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**LEGAL REGULATION OF POLITICAL PARTIES IN THE AUTONOMOUS
REPUBLIC OF CRIMEA**

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The peculiarities of legal regulation of the ukrainian and crimean political parties and their impact on economic, political, social and national spheres of autonomy.

Keywords: autonomy, political parties, elections, the electoral system.

One of major subjects of political relations is parties. They passed the protracted way of forming and evolution and are the product of social and political and socio-economic development of every concrete country of Party as an institute operating in a mass environment. It was formed in Europe in second half of XIX century, in the period of becoming democracy of western, bourgeois type Term "party" of the Latin origin (from pars - part, group). Long before the forming of modern political parties this term designated the groups of people, vying between itself in the field of power or influence on power of the Party of ancient world and European dark ages actually were temporal associations for supporting some personalities. Such type of associations has old history tradition and always accompanied to the social conflicts and political structures which are related to them.

In political science, Weber's classification of stages forming the political parties is generally accepted: aristocratic coterie a) study groups, b) political clubs, c) mass parties. However, passing of all the stages is not obligatory. Many of them were formed as mass parties at once. In this connection, for example, A. Bodnar offers the stage of coterie and clubs to consider as a prehistory of political parties which in their mature form come forward only as mass organizations. Parties of Great Britain passed classic forms of all development stages: a. liberal, b. conservative.

In connection with appearing of state bourgeoisie policy by differentiation of social structure, pluralism and competition in the field of policy- politics clubs are appeared, which differ from aristocratic coterie by stability of ideological communications with its social context engaged in the class struggle between the landowner's interests and bourgeoisie, designed of organization by more wide scale of public activity.

Mass political European parties began to form in the second half of XIX century.

From political clubs they differed to those that were oriented to the search of mass character, operated by the large arsenal of political facilities influence (agitation, propaganda, political enlightenment and education, cultural activity, etc.). In England in 1861 the first mass party was founded (liberal). In the USA, parties start to get organized in 1830, under the Jackson President. In France and other countries of the European continent the transformation of the parliamentary groups and political clubs into mass organiza-

tions is related to the revolution of 1848. In 1863 the first mass working party - Universal German working union was formed and it was founded by F. Lassal.

By the end of XIX century, mass parties (mainly social democratic) are formed in most countries of Western Europe. An assertion to parliamentarism was conducive to it, extending political sphere in connection with distribution of universal franchise and development of working motion, which caused the appearance of working parties. Parties and electoral system, transforming the different forms of pluralism in civil society into the political subsystem (the sphere of imperious relations) and form the only mechanism of conquest power. They are the main subjects of political relations, and it is impossible to imagine the modern democracy without them.

Side by side with it the process of forming the parties was going, which became successors and continuers of different institutes and organizations. Trade unions, philosophical societies, church, religious, professional and peasant groupments, industrial and financial societies could stand at the sources of party.

In Russia, political parties arose up considerably later, than in Western Europe. Lag of this process is explained by a different maturity level of public relations. In Russia there were the features, related to the specific economic lineup, political structure of society, multinational population.

In Russia, political parties usually arise up, when the necessity of state lineup change is realized in society, and this awareness is outpoured in the form of political organization in the name of such change. It is necessary to take into account that interests of that or any other class or line-up frequently realized and it was expressed not by the representatives of this class or by a layer expressed, but intellectuals. In Russian intelligentsia it is possible to select two groups: one of them- divided and formed a governmental course, other isolated itself from ruling bureaucracy and came forward with criticism of governmental course. In future, the process of meeting motion of intelligentsia and class, whose political doctrine it expressed by virtue of possession theoretical knowledge's, political parties appeared. Intelligentsia created parties under the ideological models of all system transformation of public relations. An Ideological chart had most direct and immediate influence on the program of party, its organizational structure, strategy and tactic.

In Russia, it was another in order of origin the parties on their social and ideological and political stratification. The first parties were of revolutionary direction Russian social-democratic working party and party of socialists- revolutionaries. Later on parties of liberal orientation and, finally, right conservative were formed.

