be indeed advantageous for the bigger and that more consolidated parties that supported the respective electoral rules.

Before the 1998 elections, the electoral system formula was put again on the political agenda. President Lucinski, who by that time was supported in the parliament by the a majority constituted from the increasingly unpopular Agrarian Party and Socialist-Edinstvo Bloc, voiced his non-satisfaction with the existence of a PR system. Instead, he proposed coming back to a majority system or at least implementing a mixed system.<sup>172</sup> However, the proposal did not have enough support. Hence, the 1998 parliamentary elections were organized on the basis of the same electoral rules. Neither the Agrarian Party, nor the Unitate-Edinstvo Bloc, managed to pass through the electoral threshold to get representation in the parliament.

In 2000 the electoral system was again a subject of political debate. This time the initiative to change the electoral formula came from two parliamentary Blocs – the Democratic Convention of Moldova and the Bloc for a Democratic and Prosperous Moldova – both in parliamentary opposition to the dominant Party of Communists. The two blocs proposed the implementation of a mixed system or a PR system with multiple constituencies. However, their proposal never managed to get majority parliamentary support.<sup>173</sup> Instead, the Party of Communists with a dominant position in the parliament, supported by several deputies from other parties, voted the increase of the electoral threshold from 4% to 6%, and the decrease of the one for independent candidates to 3%. This change was greatly criticized by the opposition parties and by president Lucinski. The president together with a representative of the Bloc for a Democratic and Prosperous Moldova even sent an appeal

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<sup>172</sup> Author's interview with Cornel Gurin, consultant in the Legal Department of the Parliament of Moldova between 1995 and 2001, conducted online in March, 2012.

<sup>173</sup> Author's interview with Cornel Gurin.

against this decision to the Constitutional Court, appeal that was refuted for not proving a disparity with the legal norms of the country.<sup>174</sup> It is also notable that according to the mass surveys conducted by that time, the Democratic Convention of Moldova and the Bloc for a Democratic and Prosperous Moldova had a decreasing electoral support, while the Party of Communists' support was increasing (Belostecinic, 2001; 14). Considering the prospect of the 2001 parliamentary elections, this shift in electoral popularity might have explained the positions of different political actors on the electoral system matter. As shown in the next section, the increase of the electoral threshold greatly advantaged in the 2001 elections the Party of Communists that managed to validate it, and at the same time, disadvantaged several parties that did not manage to overcome the threshold.

In 2002, the Social Democratic Alliance of Moldova attempted to initiate a popular referendum with a view of changing the electoral system from a pure proportional to a mixed one. Nevertheless, this initiative encountered various administrative barriers related to the validity of collected signatures needed for initiating a mass referendum, which the experts considered as artificially raised by the party in power (Botan, 2003).

For the 2005 elections, the Party of Communists with an absolute majority in the parliament managed to increase the threshold for electoral blocs to 9% and 12%, change which was greatly criticized by opposition parties. After the elections, the Party of Communists obtained an absolute majority of seats, but not a high enough majority to elect the president of the republic. In the negotiations with some of the opposition parties in the parliament, the Communists obtained the necessary votes for electing the party leader in the position of president, but in exchange decreased the electoral threshold to 4% for the political parties and to 8% for the electoral blocs. However, the Communists increased the threshold back to 6% one year before the 2009 parliamentary elections (Marandici, 2008).

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<sup>174</sup> See the Decision of the Constitutional Court of Moldova adopted on 10 October, 2000.

Therefore, the changes in the electoral rules in Moldova – notably the shifts in the electoral thresholds – were greatly connected to the dynamics of horizontal power and to the existence of dominant parties in parliament. Those parties with a dominant position in parliament and with a relatively high level of popularity among the electorate initiated and then voted for the increase of the entry barrier for smaller and less popular parties. The increase of the threshold was the main tool used for this purpose. As the data presented in the section below demonstrate, the increase of the entry barrier indeed led to more disproportionality and at the same time, consolidated the position of the dominant parties and hence contributed to political power concentration.

### ***5.3.2. The Level of Disproportionality of the Electoral System:***

Moldovan purely PR system does not give the same comparative advantage as the Georgian mixed electoral system does. Nevertheless, by calculating the total number of wasted votes resulting from the mechanical effects of the applied electoral formula, as well as by comparing the number of parties that competed in elections with the number of parties that managed to gain parliamentary seats, it is possible to assess the degree of the system's disproportionality. These data are presented in Table V.11 below. It reveals that the PR electoral system in Moldova did generally have a reducing effect on the number of parliamentary parties, both when the threshold was 4% and when it was higher. The number of parties and blocs that managed to secure parliamentary seats was in all cases at least three times smaller than the number of parties and blocs that participated in elections. Also, in all elections there were at least 15% of wasted votes by parties and blocs that did not manage to overcome the threshold.

The data also confirm that the increase of the threshold for 2001 elections led to a considerable increase of the percentage of wasted votes. The 2001 elections produced the greatest percentage of wasted votes in Moldovan elections history. As discussed below, this

contributed to the formation of an absolute majority in parliament and consequently, to the power concentration.

Election years	1994	1998	2001	2005
Threshold (parties and blocs) %	4	4	6	6; 9; 12
Number of parties and blocs that participated in elections	13	15	17	11
Number of parties and blocs that won parliamentary seats	4	4	3	3
Wasted votes (parties and blocs) %	15.5	18	26	15.5

The 1994 elections also contributed to the concentration of power. Nevertheless, this was not due to the applied threshold, which produced one of the smallest percentages of wasted votes in the studied period. This was due to the high popularity of the Agrarian Democratic Party, party which was supported by the Moldovan president of that time. In the 1998 elections the percentage of wasted votes was also significant. Nevertheless this did not lead to concentration of power because the party that gained most extra-seats due to these wasted votes – Party of Communists – was not a pro-presidential party and therefore, the elections did not result in the control over the two branches of power by the same political force.

The electoral thresholds had a particularly devastating effect on the independent candidates’ access to the parliament. As Moldovan legislation allowed independent candidates to participate in elections if their candidacies are supported by at least 2000 signatures<sup>176</sup>, there have been always such candidates participating in parliamentary elections. Table V.12 below illustrates the threshold effect on the electoral success of independent candidates in the post-independence elections. The table reveals that due to the relatively high threshold, no independent candidate ever managed to obtain a parliamentary seat. The number of independent candidates participating in elections, as well as the percentage of wasted votes

<sup>175</sup> Source: see sources in Table V.10.

<sup>176</sup> Article 44, Electoral Code of Moldova.

that they produced, were particularly high in the 1998 elections. This explains the relatively high total percentage of wasted votes for these elections. The data also show a gradual decline in the number of independent candidates participating in elections over time.

<b>Table V.12. The Threshold Effect on the Proportion of Wasted Votes for the Independent Candidates, Moldova (1991-2008)<sup>177</sup></b>				
Election year	1994	1998	2001	2005
Threshold %	4	4	3	3
Number of independent candidates that participated in elections	20	61	12	10
Number of independent candidates that won parliamentary seats	0	0	0	0
Wasted votes (independent candidates) %	2.54	5.6	2.3	0.94

Hence, the peculiarities of electoral system in Moldova led to a certain degree of disproportionality and contributed to the decrease in the number of parliamentary parties, especially when the threshold was increased in 2001. The following step is to determine which political parties benefited the most from the wasted votes produced by the mechanical effects of the electoral rules. The data in Table V.13 contains the percentages of extra-seats gained by pro-presidential parties (blocs) and by the greatest opposition parties (blocs) in each parliamentary election between 1991 and 2008. Generally, the high percentages of wasted votes favor the greatest winners in elections, because due to the d’Hondt formula of vote-seat allocation these wasted votes are transformed into extra-seats particularly for the first winning parties. These rules contribute to the concentration of power when the most popular party in elections is a pro-presidential party and when the political forces opposing it are fragmented in multiple parties and blocs.

In post-Soviet Moldova not all pro-presidential parties were in such a favorable electoral position. In 1998 the pro-presidential “For a Democratic and Prosperous Moldova” Bloc was not the most popular electoral candidate and therefore, not the first winner in elections. The Bloc faced a strong opposition from the popular Party of Communists. This is why the effect of disproportionality associated with the electoral system did not bring to it the greatest

<sup>177</sup> Source: see sources in Table V.10

amount of extra-seats that would have advanced it in a leading position, as Table V.13 demonstrates. In contrast, the pro-presidential parties in the 1994, 2001, and 2005 elections did gain considerably more extra-seats than their political opponents. The Party of Communists particularly benefited of the mechanical effects of the electoral threshold in 2001, when it gained 20% of extra-seats due to the wasted votes, as the Table above reveals. If the threshold was left at 4% in the 2001 elections, this would have allowed two more parties to enter the parliament and the concentration of power could have been compromised.

<b>Table V.13. The percentage of extra-seats resulting from the PR-generated “wasted” votes, Moldova (1991-2008)<sup>178</sup></b>			
Election year	PR threshold %	Extra-seats gained by the pro-presidential party %	Extra-seats gained by the greatest opposition party %
1994	4	Agrarian Party 10	Intellectuals and Peasants Bloc 2
1998	4	DPMB* 6	Party of Communists 10
2001	3; 6	Party of Communists 20	Braghis Alliance 6
2005	3; 6; 9; 12	Party of Communists 10	Democratic Moldova Bloc 5

In conclusion, the data analyzed in this section reveal that the only period with relatively long-lasting concentrated power in Moldova – the one between 2001 and 2008 – was greatly favored by the electoral rules applied for the 2001 elections. These rules led to the formation of an absolute parliamentary majority and allowed the winning party to elect its leader as president. In the 1994 parliamentary elections that were also conducted in a period with concentrated power, the electoral rules did not have such an effect, even if the then 4% of PR threshold was about to be introduced and therefore could have produced more wasted votes than it actually did. The high popularity of the Agrarian Democratic Party that won majority of seats made the effect of the electoral system marginal.

<sup>178</sup> Source: see sources in Table V.10. Abbreviations: DPMB – “For a Democratic and Prosperous Moldova” Bloc, pro-presidential electoral bloc in the 1998 parliamentary elections.

### ***5.3.3. Political Representation of Ethnic Minorities:***

For determining the electoral representation of ethnic minorities in Moldova, I use both voting results at regional level and mass survey data. The voting results are useful particularly for the 1990s, because there are no reliable mass survey data for the period between 1990 and 1998. At the same time, voting results can reveal only Bulgarians' and Gagauzians' electoral preferences, because the other minority groups are territorially dispersed. The mass survey data for Moldova show the voting preferences of all minority groups. At the same time, they are limited in revealing the voting preferences of particular minority groups because of the limited number of particular ethnic minorities in the survey respondents' sample. Considering the advantages and shortcomings of each method, both are necessary for a complete depiction of electoral representation of ethnic minorities in Moldova.

The 2004 population census reveal that there have been two regions in Moldova with significant territorial concentration of ethnic minorities. The first is the region with territorial autonomous status Gagauzia, in which 82% of the population was Gagauzian.<sup>179</sup> The second is the Southern administrative unit Taraclia, in which 66% of local population was Bulgarian. The demographic characteristics of these two regions allow to using electoral results in order to determine Bulgarians' and Gagauzians' voting preferences. Relevant regional voting results for the post-independence parliamentary elections are represented in Table V.14 below. The data show that in most of parliamentary elections Gagauzians and Bulgarians tended to vote as a coherent group, as in most cases the voting results at regional level reflected a majority support for the same party or electoral bloc. It was only for the 1994 elections that minorities in the two regions did not act as a coherent group by casting most votes to the same party. Instead, both Democratic Agrarian Party and Socialist Party-Unitate-Edinstvo Electoral Bloc had strong support in the two regions. In the 1998 and 2001 elections

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<sup>179</sup> Data available on the website of the Bureau of Statistics of Moldova, accessed on 1 November 2010: [http://www.statistica.md/public/files/Recensamint/Recensamintul\\_populatiei/vol\\_1/6\\_Nationalitati\\_de\\_baza\\_ro.xls](http://www.statistica.md/public/files/Recensamint/Recensamintul_populatiei/vol_1/6_Nationalitati_de_baza_ro.xls)

an overwhelming majority of votes from these regions were granted to the Party of Communists; in the 2005 elections only Bulgarians in Taraclia continued to support the Party of Communists, while Gagauzians in Gagauzia mostly supported “Patria-Rodina” Bloc.

Election years/region	1994	1998	2001	2005
Taraclia unit (65.5% Bulgarians)	PSMUE: 54 PDAM: 39	PCRM: 56	PCRM: 72	PCRM: 50
Gagauzia autonomy (82.1% Gagauzians)	PDAM: 53 PSMUE: 45	PCRM: 70	PCRM: 81	BEPR: 51
Total % of won parliamentary seats	PDAM: 54 PSMUE: 28	PCRM: 40	PCRM: 70	PCRM: 55

Table V.14 also shows the degree to which parties and blocs supported by Gagauzian and Bulgarian minorities from the two regions were present in the parliament. The data reveal that in 1994 and 2001 the parties supported by the two groups controlled an absolute majority of mandates in the legislature. After the 1994 elections, the two parties supported by Gagauzians and Bulgarians – PDAM and PSMUE – formed a coalition and together controlled 82% of mandates. In 1998, Party of Communists gained only 40% of mandates; at the same time, it had a relative majority because all other parties that entered the parliament got less mandates than Communists. In 2005, Party of Communists supported by Bulgarians also got an absolute majority of mandates; at the same time, “Patria-Rodina” Bloc supported by Gagauzians did not manage to overcome the electoral threshold.

Hence, except for 2005 when Gagauzians voted for a losing party, territorially concentrated Bulgarians and Gagauzians always supported in elections those parties that eventually won at least a relative majority of mandates in the parliament. This implies that the electoral political representation of these two ethnic groups has been significantly high since the independence of Moldova.

<sup>180</sup> Source: Association for a Participatory Democracy in Moldova, data provided at the author’s request. Abbreviations: PCRM- Party of Communists; BEPR – Electoral Bloc “Patria-Rodina”; PSMUE – Socialist Party and Unitate-Edinstvo Electoral Bloc; PDAM – Agrarian Democratic Party.

For determining the electoral representation of all minority groups of Moldova – territorially concentrated and not – I use the survey data of Public Opinion Barometer, conducted by Public Policies Institute of Moldova since March 1998. These mass surveys contain a range of socio-demographic data on respondents, along with their political preferences and voting intentions. In order to determine the voting intentions of ethnic minorities, I used the Barometers conducted prior to parliamentary elections. I selected a range of available variables that according to the academic literature on voting behavior influence the voting outcome (Cutler, 2002). I also included among them the ethnic identity of respondents. With the use of a binary logistic regression model, I determined the importance of ethnic identity for the voting intentions.

<b>Table V.15. Determinants for the Support for the Party of Communists prior to Parliamentary Elections in Moldova<sup>181</sup></b>			
	Regression results – odds ratios, significance scores, and R square <sup>182</sup>		
	Survey March 1998	Survey January 2001	Survey February 2005
Activity	.983	.980	1.044
Age	1.176	1.185**	1.372*
Education	.862	.868*	.588*
Employment	.805	.747	1.263
<b>Ethnicity</b>	<b>5.539*</b>	<b>3.788*</b>	<b>7.635*</b>
Region	.968*	.977	1.024**
Residence	.771	1.338	1.198
Constant	.360	.591	.775
R-square	.161	.171	.259

*Note: \* when  $p < .001$ , \*\* when  $p < .05$ ;*

The regression model and the relevant regression data are presented in Table V.15 above. The data reveal that ethnic minorities had significantly greater chance to vote for the

<sup>181</sup> Source: Public Opinion Barometer data, provided by the Institute of Public Policies of Moldova, at the author's request.

<sup>182</sup> Table V.15 includes the odds ratios for each of the independent variables that I introduced in the logistic regression model, their significance, and also the R-square of each model. The dependent variable of the model represents the intention of respondents to vote for the Party of Communists vs. the intention to vote for other parties participating in elections. I chose Party of Communists for the regression model because cross tabulation data revealed that a majority of ethnic minorities intended to support this party in the 1998, 2001, and 2005 elections. With the regression analysis, I determined if this support was significant when other relevant independent variables were controlled for.

Party of Communists than the ethnic majority in all parliamentary elections concerned. For instance, in 1998 ethnic minorities were 5.539 times more likely to vote for Party of Communists than the ethnic majorities. Moreover, ethnicity seems to be the strongest determinant of the party choice among all the independent variables in the model. The high R-square scores and the significance scores strengthen these results. Overall, the data prove that ethnic minorities in Moldova tended to support the first winning party in the 1998, 2001, and 2005 parliamentary elections. In other words, between 1998 and 2008 Moldova's ethnic minorities had a significant level of electoral political representation at the level of parliament.

The electoral representation of minorities can also be determined by analyzing presidential elections results and minorities' voting behavior. In post-Soviet Moldova universal and concurrent presidential elections were organized only once, in 1996. The regional electoral results similar to the ones presented in Table V.14 can reveal whether Bulgarian and Gagauzian territorially concentrated minorities voted unanimously for the same presidential candidate and also, whether the supported candidate gained the elections. Moreover, the 1998 Public Opinion Barometer contains a question on the presidential candidate voted for in the 1996 elections, which allows determining whether minorities in general – territorially concentrated and not – had a coherent voting behavior and supported the winning candidate.

The 1996 regional presidential elections results reveal that 90% of population in Taraclia administrative unit and 93% of population in Gagauzia autonomy voted for the candidacy of Petru Lucinski in the second tour of elections. Lucinski was the winning candidate and consequently was president of Moldova between 1996 and 2001.<sup>183</sup> These data

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<sup>183</sup> Source: Association for a Participatory Democracy, Moldova. Data provided at the author's request.

further strengthen the finding that Bulgarian and Gagauzian communities had significant electoral representation.

The 1998 Public Opinion Barometer results complete the set of data on electoral representation of ethnic minorities. Based on these data, I constructed a regression model to predict the respondents' vote in the second tour of 1996 presidential elections. The independent variables included in the model are similar with the ones for the models on parliamentary elections discussed above. The dependent variable is the vote granted to Lucinski vs. the votes granted to Snegur, the two main competitors in the elections. The regression results are presented in Table V.16 below.

<b>Table V.16. Determinants for the Voting Results in the 1996 Presidential Elections of Moldova. Logistic Regression Results<sup>184</sup></b>								
Activity	Age	Education	Employment	<b>Ethnicity</b>	Region	Residence	Constant	R-square
1.008	1.24	.876	1.170	<b>10.868</b>	.991	1.204	.840	.223
Note: * when p<.001, ** when p<.05.								

The odd ratio scores presented in the Table reveal that ethnic minorities were 10.868 times more likely to vote for Petru Lucinski in the second tour of 1996 presidential elections than the ethnic majorities. In other words, ethnic minorities voted for the candidate that won the elections. Moreover, ethnicity seems to be the strongest independent variable in a model which otherwise has a relatively high predictive power (as the R-square is 0.223). This constitutes an additional proof that Moldova's ethnic minorities as distinctive social group generally had a high degree of electoral representation during the transition period.

As mentioned above, the degree of minorities' descriptive representation is determined by two indicators: sufficiency and proportional efficiency. The descriptive representation is sufficient when the percentage of minorities in the entire population is reflected in the percentage of minorities in the legislature; the proportional efficiency is as high as the

<sup>184</sup> Source: see Table V.15.

proportional share of minorities in the parliament. Below I present the data measuring these two indicators.

In Table V.17 the percentages of minorities in the entire population according to the 1989 and 2004 censuses are contrasted with the percentages of the same minority groups in the parliament, in those parliamentary terms when the respective groups were represented the least. Overall, the Table reveals that minorities have always been present in the parliament at least with 16% of parliamentary seats. This is less than the proportion of minorities in the entire country population by 2004. Individual minority groups have also been insufficiently represented during certain parliamentary terms.

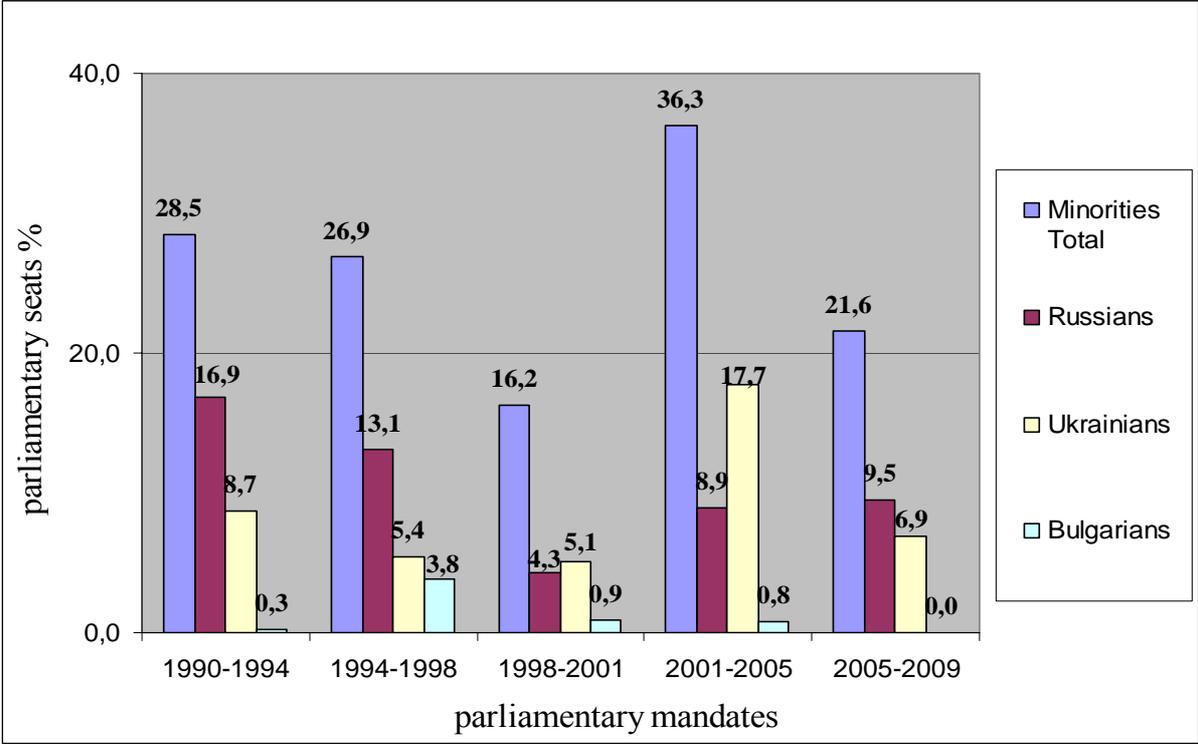
<b>Table V.17. Ethnic Minorities' Descriptive Representation in Moldova. Comparing Minorities' Presence in Parliament with Population Census Data<sup>185</sup></b>					
Minorities	Minorities total %	Russians	Ukrainians	Gagauzians	Bulgarians
1989 census %	35.5	13	13.8	3.5	2
2004 census %	24.2	5.9	8.4	4.4	1.9
Minimum % representation in parliament	16.2	4.3	5.1	3.4	0
	1998/2001	1998/2001	1998/2001	2005/2009	2005/2009

Nevertheless, minorities have not always had insufficient representation in the parliament during transition period. Graph V.2 illustrates the dynamics of minorities' descriptive representation between 1991 and 2008. It shows that the parliamentary term between 1998 and 2001 was characterized by the smallest descriptive representation of minorities, while the one between 2001 and 2005 was characterized by the highest one. Moreover, the contrast between the 2004 census data and the data on proportion of minorities during the 2001-2005 parliamentary term reveals that minorities have been over-represented in the legislature during the respective term, specifically due to the over-representation of

<sup>185</sup> Source: author's calculation, based on data provided by European Centre for Minority Issues (Tbilisi), at the author's request.

Russians and Ukrainians. Similarly, minorities have been over-represented in the parliament during the 1994-1998 term.

**Graph V.2. Descriptive Representation of Ethnic Minorities in the Parliament of Moldova (1991-2008)<sup>186</sup>**



Graph V.2 also reveals that in certain parliamentary terms the ethnic minorities’ descriptive representation had a relatively high degree of proportional efficiency. This was particularly the case in the 2001-2005 term, when 36% of deputies belonged to various minority groups. In the 1994-1998 and 1991-1994 parliamentary terms the proportional efficiency was also relatively high, as it constituted above 25% of mandates. Besides, in all parliamentary terms between one and three committee chairmanships belonged to ethnic minority deputies. With such a presence in the parliament, one can assume that minorities have influenced the voting results in the parliament and the parliamentary political agenda.

<sup>186</sup> Source: data provided by the European Centre for Minority Issues in Flensburg (Germany), at the author’s request.

Hence, the data on the ethnic composition of Moldovan parliament reveal that except for the 1998-2001 parliamentary term the ethnic minorities have always had sufficient and proportionally efficient descriptive representation. It is notable that the lowest degree of minorities' descriptive representation occurred in a period with horizontally dispersed power, while the highest degree of descriptive representation occurred in the period with the greatest degree of concentration of power. These findings contradict the expectation that minorities' political representation decrease once power gets concentrated.

