

What do the Maidan protests tell us about Ukraine? Diagnosis and prospects for Ukrainian politics

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The outbreak of the protests in the Maidan in Kyiv, and also periodically in other Ukrainian cities, has come as a surprise to both the government and the opposition. These rallies have now been ongoing for several weeks and their most striking feature is their focus on citizenship and their apolitical nature and, by extension, a clear attempt to dissociate the protests from Ukraine's political opposition. Neither *Batkivshchyna*, *UDAR* nor *Svoboda* have managed to take over full control of the demonstrations. On the one hand, this has been linked to the fact that the protesters have little confidence in opposition politicians and, on the other hand, to disputes over a joint strategy and to rivalry between the three parties. As a result, the citizen-led movement has managed to retain its independence from any political actors. As a consequence of the radicalisation and escalation of the protests following 19 January, the political opposition has lost a significant proportion of the control it had been in possession of until then.

Maidan should also be seen as the first clear manifestation of a new generation of Ukrainians – raised in an independent Ukraine, well-educated and familiar with new social media, but nonetheless seeking to ground themselves in national tradition. After the initial shock and a series of failed attempts to quell the protests, the government has seemingly opted to wait out the unrest. At the same time, however, it has been creating administrative obstacles for both the political and the civil opposition, restricting their access to the media and severely limiting the legal possibility to organise demonstrations.

It should be expected that in the coming months the social discontent witnessed at the Maidan protests will continue to intensify, gradually becoming a regular feature of Ukrainian politics. Even if the authorities were to opt for the use of force to end the protests, this would not only fail to solve the political crisis – it would in fact significantly exacerbate it. The group of disgruntled and frustrated citizens calling for a complete overhaul of Ukraine's political life is growing in strength. Meanwhile, preparations for the upcoming presidential elections are already in progress at both ends of the political spectrum. The opposition camp is being represented by three political parties, divided

by their differing interests and the ambitions of their leaders, and by a civil society wishing to institutionalise its actions. The ruling camp, on the other hand, has been focusing its domestic and foreign policy efforts on ensuring victory in the presidential election at all costs. A clash of these very different attitudes, value systems and goals seems inevitable. The outcome of the presidential elections in early 2015, and therefore also the path Ukraine will take in the future, effectively hinges on the public reaction to the expected electoral fraud. It therefore follows that the most important test for the Ukrainian civil movement that emerged at the end of 2013 is still to come.

The outbreak of the protests

The first protests against the government's decision not to sign an Association Agreement with the EU were staged on 21 November by students from Kyiv, Lviv and several other cities in western Ukraine. These protests were non-political and intentionally non-partisan. From the very beginning, only Ukrainian and EU flags have appeared at what have come to be known as the Euromaidan rallies, and representatives of political parties have often been prevented from addressing the crowds. The protests began as spontaneous grassroots demonstrations, without the involvement of any organisations, and the key role in the process was played by informal social activists and student leaders, aided by social media. Support from a number of celebrities, including the singer Ruslana Lyzhychko, also proved important. The demonstrations were motivated above all by a desire to bring Ukraine closer to Europe,

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and by the idealistic belief that an Association Agreement with Brussels would rapidly improve the standards of government in Ukraine and facilitate visa-free travel to the EU.

The rallies were organised in the hope that they would force the government to steer a more pro-EU course. When it became clear that this would not happen, the protests began to die down and would most likely have fizzled out completely had it not been for the violent crackdown on the few remaining protesters in the Maidan in Kyiv carried out by the Berkut riot police on 30 November. This failed to intimidate

the protesters and instead caused a sharp rise in anti-government sentiment, reignited the protests, and prompted previously uninterested groups to join forces with the demonstrators.

The Maidan in Kyiv

In phase two of the protests, the previously pro-European rallies changed into anti-government demonstrations, with Kyiv's Maidan becoming the main, or even the only, site of protest. A tent city with barricades and a large and efficient defence force was subsequently erected in the square, attracting comparisons to the Zaporizhian Sich¹. Opposition activists also occupied three public buildings. The Maidan rallies brought together representatives from a wide range of organisations, parties and groups from different milieux, including: the main political parties (Batkivshchyna, UDAR, Svoboda), Yuri Lutsenko's "Third Republic" movement (Lutsenko has been one of the main "technical" organisers of the protests), as well as several spontaneously established civil groups and groups of regular supporters. The Maidan itself has given rise to several new movements (including "Free People" and "Automaidan") - which oppose both political parties and "old" organisations, and display militant tendencies. The effectiveness and the staying power of these organisations, however, remain uncertain.