The feature of political parties' formation in Russia, possible to name the protracted hidden period of their ripening. They passed the hard way of illegal idea-theoretical and organizational work, co-operation, struggle, search for allies and social support.

Their opposition to the ruling mode was the distinguishing feature of Russian parties. Except some progovernmental parties which appeared with the large delay and the majority of Russian parties of the XX century beginning in actively resisted to autocracy.

In Russia and its component part - there were no deep democratic traditions in Ukraine compiled system of legal institutes was assisted in saving the monarchist, authoritarian mode, was deeping political crisis in a country. Proclamation of civil and political laws and individual freedoms did not have continuation in the real policy of authorities, in spite of liberal and socialistic parties' propaganda. It worth mentioning that the first parties in Russia appeared only on a border of 80-90th XIX century that is 50 years later, than in

the West. At the beginning of XX century more than 280 parties (sixty of them were all-Russian, others - regional or national. The period of multi-party becoming in modern Ukraine, in a great deal is similar, with the period of becoming parties in Europe and Russia on the border of XIX-XX century. He was determined by the crisis position of the system, by the weakening of state dictate, democratization of all sides of society life, searching of the development ways of the country.

Actuality of the noted problem is determined by a place and a role of political parties, public organizations and motions in life of the society, alteration of the Ukrainian state. As history experience testifies value of public-political motions and parties especially grows in a transitional period of the political system. Exactly the same history stage of the development the Ukraine and its inalienable part (Autonomous Republic Crimea) experiences today. According to K. U. Bogomazov on the border of 80th - 90th. Ukraine suffered national-democratic revolution which opened up to it a way to the real freedom and state independence [1, p. 1]. Exactly at that time the process of multi-party revival conditioned by the difficult social structure of society and by having many task class and social-ethnic groups which have the necessities and aim to realize them in practice, began in the conditions of democratic transformations.

Political parties in Ukraine and their cells in Crimea arose up at the end of 80th -at the beginning 90th when the necessity of state line-up change was realized in the society. Among Ukrainian intelligentsia two groups were selected: the first one divided and partly designed a governmental course. The other one stepped as a quality political opposition with criticism of governmental course. Then, in the process of meeting motion of intelligentsia and task forces, political parties were created. They could form, express and defend their interests.

In the last few years research workers published a plenty of works, devoted to the origin and the development of multi-party, forming high-quality of new political relations in Ukraine and Crimea.

Among them the monographs of O. A. Astachova, Z. M. Zotova, D. M. Gorshkov, V. M. Kompo, S. M. Petrenko. In two monographs of M. Litvin (first in Ukrainian historiography realizable attempt of classification of the created parties) the prospects of development of multi-party are analyzed.

Nowadays the basic textbook for political science is "Political processes in Crimea" by O. A. Gabrilyan. It is original generalization of reflections of author's reflections above political processes which took place in Crimea in the last decade of XX century.

In 2002 Korolov's monograph was published "Political parties of Ukraine and Crimea. History and contemporaneity", which contains background papers about political parties of Ukraine and their cells in Crimea. Unfortunately, the author examines activity of party organizations only in the period of hustings. However, because of the historian's inattention there were quite a bit aspects of activity of political parties in the period of alteration of autonomy in Crimea at the end of 80-x-90-x years, stages Crimea multi-party origin were not enough analyzed, the not far trained is the question of ideological activity of common to Crimea, and from February 1997 cells of Ukrainian political parties, need additional illumination of situation with the Party activity economic revival of Crimea, a question is not actually considered for realization of Ukraine Law "About political parties in Ukraine". It predetermines the necessity of basic stages complex research multi-party origin, activity of parties and their cells in Crimea.

The purpose of the article is the analysis of the political parties activity, their role in preparation and election at Crimea, research of reasons and sources of multi-party, basic stages and becoming in Crimea.