The substantive representation through pro-minority parties and/or ethnic minority parties can be determined through the content analysis of party programs and manifestos and through the analysis of voting behavior in the parliament. As in case of Georgia, for the content analysis of Moldovan party manifestos I use Harmel and Janda's pledge position method.<sup>187</sup>

During the 1994 parliamentary elections the Socialist Party-Unitate-Edinstvo Bloc participated in campaign with an electoral manifesto explicitly focused on minorities' interests. The Bloc pleaded for the recognition of Russian language as second language for public use, for separate education institutions for minorities, and also for regional self-government of territorially concentrated ethnic groups. The Bloc also supported the multi-ethnic path of state-building process and strongly emphasized on the group rights. Moreover, from the 28 seats in the parliament that the Bloc gained after elections, 20 belonged to representatives of different minority groups, notably to Russians.<sup>188</sup> Therefore, during the 1994-1998 parliamentary term the ethnic minorities were represented by an ethnic minority Bloc in the parliament.

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<sup>187</sup> I analyze the positions of parliamentary parties and of those parties that were perceived in society as traditional ethnic minority parties. The analyzed party manifestos are listed in Annex 9; the questions according to which the content analysis was made are listed in Annex 8.

<sup>188</sup> Data provided by the European Centre for Minority Issues (Flensburg, Germany), at the author's request.

There was another party during the 1994-1998 parliamentary term – Agrarian Democratic Party – that also had significant pro-minority stances. The electoral platform with which the Agrarians participated in the 1994 elections contained pleads for the inter-ethnic peace, the right of minorities to preserve and develop their culture and to use their languages in public sphere. At the same time, the Agrarian Party was not an ethnic minority party, because its main policy focus was not of an ethno-cultural nature. Moreover, only 15 out of the 56 Agrarian parliamentary deputies belonged to minority groups. Nevertheless, by virtue of its political discourse and, as shown below, by virtue of its voting behavior in parliament, the Agrarian Democratic Party was a pro-minority party.

During the 1994-1998 parliamentary term, the Agrarian Democratic Party with the support of the Socialist Party-Unitate-Edinstvo Bloc took a range of measures which were noticeably in line with ethnic minorities' interests. Most importantly, Agrarians with their absolute parliamentary majority (54%), along with the Socialist Party-Unitate Edinstvo Bloc, adopted in 1994 the Law on the Status of Gagauzia, which granted territorial autonomy to Gagauzian minorities, Law that was greatly criticized by the other parliamentary forces of the time.<sup>189</sup> In addition, the two factions annulled the attestation of non-Moldovan public employees on their knowledge of Moldovan (Romanian) language.<sup>190</sup> Finally, the two factions insisted that in the newly adopted Constitution the title of state language shall be Moldovan, and not Romanian.<sup>191</sup> This was in line with ethnic minorities' interests because it implied a clear message against the unification of Moldova with Romania, unification which ethnic minorities opposed vehemently.

Therefore, during the 1994-1998 parliamentary term the ethnic minorities in Moldova had a great degree of substantive representation, partly through an ethnic minority party,

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<sup>189</sup> Peasants and Intellectuals' Parliamentary Faction Protest, in *Moldova Suverana*, July 30, 1994, Chisinau, Republic of Moldova.

<sup>190</sup> The Parliament has Abolished the Attestation Exams in the Official Language, in *Saptamana Nr. 14*, April 1994, Chisinau, Republic of Moldova.

<sup>191</sup> Article 13, Constitution of Moldova (1994).

partly through a pro-minority party. This representation was not manifested only through pro-minority political discourse, but also through a pro-minority parliamentary voting behavior. The two parties constituted the two biggest parliamentary factions and hence had a great influence on legislation and policy making.

It is notable that by the beginning of the 1994/1998 parliamentary term the political power in Moldova was concentrated because of the explicitly stated alliance between the Agrarian Democratic Party and President Snegur. In fact, the 1994 elections were organized in full process of concentration of power. After the parliamentary elections, some of the important pro-minority parliamentary decisions, such as Gagauzian autonomy and annulment of minorities' attestation on language knowledge, were taken in those months when the power was still concentrated.

The 1994 parliamentary elections were the first post-independence ones. The political parties that participated in them were mostly formed within the previous 2-3 years, in some cases based on different parliamentary groups. One of these groups – “Village Life” – constituted the basis for the formation of the Democratic Agrarian Party. Another group – “Conciliation” – later formed the Socialist Party. The “Village Life” group managed to attract by 1993 a simple majority of deputies and hence, constituted the most influential group in the 1990-1994 parliament (Crowther & Roper, 1996). The two groups expressed political positions similar to the ones of the Agrarian Democratic Party and Socialist Party during the 1994-1998 parliamentary term. This implies that minorities had substantive political representation during the 1991-1994 parliamentary term as well.

During the 1998-2001 parliamentary term, the role of supporter for ethnic minorities' interests was mainly undertaken by the Party of Communists. In the 1998 elections, those pro-minority parties and blocs that had a great influence in the previous parliamentary term did not win any parliamentary seat. Minorities themselves have not granted their electoral support

to these parties. Agrarians gained only 3.6% of votes, while Unitate-Edinstvo Party and Party of Socialists – less than 2%, which was below the established electoral threshold. As shown in Tables V.14 and V.15, minorities supported the Party of Communists instead. The Party of Communists had not as main policy focus the ethno-cultural issues. Its program was addressing a range of political-economic issues and targeted a diversity of social groups. Nevertheless, the 1998 Communists' manifesto stated the party's support for Russian language as second state language, for strengthened access to separate education for minorities at all levels, and for the consolidation of Gagauzians' territorial autonomy. Generally, the Party greatly emphasized on the multi-national character of the republic. Adding the fact that among the party's top members there were outspoken ethnic minority representatives, it attracted an overwhelming support from minority groups.

During the 1998-2001 parliamentary term, Party of Communists acted as a defender of minorities' interests in the case of Bulgarians' protest against the 1998 local public administration reform. As described in Chapter 3, one of the implications of the reform was to merge Taraclia administrative unit with compact settlement of Bulgarians with a neighboring administrative unit. Bulgarians' protest was supported by the local branch of Party of Communists and by the Communists in parliament (Radu, 2000; 6). The protest resulted in allowing Taraclia to function as a separate administrative unit. Hence, in the 1998-2001 parliamentary term, the ethnic minorities have also had substantive representation, although at a smaller degree as in the previous term. For this time, there were no ethnic minority parties in the parliament, but there was a pro-minority parliamentary party. Nevertheless, this party did not have the same influence as the pro-minority forces in the previous parliamentary term. The Party of Communists did not have an absolute majority of seats and in many situations it had to face an opposing majority coalition of parties. Nevertheless, the case with Bulgarians' protest proves that even this parliamentary presence was not ignorable.

During the 2001-2005 parliamentary term, Party of Communists had an absolute majority of mandates (70%), which, led to a great degree of power concentration. As illustrated in Tables V.14 and V.15, the ethnic minorities continued to support Party of Communists in the 2001 elections, despite the existence among the electoral competitors of two ethnic minority parties - “Edinstvo” and “Ravnopravie”. These latter two parties competed with strong pro-minority discourses; nevertheless, they gained less than 1% of votes and no parliamentary mandates. Instead, Party of Communists gained the elections with an electoral discourse which, as in the 1998 elections, was explicitly pro-minority.

In line with its pro-minority positions, Party of Communists attempted to upgrade the status of Russian language to the level of second state language at the beginning of the 2001-2005 parliamentary term. The Party also initiated the opening of a Slavonic state university. However, because these initiatives provoked significant mass protests, they were abandoned. The Communists also adopted the Law on the Conception of National Policy in 2003, which recognized the multi-national character of Moldova and the status of Russian language as language of inter-ethnic communication.

Ethnic minorities’ substantive representation during the 2001-2005 term had some further limitations. After the 2001 elections, the Communists initiated a range of institutional reorganizations of the parliament and government, which implied the liquidation of certain governmental departments and of certain parliamentary committees. Among all, the Commission for Inter-Ethnic Relations by the President of Moldova and the Parliamentary Committee for Human Rights and National Minorities were abolished and never replaced with similar bodies. None of the ethnic minorities in the parliament expressed any protest.

Moreover, during the 2001-2005 term the Communists’ relations with the Gagauzians’ political elites gradually worsened, due to the attempt of the party to increase its control over the autonomy’s internal political processes. This led to the loss by the party of Gagauzians’

electoral support in the 2005 elections. In spite of losing Gagauzians' support, the Party of Communists preserved its pro-minority positions during the 2005-2009 parliamentary term. Particularly the Russian minorities supported the party. Moreover, in this parliamentary term all ethnic minority deputies were members of the Party. Among them, the biggest majority were Russians.

Hence, the ethnic minorities did have a significant level of substantive political representation during the 2001-2005 and 2005-2009 parliamentary mandates. This representation was guaranteed through the presence in parliament of the pro-minority Party of Communists, which controlled 70% of parliamentary mandates between 2001 and 2005, and 55% between 2005 and 2009.

In conclusion, the ethnic minorities in Moldova had a relatively high level of political representation during the post-Soviet period, from the point of view of three out of four types of representation defined at the beginning of this chapter. As shown above, the parties that minorities tended to support were usually present in the parliament with significant shares of parliamentary seats, which reveals a high degree of minorities' electoral representation. In addition, the percentage of minority deputies was never much below the actual percentage of minorities in the country population. Most importantly, in all parliamentary terms between 1991 and 2008 minorities had substantive representation through pro-minority parties. In 1994-1998 parliamentary term minorities were represented both by pro-minority and ethnic minority parties and blocs. In most cases, these parties also controlled majority of parliamentary mandates.

The data presented above reveal that ethnic minorities in Moldova were better represented descriptively and substantively in the periods with concentrated power than in the periods with fragmented power. The greatest share of minority parliamentary seats was between 2001 and 2005, when power was concentrated. In addition, a great number of

minorities entered the parliament in 1994, which was during a short period of power concentration. Similarly, the substantive representation of minorities was higher during the periods with concentrated power than during the periods with fragmented power. The degree in which minorities' political representation in Moldova was molded by the electoral rules is analyzed in the next sub-section.

#### ***5.3.4. Electoral Systems and Political Representation of Minorities:***

As shown in the sections above, the process of power concentration in Moldova induced more disproportionality into the electoral rules. This disproportionality eventually consolidated the concentration of power. This effect was due to the sudden increase in the electoral threshold from 4% to 6% for individual parties and blocs and later, to 9% and 12% for electoral blocs. The data above also reveal that during the periods with concentrated power, minorities in Moldova were better represented politically than during the periods with fragmented power.

In Moldova the laws on elections and political parties discouraged the creation of one-issue parties. The relatively high threshold determined parties to adopt policy stances that would be attractive for more categories of voters. Moreover, since 1991 the formation of regional parties was hindered by the Law on Political Parties that required membership in at least half of Moldovan administrative units for a party to be registered (see Chapter 4). The formation of ethnic parties was not forbidden by law, but the consolidation of such parties since 1991 was unsuccessful. The parties perceived as being ethnic, such as "Ravnopravie" or "Patria-Rodina", never managed to overcome the electoral thresholds. Only the ethnic party "Unitate-Edinstvo" managed to get parliamentary seats in 1994, due to its electoral alliance with the leftist Socialist Party.

This lack of success for ethnic minority parties was firstly due to the fact that pro-minority stances were well incorporated in the political programs of mainstream and leftist

parties. This lack of success was also linked to the high electoral threshold. The 6% of threshold for single parties introduced in 2000 and the 9% and 12% of threshold for blocs introduced in 2004 made it hard for ethnic parties to gain parliamentary seats. In the 2001 elections ethnic minority parties gained about 1% of votes. In 2005 elections the ethnic minority “Patria Rodina” Bloc gained 5% of votes, while the “Ravnopravie” Movement - 3%, nevertheless none of these votes were transformed into seats for the respective political groups. The increase in electoral threshold in 2000 did not only contribute to the concentration of power, but also determined members of ethnic minority parties to go for the membership of parties with solid prospects of overcoming the threshold, rather than to stay with ethnic parties that due to their exclusive focus on a reduced segment of electorate risked losing elections.

For instance, among the 28 parliamentary deputies representing the ethnic minority “Socialist Party-Unitate-Edinstvo” Bloc in the 1994-1998 parliamentary term, 8 were re-elected in 2001 as representing Party of Communists and 2 - as representing the “Braghis Alliance”. The Party of Communists and “Braghis Alliance” were the first two winners in the 2001 parliamentary elections. Among the same respective 28 members of parliament in 1994-1998, none of those who participated in consequent elections as members of ethnic minority parties managed to win parliamentary seats.<sup>192</sup> These figures support the argument that being given the high electoral threshold, small and one-issue parties faced too high a risk to lose elections; therefore seat-motivated ethnic minority leaders had strong incentives to ally with pro-minority mainstream parties. The result of these incentives is illustrated in Table V.18, which contains data on party affiliation of ethnic minority MPs between 1991 and 2008. The data reveal that in Moldovan parliament all ethnic minority MPs have been affiliated either with the dominant and/or pro-presidential party or coalition, or with the strongest opposition

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<sup>192</sup> Author’s comparison of MP lists and their party affiliation for different parliamentary terms, on the basis of data from the Association for Participatory Democracy, Moldova, available online at [www.e-democracy.md](http://www.e-democracy.md), accessed at 20 December 2010.

party or coalition. Considering that these were also parties that ethnic minorities supported the most in elections, one can conclude that these parties also had benefited of the presence on their top electoral lists of ethnic minority leaders, as this presence attracted minority votes.

Parliamentary mandates	Number of ethnic minority deputies in the parliament	Minorities in the parliament representing the dominant and/or pro-presidential party or coalition	Minorities in the parliament representing the greatest opposition parliamentary party or coalition
1994-1998	27 (out of 104 deputies)	27	0
1998-2001	16 (out of 101 deputies)	3	13
2001-2005	36 (out of 101 deputies)	32	4
2005-2009	22 (out of 101 deputies)	22	0

Assuming that there is no difference in the age groups distribution among different ethnic groups in Moldova, according to the 2001 population census there are about 24% of ethnic minority voters. This constitutes a great percentage of the electorate and only those parties who sought to attract this electorate both by co-opting its prominent personalities on their ranks and by incorporating pro-minority political positions, managed to concentrate political power. Therefore, while having a negative effect on minorities' substantive representation through ethnic parties, the disproportional elements of Moldovan electoral system did not have the same negative effect on the other type of minorities' representation.

In conclusion, the consolidation of concentrated power in Moldova was helped by the disproportional elements of the electoral system, notably by the increase in the electoral threshold. The same electoral elements that contributed to the consolidation of concentrated power also discouraged the formation of ethnic minority parties, which compromised ethnic minorities' representation through ethnic parties. At the same time, it did not discourage the other types of minorities' representation. Minority presence on mainstream top party ranks

<sup>193</sup> Source: data provided by the European Centre for Minority Issues (Flensburg), at the author's request.

and also, pro-minority policy positions attracted significant amount of extra-votes for these parties. Therefore, in post-Soviet Moldova the political power concentration negatively influenced only one of the four types of ethnic minorities' political representation. At the same time, it did not have a negative influence on the other three types of representation, which seem to have been instrumentally used for making the process of power concentration possible.

#### **5.4. The Case of Ukraine:**

In the post-independence years analyzed in this thesis, in Ukraine there was only one, but relatively long-lasting period with power concentration. It started with the adoption of the Ukrainian Constitution in 1996 and lasted until the 2002 parliamentary elections. The power concentration in Ukraine between 1996 and 2002 was of a different nature than the cases of power concentration in Moldova and in Georgia. In the latter cases, political power got concentrated when presidents had stable and disciplined absolute majority support in parliaments. In case of Ukraine, power got concentrated when the parliament was so highly fragmented that no majority was possible to be formed in order to oppose the president's authority. As the 1996 constitution attributed large legislative and appointment powers to the head of state, the incumbent president Kuchma could govern without the constant support of a parliamentary majority. Therefore, as long as the parliament was in a too fragmented state to form a powerful opposition, the power remained concentrated within the executive branch.

This implies that the main political incumbent and his executive team were not interested in molding the electoral rules in a way to advantage pro-presidential parliamentary forces. This is because there was no stable, disciplined, and coherent pro-presidential party that would have also had a high chance for getting a majority of parliamentary seats. In 1994, when Kuchma was elected president, the parties in Ukraine had territorially concentrated

electorates and none of the existing parties had a high level of popularity in all the regions of the country. The electoral bloc co-led by Kuchma for the 1994 parliamentary elections – Inter-Region Reforms Bloc – gained only 6 seats and together with the sympathizing non-affiliated deputies could claim maximum 27 seats, or 6% of parliamentary mandates (Wolczuk, 2001; 132). Without a realistic prospect to form a viable pro-presidential parliamentary force, there were no incentives to “impose” electoral rules that would have favored the consolidation of such a force, or that would have reduced the fragmentation of the parliament.

In this section, I explore the determinants of Ukrainian electoral systems change, as well as the level of disproportionality that the electoral rules brought in different elections. Because Ukraine experienced consecutively majoritarian, mixed, and PR electoral systems, it is useful to analyze how each of these systems influenced the structure of the parliament. In addition, I explore the degree of ethnic minorities’ political representation within the studied period.

#### ***5.4.1. The Impact of Power Concentration on the Electoral System Change:***

The electoral system in Ukraine changed twice during the post-Soviet period. The main elements that changed were the electoral formula and the threshold. In contrast with Georgia and Moldova, the size of the parliament remained the same during the entire transition period. The main changes in the electoral rules are summarized in Table V.19 below. As shown in the table, Ukraine experienced three types of electoral formulas since 1991. The 1994 elections were based on a purely majoritarian formula, which was a continuation of the Soviet practice. The 1998 and 2002 elections were based on a mixed electoral system, with half of parliamentary deputies elected through PR system with a 4% threshold and the other half elected through majoritarian system. The 2006 and 2007 elections were organized in accordance with a purely PR formula, with 3% threshold.

Year of parliamentary elections	Total number of parliamentary seats	Electoral system – mixed		
		Majoritarian component %	PR component %	PR component threshold %
1994	450	100	0	-
1998	450	50	50	4
2002	450	50	50	4
2006	450	0	100	3
2007	450	0	100	3

The 1994 parliamentary elections were based on the Law on Elections of People's Deputies, adopted in November 1993. Before its adoption, the Law was subject of parliamentary debates and disagreements between the centre-right and the left parliamentary factions. The controversies were mainly around three points: the choice of the electoral formula, the types of candidates participating in elections, and the rules for candidate nomination (IFES, 1995). The leftist parliamentary factions that included the Socialist and the Communist parties pleaded for keeping a majoritarian electoral system, for allowing independent candidates to compete along political parties, and for allowing the nomination of candidates by work collectives and social organizations. This implied preserving many of the features of the electoral system applied in the 1989 Soviet elections, based on the 1988 electoral law (Bogasheva & Klyuchkovskiy, 2006). On the contrary, the centre-right factions composed by democratic and reformist parties such as Rukh Party and the New Ukraine Bloc pleaded for a PR system and for the priority of political parties in nominating candidates for elections (Birch, 1995). Although the international experts on electoral system of that time expected the adoption of a mixed system as a compromise solution (IFES, 1995), the Law adopted in November 1993 contained the provisions advocated by the leftist parliamentary factions.

<sup>194</sup> Source: Central Elections Commission of Ukraine.

Consequently, the 1993 Electoral Law established a fully majoritarian electoral formula for the 1994 elections and allowed independent candidates to run. Moreover, the law provided a much simpler mechanism for work collectives and social organizations to nominate candidates than for political parties, in terms of required number of signatures and documents for candidate registration (Bogasheva & Klyuchkovskiy, 2006; Meleshevych, 2006). This encouraged many candidates to run and win elections as independents, rather than as members of political parties. As a result, after the 1994 elections 48% of seats were won by deputies with no party affiliation (D'Anieri, 2007b; 155). These rules were disadvantageous for the consolidation of newly emerging pro-reform and pro-democratic parties (Birch, 1995; 94; Kuzio, 1995; 341). Instead, they were advantageous for the political incumbents (Prizel, 1997). The 1994 elections resulted in a parliament with no majority party or coalition, with a relative majority for the Communist Party (25% seats), and with a highly fragmented opposition to it.

For the 1998 parliamentary elections, a new Electoral Law was adopted in autumn 1997 that introduced the mixed electoral system. Before the adoption of the Law, the members of the parliament had debated the electoral rules during several months. Majority of parliamentary parties pleaded for the introduction of a proportional component into the electoral system. The incumbent president Leonid Kuchma, who vetoed many of the initial law drafts, the parliamentary deputies with no party affiliation, as well as the small, pro-presidential parties were the main opponents to PR (Lozowy, 1997). Political experts of that time suggested that the president and his allies opposed the introduction of a proportional element into the electoral system because it would have consolidated political parties and their eventual position in parliament (Hadzewycz *et al.*, 1997). The concentration of power in Ukraine between 1996 and 2002 was based on the fact that the parliament was highly fragmented and no stable majority could be formed to counter-balance presidential power,

therefore the president might have been uninterested in the consolidation of parties in the legislature. As reported in Eurasia Daily Monitor ("Ukraine Changes Electoral Law", 1997), after numerous amendments to the law drafts and the implementation by the parliament of the amendments suggested by the president, the mixed electoral formula was accepted as a compromise .

Between 1998 and 2002 the electoral system of Ukraine has been subject of numerous parliamentary debates. Political parties opposing the president and his administration generally pleaded for the implementation of a purely PR system, while the president and his parliamentary allies opposed it, arguing that a PR formula would grant too much power to parties and it would not guarantee equal treatment of citizens (Herron, 2007; 65). The opinion polls conducted in 2000 reveal that some of the opposition parties had a consolidated electoral support throughout the country and would have therefore benefited of a PR system with a country-wide single constituency (Carson, 2005; 97; Fergusson, 2005; 96).

In 2001, there have been two electoral laws that passed through the final readings and were voted with an absolute parliamentary majority. The first law proposed a purely PR system with a 4% threshold and based on a single countrywide constituency, while the second law proposed a mixed system similar to the one adopted in 1997, but with a PR component increased from 50% to 74%. President Kuchma vetoed the laws in both occasions. (Herron, 2007; 65-66). As a result, the 2002 parliamentary elections were organized on the basis of an electoral system virtually similar to the one adopted in 1997, in which the pro-presidential parties performed poorly in the PR part of elections, but had relative success in the majority part.

As explained in Chapter 2, after the 2002 elections several parliamentary parties and blocs eventually managed to join in a quasi-stable alliance against the president, due to which the concentration of power within the executive branch gradually decreased. The public

opinion polls conducted between 2000 and 2004 reveal that Kuchma's popularity was also fading away (Carson, 2005; Sharma & Dusen, 2005). Due to the two-mandate limitation, president Kuchma could not candidate for a third presidential mandate in the autumn 2004 presidential elections. In these circumstances, his incentives to oppose the implementation of a purely PR system decreased as well. At the beginning of 2004, he proposed the limitation of the presidential powers and in order to get the support of the Communist and Socialist parties, proposed the implementation of a purely PR system for parliamentary elections, with a 3% threshold and based on a single countrywide constituency. While the latter proposal has been accepted with a parliamentary majority, the former failed to obtain the required super-majority of 67% votes in the parliament (Herron, 2007).

Hence, the circumstances in which the electoral laws have been adopted in post-Soviet Ukraine reveal that political actors' office seeking interests have been important in the process of electoral rules change. As the data presented above show, all major changes or preservation of status quo in the electoral systems have been driven by the positions of political parties or of the president. The concentration of power in Ukraine was based on the existence of a highly fragmented parliament, fragmentation which was caused by a generally weak party system and catalyzed by a majority electoral system allowing numerous independent candidates to win elections. This might explain why Kuchma (successfully) opposed the implementation of a PR system during his electoral mandates. This might also explain why the major parties pleaded for the introduction of a PR system and before Kuchma's political position weakened, only managed to implement a mixed electoral system instead. Therefore, in Ukraine the concentration of power did affect the shape of the electoral system during the 1990s, although in a different way than in Moldova and Georgia.

#### 5.4.2. *The Level of Disproportionality of Ukrainian Electoral Systems:*

Table V.20 presents data on the percentages of “wasted votes” in all parliamentary elections in Ukraine since independence. In case of elections based on mixed electoral systems, the table also presents the ratios of “wasted votes” for PR and for majoritarian components separately. This allows comparing the percentage of wasted votes for each of the parts of electoral system and observing specifically which part produced more disproportionality or parliamentary fragmentation.

Election year	1994	1998	2002	2006	2007
Threshold %	-	4	4	3	3
Wasted votes by parties and blocs, Maj. elections %	2.8	7.4	18.1	-	-
Wasted votes by parties and blocs, PR elections %	-	28.9	24.3	22.3	11.4

The results for the 1998 and 2002 elections offer strong evidence for the claim that in transition countries the PR formula can produce more disproportionality than the majoritarian formula. The data show that the percentage of wasted votes produced by the PR part of elections was considerably higher than the percentage of wasted votes produced by the majoritarian part of it. Moreover, in the 1994 elections in which purely majoritarian formula was applied, the percentage of wasted votes by political parties and blocs was insignificant, in comparison with the percentage of wasted votes by political parties and blocs produced by the PR elections in 2006 and 2007.

Table V.21 further explores this question. It compares the number of parliamentary parties and blocs that entered the parliament through PR elections, with the number of parties and blocs that entered it through the majoritarian part of elections. Also, the table contrasts the ratio of seats gained by the greatest winner parties or blocs in both types of elections.