The Kiev protests were also unique in that they incorporated a significant religious element. Within days of the launch of the Maidan rally, the demonstrators began celebrating mass several times a day. Priests representing the major religions (with the notable exception of the Ukrainian Orthodox Church, which recognises the authority of the Moscow Patriarchate) erected prayer tents in the square, and

¹ See: Тумур Лытовченко, Якою має бути революція ХХІ століття, 09.01.2014, . <http://glavcom.ua/articles/16640.html>

encouraged confession and public prayer. The participation of Greek Catholic priests in these activities has helped bring the Ukrainian Greek Catholic Church another step closer to being seen as a national rather than a regional Church (despite its numerical minority).

In early December, activists representing Ukraine's opposition political parties made an attempt to take control of the Maidan demonstration - ignoring the leaders of civil society - but their attempts were only partly successful. Although party leaders did eventually become the key speakers at the rally, they were forced to share the stage with civil society activists, rock stars, folk bands, and parish choirs. Consequently, the protests lacked cohesion, a recognised leader, and clear and realistic objectives - in contrast to the Maidan rallies staged during the Orange Revolution in 2004. This led to a number of uncoordinated actions, such as the attempt to block off the main government and parliament buildings, and gradually left many demonstrators rather discouraged. It is likely that the protests would have largely fizzled out by mid-December had it not been for the crackdown on the Maidan protesters carried out jointly by troops from the Interior Ministry and the Berkut riot police on the night of 10 December. Instead of clearing the square, the action prompted an upsurge in public unrest and swelled the ranks of the protesters.

Towards the end of December and at the beginning of the New Year, the number of protesters began to rapidly decrease, and by mid-January, the permanent group of Maidan activists had shrunk to merely several hundred people. Marches and rallies organised across the city became infrequent. The slump in support for the Maidan protests stemmed from fatigue, feelings of helplessness, the lack of clear leadership, and the lack of any discernible progress. The attack on Yuri Lutsenko on 4 January, as opposed to previous cases of force being used against protesters, did not spark mass mobilisation among the people of Kyiv. Meanwhile, despite constant police harassment, Auto-

maidan activists have continued to stage frequent protests, and still enjoy considerable public support - the group has been organising motorcade protests outside the residences of President Yanukovych and other government representatives.

The radicalisation of the protests

On the 16 January, the Party of Regions and the Communists passed a draft of legislation targeting civil society and the freedom of the press, breaking constitutional and parliamentary rules in the process. On 19 January this led to a radicalisation of the protests and made them more violent – a group of several thousand of the most radical protesters left the Maidan and made for Hrushevskoho street to block parliament and government offices. A large proportion of this group was made up of members of the Maidan self-defence group and nationalists from the "Right Sector of the Maidan" and also from Svoboda. The demonstrators attacked the cordon of the troops of the Interior Ministry and Berkut, the special police unit. This resulted in heavy clashes and the following three days saw periodic "police battles" between the protesters and the security forces' cordon. Berkut's attack in the morning of 22 January led to the death of four protesters. Although the circumstances surrounding their deaths are unclear, political responsibility has fallen on the government and the opposition has accused parliament that live ammunition was used on purpose. Later that day the body of Yuri Verbytsky turned up, two days after the Maidan activist had been abducted, and the security forces continued arresting activists from the protest movement. Also on the 22nd, President Yanukovych took the initiative to hold talks with the three opposition leaders (Klitschko, Yatsenyuk, Tyahnybok) and these are meant to be continued. It is, however, unlikely that these talks will see a breakthrough in the current conflict. So far the authorities have offered "round table" talks only to play for time and not as a realistic attempt to resolve the situation.