Period of becoming of multi-party in modern Ukraine in a great deal look like the period of parties becoming in Europe on the fracture of XIX-XX centuries. It was determined by the crisis state of the political system, by indulgence of the state influencing, democratization of all sides of society life, by searching the ways of the country's development. The process of multi-party becoming started from the development of informal motion, which becomes activated with acceptance of USSR (about public unions) that guaranteed citizens the freedom of public-political organizations creation and to a great extent simplified their registration. Since that time informal motions and associations had got the status of justly operating. Development of political pluralism and creation of political parties in Crimea went some other way.

The first stage encloses 1988 year. The basic task for democratic forces in Crimea was the creation of wide political unions, for example, folk fronts of Baltic.

The second stage encloses the period from the beginning of the 1989 till August, 1991. The most typical for it was the process of new political parties' formation. Their political spectrum was wide enough openly anti-communist, anarcho-syndicalist, social democratic and communist. In Ukraine at the end of 1990, 15 common to all Republic parties were formed, which had in Crimea 8 cells. In addition 5 parties of prussian direction were created in Crimea.

On a quantity, presence of organizational structures, preparation of leaders and influence on the population, cells of political parties and common to Crimea political parties can be divided into three groups:

1. Political organizations which mostly reminded the groups of narrow circle like-minded people. Political persuasions provided a basis of position papers.
2. Parties which had a regional level. By an original "political interval" between the second and the third group were. Social democratic party of Ukraine, Ukrainian Party "Green" and Incorporated social democratic party of Ukraine. They weren't regional, but yet could apply on republican status.
3. Communist party which was represented by the cell in Crimea had the known leader L. Grach. It had comparably large quantity and fork of structure in many cities and districts of peninsula.

Events related to the election in Supreme Soviet (August events 1991). The communist Party of Ukraine removal from the political arena, proclamation of Act of Ukrainian independence, creation of party (actions in Supreme Soviet of Ukraine).

The third stage in development of multi-party begins from autumn 1991 when the cardinal changes in political forces placing Crimea on a benefit, new political parties and motions happened. All these facts specified the transition from becoming to forming of the multi-party system in a new political reality, the contours of which already were expressly determined in Crimean politic.

The analysis testifies that the political system of Crimea in a noted period tested the cardinal changes. Political parties and cells of common to Ukraine (except for communist) were opposition in the operating organs of power is a substantial factor, restrained distribution of bureaucratization forced to search effective exits from a crisis.

The sharp political fight in the period of preparation and election in March, 1998 and in Supreme Soviet of the Autonomous Republic Crimea became the characteristic phenomenon of multi-party.

To our mind exactly these elections decided a question which will be local self-government and also which will be Crimean autonomy the next years.

A local election is not only electoral process but also large policy which is realized of them. In most European countries such policy is provided by political parties which are constitutional instruments between electors and organs of local self-government. However in force of political and geopolitical circumstances, reasons, which contradict the Constitution of Ukraine, this function was appropriated in Crimea by so called unofficial party of power, which unites more higher lines of state bureaucracy both in a center and at places.

And it happened not by chance, as local elections, as well as the whole system of local self-government in Crimea were developed under the conditions of top-level domination capitalism. Under such conditions the organs of local self-government were formed from above party of power, were given a possibility to express trust to its. In a great deal it reminds the system of soviet period elections. Therefore at the local election of 1994 and 1998 the actual role of political parties was taken to the minimum.

In Supreme Soviet of Ukraine a lot of bills about the amendments and supplements to the Ukrainian Law in force «About deputies elections of local and rural counsels, settlement, city goals" (from January, 14, 1998) and Law of Ukraine "About deputies elections to the Supreme Soviet of the Autonomous Republic Crimea" were carried in. But these amendments and supplements are not up to the changes of the electoral system and do not affect a question about a new role of political parties.