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<sup>195</sup> Source: author’s calculation, on the basis of data from Sarah Birch (2003; 529), from Central Elections Commission of Ukraine website; from University of Essex Project on Political Transformation and Electoral Processes in Post-Communist Europe. Online: <http://www2.essex.ac.uk/elect/database/aboutProject.asp>, accessed on 23 March, 2011.

These data demonstrate that the majoritarian formula brought in parliament more political parties and blocs than PR formula; therefore it produced more parliamentary fragmentation. In 1998 and 2002, considerably more parties entered in parliament through majoritarian part of elections than through PR. The comparison between the results of the 1994 majoritarian elections and the results of the 2006 and 2007 proportional elections reveal the same pattern.

Election years	1994	1998	2002	2006	2007
PR Threshold %	-	4	4	3	3
Number of parties and blocs competing in elections	32	35	33	45	20
Number of parties and blocs that won parliamentary seats	14	20	10	5	5
Number of parties and blocs that won seats through PR	-	8	6	5	5
Number of parties and blocs that won seats through Maj.	14	20	9	-	-
% PR seats of greatest winner party	-	37.3	31.1	41.3	38.9
% Majority seats of greatest winner party	25.4	16.9	29.7	-	-

In all analyzed cases, the first winning parties gained greater percentage of seats through PR than through the majoritarian part of elections. The difference between the share of seats won by first-winning parties in majoritarian and PR elections illustrated in Table V.21 is further augmented by the percentage of independent (i.e. non-party affiliated) candidates who obtained parliamentary seats through the majoritarian elections. In 1994 half of seats in the parliament were occupied by independent candidates; in 1998 – 26%; in 2002 – 21%; in 2006 and 2007, due to the introduction of a purely PR electoral system, the independent candidates could not participate in elections anymore.

Overall, these data confirm that in post-Soviet countries in transition with under-developed party systems the PR electoral formulas had more potential for reducing the number of parliamentary parties when introduced together with a threshold than the purely majoritarian formulas. This contradicts the common expectation that majoritarian systems have more potential for concentrating power than the PR ones. The data also demonstrate that

<sup>196</sup> Source: see sources for Table V.20.

the electoral system implemented during the period of concentration of power indeed catalyzed the parliamentary fragmentation, due to which horizontal concentration of power within the executive branch could be consolidated.

#### ***5.4.3. Political Representation of Ethnic Minorities:***

For determining the electoral type of minorities' political representation in Ukraine, I use both mass survey data and regional voting results. There are three administrative units in post-Soviet Ukraine with considerable territorial concentration of Russian and Russophone minorities.<sup>197</sup> In the Eastern part of Ukraine, in Donetsk and Luhansk administrative units 76% and respectively 70% of local population declared Russian as their native language in the 2001 population census. In the Autonomous Republic of Crimea 90% of population indicated Russian as their mother tongue. Sevastopol City, a port town on the Crimean peninsula that is excluded from the surrounding Autonomous Republic of Crimea, has among its population 72% of ethnic Russians.<sup>198</sup>

Tables V.22 and V.23 contain information on voting results for parliamentary and presidential elections during the transition period in the above mentioned three territorial units. The data show that it was only in the last two parliamentary elections that voters in the respective regions acted as coherent electoral group. In the 2006 elections between 58% and 74% of voters in these regions supported the pro-Russian Party of Regions, party which gained a relative majority of seats in the parliament and due to the subsequent alliance with Communist Party and Socialist Party secured an absolute majority of parliamentary seats. In the 2007 elections between 61% and 74% of voters in these regions supported the Party of Regions, which repeatedly gained a relative majority in parliament and secured a dominant position through the same alliance as in 2006.

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<sup>197</sup> Russophone minorities group is composed of ethnic Ukrainians who have Russian language as their mother tongue.

<sup>198</sup> Ukraine Population Census 2001, data from State Statistics Committee of Ukraine, available online at <http://www.ukrcensus.gov.ua/regions/>, accessed on 12 December 2010.

**Table V.22. Ukraine Parliamentary Elections - Regional Voting Results, 1991-2008 (first winners' % of votes, in multimember constituencies)<sup>199</sup>**

Elections/ regions	1994	1998	2002	2006	2007
Crimea	Nonparty: 47 CP: 26	CPU: 39	CPU: 34	PR: 58	PR: 61
Sevastopol	-	CPU: 46	CPU: 33	PR: 64	PR: 65
Donetsk	CP: 47 Nonparty: 40	CPU: 35	FOUB:37 CPU: 29	PR: 74	PR: 72
Luhansk	CP: 64	CPU: 46	CPU: 40	PR: 74	PR: 74
Total % of won parliamentary seats	CP: 25 Nonparty: 50	CPU: 27	FOUB:25 CPU: 15	PR: 41	PR: 39

In contrast, for the parliamentary elections before 2006 there was no clear voting unanimity in the regions with high degree of minorities' territorial concentration. The local voters were divided between those supporting independent candidates and those supporting various leftist and pro-Russian parties, notably the Communist Party of Ukraine. The mixed electoral system that allowed to independent candidates to compete for parliamentary seats through the majoritarian part of elections contributed greatly to the fragmentation of the electorate in the mentioned regions and also in the whole country. Nevertheless, even in these cases of electoral fragmentation the Communist Party that tended to get the support of a relative majority in the region managed to obtain a relative majority in the parliament as well.

As far as presidential elections are concerned, Table V.23 below reveals a more united electorate in the regions with territorial concentration of Russians and Russophones. The Table contains data on regional voting results for second tours of elections between the first two candidates in the presidential race, for three out of four post-independence presidential elections for which such data were available.

<sup>199</sup> Source: Central Elections Commission of Ukraine (website data); University of Essex Project on Political Transformation and Electoral Processes in Post-Communist Europe , elections data on Ukraine (Online: <http://www2.essex.ac.uk/elect/database/indexCountry.asp?country=UKRAINE&opt=con> , accessed on March 29, 2011; IFES (1994). Abbreviations: CPU - Communist Party of Ukraine; FOUB – “For Our Ukraine” Bloc; PR – Party of Regions.

**Table V.23. Ukrainian Presidential Elections - Regional Voting Results, 1991-2008  
(first winners % of votes)<sup>200</sup>**

Elections/ regions	1994	1999	2004
Crimea	LK: 90	PS: 54	VY: 81
Sevastopol	LK: 92	LK: 50	VY: 89
Donetsk	LK: 79	LK: 53	VY: 94
Luhansk	LK: 88	PS: 51	VY: 91
Gained votes (%) in the entire country	LK: 52	LK: 56	VY: 44

The data reveal that the electorate of regions with minorities' compact settlement had a clearly unanimous vote in 1994 and 2008, elections in which between 79% and 94% of local voters supported the same candidate. In 1999 the electorate in these regions was divided between Leonid Kuchma's and Petr Symonenko's supporters. In 1994 the candidate supported by the voters in the four territorial units – Leonid Kuchma – eventually took over the presidential seat. In 2004 the candidate supported by the electorate in these units – Viktor Yanukovich – lost elections to his opponent Viktor Yushenko and eventually became the strongest opposition force in the parliament.

There are plenty of mass surveys that were conducted around the time of parliamentary and presidential elections in Ukraine. They were used for empirical analyses by various scholars specialized in Ukrainian politics, to determine the factors that influenced voting behavior in Ukrainian elections. The results of these surveys are used here firstly to reveal the degree in which ethnic belonging determined the voting behavior of the Ukrainian electorate, beyond the administrative units discussed above; second, these results reveal the degree of electoral representation of minorities in power.

In line with the regional voting results, the mass surveys reveal that only in recent parliamentary elections the ethnic minorities in Ukraine (notably Russians and Rusophones) voted as a coherent group. Regression analyses of survey data demonstrate that in the 1994 and 1998 elections the ethnicity did not play a significant role in the vote choice. Instead,

<sup>200</sup> Source: Central Elections Commission of Ukraine; Zenovia Sochor (1995; 218). Abbreviations: LK – Leonid Kuchma; PS – Petr Symonenko; VY – Viktor Yanukovich.

various regional and economic factors had a significant impact (Kravchuk & Chudowsky, 2005; 151).<sup>201</sup> In the 2002 elections Russians and Rusophones were also divided in their vote choice, as mass surveys demonstrate. In these elections, a relative majority of Russians supported the Communist Party (35%), while the others had their vote split between various leftist parties and independent candidates (Khmelko, 2002).

At the same time, the statistical analysis of surveys available for 2006 and 2007 elections reveals that ethnicity of voters was a strong determinant for the voting behavior in the respective elections. According to these data, Russian speakers and Russians tended to vote for the Party of Regions or Communist Party and at the same time, they were highly unlikely to vote for the “Our Ukraine” Bloc or “Yuliya Tymoshenko” Bloc (Clem & Craumer, 2008; 147).

Available survey data also demonstrate that in the 1994 presidential elections ethnicity was a significant determinant of the vote choice, while in 1999 it was not. The multivariate regression analysis performed by Robert Kravchuk and Victor Chudowsky (2005; 137) provides strong evidence that Russian minorities and Russian speakers tended to support Leonid Kuchma in the second round of the 1994 elections. In contrast, in the 1999 presidential elections the regionalism, ethnicity, and language appear to be insignificant factors for the vote choice (Harasymiw, 2005; 221). These findings are in line with the regional voting results analyzed above.

Therefore, electoral representation was a relevant dimension of minorities’ political representation only in case of 1994 and 2004 presidential elections and in case of 2006 and 2007 parliamentary elections. For the other elections, the ethnic minorities did not act as

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<sup>201</sup> For the 1998 parliamentary elections I used the Comparative Studies of Electoral Systems survey data for Ukraine, to test for the relevance of ethnic factor in the voting outcome within various regression models. In none of the models ethnicity was a significant factor in determining the vote choice. The CSES data available online at: <http://www.umich.edu/~cses/download/module1/module1.htm>, accessed on 3 December 2010.

coherent electoral groups who would cast the votes unanimously to the same electoral candidate, as discussed above.

However, in the cases in which minorities did act as coherent electoral groups their vote was almost always granted to those candidates that won a dominant position in the parliament and respectively, the presidential seat. The only exception was the 2004 presidential elections, in which ethnic minorities supported the candidate that lost elections. But this “defeat” lasted only for a little more than one year, because in the 2006 parliamentary elections the Party of Regions favored by Russian and Russophone minorities (who constitute the only minority group with significant numerical strength) secured a dominant position in the parliament. Hence, when relevant, the electoral representation of ethnic minorities in Ukraine was high.

The degree of minorities’ descriptive representation is determined by the presence of ethnic minorities in power. As mentioned before, descriptive representation is sufficient when the percentage of minorities in the parliament reflects the one in the entire population, and it is proportionally efficient when the proportional share of ethnic minority seats in the parliament is high enough to influence legislative voting outcomes and/or parliamentary agenda.

There are available data on Ukrainian parliament ethnic composition for the first three post-independence parliamentary mandates. For more recent mandates, such data have not been compiled. The available data demonstrate that ethnic minorities had a sufficient level of descriptive representation in all three parliamentary mandates during the 1990s. Table V.24 contrasts the smallest percentage of minorities in the parliament with minorities’ percentage in the entire population of the country. The data reveal that between 1991 and 2002 the parliamentary term during which minorities were represented the least was the one between 1994 and 1998. Still, even in that term the total percentage of minorities in the parliament was close to the one in the population of the country. Russian minorities had a sufficient

representation even during that mandate. Small minority groups had less representation in the parliament than in the entire population in the 1990-1994 parliament.

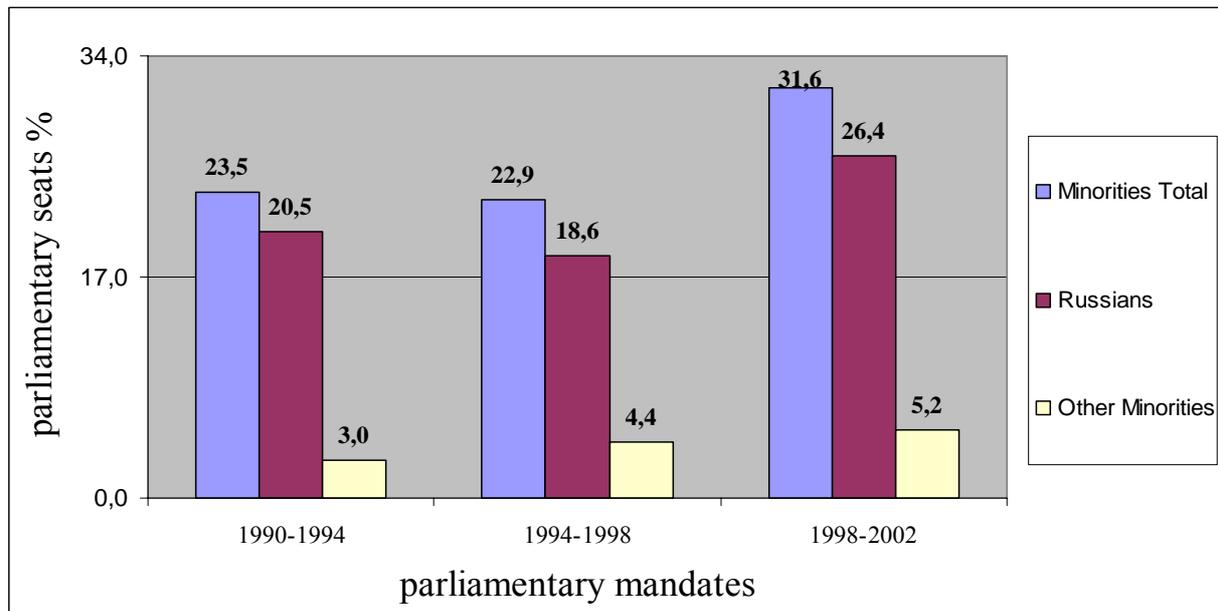
<b>Table V.24. Ethnic Minorities’ Descriptive Representation in Ukraine (1991-2002). Comparing Minorities’ Presence in Parliament with Population Census Data.<sup>202</sup></b>			
Minorities	Minorities total %	Russians	Other minorities
1989 census %	27.8	22.1	5.7
2001 census %	22.2	17.3	4.9
Minimum % representation in parliament	22.9 1994-1998	18.6 1994-1998	3.0 1990-1994

The proportional efficiency of minorities’ presence in the parliament is illustrated in Graph V.3 below. The graph demonstrates that between 1991 and 2002 the ethnic minorities constituted at least 23% of the Ukrainian parliament, with the highest rate during the 1998-2002 parliamentary mandate. Most of these parliamentary ethnic minorities were Russians. During the first three post-independence parliamentary terms, there was no party or bloc controlling absolute majority of seats, so any party needed to form coalitions in order to advance a legislative proposal. Moreover, during the 1990s a parliamentary faction could be formed only by 3% of deputies and according to the rules, each faction had representation in the parliamentary presidium that decided the agenda (D’Anieri, 2007b; 179-181). In such conditions, the 23%-32% of seats that minorities controlled allowed them to influence both legislative voting process and agenda setting.

Therefore, between 1991 and 2002 the ethnic minorities in Ukraine had both sufficient and proportionally efficient descriptive representation in the parliament. This representation did not diminish once the power got concentrated. As Graph V.3 illustrate, the 1998 parliamentary elections conducted in a period with political power concentration did not hinder the access of ethnic minorities in the parliament.

<sup>202</sup> Source: data provided by the European Centre for Minority Issues (Flensburg), at the author’s request.

**Graph V.3. Descriptive Representation of Ethnic Minorities in the Parliament of Ukraine (1991-2002)**



Without relevant data for the parliamentary mandates after 2002, it is hard to make a similar assessment for the situation with minorities' descriptive representation in the 2000s. However, considering that the leftist parties with pro-Russian policy stances preserved their influence in the parliament even after 2002, there is no compelling reason to believe that the situation with minorities' descriptive representation after this year changed considerably.

The substantive representation of ethnic minorities can be determined through the content analysis of party programs and manifestos and through the analysis of voting behavior of parties in the parliament. As in case of Georgia and Moldova, for the content analysis of Ukrainian party manifestos I used Harmel and Janda's pledge position method, as detailed in Annex 8. To determine specific parties' position on ethnicity-related issues, I also use various secondary sources on party system and electoral processes in post-Soviet Ukraine, in which authors referred to both parties' official declarations and to their parliamentary behavior.<sup>203</sup>

The content analysis firstly demonstrate that during the post-Soviet period there have been no prominent ethnic minority parties in Ukraine that would have focused their program

<sup>203</sup> The analyzed Ukrainian party manifestos through Harmel and Janda's pledge position method are listed in Annex 9.

exclusively on ethnicity-related issues. In the 1994 and 1998 elections there was one party that could be categorized as ethnic – the Slavic Party – because its program was mainly focused on the propagation of ethno-cultural unity between Slavic people and on the preservation of Russian language role in society.<sup>204</sup> However, the party was unsuccessful in both mentioned parliamentary elections: in 1994 it gained 0.06% of votes, while in 1998 - 0.05%. In the 2002 elections there was an electoral bloc called “Russian Bloc” that united three small parties having as common feature the emphasis on Russian culture and unity among Slavic people.<sup>205</sup> However, this bloc was unsuccessful in securing parliamentary mandates, as it obtained only 0.7% of votes. The small, single-issue parties focusing mostly on ethnicity-related policies were unsuccessful in later parliamentary elections as well.

One of the reasons for which ethnic minority parties could not successfully develop in Ukraine was that Russians’ and Russophones’ interests and demands were incorporated into the political programs of mainstream parties. The success of leftist parties also played an important role: in the Ukrainian elections during the 1990s, the Communist and Socialist parties were among the strongest in parliament. As these parties pleaded for the preservation of a Soviet Union-like societal order, they implicitly promoted the preservation of the significant role for Russian language.

Nevertheless, ethnic minorities have always been substantively represented in the parliament through various pro-minority parties. In the 1991-1994 parliamentary term, those factions that supported Russian and Russophone minorities’ interests were in relative majority, while those factions that pleaded for cultural ukrainization and had generally more nationalist view were in minority. Specifically, in 1991-1994 there were three factions in the parliament – Accord Centre, Industrial Workers, and New Ukraine – that openly pleaded for a

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<sup>204</sup> Source: Slavic Party of Ukraine Program, available on the website of the party, at <http://users.iptelecom.net.ua/~luzan/>, accessed on December 14, 2010.

<sup>205</sup> Source: information about Russia Bloc available on the Central Elections Commission of Ukraine website, at <http://www.cvk.gov.ua/pls/vd2002/webproc12v?kodvib=400&pf7171=190>, accessed on 14 December 2010.

federal system of local self-government, which was in line with elites' demands in the Russophone regions of Donetsk and Luhansk (Kuzio, 1994; 126; Wilson, 1991; 591). According to Bohdan Harasymiw's count (2002; 248), these factions controlled together 17% of parliamentary seats. At the same time, there were three other factions in the parliament - Democratic Rebirth of Ukraine, Agrarian Party, and Narodna Rada – that were generally perceived as supporting Russian minority interests. They controlled together 36% of parliamentary seats (Harasymiw, 2002).

The leftist parties with general pro-Russian stances (i.e. Communist Party, Peasant Party, Socialist Party, and Communist Party of Crimea) had a relative majority of seats in the 1994-1998 and 1998-2002 parliamentary terms as well. Among them, the Communist Party and Socialist Party were the greatest defenders of Russian minority interests. Although these parties' main political focus was rather economic than ethno-cultural, they also pleaded for bilingualism, for raising the legal status of Russian language, for federalization, and for dual citizenship with Russian federation.

Between 2002 and 2006 Russian minorities' interests were also represented in the Ukrainian parliament by three political forces: the Communist Party, the Socialist Party; and the electoral bloc "For a United Ukraine"<sup>206</sup>. All three parliamentary forces counted together 42% of mandates and could theoretically be opposed by only 26% of parliamentarians coming from parties traditionally perceived as Ukrainian nationalists. Therefore, in the 2002-2006 parliamentary term Russian minorities had significant substantive representation as well.

Finally, between 2006 and 2008, period in which parliamentary elections were held twice, Russian minorities' interests were also represented in the parliament. The representation was mainly due to the pro-Russian Party of Regions that secured a relative majority of 41% seats in 2006 and respectively 38% in 2007, but which due to the alliance

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<sup>206</sup> The Bloc "For a United Ukraine" was composed of five parties, among which at least two parties - Party of Regions and Working Ukraine – had explicit pro-Russian stances.

with other leftist pro-Russian parties became the dominant parliamentary force. The Party of Regions, with the leadership representing the Russophone region of Donetsk, defended the rights of ethnic Russians and Russian speakers in Ukraine. During the 2004 “Orange Revolution”, the party was the major opposition to the “revolutionary” forces. Due its dominance in the parliament since 2006 it managed to secure the prime-ministerial seat for its leader Viktor Yanukovich, which was a key position after the formal presidential powers were diminished in 2006.

Hence, in the post-Soviet period in Ukraine the Russian and Russophone minorities in Ukraine had significant parliamentary representation. As data presented in this section demonstrate, when these minorities voted coherently in elections, they almost always voted for the winners. Also, the ethnic composition of Ukrainian parliament always reflected the composition of the population in the entire country. Finally, in all parliamentary terms between 1991 and 2008 the parties or blocs with pro-minority positions had a relative or absolute dominance in the legislature. As the data suggest, during the period with concentrated political power (1996-2002) ethnic minorities were not less represented electorally, descriptively, or substantively in the Ukrainian legislature than in the periods with fragmented power (1991-1995 and 2003-2008). Hence, the concentration of power did not lead to a diminishing political representation of ethnic minorities in Ukraine.

### **Final Remarks:**

The main goal of this chapter was to explore the link between power concentration, ethnic minorities’ political representation, and ethnic minorities’ political mobilization in post-Soviet Georgia, Moldova, and Ukraine. The main argument developed in the theoretical section and explored through the case study parts is that the process of power concentration tends to go hand in hand with electoral systems that puts in an advantageous position the pro-

presidential parliamentary parties or blocs. The implementation of such systems has simultaneously a negative effect on certain types of ethnic minorities' representation in the parliament.

The empirical analysis in this chapter reveals that in Moldova and Georgia power concentration was indeed accompanied by electoral systems that imposed high entry threshold for accessing the parliament, due to the significant level of disproportionality they entailed. At the same time, the data revealed that these disproportional electoral systems had a negative effect only on one type of ethnic minorities' political representation, namely on their representation through ethnic parties. This negative effect resulted from the discouragement of the formation of small, one-issue parties and from the encouragement of centripetal attitudes in political discourse. At the same time, the respective electoral rules did not have a negative effect on the other three types of minorities' representation – descriptive, electoral, and substantive through pro-minority parties.

The data also show that in Georgia, Moldova, and Ukraine the ethnic minorities' electoral support for certain political parties, blocs or presidential candidates, was indispensable for their success in elections. In most of the cases in which power was concentrated, this occurred as a result of elections in which minorities supported the winners. This suggests that in these post-Soviet countries the attraction of minorities' electoral support was often an instrument to concentrate power, be it by establishing clientelistic links with minorities' leaders, by including minorities' representatives in power, or by adopting pro-minority political discourse and policy stances. Adopting a strategy of minorities' exclusion was not advantageous for power concentration.

Hence, if at all, the concentration of power can hinder only one type of minorities' political representation, i.e. the substantive representation through ethnic parties and blocs. It does not, however, affect negatively the other types of representation discussed in this

chapter. By contrary, in certain circumstances political incumbents may be interested to co-opt minorities in order to consolidate their positions. This co-optation hinders the access of ethnic minorities to mobilization resources.

## **Chapter VI : Power Concentration and the Control over the Country**

### **Regions**

The main goal of this thesis is to determine whether concentration of power leads to ethnic minorities' mobilization against the state. To answer this question, the previous chapter focused on the influence that concentrated power has on ethnic minorities' political representation in national politics. This chapter is focused on another possible intervening factor - the relation between the central and the local political authorities. Specifically, through the empirical analysis of the three cases studied in this thesis I seek to test the third hypothesis of this thesis, which states that by increasing the control over fiscal and leadership resources at regional level, the incumbents of horizontally concentrated power can decrease the likelihood for ethnic minorities' mobilization against the state.

#### **6.1. The Vertical Concentration of Power – Operationalization:**

Decentralization is generally viewed as the “shift of authority towards local governments and away from central governments, with total government authority over society and economy imagined as fixed” (Rodden, 2004; 482). On the contrary, recentralization is defined as “a series of changes designed to reverse prior reforms that expanded subnational autonomy and thereby limited the prerogatives of the national government” (Eaton & Dickovick, 2004; 94). As the authority over local governments may be exercised in different ways, in the academic literature the term “decentralization” was often associated with different meanings and certain normative values. This led to a certain degree of causal uncertainty (A. Schneider, 2003). In order to avoid similar confusion, a closer look at the “anatomy” of territorial organization of state power is necessary.

Decentralization is a process and a matter of degree characterizing the territorial organization of state power. Whether a country is more decentralized than another or whether

a country at present is more decentralized than in the past can be determined by measuring and comparing the various dimensions of decentralization. The territorial organization of state power can also take some specific forms, such as autonomy, federation, or unitary state. Although by definition the federations imply a high extent of decentralization, some researchers specify that the degree of decentralization may be larger in certain unitary states than in certain federal states (McGarry & O'Leary, 2002). Similarly, a territorial autonomy arrangement may imply a de facto high control over autonomy's financial resources by the central government and a limited scope of administrative power, as it has been the case with Adjara territorial autonomy in Georgia since 2004 (Khutsidze, 2004). Therefore, for the purposes of this research I do not associate a certain form of territorial organization of power with a certain degree of decentralization. Instead, I determine the actual powers and scope of control that regional governments have, regardless of whether local government is a territorial autonomy, an administrative component of a unitary state, or a unit of a federation.