The sociological face of the Maidan

The available sociological studies² show that although the majority of the participants in the Kyiv demonstrations were residents of Kyiv, at the end of December, as much as 80% of the “core group” of Maidan activists came from

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outside the capital (42% from western Ukraine, and 31% from central Ukraine³). Approximately 30% of the “core group” were young professionals with a university degree and current university students, while industrial workers accounted for 14% of the “core group” - compared to just 7% among all the protesters. The reported reasons for participation did not differ significantly between the core Maidan group and the remaining protesters. These included: police violence against protesters on 30 November (70%), rejection of the Association Agreement (40%), and a desire for a change of government (40%). Only 7% of respondents said that their participation was motivated by an appeal for support from the opposition parties, although 12% admitted that they had come to Kyiv following a campaign run by one

of the parties, and 15% said they belonged to a political party. The number of people ready to form defence groups is of particular interest: 15% among the demonstrators and 21% among the “core group” members.

However, those attending the Maidan demonstrations in Kyiv (or the Euromaidan rallies in other cities) represent only one segment of the Ukrainian population. They are mainly young - often born after Ukraine gained independence - well educated, and have a tendency to base their future prosperity on close links between Ukraine and the EU. They are also familiar with modern communication technologies, and are either already self-sufficient or are actively striving for financial independence from the state. Many of them are Russian-speaking or bilingual, and so language choice did not become an important issue at the Maidan protests. There are no reliable data on the protesters’ political views or affiliations at the present time.

The experience of the past few weeks has signalled the emergence of a new social elite in Ukraine, prepared to fight for their interests if not yet fully capable of articulating them. The new generation has little confidence in politicians and politics. New media has enabled the emerging group to follow and contribute to global trends (as part of the “network society”). Furthermore, it looks for its symbolic roots in national tradition (Zaporizhian Sich, UPA traditions). Members of Svoboda, and of other nationalist organisations, have been actively promoting their ideas among this group of Ukrainians, albeit in a watered down version, without the traditional elements of their chauvinistic ideology. It should be noted that the UPA is not seen by the Maidan protesters as a criminal organisation, or even as an ideological one, but rather as a heroic “army of immortals”, fighting for Ukraine’s independence. Within a short period time, the red-and-black flag of the OUN has become a nationwide symbol (as opposed to an official state symbol), and the traditional UPA greeting: “Glory to Ukraine!

² We refer mainly to the studies conducted on 7-8 and 20 December 2013 by the Ilko Kucheriv Democratic Initiatives Foundation and the Kyiv International Institute of Sociology, <http://www.dif.org.ua/ua/polls/2013-year/2013-i-politichni-pidsumki-i-prognozi-zagalnonacionalne-i-ekspertne-opituvannja.htm>. The findings of other available studies do not differ significantly from the data used in this paper, especially after taking into account the incomplete representativeness of this type of research.

³ It is possible, however, that this group, as well as the current residents of eastern and southern Ukraine, could include individuals who have recently relocated there from western Ukraine.

Glory to her Heroes!" has become equally widespread (albeit with minor changes). As a consequence, nationalist attitudes are becoming increasingly common, but at the cost of a weakening of their radicalism and particularly of their xenophobic elements.

Despite the seemingly large scale of the protests, the "disgruntled" Ukrainians who attended the Maidan rallies represent a minority group among Ukrainian voters. The majority of the Ukrainian electorate is made up of manual workers, civil servants, rural residents, and members of older generations (including recipients of incapacity benefits and state pensions). They live mainly (but not exclusively) in the most populous eastern and southern regions of the country and tend to be apprehensive about their future and fearful of change. Their common denominator is their passivity and credulity regarding media propaganda. Similar attitudes are also present in western Ukraine, among Ukrainian speakers. It therefore follows that without convincing arguments and objectives that address the needs of these groups of voters, the current civil movement cannot succeed⁴.

Opposition parties and the protests

The leaders of the Ukrainian opposition were taken by surprise by the outbreak of the protests at the end of November. They felt the demonstrations were decidedly premature, since their own strategic objectives were focused on the 2015 presidential elections. The opposition parties were also surprised by the aversion of many protesters to both the parties themselves and to their leaders. This stemmed mainly from the lack of credibility of the political opposition and the lack of confidence in political decisions among the majority of the population. According to an opinion poll carried out in late December 2013,