The analysis conducted by an author, testifies that the greatest activity after advancement of candidates in the deputies of Supreme Soviet of ARC in 1998 was shown by the Communist party of Ukraine and party "Union". They pulled out accordingly 106 and 52 candidates in deputies. The other political parties were less active. In particular, party of labor pulled out 24 candidates in deputies; Common to all Ukraine association "Gromada" - 23; party of Slavonic unity of Ukraine - 22; Agrarian party of Ukraine - 19; party of economic revival - 19; Christian-democratic party of Ukraine - 18; National democratic party of Ukraine - 16; Peasant party of Ukraine - 15; Party of Fatherland's defenders - 10; Common to all Ukraine party of workers - 7; Party "Zelenuch" of Ukraine - 6; Social democratic party of Ukraine (O) - 5; Socialistic party of Ukraine - 5; Ukrainian Republican party - 4. Other political parties ran 11 candidates in deputies [2].

In general, 25 political parties pulled out on these elections 362 candidates on these elections, out of them Communist party of Ukraine ran the candidates in deputies of Supreme Soviet of the Autonomous Republic Crimea, Supreme Soviet in each with 100 electoral districts.

After a national sign among candidates in the deputies of Autonomous Republic Crimea Supreme Soviet prevailed Russians – 555 candidates in deputies (55,5 %), Ukrainians were 287. (28,7 %) and Crimean Tatars (8,4 %) [3, p. 369]

The results of elections in Supreme Soviet of the Autonomous Republic Crimea on March, 29, 1998 testify that the Communist Party of Ukraine conducted mass-propaganda work most effectively and it indisputably became the winner of electoral race. Out of this party, 38 deputies are selected to the Supreme Soviet of the Autonomous Republic Crimea. It is better to remind, that by the candidates in deputies of Supreme Soviet of the Au-

onomous Republic Crimea from Communist party of Ukraine was pulled out 106 men. - That is a 35,9 percent The majority of communists-deputies were selected in Simferopol - a 77,8 percent, in Alushta city.

In Djankoj and Belogorsk district - 66,7 percent. Communist party of Ukraine was able to vote for the representatives into Supreme Soviet of the Autonomous Republic Crimea, which in number made half of deputies from a common amount in Armyansk, Krasnoperekopsk, Saki, Pervomajsk district [4, p. 545-549].

Due to the results of voting on elections, Agrarian party of Ukraine took the second place. Out of this party 5 deputies of Supreme Soviet of the Autonomous Republic Crimea were selected and 19 candidates run in deputies. It makes 25,9 percent in relation to candidate's run in deputies. By the original display of mistrust to the party "Union" became a high percent of candidates in deputies, which electors did not support on elections (March, 29, 1998). Out of 52 candidates in deputies of the Autonomous Republic Crimea Supreme Soviet only four were selected as deputies. It makes only 7,6 percent.

In the total, political parties divided deputy mandates in such a way : Communist party of Ukraine - 38, Agrarian party of Ukraine - 5, People's democratic party of Ukraine - 4, Party "Union" - 4, Party of economic revival - I, Socialistic party of Ukraine - I. 47 deputies of a new convocation made non-party.

Communist party of Ukraine was formed in July, 19, 1993 on "renewal" convention in Donetsk. Registered by Ministry of Ukraine's justice on October, 5, 1998 communist Party of Ukraine comes forward for the socialistic orientation of society development claiming in it humanism democratic, collectivism bases, supremacies of law, providing rights of citizens of all nationalities. In 1998 the quantity of party made up 140 thousand of persons. Crimean republican organization of party [5, c. 160] is a component part of communist Party of Ukraine [5, p. 160].

Socialistic party of Ukraine was formed on constituent convention in Kiev (October, 26, 1991) and registered by Ministry of Ukraine's justice (November, 25, 1991). Purpose of the party - claiming the sovereignty of workers, creation of political and social terms for the real participation of citizens in the administrative department of the state and society, constructions; socialistic society, social justice, real democracy of human right is guaranteed.

Peasant party of Ukraine formed in January, 25, 1992 at Constituent conference in Kherson and registered by Ministry of Ukraine's justice (March, 1992). Purpose of the Ukrainian Peasant party activity is directed on alteration of agro industrial complex as bases the of revival of sovereign state.