Several recent studies clarified the multi-dimensionality of the concept of "decentralization" and proved that the dimensions of decentralization characterizing the same political system often do not correlate. Jonathan Rodden and Aaron Schneider proposed three dimensions of decentralization: fiscal, policy/administrative, and political (Rodden, 2004; A. Schneider, 2003). Paul Smoke also proposed three: political, institutional, and fiscal (Smoke, 2003). Daniel Treisman elaborated a more sophisticated set: he defined decentralization as being formed by decision making authority, appointment authority, elections, fiscal resources, and government personnel (Treisman, 2002). Finally, Paul Hutchcroft proposed four dimensions of "the character of local politics" and six dimensions of "the character of national politics" and suggested that the combination between the two define the degree of decentralization of a state (2001; 34-37). Each of these sets of indicators can be analytically useful depending on the purposes of a research. For my specific purposes, Treisman's

dimensions are the most useful because they can be potentially relevant for the link between concentration of power and ethnic minorities' mobilization at regional level.

First Treisman's dimension – decision-making decentralization – focuses on how the authority to make political decisions is distributed among different levels of government. If the authority to decide all questions is concentrated within the central government, the system is maximally centralized on this dimension. Treisman proposed to determine the level of decision-making decentralization through the degree in which the Constitution allows residual authority to sub-national legislatures and through the existence of a regionally chosen upper house of parliament (when existent) with the right to block legislation.

The appointment decentralization is determined by the degree in which officials at different levels of government are selected and dismissed. The more the executive appointments are made by actors at an above level of government, the more the system is centralized. For this dimension it is not relevant how many executive functions are popularly elected (rather than appointed) at each tier. What matters is the hierarchical location of appointers. Electoral decentralization is defined by the proportion of tiers at which the local executive officeholders or the local legislators empowered to choose the local executive officeholders are elected in local popular elections.

The fiscal decentralization is determined by the sub-national governments' share in total tax revenues and public expenditures. Tax revenues decentralization increases together with the share of total tax revenues that sub-national levels receive. Expenditure decentralization increases together with the share of total public expenditures funded from sub-national budgets. Finally, personnel decentralization is determined by how administrative human resources are distributed across levels of government. The greater the share of administrative personnel employed at lower levels, the greater the personnel decentralization.

Out of the five indicators elaborated by Treisman I use four in the empirical parts of this chapter. I do not use the personnel decentralization because of the unavailability of reliable data. In order to make intra- and inter-country comparisons possible, I use conventionally a measurement scale for each of the four indicators, as described in Annex 10, with 0 indicating the minimum degree of decentralization and with 1 indicating its maximum.

The level of decentralization in a country may differ from region to region, especially if the level of decentralization was negotiated with the local elites. For example, this was the case in Russia during the 1990s, when different federal “republics” had different degree of autonomy vis-à-vis the central government (Hale, 1998). This was also the case in post-Soviet Ukraine, Moldova, and Georgia, as all three countries have established autonomous arrangements with certain regions with different scope of local powers than the other regions. Therefore, when the degree of decentralization differ inter-regionally, I do not present only the general level of decentralization in the country, but also in the regions with territorially concentrated minorities, because this is in line with the general goal of this research.

## **6.2. The Case of Georgia:**

The main goal of this section is to determine whether in post-Soviet Georgia the likelihood for ethnic minorities’ mobilization decreased by virtue of increased control of central government over fiscal, electoral, and appointment resources at regional level, and whether the latter was influenced by the nature of central power. Chapter 2 established that post-Soviet Georgia between 1991 and 2008 experienced 2 relatively long periods of political power concentration (1995-2000 and 2004-2008) and 2 periods with political power fragmentation (1991-1994 and 2001-2003). The empirical data analyzed below are organized around these periods.

The local administration in Georgia between 1990 and 1991 functioned on three levels – central government, district level, and township/village – with local administration either headed by nominees of prefects (presidential representative in the districts), or by the prefects themselves. After the 1991 coup d'état, the office of the prefect was abolished and regional authorities were transferred to district heads of local administration. As described in the sections below, between 1992 and 1994 the central government had little control over the country's regions and the regional affairs were mostly under the control of local elites or illegal paramilitary groups (Wheatley, 2005; 69-82).

The territorial organization of state power in Georgia was established through organic laws and presidential decrees. In 1995 president Shevardnadze issued a decree which established a fourth tier of government – the 9 regions – to be led by governors appointed by the president. In 1997, the Organic Law on Local Government provided the basis for the development of Georgian territorial organization. Some 2002 amendments to the law led to more appointment and electoral decentralization, while other amendments in 2005 abolished the lowest tier of territorial organization and led to more fiscal and decision-making centralization.

These legal stipulations did not apply to Abkhazia and South Ossetia, as these territories were beyond the control of Georgian jurisdiction after the civil wars at the beginning of 1990s. Moreover, before 2004 the South-Western region of Georgia – Adjara – functioned as a territorial autonomy, although without a formally defined status, while the Georgian government had little control over its political affairs (Wheatley, 2005; 115). In 2004 the Georgian Parliament defined the formal status of Adjara through which the actual autonomy of the region was annulled because it guaranteed the Georgian president extensive powers to oversight over the region's main institutions (ICG, 2004; 26; Khaindrava et al., 2004).

### ***6.2.1. Decision-Making Decentralization:***

By the beginning of 1990s the formal decision making decentralization in Georgia had little relevance, because between 1992 and 1994 the central government had little control over the country's regions and the regional affairs were under the control of regional elites or illegal paramilitary groups (Wheatley, 2005; 69-82). The decision-making authority of Georgian local branches of power was for the first time defined in 1995, when the new Constitution was adopted.

The constitution of Georgia does not leave any residual authority to sub-national tiers. Neither has there been a second chamber of parliament with regionally chosen representatives. Before the 2005 administrative reform most decision-making rights concerning regional politics were shared between the lower tiers and the central government. The only domains that were entirely left to be shared between different lower tiers were culture, leisure, sport, environment, public sanitation, and public utilities, domains with little political importance. Other decision-making areas such as education, social welfare, health services, and general administration were shared between various lower levels of governments and the central government (Rekhashvili, 2000).

The existence of a large proportion of shared decision-making areas was one of the reasons for which the decentralization system in Georgia was criticized by the international experts (CLRA, 2004; 5). The 2005 administrative reform responded to these critiques, by establishing a clearer division among competences of different tiers not in favor of the lower tiers, but in favor of the central government, as "a good deal of the competencies which belonged to the two levels of local self government earlier have been taken over by the central government" (Losaberidze, 2006; 4). Therefore, Georgia had a relatively high level of decision-making centralization during the 1990s and tendencies towards even more decision-making centralization after the 2005 reform.

### ***6.2.2. Electoral Decentralization:***

The first local elections in post-Soviet Georgia were held in 1991, elections that implied a mandate until 1994. However, because of the political instability in the country by middle of 1990s and the slow process of adopting legislation, no other local elections were held until 1998. Therefore, the representatives elected in 1991 governed during two consecutive mandates.

Before 2002 the local legislative bodies of the two lowest levels of government (i.e. villages) were popularly elected. At the level of villages, the locally elected bodies had a chairperson who was also the chairman of the local executive branch. Through this system, at least formally both the executive and legislative branches at the lowest level of government were directly accountable to voters (Wheatley, 2005; 161), although the system was widely criticized for not implying a clear separation of powers (CLRA, 1998).

At the second lowest level of government – rayons and cities – the arrangements were different. The legislative branches were elected in local popular elections, but the executive branches were chaired and formed by a governor (mayor in cities) directly appointed and dismissed by the president of Georgia. In case of conflict, the legislative branch at this level could issue the dismissal of the local governor, although in reality this proved to be impossible (Wheatley, 2005; 162). Formally, the legislature had significant powers, i.e. the right to amend the budget, to approve long-term development plans, and to evaluate the work of executive bodies. In practice, it had purely supervisory authority and the (non-elected) local executive was considerably more influential in the decision-making process than the local legislature. Adding to this the limited financial resources of the local legislatures and their financial dependency on the local executives (Bolashvili, 2002), the role of the elected branch at this level of government was insignificant. The third-lowest level of government – the regions – had no elected bodies at all.

In 2001 and 2002, some administrative amendments increased the electoral decentralization in Georgia. They provided that instead of having mayors appointed by presidents in the biggest cities, only in two cities (capital Tbilisi and Poti) this would still be the case. In all the other cities and towns with a population above 5000 inhabitants the mayors would be elected through popular vote. In smaller settlements the heads of executives would be, as before, the chairmen of the local popularly-elected legislatures (Wheatley, 2005; 162). At *rayon* level the heads of the executives would be also elected by the members of popularly-elected local legislatures (Losaberidze, 2006). At the level of the nine regions, even after these amendments there were no popularly elected bodies. Since these amendments were implemented, the electoral decentralization of Georgia has not been further modified.

### ***6.2.3. Appointment Decentralization:***

At the beginning of 1991 the first Georgian president Zviad Gamsakhurdia instituted the system of local prefects. The prefects were representatives of the central government in the regions and their role was to supervise the way in which local administration implemented the state legislation. The institution of prefecture was met with hostility in many regions of the country and in some cases it was even sabotaged. In the region of Javakheti, for instance, only when a local leader of Armenians was nominated as prefect did the region accept this institution (Popjanevski, 2006). After the December 1991 coup d'état the institution was abolished altogether.

During the 1990s and prior to the 2002 amendments to the Law on Local Self-Governance, in secondary-lowest levels of government and in the 7 biggest cities of Georgia the heads of executive organs were not elected directly by the people or appointed by local representatives, but appointed and dismissed directly by the president of the republic (CLRA, 1998). As explained in the section above, only the smallest territorial entities (i.e. councils of towns and villages) had the right to appoint organs answerable to them. Considering the

significant authority of these appointees, the fact of having a small degree of locally made appointments determined a low degree of decentralization on this dimension. Also, all other major executive posts in the secondary-lowest levels of government such as police chief, prosecutor, and head of the Tax Inspectorate were appointed directly by the central government (Wheatley, 2004).

Along with the electoral decentralization the 2002 legislative amendments provided more appointment decentralization as well, as since then the president of Georgia appointed the mayors of only the two major cities - Tbilisi and Poti. Moreover, in Poti the appointed mayor had to be one of the members of the popularly elected local legislative organ. In all other cities and in the districts the executive officials were to be elected by the legislative bodies of the same tier (Losaberidze, 2006). Although the governors of the nine regions were still appointed by the president, their undefined status and functions makes the lack of appointment decentralization at this level less relevant.<sup>207</sup>

#### ***6.2.4. Fiscal Decentralization:***

In Georgia before the 2005 administrative reform there were three main sources of local revenues: shared revenues based on taxes accumulated on the national budget and then distributed to the budgets of districts, own revenues based on taxes collected by local authorities, and direct transfers from the central budget widely used as a tool to finance local expenditures that could not be covered by local budgets because of local budgetary deficit (Rekhashvili, 2000). The actual degree of fiscal decentralization is determined by the relative size of local own revenues, based on taxes collected locally and kept within the local budget.

The local revenues in Georgia are composed of local taxes, of redistributed state/shared taxes, of transfers and loans from central budget, and of non-tax revenues. The 1997 Tax Code of Georgia defined six types of local taxes imposed at the local level. Besides these, the

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<sup>207</sup> Author's interview in October 2008 with Nair Iritsian, mayor of Akhalkalaki district.

local budgets contained revenues from general taxes assigned to local governments, i.e. for land, consumption of natural resources, environmental pollution, property tax, and property transfer tax. The Code defined upper limits for each of these taxes, which implied that local authorities could not increase them on their own.

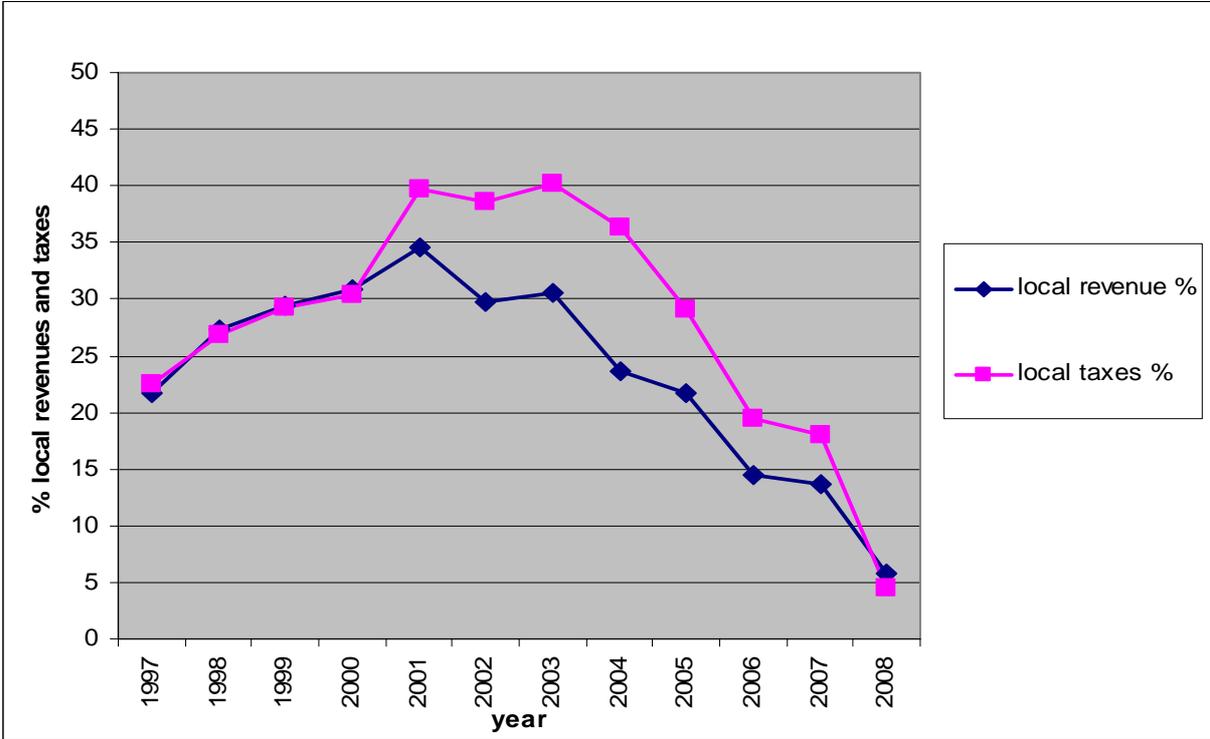
Besides the local taxes, the local revenues are composed by a part of shared taxes. The most important shared taxes in Georgia in the 1990s were the income and the profit tax (Bolashvili, 2002; 68-69). A study made by Georgian experts reveals that at the end of 1990s the shared revenues constituted the highest part of the local budgets and that generally it was increasing each year, at the expense of local own revenues and transfers from the central budget. In 1997 the shared tax revenue constituted 60% of the total budget of local governments, the own local taxes constituted only 5.9%, while the transfers from central budget was 21% (Losaberidze *et al.*, 2001; 295). This distribution made it possible for the central government to exercise a great degree of control over the local financial resources.

The 2005 legislation on the budgetary system of Georgia modified the taxation system in a way that affected the local financial resources. The new legislation cancelled most of the local taxes and tariffs and hence reduced the local tax revenues. Since then, the only significant tax on the local level has been the property tax (Losaberidze, 2006; 4; Narmania, 2007; 5). Besides, the shared taxes have been annulled. If before 2005 the local self-government enjoyed about half of the income tax and VAT, this was not the case anymore after the reform. Instead, the practice of state transfers have been strengthened, which was considered as creating conditions for politically motivated discrimination of certain municipalities (Losaberidze, 2006; 5).

The relative share of local taxes into the total local government revenues between 1997 and 2008 is represented in Graph VI.1 below. The Graph reveals that between 2001 and 2003 the share of local taxes increased as compared to the period between 1997 and 2001; also,

between 2004 and 2008 the share of local taxes drastically decreased. A similar pattern can be observed in the share of total local revenues (from tax and from non-tax resources taken together). Although there are no similar data available for the period before 1997, secondary sources suggest that before 1995 the central government’s control over Georgian regions was weak (Bolashvili, 2002; 62; Rekhashvili, 2000; 2), therefore one can assume that the effectiveness in controlling local finances was equally undermined.

**Graph VI.1. Share of Local Revenues and Local Taxes out of Total Government Revenues and Taxes in Georgia (1997-2008)<sup>208</sup>**



The data presented above are in line with the general view in the secondary literature that fiscal decentralization in post-Soviet Georgia has been generally low. Once president Shevarnadze managed to re-establish control over the regions of the country in 1994-1995, a system was created in which a great ratio of local budget was dependant on central power. There was no universal mechanism to decide how funds should be allocated to the lower

<sup>208</sup> Source: IMF Government Finance Statistics Yearbook 2002 (for 1997-2002); Georgia Ministry of Finance Yearly Statistical Data 2002-2010.

levels of government. This generally depended on face-to-face contacts, i.e. on inter-personal bargaining between the leaders of various tiers (Wheatley, 2005; 163). After 2005 reforms the financial dependence of local governments vis-à-vis the central power increased even more. This financial dependency was also increased by the banning of local self-government loans from non-state financial institutions (Losaberidze, 2006).

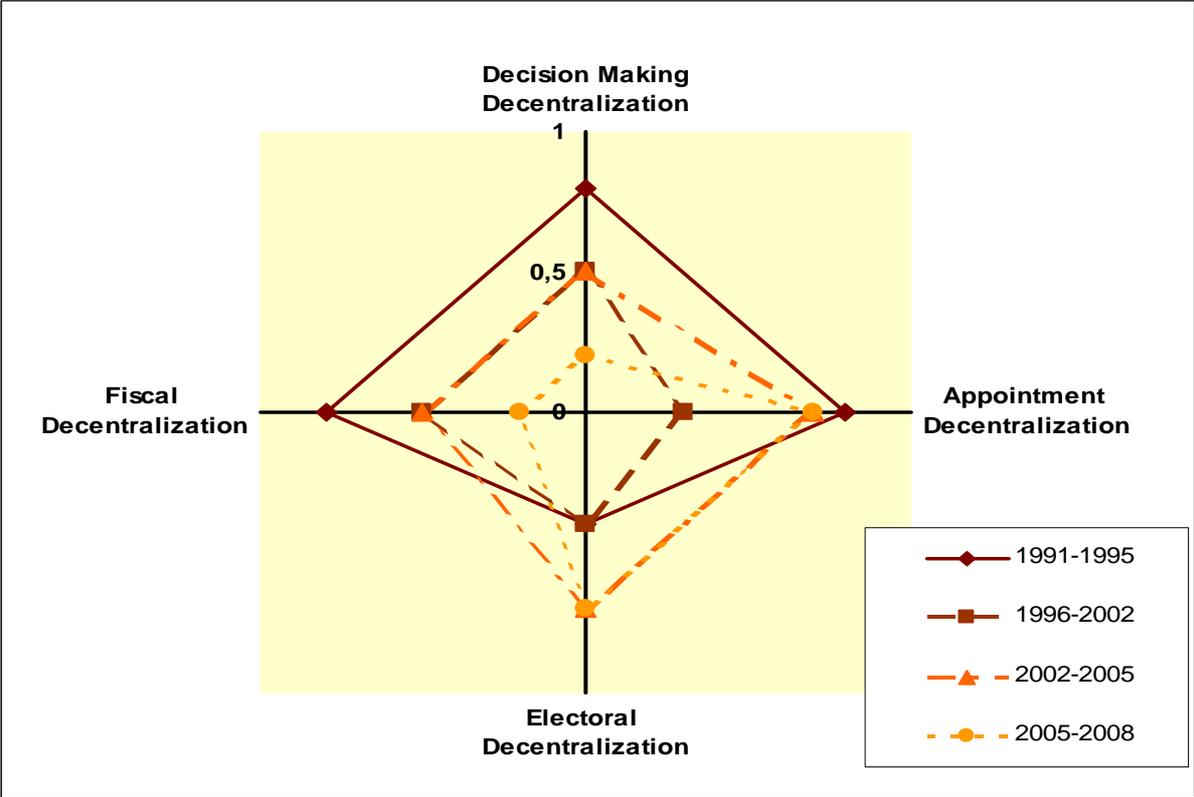
In contrast, the decentralization of expenditures in post-Soviet Georgia has been always higher than the decentralization of revenues. During the 1990s the division of responsibilities between different levels of government was a balanced one (Rekhashvili, 2000). However, while assigning various shared and non-shared responsibilities to local and regional level governments, the central government has not covered the delegated responsibilities with financial resources necessary to fulfill them appropriately. Most important regional public services (as health and social care, education, and maintenance of public order) have been financed either directly from the central budget, or through transfers. Very few such services could be covered by local funds because of the lack of financial resources (Rekhashvili, 2000). Without respective decentralization of revenues, the decentralization of expenditures was ineffective and together with it, the fiscal decentralization remained low.

#### ***6.2.5. Power Concentration, Decentralization, and Ethnic Mobilization:***

Graph VI.2 below summarizes the dynamics of decentralization in Georgia between 1991 and 2008. It reveals that the degree of formal decentralization of Georgia in different post-independence periods was overall in line with the degree of power concentration at central level. Between 1991 and 1995 when political power was greatly dispersed the control of central government over the regions was weak. Between 1995 and 2000 this control increased significantly compared to the previous period, notably in relation to the fiscal, decision-making, and appointment dimensions of decentralization. Between 2001 and 2003 when the central power was fragmented the control of central government over regional

affairs diminished as well, once the new legal stipulations allowed for more appointment and electoral decentralization. Between 2004 and 2008 during the post-Rose Revolution regime when political power was controlled by President Saakashvili and his political party, the general degree of centralization increased again, with an increased control over the fiscal and decision-making parts of it.

**Graph VI.2. Evolution of Decentralization in Georgia (1991-2008)**



The territorial centralization in Georgia in the middle of 1990s was firstly a result of country’s political stabilization after a period of civil wars and deep political crisis. At the same time, the process of centralization went hand in hand with the horizontal concentration of power, because most important features of the relation between the centre and peripheries were defined by presidential decrees, supported by president’s majority in the parliament. The centralizing measures after 2004 were also initiated by the formally strong president supported by an absolute majority in the legislature. Therefore, centralization in post-Soviet Georgia was determined, besides other things, by the nature of central political power.

On the other hand, in the 1990s the actual relations between central and regional elites in post-Soviet Georgia were not exclusively determined by the formal arrangements. The nature of informal relations in a transition period is very important for determining the dynamics of political life, as formal rules are not fully institutionalized and transition states often lack the capacity to monitor their implementation. Jonathan Wheatley (2005; 110) described the actual state-periphery relations in Georgia in the 1990s as characterized by “feudalization of power” in which power was dispersed in “semi-independent” informal circles with a considerable leeway over local affairs. While analyzing the relations between local and central elites in the 1990s, Wheatley determined that although there was a certain degree of centralized control in the regions, the power was vested in the hands of local power brokers who have been appointed or co-opted by President Shevarnadze at the recommendation of loyal-to-the-president regional governors or presidential administration and who enjoyed various degrees of autonomy. Nevertheless, this autonomy was granted in exchange for loyalty to the president, who could replace local leaders in case of defecting behavior (Wheatley, 2005;115-119). Therefore, this regional autonomy was conditional.

This type of relations was also the case for the regions of Kvemo-Kartli and Samstkhe-Javakheti, in which ethnic minorities were territorially concentrated. During the 1990s the governors of these regions were among the most powerful and influential governors in Georgia (Wheatley, 2005; 120). They were the “patrons” of most (appointed by the president) local executives in the two regions. Their loyalty to Shevarnadze and influence in the region ensured a relatively peaceful attitude of minority groups towards central power and also overwhelming support in elections (see Tables V.6 and V.7 in Chapter 5).

As mentioned above, the two main elements of ethnic mobilization are the organizational structures and the protest actions. In Georgia the state territorial organization limited the access to financial resources for potential ethnic mobilizers. The fact that before

2005 the local budgets depended so much on the redistribution of taxes from the central government implied that the centre had strong means to punish non-loyal local leaders. The financial dependency of the regional administrative leadership vis-à-vis the central government increased even more with the 2005 administrative reform. Because since then much of the shared revenues were collected and redistributed directly by the central government and because the new legislation did not contain explicit criteria for this redistribution, the local leadership's loyalty towards the central government also increased.

The state territorial organization of Georgia also limited the potential for ethnic mobilization by limiting the access to mobilizing leadership. Most local leaders in the regions with Azeris' and Armenians' territorial concentration have been given local administrative positions. The incumbents of concentrated horizontal power could do so due to the weak appointment/ and electoral decentralization system of Georgia before 2002. All key local positions were filled by appointees of Georgian president or his representatives in the districts. After the 2002 legislative amendments, which provided for appointment and electoral decentralization, this method of controlling the local politics was weakened, as local leaders' administrative positions depended more on the loyalty of local population towards them. Decentralization on these two dimensions gave incentives to local elites to look for internal resources for support of their candidacies in local elections. A relevant example is the one from the Armenian community concentrated in the Southern region, where in 2002 several local non-governmental organizations mobilized their resources for electing their representative as mayor in local elections (ICG, 2006).