⁴ The need for such arguments has been stressed by a number of Ukrainian analysts. See, for example, Maksym Vikhrov, Чому Схід не з майданом, 1 Sept 2014, http://zaxid.net/home/showSingleNews.do?chomu_shid_ne_z_maydanom&objectId=1300466

levels of trust stood at the following levels: Oleh Tyahnybok – 58.8%; Arseniy Yatsenyuk – 55.1%; Vitali Klitschko – 48.2%; Yuri Lutsenko – 60.1%; and Petro Poroshenko – 45.2%⁵. It appears that Yatsenyuk - an "office" politician, a poor public speaker, and Batkivshchyna's "Prince Regent" (following Yulia Tymoshenko's imprisonment) -

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was the most surprised by the protests. Klitschko proved more capable of dealing with the new situation - despite his poor political acumen and oratorical skills, as a former athlete Klitschko knew how to act at a rally. Nonetheless, he too felt the protests were premature and detrimental to the behind-the-scenes negotiations on his nomination as the opposition's presidential candidate. Following their initial surprise, the parties attempted to take the reins - making a series of errors in the process. There were also visible differences of opinion regarding the strategy and objectives. Many of their demands and threats were not only unrealistic (for example, their calls for a general strike) but also ran contrary to their political interests, including calls for early presidential and parliamentary elections. In reality, the opposition were far from ready for a snap election - they had not produced an election manifesto, and were not ready logistically or financially. At the same time, the leaders of the opposition ignored a number of realistic goals, such as the removal

⁵ According to the same opinion poll (conducted by the Ilko Kucheriv Democratic Initiatives Foundation), 61.4% of Ukrainians do not trust President Yanukovich, and 66.2% have no confidence in Prime Minister Azarov. <http://www.dif.org.ua/ua/polls/2013-year/2013-i--politchni-pidsumki-i-prognozi-zagalnonacionalne-i-ekspertne-opituvannja.htm>

of Mykola Azarov's government from power or a victory in early elections in five single-member constituencies (15 December 2013). Regarding the former issue, although the opposition did manage to put a vote of no confidence on the parliamentary agenda, it did nothing to win over the undecided independent and coalition MPs. Meanwhile, the Party of Regions successfully contained a crisis within its own ranks (see below), persuaded the Communists to abstain from the vote, and the motion was defeated. The opposition's defeat in the snap elections did

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not come as a complete surprise, since the opposition parties had done little to win extra seats in parliament - mainly because the seats would not have been enough to significantly change the balance of power in the Verkhovna Rada.

Of the three main opposition parties, only Svoboda seems to have clear tactical and strategic goals. For a long time, Batkivshchyna and UDAR did not know how to respond to the rallies, and it is likely that they would have welcomed the end of the protests since they saw them as premature from the point of view of their own electoral strategy. It should be noted that the more pronounced the rift between the two parties, the greater the importance of their alliance with Svoboda. A Batkivshchyna-UDAR coalition could not work due to the rivalry between the parties - a third coalition partner would act as a stabilising force, especially since Svoboda is not looking to enter its own presidential candidate in 2015. However, the coalition is being hamstrung by the increasingly tan-

gible rivalry between the leaders of the three parties. Although Yatsenyuk and Klitschko have tried to conceal their disagreements, over time the tension has become more evident. The decision to prioritise preparations for the presidential race has laid bare differences of opinion between Yatsenyuk and Klitschko with regard to the opposition's election strategy as well as their personal presidential ambitions. While Batkivshchyna would like to see several opposition candidates enter the first round, UDAR insists that the opposition must agree on a single candidate well ahead of the vote. The real dispute, however, boils down to whether both Yatsenyuk and Klitschko, or only Klitschko, should enter the first round.

Unable to secure a nomination from the opposition coalition, the leader of Svoboda, Oleh Tyahnybok will not run for president; he is, however, likely to be active during the presidential campaign. He has found it relatively easy to respond to the new circumstances, and has treated the protests as an opportunity to achieve his party's main objective - namely, to expand its electorate by employing moderately nationalist slogans which can appeal to new social groups and organisations, and the radicalisation of Ukrainian society. To this end, Svoboda activists, who turned out for the protests in large numbers, toned down their chauvinist rhetoric and abandoned their anti-European slogans entirely.