Party "Zelenuch" of Ukraine was formed in Kiev on May, 29-30, 1990 Registered by Ministry of Ukraine's justice (May, 24, 1991) the assistance to creation of terms for development of independent Ukraine and providing of its citizens interests by the concordance of economic necessities with interests of environment became the Primary purpose of this party activity, harmonization of public relations, harmonization of society co-operation and environment, defense of human rights and democratic freedoms.

On February, 24, 1996 as a result of Labor confluence congress of Ukraine and Party of democratic revival of Ukrainian folk democratic party of Ukraine was created in Kiev, which was registered by Ministry of Ukraine's justice a bit later (May, 30, 1996). People's Democratic Party proclaimed by a primary purpose the alteration of Ukraine as the demo-

cratic legal social state, construction of just civil society, which grounds on common to all mankind values, creation of effective social-market economy.

In the Autonomous Republic Crimea on January, 1995 23 political parties were registered, in that number 18 common to Crimea. Most influential were by then: Republican Party of Crimea is Republican Democratic party of Crimea. It was created in October 1992; Folk party of Crimea, created in October 1993; Party of economic revival of Crimea is incorporated in November 1992; Union of support of the Republic Crimea, created in November, 1993.

Taking into account the specific political life in the Autonomous Republic Crimea, creation of regional organization of Liberal Ukrainian party began in April, 1995 by the Official founders came forward to I. Vyalov, a businessman from Feodosiya, V. M. Alimov and V. V. Pogorelov are the citizens of Simferopol. By the finding the place of the branch party was fixed in Feodosiya, where on April, 15, 1995 the Constituent conference took place. During the work of the conference 40 delegates took part from 14 city and district's party's nucleuses. By the chairman of organization P. I. Vyalov was selected. April, 29, 1995- Crimean regional organization of Liberal party of Ukraine got legal status in Ministry of the Republic Crimea justice [6, p. 90, 91].

For support of Crimean liberals. Advice of Liberal party of Ukraine on October, 6, 1995 conducted presentation of the cell in Simferopol. During presentation the agreement between Liberal party of Ukraine and Party of economic revival of Crimea was signed. The agreement foresaw common actions of both parties in hustings, development of bills after realization of the programs, conducting general mass political actions, economic program development for Ukraine and co-ordination of youth organizations actions. In addition, it is planned to conduct the advisory meetings and common meetings of leading organs of parties. On the same presentation the leaders of parties came forward with the common statement in which the estimation of political and socioeconomic position in Ukraine and Crimea was done in which [7, p. 80, 81].

From one side this political alliance gave brief positive results. The regional separation grew like a weed in number. Feodosiya's urban party organization grew especially fast For period from June, 1995 for June, 1996 was multiplied the Crimean cell on 400 liberal party men [8, c. 91]. But from the point of view the long duration prospect of political development and activity, we consider that blocking with Party of economic revival of Crimea (which was afterwards transformed in Party of economic development of Ukraine) was the substantial error of guidance of Liberal party men. Contradictory, and sometimes and criminal-doubtful activity of Party leaders of economic revival of Crimea in the end blew up an image and the Crimean cell of Liberal party.

Analyzing materials of the second party conference of the Crimean regional separation of liberals, that took place in October, 1996, we will mark that except for separate actions after the grant of material help to the veterans of war and labor, by possession of having many children, to Small Academy of Sciences of Crimea, serious political work was not conducted among the population. The newspaper "Liberal of Crimea" became the unique means of intercourse of cell guidance of this party, which went out by the small drawing and did not have the permanent readers.

The principal reasons of failings in political work among the population became the lack of wide social base of party. Liberal party of Ukraine was oriented on a middle class that is middle and shallow businessmen. In basis of the economic party program alteration

of the legal state was built with the developed market that is unreal not only for the period of 90th pp., but also for the modern period.