Hence, the weak level of decentralization in Georgia had not as effect the development of ethnic mobilization. On the contrary, by limiting the access of potential ethnic mobilizers to leadership, financial, and loyalty resources the rather centralized system of territorial organization made it possible for the concentrated central power to keep under control any

ethnic mobilizing process. Hence, the concentration of power in Georgia constituted a hindering factor for the rise of ethnic mobilization, by virtue of its control over the regions through the rather centralized territorial organization of the country.

### **6.3. The Case of Moldova:**

Before the adoption of the Law on Local Public Administration in December 1994 the level of decentralization in Moldova followed the practices established in the last years of Soviet period. The exceptions were the regions of Gagauzia and Transdnistria, where local elites' rebellious positions vis-à-vis the central government during the first post-independence years led to the loss of any effective control by the latter over the administration processes of the former. Once the Law on the Special Legal Status of Gagauzia was adopted in 1994, the central government managed to re-establish certain degree of state control over Gagauzian region. At the same time, the authority over Transdnistria was never regained.

The initial attempt to reform the local public administration in Moldova occurred at the end of 1994, but as analyzed in the sections below the laws adopted by the parliament by then in fact preserved the status-quo and increased only the electoral decentralization. The general administrative structure of the country remained unchanged. The genuine reform of local administration was implemented in 1998, when the new laws regrouped the 40 administrative units (*rayons*) formed during the Soviet Union into 10 administrative regions (*judets*) and at the same time left the same number of tiers (local, regional, and central). By the end of 2001 this structure was changed back into smaller 37 administrative units (*rayons*). In addition, several centralizing features were re-introduced.

The aim of this section is to determine the link between power concentration, degree of (de)centralization, and ethnic minorities' mobilization in post-Soviet Moldova. For this, the following four subsections are focused on the evolution of decision-making, electoral,

appointment, and financial aspects of decentralization between 1991 and 2008, while the fifth subsection attempts to establish the links between the main elements of the explored causal chain.

### ***6.3.1. Decision-Making Decentralization:***

Since its independence Moldova has always had a single-chamber parliament. Also, the existing legislation never provided residual powers to local-level authorities. Before 1994 no legislation established the delimitation between local and state decision-making powers. The 1994 Law on Local Public Administration provided rather few policy responsibilities to local administration and a few responsibilities shared with the rayon executives. Most policy responsibilities were invested in the central authorities and their offices in the *rayons*. Moreover, according to the 1994 Law on Local Public Administration, there was no state representative in the territory. This function was given to the chief executives of administration level II (*rayons*). In practice, this implied that the local authority who was exercising the local powers was in charge to represent the state powers at the same time, and consequently was subordinated to the central government. For these reasons, the system implied a considerably reduced decision-making autonomy (Popa, 2008).

The territorial administrative reform in 1998 decentralized the decision making process in most policy areas. The new Law on Local Public Administration (November 1998) stipulated clearer division between the competences under the responsibility of local authorities, regional authorities, and under the responsibility of both, as compared to the previous period. Besides, the regional executive authorities were not subordinated to the central government anymore and hence were not responsible to them. The prerogatives of central government were represented in the regions by the state representatives (prefects), appointed by the President (Popa, 2008; 24). Although the new arrangements still required improvements in the delimitation between the competences of local public administration and

those of prefects, and also between the responsibilities between local communities at the communal and the regional levels (Chiriac *et al.*, 2001; 324), the international experts generally assessed the new legislation as increasing the local autonomy due to greater decentralization of public services as compared to the period before 1998 (Radu, 2000; 3).

Starting with 2001, the decision-making decentralization was gradually reduced. This occurred as a result of several reasons. One of them was the lack of clear delimitation between the competences of the two local tiers, which created confusion. In addition, due to the annulment of the institution of state representative in the regions (prefect) in December 2001, there was no clear distinction between the state attributions delegated to the local authorities and the local authorities' own attributions. The chairman of the local executive branch of administrative level II (*rayon*) was in charge with both (Chivriga & Furdui, 2009; 12-13; 18-21). Moreover, even if the legislation provided the local authorities with relatively large scope of competences, at the same time it did not guarantee a respective financial coverage and administrative assistance to put them into practice. Without respective support, many of these competences had declarative character (Chivriga & Furdui, 2009; 14).

Most importantly, due to the lack of a clear distribution of authority over many policy areas between the central and the local government, the former could interfere in the internal affairs of the latter. Hence, starting with 2002 the central government practiced the imposition of "indications" and "advices" to local administrations in most domains, rendering the decision making process highly centralized in comparison with the previous years. Moreover, even if local administration had some decision making powers, any decision was put under the control of the state organs, which nullified their autonomy. The structure of local administration was also imposed by the central power through standardized schemes. Finally, the local administrative employees had the statute of state employees, which made them

officially responsible towards the state (Chivriga & Furdui, 2009; 22-24; Popa et al., 2004; 4-6). All these practices reduced significantly the decision-making power of local authorities.

### ***6.3.2. Electoral Decentralization:***

The first local elections in post-Soviet Moldova were organized in 1995, on the basis of the principles and the specific provisions established through the 1994 legislation on local public administration – notably through the Law on Local Public Administration and the Law on Local Elections (December 1994) - which besides other things determined the degree of electoral decentralization. Generally, these laws established universal suffrage for the elections of rayon, city, and village Councils and also, for the mayors of cities and villages. As described below, some specific stipulations of these laws limited the electoral decentralization by opening the possibility for central government to interfere in the formation of local executives.

Remarkably, the Law on Local Public Administration stipulated that “chairs of the rayon executive committees and mayors of the existing municipalities (i.e. bigger cities) are elected by their corresponding local councils on proposal by the government from their memberships and are confirmed in their positions by the president of the country” (Article 7). Another provision of the same article stipulated that “if the second candidate is not accepted by the council, the chair of the rayon executive committee or the mayor of the municipality is appointed after ten days by the president of the Republic of Moldova on recommendation by the government”. Moreover, the Law on Local Elections provided that in order to consider the local general elections (where the case) as being valid, at least 50% of registered voters should cast valid votes in maximum two consecutive electoral tours (Article 56). If the established threshold was not attained, the president of Moldova was the one to nominate a local executive body and a mayor (Article 57).

As a result of these stipulations, after the 1995 local elections 10% of city mayors and communal mayors were nominated by the government instead of being elected by the local population (Chiriac et al., 2001; 294), which implied a significant limitation to the electoral decentralization. By the end of 1995 the Moldovan Constitutional Court declared the two stipulations as unconstitutional and gave to the Parliament a delay of four months to modify the Law. In line with the Court's decision, the Parliament eliminated the unconstitutional stipulations from the legislation and decreased the local elections validation threshold to 30% in the first tour and to 0% in the second (Lycourgos & Muller, 1998). Nevertheless, after respective legislation modifications no repeated elections were organized in those communes and cities with nominated mayors; they retained their positions until the subsequent local elections in 1998 (Chiriac et al., 2001; 294).

The stipulations mentioned above did not affect the autonomous unit of Gagauzia, because according to its 1994 autonomous status the region had its own representative and executive branches, both to be formed through universal and direct elections. In accordance with this legislation, since 1995 the local population of Gagauzia elect the members of local Popular Assembly and the local Governor every four years (Mironova, 2011; 92).

The Electoral Code adopted in 1997 maximized the electoral decentralization of Moldova. It provided that the legislative bodies at all non-central levels of administration shall be elected by direct and universal elections for a term of four years. The chief of local executives – the mayors – were also elected through direct and universal suffrage for a four-year term (Chiriac et al., 2001; 304). The 1998 reform of local public administration and territorial-administrative organization of Moldova incorporated these provisions, while the 1999 local elections were organized in accordance with them. The modifications in the local public administration and territorial administrative structure implemented in 2002 and 2003 by the Communist Party with majority in power did not affect the electoral decentralization.

### ***6.3.3. Appointment Decentralization:***

Before 1994, the appointment decentralization was based on the practices established in the last years of Moldova Soviet Socialist Republic. The exception was the region of Gagauzia, where the central government had a reduced control and implicitly, a reduced appointment authority. The Law on Local Public Administration adopted by Moldovan Parliament in December 1994 allowed the possibility for the appointment of local mayors at municipal level and also, in case of insufficient turnout in local elections, the possibility for the appointment of executives at other administrative levels. In case of the former, the appointment was to be done by local authorities, but also had to be confirmed by the president of the Republic; in case of the latter, the appointment was to be performed directly by the President. Although the Constitutional Court annulled these stipulations by the end of 1995, they affected the results of first local elections because 10% of local executive authorities had been nominated by the central government. This reveals a generally decreased level of appointment decentralization between 1991 and 1998.

After the adoption of the 1994 Law on Special Status of Autonomous Territorial Unit of Gagauzia, the central government had a less significant appointment power in the respective territory as compared to the rest of the country. Nevertheless, the state preserved the authority to appoint and dismiss the prosecutor in Gagauzia, as well as Gagauzia's chief executives on Justice, on Information and Security, and on Internal Affairs, at the proposal of the Gagauzian governor (Mironova, 2011; 86; 104).

The 1998 administrative reform, following the 1997 Electoral Code that - as described above - provided direct elections for virtually all local executives and legislatures, guaranteed enlarged appointment powers to the local level authorities. Hence, the mayors of second-level administrative units could nominate and dismiss the vice-mayors and the members of the executive councils, at the approval by local legislative bodies (Chiriac et al., 2001; 310).

At the same time, the 1998 reform introduced the institution of prefect (local representative of central power in the regions) appointed by the president. The autonomous unit of Gagauzia was the only one where no prefect was appointed, although this exception was allowed only as a result of Gagauzian authorities' pressure and with the aim to avoid a possible conflict (Radu, 2000; 5; Tveatcov, 2009; 58). Generally, the prefect's role was to supervise that the local authorities and politics functioned in line with the state's legislation and policies, as well as to chair the implementation of state public services within the regions. Therefore the institution of prefect had the function of local legality surveillance, and not one of direct interference in the affairs of local authorities (Popa, 2000; 10). Besides, the prefect was in charge with deconcentrated competences (i.e. the competences of the state exercised in the territories), and not with decentralized ones, which means that it did not imply a decreased appointment decentralization. Before the 1998 reform the role of central government's local representative in the regions was supposed to be assumed by the local mayors, arrangement qualified by the experts as compromising the autonomy of local authorities (Popa, 2008; 22).

After the adoption of December 2001 Law on Local Public Administration the appointment decentralization has been limited through specific provisions resulting from the annulment of the institution of prefect. Once the respective institution was cancelled, the functions of the prefect were transmitted officially to the chairman of the rayon executive council (who is elected by the members of rayon executive council). This change compromised the autonomy of the latter, because it implied his/her subordination to the central executive power and this is why it was annulled by the Constitutional Court (Popa, 2008). Despite the official annulment of the respective legislation's stipulation, in reality rayon chairmen were still required to provide regular reporting to the central government regarding the local social-economic development (Popa, 2008). Therefore, even if in an indirect way, the appointment decentralization in Moldova has been reduced since 2001.

#### 6.3.4. Fiscal Decentralization:

As mentioned above, during the first years after independence the Moldovan parliament did not prioritize the reformation of country's administrative territorial arrangements. This is why up to the adoption of Constitution and first administrative laws in 1994 the existing system kept at a great extent centralized fiscal relations between the central and the regional authorities (Popa, 2000; Popa et al., 2004).

There is no available statistics for the 1990s that would reveal the dynamics in the structure of local budgets, to see how the ratios of local own revenues, of shared revenues, and of state transfers evolved from year to year.<sup>209</sup> Nevertheless, some available figures demonstrate that between 1995 and 1998 the ratio of state transfers and state loans in the local budgets constituted between 31% and 39%, while the rest of revenues were constituted by taxes and surtaxes (Table VI.1 below). Although these figures do not reveal the amount of local own revenues, they still demonstrate that regions and localities financially depended more on the central government support than after the 1998 administrative reform, but less than after the 2001 legislative amendments.

	<b>1995</b>	<b>1996</b>	<b>1997</b>	<b>1998</b>
Taxes and Surtaxes	68.8	68.4	54.0	55.3
Transfers from the State Budget	22.8	18.9	28.3	37.9
Loans from the State Budget	7.9	12.7	10.1	1.2
Bank Loans	0.5	-	7.6	5.6
Total	100	100	100	100

Despite the relatively high share of revenues coming from taxes (and implicitly, not from central government through loans and transfers), the secondary literature brings some evidence that local governments in Moldova in the second half of 1990s still greatly depended

<sup>209</sup> The lack of available data is partly due to the fact that during the 1990s the system of public finances and respectively, the structure of consolidated budget, were different as compared to the 2000s.

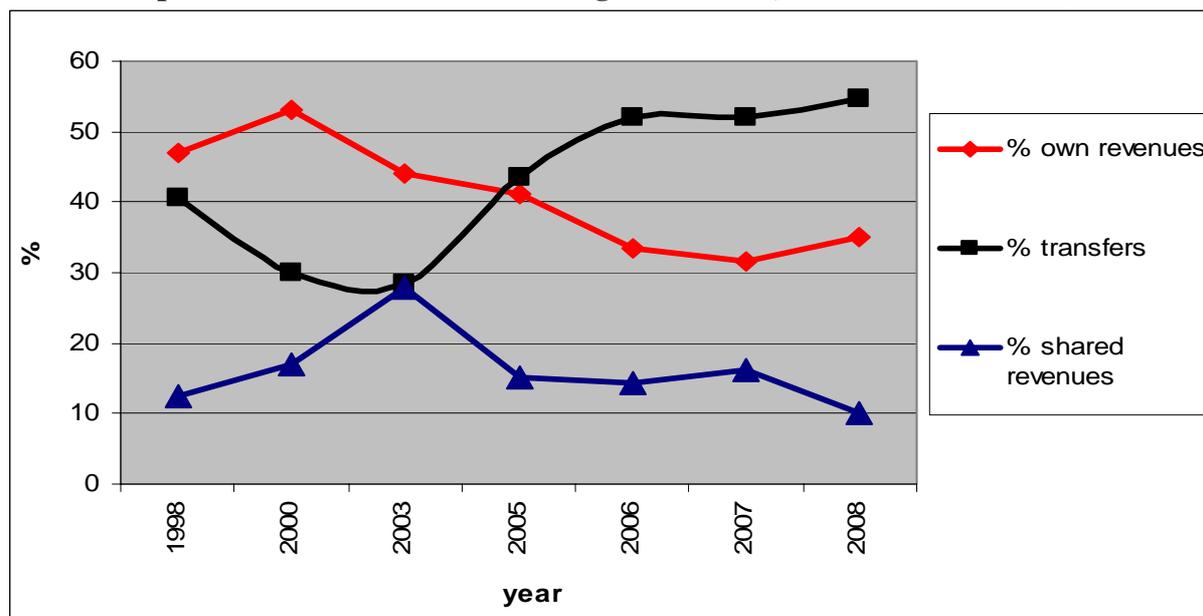
<sup>210</sup> (Chiriac et al., 2001; 328)

on reallocation of shared taxes, as the contribution from local taxes was insignificant (Chiriac et al., 2001; 328; Lycourgos & Muller, 1998).

The autonomous territorial unit of Gagauzia was also dependent on the budgetary allocations from the central government. The 1994 Law which established Gagauzia's autonomous status was rather general as far as the fiscal autonomy of the region was concerned. On the other hand, the Fiscal Code of Moldova which established the fiscal relations between the central government and administrative units did not contain any stipulation about regional fiscal revenues, which would have been more applicable for the case of Gagauzia. Instead, Gagauzia's internal budget was formed in the same way as the budgets of other administrative units of Moldova: from own revenues accumulated from local taxes, from shared revenues, and from state transfers (Mironova, 2011; 89). As a result of the pressure exercised by Gagauzian authorities on central power, by the end of the 1990s Gagauzia's own revenues were also completed with a part of VAT tax collected on the territory of the autonomy, part which on an exceptional basis was not transferred to the state budget (Mironova, 2011; 89, 102).

The 1999 Law on Local Finances increased the share of own revenues in the local budgets, as it allowed for more types of taxes to be locally collected and preserved. Moreover, the 1999 Law on Local Patrimonies permitted local authorities to become owners of local goods (Radu, 2000). Being part of the administrative reform, these laws aimed at creating more transparent budgetary relations between different levels of government and also at providing more resources to the local government (Popa, 2000). Besides allowing more taxes to be locally collected, the reform also provided a precise mechanism for calculating the transfers to be allocated from the central to the local budgets (Manole, 2000; 130-132). Also, local executives had large decision-making powers over how to distribute the local funds to cover expenditures (Popa, 2000; 11).

**Graph VI.3. Structure of Local Budget Revenues, Moldova (1998-2008)<sup>211</sup>**



The data on local budget revenues in 2000 presented in Graph VI.3 reveal a relatively high ratio of local own revenues, as compared to the shared revenues and the revenues from state transfers. This was the consequence of the 1998-1999 administrative reform in Moldova. Although the effect of this reform on financial decentralization favored the second tier of government rather than the first one (Manole, 2000; 133), it still put the basis for a genuine fiscal decentralization path.

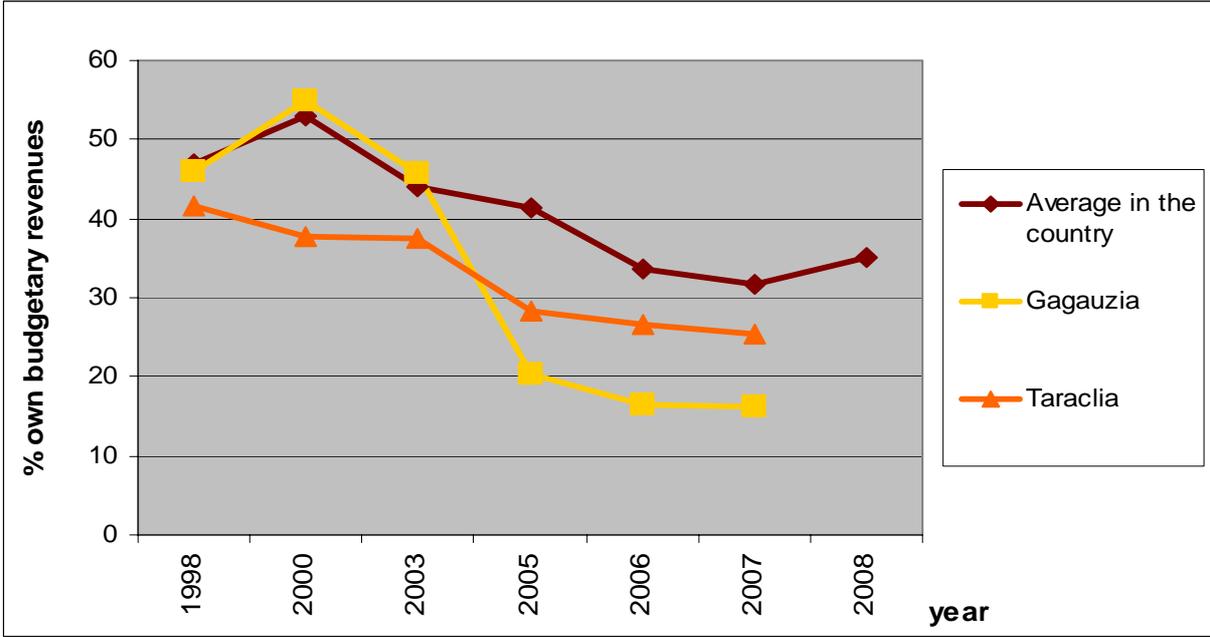
This path was reversed in 2001, when the new Laws on Local Public Finance Administration and on Local Public Administration were adopted. These laws shifted important responsibilities on the elaboration of local budget and payment of the budgetary sources of special destination from local Councils to the local government representatives (CREDO, 2004; 46). Moreover, in 2004 the VAT – an important revenue source for local budgets – stopped being a shared revenue source and instead was transferred entirely to the state budget. Also, even if the new legislation stipulated 14 local taxes to be collected as own

<sup>211</sup> (De Mello, 2001; 258; Manole, 2000; 133; Rotaru, 2009; Annexes; Veverita, 2005; 10-13)

local revenues, only 4 of them were actually used and formed about 95% of local taxes, the rest being of negligible importance (Popa et al., 2004; 11).

The above-mentioned stipulations led to an increase in local governments’ financial dependence vis-à-vis the central authorities. This dependence is reflected by the data in Graph VI.3 above, which confirm that the local government’s own revenues decreased after 2000, proportionally with the increase of transfers from central governments. The transfers from the central budget also had conditional character and were aimed at covering pre-determined types of expenses as decided by the central government, which further limited the financial independence of local authorities.

**Graph VI.4. Comparing the Share of Own Budgetary Revenues in Gagauzia and Taraclia with the Country Average (2005-2008)<sup>212</sup>**



The significant decrease in the local own revenues after 2001 affected all administrative units of the country, including those with territorial concentration of ethnic minorities – Taraclia, populated by majority of ethnic Bulgarians, and the autonomous unit Gagauzia, populated by majority of ethnic Gagauzians. Graph VI.4 above reveals that the ratio of local own revenues decreased at a greater extent in Taraclia and Gagauzia than the average for all

<sup>212</sup> Data source: see Graph VI.3.

administrative units in the country, which reveals an increasing dependence of these units on state transfers within the respective period.

Furthermore, the nature of state transfers constituted by itself an additional factor increasing local governments' dependency vis-à-vis the superior tiers. First, although according to the 2003 amendments to the Law on Local Public Finances the state transfers to second-level governments (*rayons*) were to be calculated using a special equalization formula, the distribution of these transfers from second level to the first-level governments was discretionary upon the second-level government (Veverita, 2005; 15), which leaved place for political manipulation.

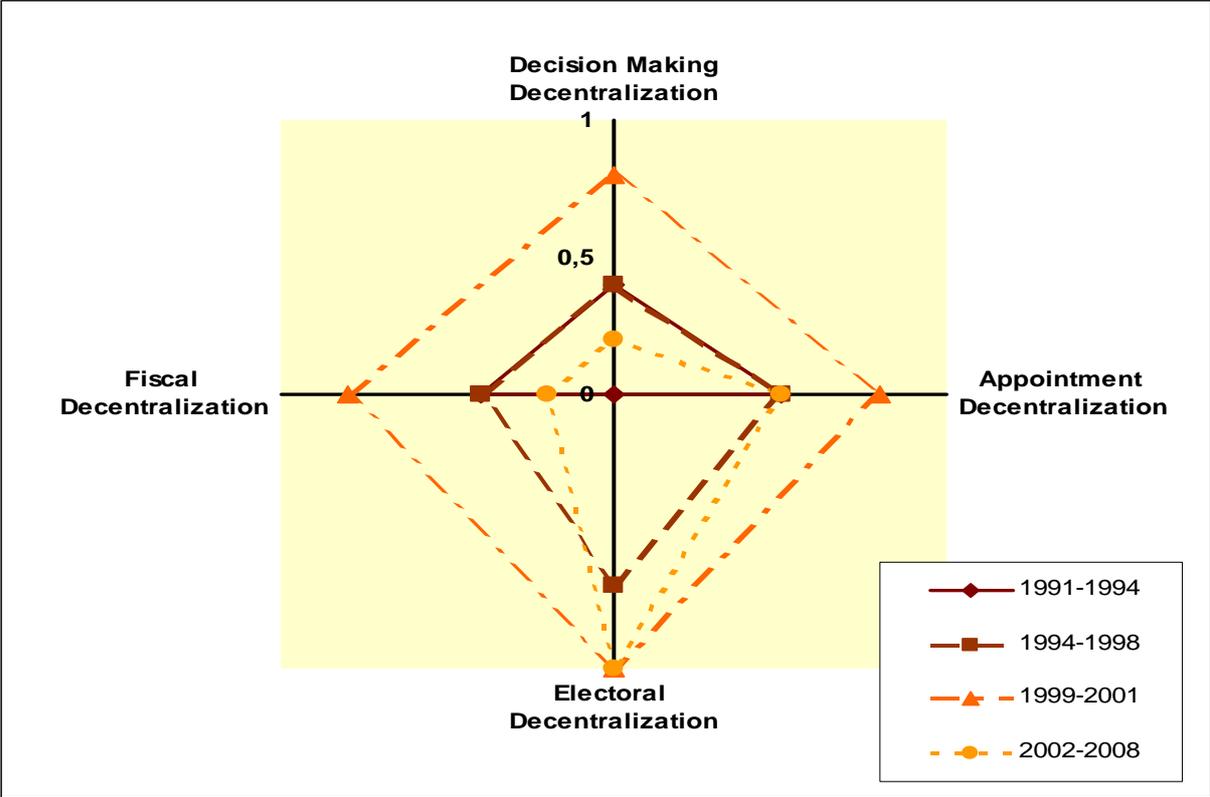
Moreover, a part of state transfers to local budgets were not distributed as result of formula calculation, but as “special allotments”. The criteria for selecting localities and projects to be financed by these funds were not clearly elaborated. In 2007 these allotments constituted about 7% of total state transfers to local governments (IDIS, 2007). Throughout the year, funds were also distributed to various localities as “gifts” or as result of “correction of state budget through the budgetary year”. According to opposition MPs of the respective period, most of these allotments reached localities run by loyalists to the party in power. For these reasons, the fiscal situation at the level of local governments in Moldova in 2000s was characterized as being “unbalanced, rigid, and clientelistic” (IDIS, 2007).