The ruling camp and the protests

The outbreak of protests and their scale stunned the members of the Ukrainian government, who for quite some time were unsure about the appropriate course of action and attempted to play down the significance of the unrest. The decision of 30 November to use force against the protesters in the Maidan (most probably with the approval of President Yanukovich) proved to be a mistake not only because it led to an upsurge in demonstrations, but also be-

cause it caused a split in the ruling elite. One of the symptoms of the crisis was the resignation of Serhiy Lyovochkin as Yanukovich's chief of staff (though this was refused at that time by the president), and the decision by two Party of Regions MPs to leave the party. The risk of a split in the government became most pronounced at the end of November but was subsequently averted and the ruling elite does not at present appear to be in danger of another major rift. This has been achieved by buying the loyalty of the more pro-opposition groups with promises of business licences, or by silencing dissent through threats and blackmail. Nonetheless, the Maidan protests have shown that the ruling elite is not monolithic, and in the event of a serious political crisis in the future, divisions in the government could become much more serious. The existing disagreements have been temporarily muted mainly because some groups in the ruling camp concluded that the Ukrainian opposition is too weak and does not enjoy sufficient public support to pose a real challenge to President Yanukovich. Serhiy Lyovochkin was dismissed on 17 January; this can be interpreted that those upon whom the president is unable to rely will be removed from the immediate circle. However, at present nothing indicates that further significant dismissals will follow.

Following another failed attempt (on the night of 10 December) to resolve the Maidan problem by force, President Yanukovich and his team decided instead to wait out the protests, hoping that inaction would be the best course of action. Moreover, the government recognised the power of Ukrainian society to organise itself and did not feel strong enough to resort to mass repressions - perhaps feeling unsure of the loyalty of the law enforcement agencies. At the same time, the authorities continued to harass members of the opposition and tried to hamper their activities by introducing a series of administrative obstacles (as evidenced by the problems encountered by the organisers

of the Euromaidan Forum in Kharkiv on 11-12 January). The government also used its powers to intimidate the protesters, as demonstrated by the exceptionally harsh sentence of six years in prison for plotting to blow up a statue of Lenin in the Ukrainian city of Vasylkiv in early 2011. Furthermore, it is likely that the govern-

President Yanukovich from adopting more radical solutions to the current crisis are local oligarchs. Although Ukrainian oligarchs do not constitute a homogeneous group, nearly all of them are fearful of the consequences of potential Western sanctions which could be imposed if the government were to crush the protests by force.

ment is hoping for further disagreements to surface within the opposition over its strategy (and it will seek to incite them), which would undoubtedly significantly weaken the effectiveness of any actions taken by the opposition. The government is aiming to subdue the opposition and intimidate the general public. Its most decisive response to the recent protests to date has been the passing of a new legislative package by the Verkhovna Rada on 16 January. The new law, which was adopted unexpectedly and in flagrant violation of parliamentary procedure and which violates the Ukrainian Constitution, includes restrictions on freedom of assembly, imposes high penalties for engaging in illegal forms of protest (for example, blockading buildings) and increases the state's ability to monitor the Internet.

It seems that the group preventing President Yanukovich from adopting more radical solutions to the current crisis are local oligarchs. Although Ukrainian oligarchs do not constitute a homogeneous group, nearly all of them are fearful of the consequences of potential Western sanctions which could be imposed if the government were to crush the protests by

force. The majority of the oligarchs are pragmatists interested in maintaining the political and business *status quo*. In a statement released on 13 December, for example, Ukraine's richest man, Rinat Akhmetov, acknowledged the people's right to protest and called for dialogue⁶. In fact, already at the beginning of December, the government launched "round table" talks with the opposition, chaired by former President Leonid Kravchuk. Despite several meetings, the initiative failed to produce any significant decisions and was seen rather as a delaying tactic employed by Kyiv. The government hoped at the time that the protests would gradually die down and it launched the talks fully convinced that an agreement would not be possible.

Ukrainian politics in the run-up to the presidential election

Over the coming months, the presidential election scheduled for March 2015 will have a major impact on any measures taken by the political or civil opposition groups or by the ruling camp. **The opposition** has been trying to institutionalise the protests, which seems shrewd considering the imminent collapse of the Maidan rally. In late December, civil parties and civil society activists formed an All-Ukrainian Maidan (AUM) movement, and on 11-12 January civil society organisations convened a Euromaidan Forum - envisaged as a transition to a new form of opposition activity. However, the effectiveness of the new structure remains uncertain due to a growing conflict between the political parties and civil society activists, also with regard to election strategy⁷. Nonetheless, it is likely that

the differences will at least in part be mitigated by joint opposition to the legislation adopted on 16 January by the Verkhovna Rada.