Weak theoretical development of scientific conception liberalism was the second lack of this party activity and principal reason of its failures. The theorists of party and its guidance tried to inculcate at Ukraine existing by then two conceptions of modern neorealist:

- Social, in which a basic place occupies the state adjusting of socioeconomic processes;
- Conservative, where, opposite, influence of the state on economic and socio-political life diminishes considerably.

But in practice, in place of successive purposeful work, the leaders of Liberal party of Ukraine and leaders of its Crimean cell built the tactic based on the first and second conceptions depending on the changes of socio-economic situation in Ukraine. This inconsistent tactic was negatively reflected on the image of Liberal party.

To the substantial lacks of liberals activity weak organizational work of cell guidance, absence of professional party workers belongs in Crimea. As a result, the process of city forming and district cells sprawled on two years almost. Only Alushta cell of party was registered in September, 1997. Criticism of leader's explanation of the Crimean cell Liberal party of Ukraine P. I. Vyalov is not maintained, that the noted failings were investigation of Crimean specific terms, that "created for the liberals of complication in work with local authorities" [9, p. 92].

The results of folk deputies' elections of Ukraine and deputies of Supreme Soviet of the Autonomous Republic Crimea in 1998 testify the complete mistrust of electors to the candidates in deputies from Liberal party. On these elections Liberal party came forward in composition an electoral block with Party of labor. With the election's results of folk Ukrainian deputies electoral block of parties "Party of labour and Liberal party – got the lowest percent of voices from Ukraine - 0,6819 (on the average on Ukraine - 1,8929 %) [10, p. 523].

On elections of Supreme Soviet deputies of the Autonomous Republic Crimea in 1998, out of 24 candidates in deputies from this electoral block not a single deputy was selected [11, p. 551].

In February, 1997 by the order of main chief administration of Ukrainian justice in the Autonomous Republic Crimea of common to Crimea party were deprived legal status. In elections of deputies of Supreme Soviet of the

Autonomous Republic Crimea on March, 29, 1998, twenty-four regional separations of Ukrainian political parties and organizations took part [12, p. 303- 362].

The conducted analysis testifies that the political system of the Autonomous Republic Crimea in the conditions of multi-party tested the changes. The opposite parties and organizations actively conduct the struggle against departure of official structures of power from democratic processes, course on realization of reforms, distribution of bureaucratization is restrained, force guidance of autonomy to search effective exits from a crisis. The sharp political struggle in Supreme Soviet of the Autonomous Republic Crimea became the characteristic phenomenon of multi-party.

Consequently, it is possible to say: time of unlimited domination of bureaucratic nomenclature is completed. Historically, it survived and forced to concede a place to political parties of parliamentary type. But the process of these parties forming goes difficultly

and too slowly, and the nomenclature educated during decades has an outstanding experience and capable, using administrative, financial resources, to store the leading position and return itself a monopoly on power.

Offered by the President of Ukraine L. D. Kuchma constitutional reform foresees creation of two-chamber parliament. The design review of reform caused activation of political processes in Crimea, in particular problems of perfection electoral legislation and acceptance of a new Law of Ukraine "About elections of folk deputies of Supreme Soviet of ARC" on proportional basis, that in turn needs subsequent scientific researches of cells activity of Ukrainian political parties in Crimea.

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Рассматриваются особенности нормативно-правового регулирования деятельности общеукраинских и общекрымских политических партий и их влияние на экономическую, политическую, социальную и национальную сферы автономии.

Ключевые слова: автономия, политическая партия, выборы, избирательная система.

Велігодський Д. В., Велігодська Г. М. Правове регулювання діяльності політичних партій в Автономній Республіці Крим / Д. В. Велігодський, Велігодська Г.М. // Вчені записки Таврійського національного університету ім. В. І. Вернадського. Серія: Юридичні науки. – 2013. – Т. 26 (65). № 1. – С. 162-170.

Розглядаються особливості нормативно-правового регулювання діяльності загальноукраїнських та загально-кримських політичних партій і їх вплив на економічну, політичну, соціальну та національну сфери автономії.

Ключові слова: автономія, політична партія, вибори, виборча система.