#### ***6.3.5. Power Concentration, Decentralization and Ethnic Mobilization:***

Graph VI.5 below summarizes the dynamics of decentralization in Moldova between 1991 and 2008. It reveals that until 2001 the administrative system decentralized on all the four dimensions explored in this chapter, while after 2001 the process was reversed towards more centralization, notably in the fiscal, decision-making, and appointment dimensions of it. In addition, the Graph reveals that the process of decentralization in Moldova started relatively late: although the first relevant laws have been adopted in 1994, they rather

institutionalized the status-quo (i.e. the remnants of Soviet practices of local public administration), except for the introduction of local direct elections. It was through the 1998 reform that a genuine decentralization process actually started. Therefore, during the first years of transition, at least at formal level the country had relatively centralized state-periphery relations.

**Graph VI.5. Evolution of Decentralization in Moldova (1991-2008)**



Nevertheless, there were regions which were little affected by the arrangements in place at the beginning of 1990s. The administrative elites of Transdnistria and Gagauzia regions mobilized against the central power and therefore prevented the central government from exercising its authority within these territories altogether (see Chapter 3). This implies that two regions of the country with significant territorial concentration of ethnic minorities were outside the factual jurisdiction of the central power. However, Gagauzia was influenced by the centralizing processes initiated in 2002, although at a smaller extent than the other

administrative units. As the subsection above illustrates, the financial dependence of Gagauzia autonomy towards central power increased particularly after 2002.

The analysis of the nature of political power in Moldova presented in Chapter 2 reveals that there have been two attempts during the 1990s to concentrate political authority at central level and both attempts failed: the first (1994) failed when the initially pro-presidential Agrarian Party stopped supporting the president and got fragmented, while the second (1997) ended due to the parliamentary elections with unsuccessful results for the pro-presidential party. The only long-lasting period with concentrated power was the one between 2001 and 2008, when both executive and legislative branches were led by the highly disciplined and hierarchical Party of Communists.

The contrast between the dynamics of horizontal power concentration analyzed in Chapter 2 and the evolution of (de)centralization presented in the sections above reveal that the most significant attempt to decentralize the administrative system was initiated in a period with fragmented power (1998-2000), while the most important initiative of centralization was initiated in a period with concentrated power (2002-2008). Moreover, the first post-independence legislation on local public administration which preserved the status-quo of a relatively centralized administrative system was adopted in conditions of still-existing concentrated horizontal power.

The link between the level of decentralization and nature of horizontal power in post-Soviet Moldova was not a coincidence. While the main developments in the administrative system of the republic could have been caused by a diversity of factors, the nature of political power had its role as well. The preservation of status-quo (i.e. relatively high degree of formal centralization) in 1994 was an attempt by the Agrarian Party which was in power by that time to consolidate its positions in the regional administrative offices (Popa, 2000; 2). On the contrary, the decentralization laws initiated in 1998 were supported by a coalition of parties

and leaders with declining popularity in the country, but with still a certain influence in particular administrative units.<sup>213</sup> At the same time, the adoption of these laws was boycotted by the Party of Communists which by 1998 had a relative majority in the parliament (40% of mandates) and an increasing country-wide popularity.<sup>214</sup> The 2002-2003 centralization process was also implemented by the majority Party of Communists willing to reinforce its control over the country regions, and at the same time it was opposed by all the other (minority) parliamentary groups.<sup>215</sup> Therefore in Moldova, as in the case of Georgia, the level of decentralization was determined at a certain extent by the nature of political power.

At the same time, relatively centralized power or tendencies towards centralization in Moldova were not always characterized by the smallest levels of ethnic minorities' mobilization against the central government. At the beginning of 1990s, when the country's administration continued to function according to the pre-independence model and therefore, was yet rather centralized, the territorially concentrated ethnic minorities in Moldova mobilized the most. This was the period in which the conflict with the regions of Transdnistria and Gagauzia developed and attained their highest degree, despite the generally centralized administrative system of the country. However, as described in Chapter 3, these conflicts started before Moldova declared independence and continued throughout the first post-independence years, when the newly-formed independent country with its fragile institutions was unable to effectively respond to the insubordinate attitude of the leadership of these regions. Therefore, for these regions the degree of centralization in the rest of the country was of little relevance. Moreover, the administrative system of Moldova between

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<sup>213</sup> The regional popularity of political parties in Moldova by 1998 is reflected in the parliamentary election results at local level, provided by the *Association for a Participatory Democracy in Moldova* at the author's request.

<sup>214</sup> *Changes in the Map of Republic of Moldova*, published in *Moldova Suverana*, on December 5, 1998.

<sup>215</sup> *The Revising of Local Public Administration*, published by *Association for a Participatory Democracy in Moldova*, on March 5, 2003 (<http://www.e-democracy.md/print/monitoring/politics/comments/20030305/>, accessed on August 24, 2011).

1991 and 1994 was a centralized one by default (i.e. as a remnant of the yet unreformed Soviet system), and not as a result of certain features of the existing political power.

At the same time, the concentration of power in Moldova after 2001 did not prevent the increase in Gagauzians' level of mobilization between 2001 and 2008, by virtue of the increased centralization that the party in power implemented. Even if the centralization process started at the end of 2001 has generally increased the financial dependence of the Gagauzian autonomy vis-à-vis the central power, Gagauzian leaders still mobilized. This is because the centralization process implemented in the country could not impose on Gagauzia the same level of dependence as it imposed in the other regions of the country, because as a result of the 1994 Law on Special Status of Gagauzia the Gagauzian elites had an already established authority over the local decision-making processes and over the local elite formation. Although the central power could still influence the latter (Järve, 2008), it could not do it in the same degree as in the other non-autonomous units. The already formed institutions in Gagauzia during the 1990s made it hard for the central government to prevent the access of possible local mobilizers to leadership and financial resources.

#### **6.4. The Case of Ukraine:**

The territorial structure of post-Soviet Ukraine has never been reformed after the collapse of Soviet Union, although the need for having larger and more autonomous administrative units has been discussed with various occasions. The system mostly preserved the form it had by the end of the Soviet era, with its unitary character composed by regions, rayons, municipalities and rural settlements. According to the 2001 census, there were 24 regions, 490 rayons, 783 urban municipalities and towns of urban type, and 10278 rural municipalities in Ukraine. In parallel, the Crimean peninsula has been an autonomous republic since 1991. In spite of the lack of territorial-administrative reform in Ukraine during

the transition period, the 4 dimensions of decentralization varied frequently during the period of transition, particularly during the 1990s, in parallel with various political circumstances.

The aim of this section is to determine whether in post-Soviet Ukraine the power concentration had any influence over the degree of (de)centralization, and through it – over ethnic minorities' mobilization against the state authorities. The next subsections explore this link through the analysis of various empirical data characterizing the main dimensions of decentralization.

#### ***6.4.1. Decision-Making Decentralization:***

Post-Soviet Ukraine never had a separate chamber of parliament with regional representation. However, there have been discussions around the idea of bicameralism before the Constitution was adopted in 1996. In September 1994 President Kuchma established a Council of the Regions composed of the heads of the regional councils, but that body had an advisory function only and no actual decision-making authority. Although there was some talk to later transform the Council into an upper chamber of parliament, by the time of Constitution adoption the idea was rejected by most factions in the parliament (Birch & Zinko, 1996). Besides rejecting the idea of bicameralism, the authors of the Constitution did not establish residual power for regional and local authorities in the fundamental law either.

During the first years of transition the existing legislation reserved exclusively to the central authorities the right to control the foreign policy affairs, national security, militia, and telecommunications. The local authorities had the rights to exercise control over the administration of services of local importance. The degree of decision-making decentralization by that time was limited by the unclear delimitation between the competences of local authorities at different levels: most of competences were shared between oblasts, rayon, and local settlements. Nevertheless, the regional governments had relatively large scope of authority over the local affairs (Birch & Zinko, 1996; Sheremeta, 1994; 254-255).

The introduction of the system of “presidential representatives” in the regions through a presidential decree in March 1992 led to the increase of decision-making centralization, because the presidential representatives were empowered with competences to oversee the regional affairs. However, the presidential decree did not specify clearly the scope of local representatives’ mandate, which fueled conflicts between the heads of local legislative bodies and the presidential representatives (Wolczuk, 2002). Between 1992 and 1994 the actual power of local representatives gradually eroded, in parallel with president Kravchuk’s power waning (Birch & Zinko, 1996; 23). Facing an increasing discontent from local elites and a risk of arising separatist sentiments in Eastern Ukraine, by the end of 1993 Kravchuk extended property and entrepreneurial legislative powers to four oblasts in Eastern Ukraine (Donbass region included). Several months later, he also transferred the ownership of all state assets in housing and communal services, personal services, trade, public restaurants, urban roads, education, culture, fitness and sports, healthcare, and other social welfare functions, to the oblasts authorities (Kravchuk, 1999; 165). As during the same period the Ukrainian parliament voted for the cancellation of the system of regional “presidential representatives”, the decision-making decentralization has been temporally increased.

Starting with the 1995 decrees of President Kuchma through which the local executive authorities have been subordinated to the central government, the decision-making centralization increased significantly again. This is because those local authorities who were directly accountable to the president had the control over the most important regional and local affairs. They were in charge with drafting and implementing local budgets, and ensuring the implementation of national and regional programs (Navruzov, 2001; 115). The local executives were also in charge with the competences delegated to them by the central government, such as upholding the Constitution and the laws of Ukraine, and carrying out the decrees of the president of Ukraine (COE, 2010; 17). The local (popularly elected) legislative

authorities' competence was to approve the decisions already taken by the executive bodies that fell under their competence (Kononets, 2002; 117). Considering that the competences of local legislatures were not clearly defined, their political role was diminished as well. The Crimean autonomy was also affected by the general increase in decision-making centralization, since the 1995 "Law on the Autonomous Republic of Crimea" reduced significantly its autonomy (Lapychak, 1995; 2; Wolczuk, 2002; 71).

It is true that president Kuchma expanded the decision-making power of his regional appointees in the second half of 1990s in order to gain their loyalty and tie them to his presidential campaign. For this, he increased their powers over important economic assets within their jurisdictions by transferring valuable energy assets from Kiev oligarchs to regional business elites (Konitzer-Smirnov, 2005; 7). Nevertheless, the actual regional autonomy between 1995 and 2008 remained relatively low.

#### ***6.4.2. Electoral Decentralization:***

During the first years of transition, Ukraine local authorities were mainly formed by the members of local councils popularly elected in the 1990 local elections. Between 1990 and 1992 there was no clear distinction between local executive and legislative authorities; the members of local councils at all levels were also in charge with executive authorities. However, their popular mandate did not guarantee them decision-making autonomy, as during the first transition period the Parliament of Ukraine could dismiss the local councils (Aznar, 1998; 7).

Between 1992 and 1994, a clearer distinction between executive and legislative power at rayon and oblast levels was established, due to the implementation of a system of "presidential representatives" in the regions, who were carrying out an executive mandate. Therefore, during this period only the deliberative authority had popular mandate and therefore was directly accountable in front of local voters (Wolczuk, 2002). This situation was

also characteristic for Kiev (capital of Ukraine) and Sevastopol (second largest port of Ukraine). The system of “presidential representatives” was abolished in June 1994 and the executive authority at these administrative levels was undertaken by the local executive committees, formed by the local legislative bodies – local councils (Matsuzato, 2000; 37).

The 1994 local elections in Ukraine reflected the highest degree of electoral decentralization within the period studied in this thesis. This is because these were the only elections in which both members of local legislative bodies and the chairmen of local executives were elected by popular vote, at all the territorial administrative levels (Haegi, 1995; 9). However, the popular mandate of local executives was eliminated in 1995, when Leonid Kuchma, the newly elected president of the republic, subordinated the popularly elected local executive chairmen to the central government and reintroduced local state administrations in the oblasts, rayons, and in the cities of Kiev and Sevastopol. Through a presidential decree Kuchma appointed automatically all regional executive chairmen into their posts (Matsuzato, 2000; 38). Subsequently, the president could dismiss the local chief executives in case of illegal/ non-constitutional action, by virtue of a judicial trial. The chief executives of Kiev and Sevastopol could be dismissed even without a court decision (Haegi, 1995; 9). Therefore, in 1995 the electoral decentralization decreased.

In the local elections that followed (1998, 2002, and 2006) at oblast and rayon levels only the members of local legislative bodies have been elected through popular vote. The executive bodies have been formed by/ and accountable in front of the central government (Newbury, 2002). At village/city/settlement level the chief executives (mayors) were also popularly elected.<sup>216</sup> However, the popular mandate of the latter has been limited by their dual accountability: the mayors of lowest level administrative units had delegated responsibilities

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<sup>216</sup> The city port Sevastopol is an exception, because it has no mayor but “head of administration” appointed and dismissed by/ and directly accountable to the president of the Republic.

such as carrying out the decrees of the President and of other relevant executive bodies, and hence represented the central government as well (COE, 2010; Maynzyuk & Dzhygyr, 2010).

#### ***6.4.3. Appointment Decentralization:***

Before the introduction of the system of “presidential representatives” in the oblasts and rayons of Ukraine the local officials with executive responsibilities were appointed by the (popularly elected) legislative bodies of the same levels of government. Usually the appointed officials were chosen among the members of the local legislatures (Wolczuk, 2002). This implied a relatively large level of appointment decentralization. In 1992 the local executive bodies were led by presidential appointees who were expected to act “as a transmission belt for reforms from the centre to the local levels” (Wolczuk, 2002), which implied that the local authorities with important decision-making power over local affairs were accountable upwards to the highest level of power.

After the 1994 local elections, there were two main appointed authorities: the local executive committees, and the chairpersons of local legislative bodies (councils). After the elections the members in the executive committees have been appointed by the (popularly elected) chief executives and approved by the local councils, while the councils’ chairmen were chosen from among the members of the respective councils (Navruzov, 2001). This implied a rather increased level of appointment decentralization. However, soon after that the local executives were subordinated to the Ukrainian President and the hierarchical structure of the executive authority was re-established. The 1995 “Law on Power” granted to President Kuchma the right to appoint and dismiss the local chief executives at rayon and oblast levels, as well as Kiev and Sevastopol cities.

President Kuchma’s attempts to increase appointment centralization also affected Crimean autonomy. Before 1995, Crimean leaders had large appointment powers within their territory, which even allowed them to establish the post of president of Crimea in 1993 and to

organize presidential elections at the beginning of 1994. However, in 1995 the Ukrainian central authorities liquidated Crimean presidency, considering that it disagreed with the Constitution of the country and that the incumbent president abused of his office and attempted to reunite Crimea with Russia (Lapychak, 1995; 2). President Kuchma has also proved his unwillingness to allow large appointment powers to Crimea when he did not recognize the dismissal by Crimean parliament of the autonomy's Prime Minister Anatolii Franchuk. Instead, he placed temporally the Crimean government under his direct control and restored Franchuk into his former post (Lapychak, 1995; 3).

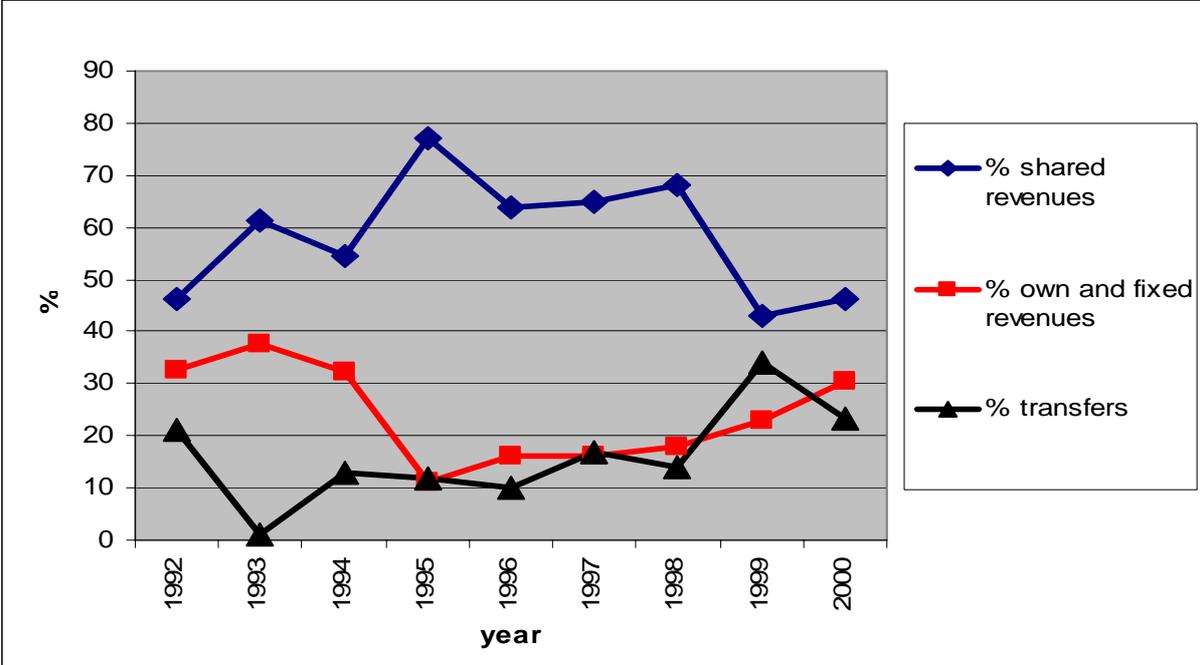
Since 1995 the degree of appointment decentralization in Ukraine has not changed, although several legislative initiatives in 2000s revealed a strong pressure from local authorities and international actors to do so (COE, 2010; Cowan *et al.*, 2007; Maynzyuk & Dzhygyr, 2010). The only change was the introduction of popular elections for the mayor of the capital Kiev in 1999, whose mandate had been subordinated to the central power during the years before. Otherwise, rayon and oblast executive chairmen, as well as the chief administrator of city of Sevastopol, continued to be appointed and dismissed by the president of the republic upon the submission of the Cabinet of Ministers. The presidential decisions to appoint and dismiss local chief executives could be over-ridden only by 2/3 of local legislatures' members (Newbury, 2002). The president exercised often this right in the second half of 1990s, especially in the years with parliamentary or presidential elections (Konitzer-Smirnov, 2005; 8). The appointment decentralization in Crimean autonomy also remained relatively small, as according to the Crimean autonomous status the President of Ukraine had the right to disagree with the Crimean parliament's appointee in the post of Crimean Prime Minister, which has been the most important political office in Crimea since the institution of Crimean presidency was abolished in 1995. The only executive appointments made by the same level authorities in Ukraine between 1995 and 2008 were the ones at the lowest-level

administrative units (i.e. village/cities/settlements). In addition, the chairpersons of the legislative bodies continued to be locally appointed. However, they had a low political leverage. Therefore, the general degree of appointment decentralization between 1995 and 2008 has been relatively low.

**6.4.4. Fiscal Decentralization:**

The local budgets in the administrative units of Ukraine are formed by four major types of revenues: the own revenues, which are mainly completed by the local taxes, the “fixed” revenues, which include state taxes and fees collected by- and assigned exclusively to subnational governments; the “regulating” revenues, composed of central government taxes shared with subnational governments; and state transfers. The degree of fiscal decentralization has been as great as was the share of own and fixed revenues in the local yearly budget. Graph VI.6 below illustrates the dynamics of local budgets’ structure in Ukraine during the 1990s, notably the ratio of own and fixed revenues among the other types of revenues.

**Graph VI.6. Structure of Local Budget Revenues in Ukraine (1992-2000)**



The Graph reveals that starting with 1992 the ratio of own and fixed revenues in the local budgets decreased considerably in 1995 and then slightly increased every year until

2000, although its general level remained low. On the other hand, the ratios of shared revenues and state transfers fluctuated year by year, which reflects the frequent changes in the budgetary practices in Ukraine during the 1990s.

The decrease in the own and fixed revenues by 1995 was due to the fact that between 1994 and 1995 the central government transformed three important fixed revenues into regulating revenues. In 1994 this change was applied to the land tax and personal income tax, while in 1995 – also to the tax on profits of enterprises of communal subordination (Kravchuk, 1999; 177). Due to this change the local budgets became more dependent on the central government's decisions on redistribution of resources.

This change also increased Crimea's financial dependence vis-à-vis the central government, because starting with 1994 its authorities also had to transfer a part of state enterprises income tax and personal income tax to the central budget (Kravchuk, 1999; 180). In 1994, Crimea also had to share with the central government a part of the Value Added Tax collected on its territory, as for that year the central government established a retention rate of 20% of this tax for all Ukrainian oblasts, and Crimea was not an exception. It is notable that one year before (1993), Crimea could retain 100% of three important taxes – VAT, profit tax, and excise tax – for its own budget (Martinez-Vazquez *et al.*, 1995; 299). In 1995 the parliament of Ukraine also annulled a number of laws adopted by Crimean autonomy's authorities that claimed local jurisdiction over Crimean property and control over its privatization (Lapychak, 1995), which also led to the increase of peninsula's financial dependence vis-à-vis the centre.

The financial dependence of regions vis-à-vis the central government in the middle of 1990s was also enhanced by the unpredictability of the regulating revenues' retention rates. The percentage from these revenues to be retained in the local budgets was decided by the central government every year and for each oblast separately. The retention rates were

decided on the basis of negotiations between the authorities of different levels of government (Martinez-Vazquez et al., 1995; 300). The lack of objective rules or principles have attributed a non-transparent character to the entire procedure of financial resource sharing and hence created the possibility for politically-motivated decisions.

The official regulations provided that the state transfers needed to be distributed to those regions where the own, fixed, and shared revenues could not support a budget determined to be the minimum necessary by the Ministry of Finance. Nevertheless, state subventions were also transferred to political important areas such as the Crimean peninsula (Martinez-Vazquez et al., 1995; 298). In practice, the distribution of state transfers was not based on a precise formula, but on “ad hoc bargaining procedures” (Kononets, 2002; 123), while the amounts fluctuated greatly year by year and from region to region. Therefore, state transfers induced a similar degree of unpredictability and dependency for the local budgets as the regulating revenues.

Finally, the fiscal decentralization in Ukraine during the 1990s has also been undermined by the fact that local financial officials were under dual subordination to both the central and the sub-national governments. This dual responsibility resulted from the fact that the appointment of heads of local finance departments was subject to the approval of Ministry of Finance. In case of conflict, these officials tended to side with the central government (Martinez-Vazquez et al., 1995; 283, 286).

The situation with the expenditure distribution was also characterized by lack of clarity, as the responsibility on many of important services were attributed to different levels of government. Starting with the beginning of 1990s the central government assigned more and more expenditure responsibilities to lower levels of government, without providing the respective financial support to satisfy them. This was also the case with the services normally provided by central government authorities, such as social safety net and welfare. Some local

authorities argued that central government was decentralizing those expenditures where cuts were unpopular, in order to shift the accountability for possible cuts from central to the local governments (Martinez-Vazquez et al., 1995; 291, 296). Therefore, the conditions under which expenditures were distributed in Ukraine during the 1990s did not contribute to the increase in fiscal decentralization.

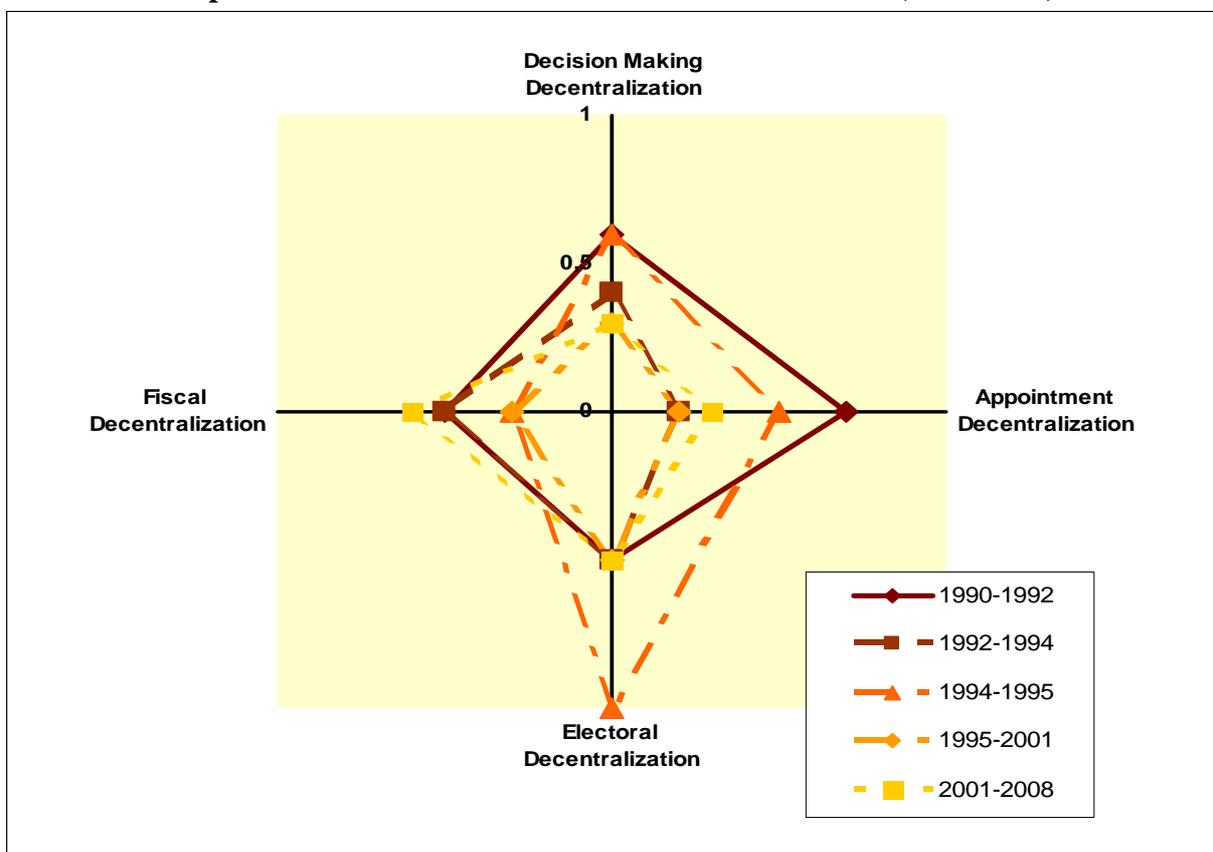
In 2001 the fiscal system of Ukraine has been reformed through the adoption of new State Budget Law and Budget Code. Some of the provisions of this reform were favorable for the fiscal decentralization. First, the expenditure assignments were defined in a clearer way. Second, state transfers to be made to the levels of oblasts, Crimea autonomy, and the two major cities of Ukraine (Kiev and Sevastopol) were to be calculated on a formula basis. Third, the State Budget Law assigned new sources of revenue to local governments (Kononets, 2002).