Furthermore, the Maidan protests have brought forward preparations for the presidential election and have produced a number of new initiatives and social networks, which may prove very useful during the campaign. There are indications that the opposition will fail to agree on a single candidate for the first round of the presidential elections, and that at least 3-4 candidates will enter the race (Klitschko, Yatsenyuk, Tyahnybok, Poroshenko). Consequently, the Ukrainian opposition will remain divided by its divergent interests and the competing ambitions of its leaders and this will translate into a less efficient coordination of its activities. This will be further compounded by the financial problems of the opposition, by increasingly limited access to the media, as well as by legal and administrative obstacles created by the authorities and attempts to discredit the opposition leaders in the eyes of the Ukrainian public.

President Viktor Yanukovich's camp, meanwhile, has launched its campaign for re-election, significantly strengthened by its December agreement with Russia. The deal has allowed Yanukovich to achieve his main objective of securing a large loan and negotiating lower gas prices without significant economic and political concessions that could cause social discontent (at least in the perspective of the upcoming elections). This will help stabilise the poorly performing Ukrainian economy in the run-up to the elections, and will leave a significant surplus in the budget - allowing the government to increase social spending and to avoid implementing socially painful reforms. In addition to the focus on economy, President Yanukovich also hopes to ensure victory by further increasing state control of the media, including forcing owners of TV channels to provide at best a neutral information service. This, in turn, will prevent opposition parties from gaining access to the major television stations in the country. The

⁶ Ахметов призвал политиков «остудить головы» и сесть за стол переговоров, 13 Dec. 2013, <http://www.unian.net/news/611768-ahmetov-prizval-vseh-sest-za-stol-peregovorov.html>

⁷ A similar strategy was adopted in 2001, resulting in the formation of the "Ukraine without Kuchma" movement. The initiative collapsed after it began to be taken over by political leaders pursuing conflicting programmes and advancing different interests (including Yulia Tymoshenko and Oleksandr Moroz).

new laws restricting civil society freedoms and the right to protest must also be analysed in the context of the upcoming election. Finally, the by-elections held on 15 December have shown that the government is able to constantly improve its capacity for electoral fraud, including the use of large-scale bribery of the general public. It is expected that these methods will be made use of during the presidential election and will inevitably affect the outcome.

Finally, it seems highly probable that the government will try to eliminate Vitali Klitschko

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from the presidential race since, from all the opposition candidates, Klitschko has the best chance of winning. According to the Ukrainian Constitution (Article 103 Section 3) a presidential candidate must have been “domiciled in Ukraine for ten years prior to polling day”; however, no existing legal act defines the term “domiciled”⁸. In November 2013, the Verkhov-

⁸ In an interview given in 2013 Vitali Klitschko admitted that he has lived in Ukraine since 2007.

na Rada completed amendments to Ukraine’s tax code and decided to equate domicile with tax residence⁹. Since Klitschko has not been resident in Ukraine for tax purposes for an uninterrupted period of ten years, it is possible that the Verkhovna Rada’s interpretation may be used to strip him of his right to run for president.

Paradoxically, however, should Klitschko be eliminated from the race, this would remove one of the main points of contention within the Ukrainian opposition, and could result in a further consolidation of opposition activities.

The expectations of political and social change produced by the Maidan rallies among large parts of the Ukrainian public will not disappear and will constitute an important element of the upcoming election campaign. At the same time, new forms of social organisation will make it harder for the current ruling camp to govern through repression, confirming that Ukraine is not a country in which mass coercion will be tolerated. On the other hand, it is also likely that the authorities will draw appropriate conclusions from the Maidan protests, and that this will shape their conduct also following the upcoming election. Finally, the rise in social activism indicates that, as in 2004, it will be down to the Ukrainian people to decide the outcome of the election in a run off.

⁹ Although the provision in question does not refer directly to electoral law, it is nonetheless permissible to apply this particular definition to the entire legal system.

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