All these provisions increased the level of transparency in the distribution of financial resources among the regions of the country and also implied more predictability, which allowed more accurate local budgetary planning. Most importantly, by introducing clearer rules, the central government diminished the possibility for politically-motivated fiscal relations between the state and the regional authorities. Still, the 2001 fiscal reform in Ukraine did not lead to a high degree of fiscal autonomy for regional governments. The reliance on central government fiscal assistance remained relatively high, rating 29% in 2001, 34% in 2003, and 44% in 2005 in the total local revenues (Slukhai, 2008). It remained relatively high for Crimea as well, as in 2001 about 55% of Crimean budget contained equalization grants transferred by the central government, which was even higher than in some of the country oblasts (Kononets, 2002; 128). Until 2008, no other steps towards more fiscal decentralization were undertaken.

**6.4.5. Power Concentration, Decentralization, and Ethnic Mobilization:**

Graph VI.7 below summarizes the dynamics of decentralization in Ukraine and overall it reveals the lack of coherent decentralization policy in this country during the period of transition. There has been frequent fluctuation in the degree of fiscal, decision-making, appointment, and electoral decentralization, especially during the 1990s. Nevertheless, decentralization has never attained a high level in post-Soviet Ukraine, except for the dimension of electoral decentralization between 1994 and 1995.

**Graph VI.7. Evolution of Decentralization in Ukraine (1991-2008)**



However, one can distinguish 5 periods that differ through a change in at least one of the decentralization dimensions. Transition started with a relatively large degree of decentralization, and then by 1992 the decision-making and appointment dimensions were reduced when president Kravchuk attempted to consolidate his control over the country regions. Decentralization was enlarged in decision-making, appointment, and electoral dimensions for a short period in 1994, when Kravchuk lost first his authority and then the

presidential seat. The second Ukrainian president Leonid Kuchma increased the level of centralization on all dimensions, managing to install an extended control over regional affairs since 2001, when fiscal and appointment dimensions were slightly decentralized.

The tendencies of centralization in post-Soviet Ukraine coincide with concentration of power. Kuchma gradually concentrated political power after he became president in July 1994, in parallel with the process of centralization. Moreover, the failed attempt of centralization between 1992 and 1994 coincided with the failed attempt of Kravchuk to concentrate power at the centre. Finally, a slight increase in decentralization preceded the period of power fragmentation (2002-2008).

Centralization has been generally used by incumbent politicians in central government as a tool to consolidate power. Kravchuk attempted to centralize the country by introducing the system of “presidential representatives”. Kuchma attempted the same strategy and achieved more successful results. Although in his pre-electoral public discourses he pleaded for decentralization (Kuzio, 1997), after he became president he has undertaken steps towards more centralization and in his public discourse he supported it as a solution to put an end to the “public cronyism practiced by a number of *rayon* and city heads” (Wolczuk, 2002; 80). Although he did not have loyal supporters in the parliament, for this particular question he found the support of parliamentary national-democrats who were concerned about the integrity of the country (Wolczuk, 2002; 80). President Viktor Yushchenko, although also publicly supporter of decentralization, has not pushed towards decentralizing reforms during his presidential term (Maynzyuk & Dzhygyr, 2010). This is because of the then political circumstances: Yushenko lost important appointment powers in 2004 once the Constitution has been modified (see Chapter 2) and without majority parliamentary support his appointment powers within the regions of the country still granted him an important tool to maintain some level of political authority.

The next issue of concern is to determine the degree in which the centralizing tendencies during the periods with power concentration were linked with the ethnic minorities' mobilization. During the main period with concentrated power in Ukraine Leonid Kuchma used cooptation as strategy for obtaining local elites' loyalty in exchange. Due to his appointment powers in the regions, he could influence the regional elite formation. As a rule, Ukrainian oblast governors and rayon administrators were nominated from among the local politicians. Besides their usual administrative mandate, they had to support the president's popularity in their respective region. After the 1998 parliamentary elections, president Kuchma fired a number of governors who could not mobilize votes successfully for the Popular Democratic Party, which was supported by Kuchma by that time (Matsuzato, 2000; 29).

However, empirically speaking, the ethnic minorities' mobilization tendencies have not necessarily coincided with periods with power fragmentation in Ukraine. The most persistent regional-based mobilization in post-Soviet Ukraine occurred at the beginning of 1990s when Russians in Crimea and Russophones in Donbass mobilized. Crimean Russians continued having a certain degree of political mobilization even after central power got concentrated, mainly due to their territory's status of political autonomy granted in 1991. The level of mobilization of Russophones from Donbass also continued to persist, after Kuchma managed to concentrate power and started to decrease significantly only by 1998 (see Chapter 3).

The ethnic minorities' political mobilization in the periods with concentrated power may result from the specificity of the concentration of power in Ukraine during the 1990s. It has not resulted from the existence of a strong president supported by majority in parliament, but from the existence of a strong president whose power was augmented by a highly fragmented parliament, in which no political force was loyal to the president so much that it could attract a stable loyalty of local leaders through party organizational structures.

Thus, in Ukraine the concentration of power went hand in hand with territorial centralization of the country. Centralization implied control over regional elites and also possibilities for cooptation of local political leaders in exchange for loyalty towards central power incumbents. However, this did not prevent in all instances minorities' mobilization against the central government, as minorities still mobilized at various levels in periods with power concentration.

### **Final Remarks:**

The main goal of this chapter was to determine whether the likelihood of ethnic minorities' political mobilization against the state decreases in the periods with concentrated power, as a result of increased control over fiscal, electoral and appointment resources at regional level by the incumbents of central government. For this, the empirical analysis presented in the chapter largely focused on the link between the nature of central power and the degree of territorial centralization, and also on the connection between the latter and the territorially concentrated minorities' mobilization.

The cases of post-Soviet Georgia, Moldova, and Ukraine confirm the hypothesis that concentration of power goes hand in hand with centralization. In the periods with successful power concentration, the incumbents tended to reduce the level of local autonomy, at least in one of the dimensions discussed in the chapter. The periods with concentrated power under Eduard Shevarnadze and under Mikheil Saakashvili were characterized by reduced level of decentralization and by the presence of effective means of control over the local affairs; the period with concentrated power during the Communist Party rule in Moldova was also characterized by tendencies of centralization; finally, Leonid Kuchma's attempts to consolidate his authority at central level went also hand in hand with centralizing tendencies.

By enforcing centralization, incumbents of concentrated power decreased the free access to local fiscal resources, the local leaders' decision-making power, and also the very formation of local administrative elites. In many cases the local potential mobilizers have been co-opted into the local administrative offices, in exchange of the political loyalty towards the centre. These implications of concentrationist regimes decreased the likelihood for ethnic minorities' mobilization, as the access to potential mobilizing resources was cut.

Nevertheless, the empirical analysis of the dynamics of ethnic minorities' mobilization reveal here cases in which territorially-concentrated minorities in Moldova and Ukraine mobilized despite of the existence of concentrated power and territorial centralization. In Moldova Gagauzian minorities mobilized after 2001, during the period with the Party of Communists' dominant position in the central power, while Crimean russophones and Donbass region Russophones mobilized in the 2<sup>nd</sup> half of 1990s, when Leonid Kuchma's regime was at its strongest phases. This suggests that in these regions the effect of centralization and implicitly, enhanced control over the regional politics, did not constitute a strong enough factor to overcome the potential influence of other factors leading to ethnic political mobilization.

## **Conclusions:**

The main goal of this research was to determine whether power concentration contains intrinsic elements that may be favorable for the escalation of ethnic conflicts. This goal was driven by the empirical observation of the post-Soviet region reality, a region in which during the period of transition some countries experienced both power concentration and ethnically-driven conflicts. If the former have in any way triggered the latter, then political systems in ethnically plural states should be built in a way to diminish the probability for political power concentration.

Accordingly, the research focused on the analysis of three post-Soviet republics that are known in the region both for their periods with concentrated power and for their inter-ethnic conflicts. These republics are Georgia, Moldova, and Ukraine. The analysis of these 3 cases was driven by the logic of structured focused comparison. Also, the empirical data were presented in accordance with a pre-determined theoretical scheme and causal mechanism, while the main focus of the analysis was on the effect of the independent variable (power concentration), rather than on explaining the dependent variable (ethnic minorities' mobilization against the state).

In the search for an answer to the main research question, the theoretical framework of this thesis was inspired by two concepts in the academic literature – the consociationalism and the political opportunity structure. Although not directly related to each other, both these concepts are at the core of theoretical approaches that suggest an answer to the question whether power concentration in ethnically plural societies leads to ethnic minorities' mobilization against the state. As explained in Chapter 1, consociationalism suggests a positive answer, while political opportunity structure - a negative one.

The initial step into the empirical analysis consisted on determining the degree to which the dynamics of power concentration correlated with the dynamics in ethnic minorities' mobilization against the state in post-Soviet Georgia, Moldova, and Ukraine between 1991 and 2008. The data reveal that the highest levels of ethnic minorities' mobilization against the state occurred in periods with dispersed power, and not in periods with concentrated power. In the respective periods, minorities' mobilization was intensified by the number of ethnic minority groups, by the level of minorities' protest, and by the level of minorities' rebellion.

The data also prove that certain ethnic minorities still managed to maintain a relatively high level of mobilization during the periods with power concentration - Russophones in Ukraine, and that some of them even increased it when power got concentrated - Gagauzians in Moldova and Armenians in Georgia. In case of Russophones in Ukraine, a certain level of ethnic mobilization was maintained because the Ukrainian concentration of power had a specific character: while in Moldova and Georgia concentration of power was characterized by the presence of a strong executive that enjoyed absolute majority support, in Ukraine it was characterized by a strong executive that cohabited with a highly fragmented parliament too weak to oppose the president and his Cabinet. In this highly fragmented parliament, some of the parties supported Russophone population's mobilization against the central government as a tool against the executive. Nevertheless, this mobilization weakened over time and never reached a critical point. In case of Gagauzians in Moldova and Armenians in Georgia, mobilization occurred in the initial phase of the concerned period with power concentration, but eventually diminished.

With a view to determining the link between concentration of political power and ethnic minorities' mobilization, the research was driven by three hypotheses. All these hypotheses suggest that concentration of power contains intrinsic elements that may reduce the access of ethnic minority groups to mobilizing resources needed for potential protest and

rebellion actions against the central power. The first hypothesis states that this is due to the fact that in regimes with concentrated power incumbents are interested in discouraging the institutionalization of multi-ethnicity and instead in encouraging integration. The second hypothesis states that power concentration hinders mobilization because it tends to induce disproportional elements into the electoral system, which leads to co-optation of minority leaders into mainstream parties and which discourages the consolidation an important resource for mobilization - the ethnic parties. The third hypothesis states that power concentration tends to increase the control over the regional politics, which also hinders the access of local potential mobilizers to mobilization resources.

As shown in Chapter 4, the three cases differ in the degree to which concentration of power went hand in hand with certain state-minority relations. The empirical data on Ukraine and Georgia confirm the expectation that concentration of power will be coupled with more integrationist state policies, as compared to fragmentation of power. In Georgia, the most significant integrationist policies have been implemented during the presidencies of Saakashvili and Shevardnadze, i.e. during regimes with concentrated power. Similarly, in Ukraine the state-minority relations approached maximum degree of integration during the presidency of Kuchma, which was a concentrationist regime. On the contrary, the case of Moldova does not prove the expectation, because both the periods of fragmentation and concentration of power in this country were characterized by accommodationist policies towards minorities. Moreover, in certain cases accommodation tendencies were even accentuated in periods of power concentration. The Moldovan exception is due to the fact that because of specific historical circumstances, the national identity of the majority group was itself divided into a “Moldovan” identity and a “Romanian” identity, with the majority group split between the two. This division made it difficult to implement genuine integrationist policies.

On the other hand, in the cases in which concentration of power went hand in hand with strengthening integration policies, this did not necessarily deprive ethnic minorities from protesting against the integration tendencies. Russophones in Ukraine mobilized to protest against the state when the education and the language policies were being “Ukrainized” in the 1990s. Armenians protested against the “Georgianization” of education and of bureaucracy during Saakashvili’s presidency after the Rose Revolution. Still, in both of these cases mobilization was kept at a relatively small level and did not have any impact over the respective governmental policies.

In relation to the second hypothesis, the data presented in Chapter 5 demonstrate that concentration of power indeed tends to favor disproportional elements into the electoral system, but only in those cases in which the core of power concentration lies in the support of executive power by a parliamentary majority. On the contrary, when its core lies in the existence of a highly fragmented parliament that cannot oppose the executive power, this disproportionality effect was not observed. When disproportionality is encouraged, ethnic minorities access power mainly by allying with mainstream parties, because in such conditions the consolidation of ethnic parties is hindered. Therefore, by attracting minority leaders with memberships into mainstream parties and by hindering the formation of ethnic parties and with that – the politicization of ethnicity, power concentration limits the access of ethnic minorities to important mobilizing resources.

Finally, the data in Chapter 6 prove that as suggested in the third hypothesis concentration of power tends to augment centralization. As shown in the empirical analysis, in practical terms this implies an increased control of political incumbent at central level over the financial, administrative, and political affairs at regional levels. In conditions of power concentration, regional leaders and regional budgets became more dependent upon the central

power. This reduced the access of ethnic minorities to important leadership and financial resources.

However, as the data presented in this thesis prove, some ethnic minorities still managed to mobilize – even if at a relatively insignificant level and with no considerable impact over stability or governmental policies – during certain periods with concentrated power. This proves that despite the elements of power concentration that may limit the access of ethnic minorities to the resources needed for mobilization, the minorities can find alternative ways in accessing mobilizing resources. This confirms the expectation stated in the introduction that concentration of power does not solely have an overwhelming influence over the ethnic minorities' mobilization against the state. If the latter needs to be explained in a comprehensive manner, other factors and combination of factors should be brought into the picture.

However, the main goal of this thesis was not to explain the occurrence of ethnic mobilization, but the nature of the impact that concentration of power may have over it. In line with this goal, the thesis demonstrates that at least in the three countries analyzed throughout the thesis, concentration of power did not trigger, but it discouraged ethnic mobilization against the state. This was due to its intrinsic tendencies to induce disproportionality in the electoral system and hence to co-opt minority leaders, to strengthen centralization of power, and to de-politicize ethnicity. This finding suggests that in the ethnically plural states, incumbents of concentrated power do not have only two options while choosing the strategy of state-minority relations, which are either playing the nationalist card, or playing the multi-ethnicity card. Incumbents of concentrated power may also choose a third option that combines elements of the two: while remaining majoritarian in institutional structure and while not allowing an explicit manifestation of multi-ethnicity at political level, the regimes with concentrated power may contain multi-cultural elements by making

minorities an integral part of the regime and specifically by co-opting their leaders into power either at central level, or at local level, or both. While the question of generalisability of these findings beyond the period of transition to democracy and beyond the post-Soviet region may constitute a topic of further research, the data presented in this thesis suggest that if concentration of power is to be avoided in the post-Soviet region, it should be for other reasons than the fear of ethnic instability.

While analyzing specific causal mechanisms between power concentration and ethnic mobilization against the state, this thesis also presents empirical data and description of phenomena that have never been collected and analyzed before. The analysis of the dynamics of concentration of power, of state-minority relations, of minorities' political representation, and of degree of decentralization in Moldova, Georgia, and Ukraine throughout 17 years of transition have never been explored in such details before. Therefore, this thesis brings also a contribution to the literature on post-Soviet region, through a better understanding of the political developments in these three countries between 1991 and 2008.

**Annex 1: The Ethnic Composition of Population in Moldova, Ukraine, and Georgia (1989 and subsequent population censuses data compared)**

Moldova					Ukraine					Georgia				
groups	1989		2004 <sup>217</sup>		groups	1989		2001		groups	1989		2002 <sup>218</sup>	
	%	Nr.	%	Nr.		%	Nr.	%	Nr.		%	Nr.	%	Nr.
Total	100	4335400	100	3383332	Total	100	5145200	100	48457100	Total	100	4371535	100	5400841
Moldovans	64,5	2794700	75,8	2564849	Ukrainians	72,7	37419100	77,8	37541700	Georgians	70,1	3787393	83,8	3661173
Ucranians	13,8	600400	8,4	282406	Russians	22,1	11355600	17,3	8334100	Armenians	8.1	437211	5,7	248929
Russians	13,0	562100	5,9	201218	Byelorussians	0,9	440000	0,6	275800	Russians	6,3	341162	1,6	67671
Gagauzians	3,5	153400	4,4	147500	Moldovans	0,6	324500	0,5	258600	Azeris	5.7	307512	6,5	284761
Bulgarians	2,0	88400	1,9	65662	Bulgarians	0,4	233800	0,4	204600	Ossetians	3.0	164055	0,9	38028
Romanians	-	-	2,2	73276	Hungarians	0,3	163100	0,3	156600	Greeks	1.9	100308	0,4	15166
Jewish	1,5	65700	-	-	Romanians	0,3	134800	0,3	151000	Abkhaz	1,8	95857	0,1	3527
Byelorussians	0,5	19600	-	-	Poles	0,4	219200	0,3	144100	Ukrainians	1,0	52443	0,2	7039
Roma	0,3	11600	-	-	Jewish	0,9	486300	0,2	103600	Yezids/ Kurd	0,6	33331	0,4	18329
Germans	0,2	7300	-	-	Greeks	0,2	98600	0,2	91500	Kists	-	-	0,2	7110
Poles	0,1	4700	-	-	Tatars	0,3	86900	0,2	73300	Others	1,5	81569	-	-
Others	0,6	27500	-	-	others	1,0	490100	-	-					

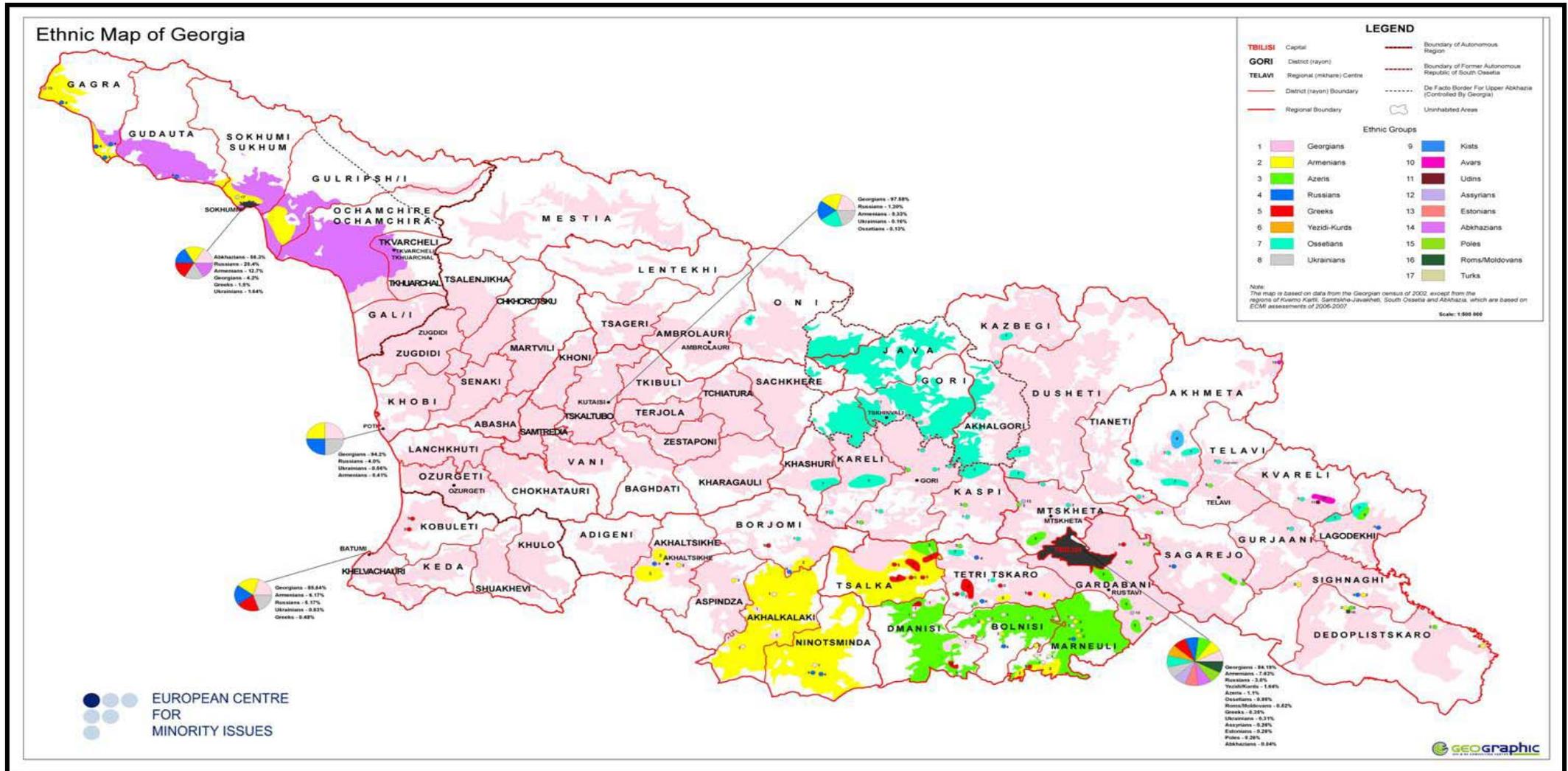
Source: Table compiled by the author, on the basis of national population censuses data provided by local Departments of Statistics, and reproduced by Piotr Eberhardt (2003).

<sup>217</sup> Without Transdnistria

<sup>218</sup> Without South Ossetia and Abkhazia

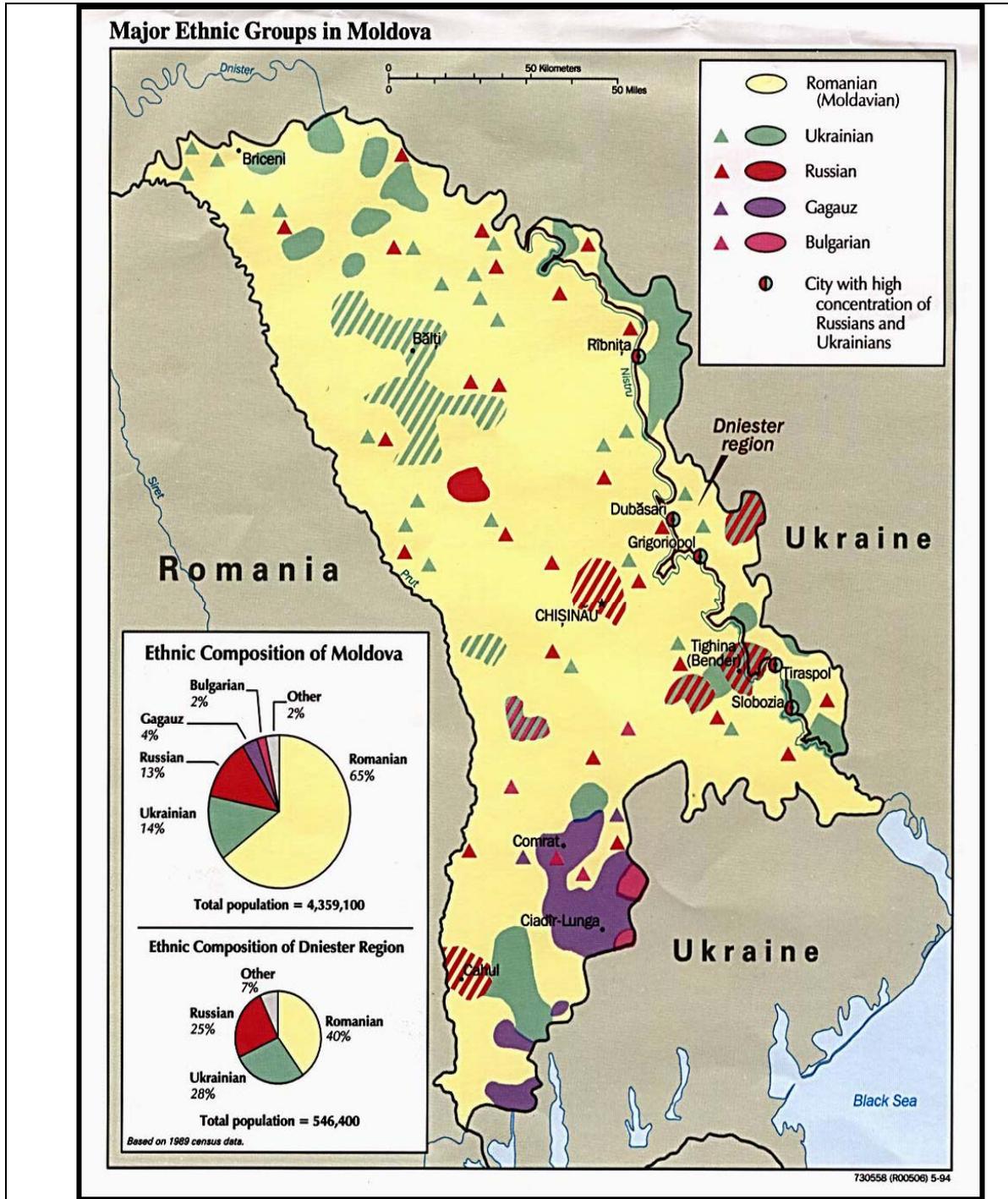
## Annex 2: Ethnic Maps

### Map 1 - The Ethnic Map of Georgia



Source: European Centre for Minority Issues, 2008; provided at the author's request.

Map 2 - Major Ethnic Groups in Moldova (RSS Moldova Census 1989)



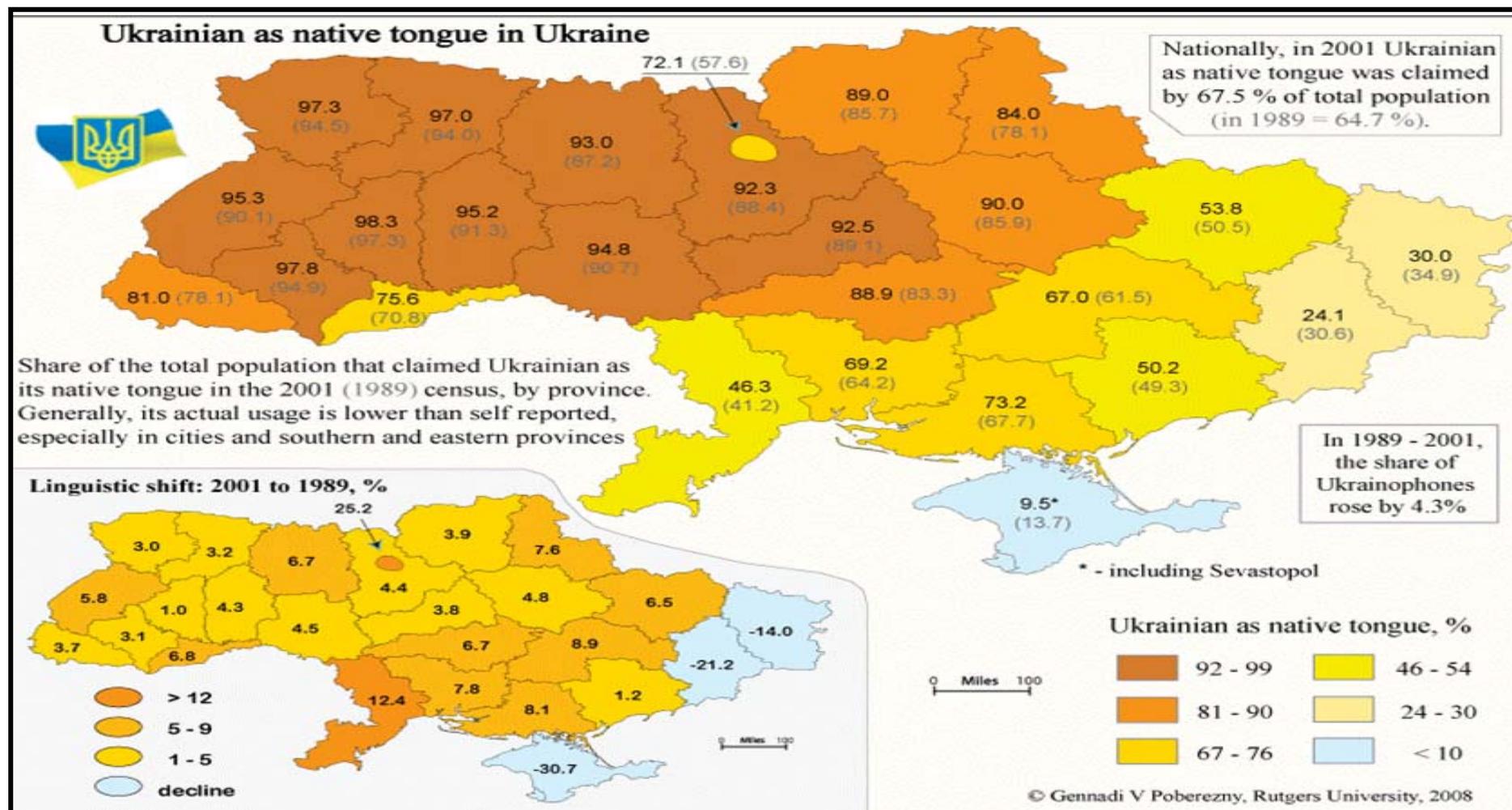
Source: University of Texas, "Perry-Castañeda Library Map Collection".

*Map 3 - Territorial-Administrative Units of Moldova (as in 2003)*



Source: Map available at <http://moldovagate.com/article/show/99> (accessed on October 2nd, 2011).

Map 4 - Population of Ethnic Ukrainians in Ukraine (Ukraine Census 2001)



Source: Gennadi V. Poberezhny, Rutgers University 2008, provided at the author's request.

*Map 5 - Transcarpathya, Donbass, and Crimea (Ukraine)*



CEU eTD

Source: made by Sven Teschke, (Germany) and modified by the author.

### Annex 3: Measurement scheme for Formal Presidential Powers

Shugart and Carey (Shugart & Carey, 1992), with Frye's modifications (Frye, 2002)

#### Legislative Powers

##### **Package Veto/Override**

- 4 No override
- 3 Override by extraordinary majority
- 2 Override by absolute majority of whole membership
- 1 Override by simple majority of quorum
- 0 No veto

##### **Partial Veto/Override**

- 4 No override
- 3 Override by extraordinary majority
- 2 Override by absolute majority of whole membership
- 1 Override by simple majority of quorum
- 0 No partial veto

##### **Decree**

- 4 Unlimited (to define constitution and its laws)
- 3 For limited time
- 2 Subject to ex-post approval
- 1 Only negative powers
- 0 No decree powers, or only as delegated by assembly

##### **Exclusive Introduction of Legislation (reserved policy areas)**

- 4 No amendment by assembly
- 2 Restricted amendment by assembly
- 1 Unrestricted amendment by assembly
- 0 No exclusive powers

##### **Budgetary Powers**

- 4 President prepares budget; no amendment permitted
- 3 Assembly may reduce but not increase amount of budget items
- 2 President sets upper limit on total spending, within which assembly may amend
- 1 Assembly may increase expenditures only if it designates new revenues
- 0 Unrestricted authority of assembly to prepare or amend budget

##### **Proposal of Referenda**

- 4 Unrestricted
- 3 Restricted
- 2 Countersignature of minister required
- 1 Needs parliamentary approval
- 0 No presidential authority to propose referenda

##### **Judicial Review**

- 4 President alone refers
- 2 President, cabinet, or majority of assembly may refer
- 1 President, cabinet, or minority of assembly may refer

0 President may not refer or no prior judicial review

### **Non-legislative Powers**

#### **Cabinet Formation**

4 President appoints ministers without need for assembly confirmation

3 President appoints ministers with consent of assembly

2 President appoints prime minister, and then appoints ministers at the advice of prime minister

1 President nominates prime minister, who needs confidence of assembly; prime minister appoints other ministers, possibly with consent of president

0 President cannot name ministers except upon recommendation of assembly

#### **Cabinet Dismissal**

4 President dismisses ministers at will

3 President dismisses ministers at will but there are restrictions in dismissing the Prime Minister

2 President's power to dismiss the cabinet is restricted by Prime Minister or parliament

1 President dismisses ministers but must propose an alternative minister/cabinet

0 Ministers may be removed only by assembly on vote of censure

#### **Censure**

4 Assembly may not censure and remove cabinet or ministers

2 Assembly may censure, but president may respond by dissolving assembly

1 "Constructive" vote of no confidence (assembly majority must present alternative cabinet)

0 Unrestricted censure

#### **Dissolution of Assembly**

4 Unrestricted

3 Restricted by frequency or point within term

2 Requires new presidential election

1 Restricted: only as response to specific events

0 No provision

## **Annex 4: List of Legal Acts that regulated the formal presidential powers in Georgia, Moldova and Ukraine (1990 – 2008)**

### **Georgia**

1. The Law of Republic of Georgia on the Announcement of the Transition Period in the Republic of Georgia, adopted on 14 November 1990.
2. The Law of Republic of Georgia on the Institution of Presidency of Republic of Georgia and on the introduction of Changes and Amendments to the Constitution of Republic of Georgia, adopted on 14 April 1991.
3. The Law of Republic of Georgia on the introduction of changes and amendments to the Constitution of Republic of Georgia, adopted on 25 July 1991.
4. The Law of Republic of Georgia on the Cabinet of Ministers of the Republic of Georgia, adopted on 27 August 1991.
5. Temporary Parliamentary Regulation of Georgia, adopted on 27 August 1991.
6. The Constitution of Georgia, adopted at 24 August 1995.
7. Law of Georgia on Normative Acts, 1996.
8. Organic Law of Georgia on the Constitutional Court of Georgia, adopted on 31 January 1996.

### **Moldova**

1. The Law on the Creation of Presidency of Soviet Socialist Moldova and on the Introduction of some Changes to the Soviet Socialist Moldovan Republic Constitution, adopted on September 3, 1990.
2. The Law on the Modification and Completion of the Soviet Socialist Moldova Law "On the Government of the Republic", adopted on 17 May 1991.
3. The Law on the Modification and Completion of the Soviet Socialist Moldova Law "On the Government of the Republic", adopted on 22 May 1991.
4. The Law on the Organization of the Executive Power, December 1991.
5. The Republic of Moldova Law on Referendum, adopted on 26 May 1992.
6. The Parliamentary Decision adopted on 4 August 1992 concerning the Application of Article 3 of the Law on Organization of Executive Branch of Moldova, adopted on 28 January 1992.
7. The Law on the Constitutional Court, adopted on 13 December 1994.
8. The Law on the Modification and Completion of the Constitution of Republic of Moldova, adopted on 5 July, 2000.

### **Ukraine**

1. The Law of Ukraine on Referendum, adopted on 3 July 1991.
2. The Amendments to the Ukrainian Soviet Constitution, 1992.
3. The Ukraine Constitutional Agreement, adopted on 8 June 1995.
4. The Constitution of Ukraine, adopted on 28 June 1996.
5. The Law on the Constitutional Court of Ukraine adopted on October 16, 1996.
6. The Amendments to the Constitution of Ukraine, adopted on 8 December 2004.

## **Annex 5: Measurement Scheme for Ethnic Minorities' Mobilization against the State**

(Minorities at Risk measurement tool)

### **Protest**

**0** None reported

**1** Verbal opposition

Demands by a minority-controlled group (public letters, petitions, posters, publications, agitation, court action, etc.)

**2** Symbolic resistance

Sabotage, symbolic destruction of property OR political organizing activity on a substantial scale (e.g. sit-ins, blockage of traffic).

Code mobilization for autonomy/secession by a minority-controlled regional government here.

**3** Small demonstrations

A few demonstrations, rallies, strikes, and/or riots, the largest of which has total participation of less than 10,000

**4** Medium demonstrations

Demonstrations, rallies, strikes, and/or riots, the largest of which has total participation between 10,000 and 100,000

**5** Large demonstrations

Demonstrations, rallies, strikes, and/or riots, the largest of which has total participation over 100,000

### **Rebellion**

**0** None reported

**1** Political banditry, sporadic terrorism

fewer than 6 events

**2** Campaigns of terrorism

more than 6 events

**3** Local rebellions

Armed attempts to seize power in a locale except cases that are the beginning of a protracted guerrilla or civil war during the reported year.

**4** Small-scale guerrilla activity

Includes all three of the following traits

- fewer than 1000 armed fighters
- sporadic armed attacks (less than 6 reported per year)
- attacks in a small part of the area occupied by the group (or in one or two other locales)

**5** Intermediate guerrilla activity

Includes one or two of the defining traits of large-scale activity and one or two of the defining traits of small-scale activity

**6** Large-scale guerrilla activity

Includes all three of the following traits:

- more than 1000 armed fighters
- frequent armed attacks (more than 6 reported per year)
- attacks affecting large part of the area occupied by group

**7** Civil war

Protracted civil war fought by rebel military

Has all the characteristics of large-scale guerrilla activity, plus rebels control large scale base areas that are secure over time

## **Annex 6: List of Legal Acts Related to State-Minority Relations (1991 and 2008)**

### **Georgia**

Constitution of the Republic of Georgia, 21 February 1921  
Constitution of the Republic of Georgia, 24 August 1995  
Constitution of the Soviet Socialist Republic of Georgia, 1978  
Criminal Code, 22 July 1999  
Election Code, 14 August 2003 (Amendments)  
General Administrative Code, 25 June 1999  
Labor Code, 25 May 2006  
Law on Assembly and Manifestations of the Republic of Georgia, 12 June 1997  
Law on Citizenship, 25 March 1993  
Law on Culture, 12 June 1997  
Law on Education, 27 June 1997  
Law on Political Associations of Citizens, 10 August 1991  
Law on Political Unions of Citizens, 31 October 1997  
Law on Public Services, 31 October 1997  
Resolution of the Georgian Parliament on the Ratification of the Framework Convention for the Protection of National Minorities, 2005  
Temporary Parliamentary Regulation of Georgia, 27 August 1991

### **Moldova**

Constitution of Republic of Moldova, 29 July 1994  
Decree of the President of Moldova Republic, on some measures regarding the implementation of language legislation, 21 September 1992  
Electoral Code, 21 November 1997  
Law on Approval of the National Conception of Moldova, 19 December 2003  
Law on Education, 21 July 1995  
Law on Political Parties, 17 September 1991  
Law on Protection of National Minorities, 19 July 2001  
Law on Social Associations, 23 January 1997  
Law on the Functioning of Languages of the Moldavian SSR, 1 September 1989  
Law on the Status of Gagauzia, 23 December 1994  
Resolution of the Parliament of Moldova regarding the study of state language by certain categories of population, with the goal to fulfill the professional duties, 17 June 1994

### **Ukraine**

Code of Administrative Justice of Ukraine, 6 July 2005  
Constitution of Ukraine, 28 June 1996  
Declaration on the Rights of National Minorities, 1 November 1991  
Law on Freedom of Conscience and Religion, 1991  
Law on Languages of the Ukrainian Soviet Socialist Republic, 28 October 1989  
Law on Local Self-Government in Ukraine, 21 May 1997  
Law on National Minorities, 25 June 1992  
Law on Political Parties, 5 April 2001  
Law on Political Parties, September 1991

## **Annex 7: In-Country Interviews (Georgia and Moldova)**

### **Georgia:**

Fait Mammedov, professor in University of Marneuli (interviewed in October 2008, Tbilisi)

Fizuli Mustafaev, vice-mayor of Marneuli (interviewed in October 2008, Marneuli)

Izumrud Qurbanov, co-founder of Geyrat organization (interviewed in October 2008, Marneuli)

Merujan Iezuian, member of Akhalkalaki Administrative Council (interviewed in October 2008, Akhalkalaki)

Mihail Kolikidi, chairman of Forum for Civic Integration (interviewed in October 2008, Akhalkalaki)

Mikheil Aidinov, chairman of the Association of Russian-Speaking Journalists of Georgia (interviewed in October 2008, Tbilisi)

Nair Iritsian, mayor of Akhalkalaki district (interviewed in October 2008, Akhalkalaki)

Seda Melkumian, programme assistant at ECMI Georgia (interviewed in October 2008, Akhalkalaki)

Susanna Galastian, teacher in Akhalkalaki school (interviewed in October 2008, Akhalkalaki)

### **Moldova:**

Galina Rogovaya, leader of the “Prosvita - Taras Shevchenko” Ukrainian Society, Moldova (interviewed in November 2009, Chisinau)

Igor Pivovar, Chairman of the NGO Centre of Interethnic Research of the Republic of Moldova (interviewed in November 2009, Chisinau)

## **Annex 8: Pledge-Position Content Analysis Method of Party Manifestos and Other Relevant Texts (Harmel et al., 1995)**

### **Pre-Determined Ethnicity-Related Issues**

#### 1. Bill of Rights

- 10. Exclusive emphasis on individual rights.
- +10. Emphasis on both individual and ethnic group rights; emphasis on the principle of non-discrimination on ethnic basis.

#### 2. Religion

- 10. Emphasis on a single state/official religion.
- +10. Emphasis on the need to recognize and support various religions; emphasis on freedom of religion.

#### 3. Language Rights

- 10. The recognition of only one official (state) language.
- +10. The recognition of more than one official (state) languages.

#### 4. Education

- 10. Common schools for majority and minority.
- +10. Separate schools for minorities.

#### 5. Nation-Building Message

- 10. Building a nation state, with one people.
- +10. Building a multi-ethnic state, with several peoples or nationalities.

#### 6. Political Participation:

- 10. Against any positive discrimination with regards to minorities' political representation.
- +10. For positive discrimination to guarantee minorities' political representation.

#### 7. Political Parties:

- 10. The state should not allow the formation of regional and/or ethnic parties.
- +10. The state should allow the formation of regional and/or ethnic parties.

#### 8. Internal Political Boundaries:

- 10. Unitary state, with no internal boundaries based on ethnic principles.
- +10. The organization of internal boundaries, to allow self-governance to minorities.

## **Annex 9: List of Party Programs, Electoral Manifestos, Electoral Declarations and Electoral Survey Answers Investigated through Content Analysis Method**

### **1. Georgia**

#### **1.1. Manifestos for the 1992 parliamentary elections:**

Peace Bloc; October 11 Bloc; Democratic Party; Green Party; Ilya Chavchavadze Society; Merab Kostava Society; Union of National Agreement; People's Friendship and Justice Party; Union of Social Justice; National Integrity/Mountain Bloc; Radical Monarchists' Union; National Integrity Party. (Source: Manifestos published in *Svobodnaja Gruzija*, 2 October 1992)

#### **1.2. Manifestos for the 1995 parliamentary elections:**

Citizen's Union; National Democratic Party; All-Georgian Revival Union; Progress Bloc; Socialist Party; Solidarity Bloc; Union of Georgian Traditionalists; Reformers Union-National Concord; United Republican Party; State Justice Union. (Source: Manifestos published in *Svobodnaja Gruzija*, 28 October 1995, *Vechernij Tbilisi*, 3 November 1995)

#### **1.3. Manifestos for the 1999 parliamentary elections:**

Citizens' Union; Industry Will Save Georgia. (Source: Manifestos published in *Svobodnaja Gruzija*, 2 October 1992)

#### **1.4. Electoral Surveys for the 1999 parliamentary elections:**

Labor Party; National Democratic Alliance; Republic Party; National Party "Sahalko Didrogi"; National Front - Society of Ilya Chavchavadze; People Democratic Party; Party for Protection of Veterans, Georgia Revival Union; Socialist Party; Citizenship Union; Free Abkhazia. (Source: Electoral Survey data published in *Vechernij Tbilisi*, October 1999)

#### **1.5. Manifestos for the 2004 parliamentary elections:**

Democratic Revival Union; New Rights; Labor Party; National Movement-Democrats; Union of Georgian Traditionalists; National Union "Mzdleveli"; Union of Georgian Nationalists; Conservative (Monarchist) Party; Helsinki Union of Georgia; Political Union "Ertoba" (Unity); League of Intellectuals of Georgia; National Ideology Party of Georgia; "Nodar Natadze- Peoples' Front"; Union of Children of God. (Source: Manifestos published on the Central Elections Commission website, accessed at 15 September 2008: <http://cec.gov.ge/?que=eng/archive/elections-2004/parties-programms> )

#### **1.6. Manifestos for the 2008 parliamentary elections:**

United National Movement – For Victorious Georgia; Conservative Party; Republican Party; Green Party; New Rights; Christian Democratic Movement. (Source: Parliament of Georgia website, accessed at 25 October 2010: [http://www.parliament.ge/index.php?lang\\_id=GEO&sec\\_id=507](http://www.parliament.ge/index.php?lang_id=GEO&sec_id=507); and parties' official websites, accessed at 25 October 2010)

### **2. Moldova**

#### **2.1. Manifestos for the 1994 parliamentary elections:**

Democratic Agrarian Party; Socialist Party-"Unitate-Edinstvo" Bloc; Intellectuals and Peasants' Bloc, Alliance of the Popular Christian Democratic Bloc.

## **2.2. Manifestos for the 1998 parliamentary elections:**

Socialist Party; Democratic Agrarian Party; Party of Communists; Democratic Convention Bloc, Party of Democratic Forces; Party for a Democratic and Prosperous Moldova, Civic Alliance for Reforms.

## **2.3. Manifestos for the 2001 parliamentary elections:**

Party of Communists; Social-Liberal Party; Party of Democratic Forces; Democratic Agrarian Party; Party “Ravnopravie”; Party “Edinstvo”; Party of Revival and Reconciliation; Party of Socialists; Democratic Party; Christian Democratic Popular Party.

## **2.4. Manifestos for the 2005 parliamentary elections:**

Party “Patria-Rodina”; Party of Communists; Christian Democratic Popular Party; Social-Democratic Party; Party “Ravnopravie”.

*(Source: Party manifestos provided by Comparative Manifesto Project research group, at the author’s request)*

## **3. Ukraine**

### **3.1. Manifestos for the 1994 parliamentary elections:**

Communist Party; Socialist Party; Social Democratic Party; Kuchma Bloc for Reforms; Party of the Democratic Rebirth; Labor Party; Civic Congress; Christian-Democratic Party; Rukh Popular Movement; Republican Party; Democratic Party; Congress of Nationalists; Conservative Republican Party; National Assembly; Peasant Party; Renaissance of Crimea.

### **3.2. Manifestos for the 1998 parliamentary elections:**

Green Party; Progressive Socialist Party; Socialist Party – Peasant Party; All Ukrainian Union “Hromada”; People’s Democratic Party; United Social Democratic Party; Forward Ukraine; National Front; Rukh Popular Movement; Slavic Party of Ukraine.

### **3.3. Manifestos for the 2002 parliamentary elections:**

Communist Party; Socialist Party; United Social Democratic Party; United Ukraine Bloc; Viktor Yushenko Bloc “Our Ukraine”; Russian Bloc.

### **3.4. Manifestos for the 2006 parliamentary elections:**

Communist Party; Party of Regions; Rukh Popular Movement; Viktor Yushenko Bloc “Our Ukraine”; Yuliya Tymoshenko Bloc; Nataliya Vitrienko Bloc; Lytvyn People’s Bloc.

### **3.5. Manifestos for the 2006 parliamentary elections:**

Communist Party; Party of Regions; Yuliya Tymoshenko Bloc; Our Ukraine – People’s Self Defence Bloc; Lytvyn Bloc; Socialist Party.

*(Source: for 1994, 1998, and 2002 - Party manifestos provided by Comparative Manifesto Project research group, at the author’s request; for 2006 and 2007 – Central Elections Commission of Ukraine, electoral manifestos available on the Commission’s website <http://www.cvk.gov.ua/>, accessed at 10 December 2010).*

**Annex 10: Operationalization and Measurement of Decentralization, based on Treisman's Indicators (Treisman, 2002)**

<b>Indicator 1: Decision-making Decentralization:</b>	
0	The central government has exclusive authority over most policy areas
0.5	The authority over most policy areas are shared between central government and sub-national levels of government
1	The authority over most policy areas are shared between sub-national tiers
<b>Indicator 2: Appointment Decentralization:</b>	
0	The local executives are nominated by central power
0.5	The local executives are nominated partly by local (popularly elected) authorities, and partly by central power
1	The local executives elected only by local (popularly elected) authorities, or directly elected through universal suffrage
<b>Indicator 3: Electoral Decentralization:</b>	
0	There are no popularly elected sub-national authorities
0.5	Half of the sub-national tiers have popularly elected authorities
1	All of the regional tiers have popularly elected authorities
<b>Indicator 4: Fiscal Decentralization:</b>	
0	The share of direct transfers and/or shared revenues in the local budgets is preponderant
0.5	The share of own revenues and direct transfers and/or shared revenues in the local budgets is relatively balanced
1	The share of own revenues in the local budgets is preponderant

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