FEATURES AND CONSEQUENCES OF THE USAGE OF CLONING TECHNOLOGY DURING THE 2019 PARLIAMENTARY ELECTIONS IN UKRAINE

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Abstract

The article analyses the features of the usage of cloning technology in the electoral practice of modern Ukraine. The authors have considered clone candidates during the elections as a subspecies of technical candidates. The author's typology of clone candidates that can be used in election campaigns has been proposed. Based on the analysis of the 2019 parliamentary election campaign in Ukraine, the peculiarities of the participation of clone candidates in the election race have been demonstrated. The authors have concluded that the cloning technology during elections is not illegal phenomenon, but violates moral and ethical principles, as it involves manipulation and may ultimately lead to significant distortion of the results of the will of voters. Researchers emphasize that the main condition for neutralizing the impact of cloning technology on the course and results of elections is the presence of a high level of electoral culture of voters.

Key words: cloning technology, elections, clone candidates, manipulations, election campaign.

INTRODUCTION

It is well known that one of the key features of democracy is competitive, free and fair elections. However, analysing the current trends of elections in the conditions of the development of the information society, we see more and more use of manipulations in the electoral process, which calls into question the fairness of the elections and, consequently, their democracy.

At the same time, the problem of the democracy of the electoral process, holding elections in conditions where all candidates have the opportunity to compete honestly for power, has always been relevant to political science. This is due to the fact that the level of democracy of the election race and the fairness of the rules of the election campaign affect not only the outcome of elections and the formation of political elites, but also the effectiveness of public administration and democracy of social and political system in state in general.

Therefore, it is necessary to analyse the features of such manipulation as the use of cloning technology in elections, which is becoming more common practice in the modern electoral process. This technology is often used in the electoral practice of post-Soviet countries, in particular, the development of this phenomenon is brightly evident during the elections in Ukraine. In this context, the widespread use of cloning technology in the 2019 parliamentary election campaign in Ukraine underlines the importance of research and adequate understanding of this concept in the 21st century.

In this study, we will understand the cloning technology as a type of electoral technology, which consists in the deliberate and purposeful use of candidates with the same surname or political parties with a similar name to drag votes and reduce the chances of victory for the candidate or party against whom this technology is used.

SCIENTIFIC APPROACHES AND RESEARCH METHODS

The methodological basis of the study is the application of the following scientific approaches to the analysis of the problem of the cloning technology usage during elections: functional, which made it possible to assess the dependence of the democratic nature of the electoral process on the use of such electoral manipulation as the participation of clone candidates; regulatory and value-based, thanks to which we found out the significance of the phenomenon of clone candidates as a factor of violation of moral and ethical standards of the election process, decrease in democracy, integrity of elections and focused attention on those legal norms that it violates.

In general, during the research, the following methods have been used: general scientific methods (comparative, structural-functional and systemic), empirical (method of statistical data, method of document analysis) and logical methods (analysis, synthesis, deduction and induction). Applying the comparative method, the features of the use of clone candidates in various electoral districts during the 2019 parliamentary elections in Ukraine have been compared. A structural-functional method has been also used, according to which the characteristics, functions and types of clone candidates and their influence on the election results have been collectively considered. The systemic method helped to analyse cloning technology as a system phenomenon.

The main methodology used in the study is quantitative methodology. The use of quantitative research methods made it possible to process large amounts of data on candidates in electoral districts. Applying a statistical method, information on the scope and features of the use of cloning technology during the 2019 parliamentary elections in Ukraine has been provided. Method of document analysis has been used during the study of Ukrainian electoral legislation, in particular, the Election Code of Ukraine. In addition, to better understand the specifics of the use of clone candidates, the method of specific situations has been applied.

Besides, the author's own methodology for determining the effectiveness of cloning technology has been used in the study. It has been applied to find out how effective the use of clone candidates was during the 2019 parliamentary elections in Ukraine.

Research question: how large-scale and effective is cloning technology during elections in Ukraine? In our study, we will understand the effectiveness of cloning technology as the ability of the clone candidate to "take away" enough votes from the victim candidate so that he/she is not elected.

Research hypothesis: cloning technology is actively used in Ukraine during the election process and contributes to the results distortion of the will of citizens; it is a type of dirty electoral technology used in Ukraine to take away votes from leading candidates and is, to some extent, effective, allowing for a partial change in the election outcome.

SOURCE BASE AND STATE OF SCIENTIFIC RESEARCH OF THE PROBLEM

The issue of cloning technology during the elections is actual due to the fact that in Ukrainian and foreign political science studies of clone candidates and their role in

the electoral process are not fully covered. Mentions of this modern phenomenon are found more at the level of journalism and political analytics, which necessitates a comprehensive scientific study of cloning technology during election campaigns, finding out the place and appointment of clone candidates, the theoretical justification of this phenomenon.

Our research is based on such a fundamental international regulatory act as the "Code of Good Practice in Electoral Matters" of the Venice Commission, which states that elections can be considered an attribute of democracy and contribute to the democratic development of the country only when they are held on the basis of five basic principles: free, equal, general, direct and secret elections. In addition, the Venice Commission emphasizes that elections must be protected from any party-political manipulation (one of which, in our opinion, is the use of cloning technology during elections) [Code 2002].

In addition, we used the approach of the well-known Ukrainian election researcher Yurii Kliuchkovskyi, who, in his thorough work "Principles of electoral law: doctrinal understanding, state and prospects of legislative implementation in Ukraine" (published in 2018 with the assistance of the OSCE Project Coordinator in Ukraine), defending the thesis about the importance of observing the democratic principles of elections, singles out a number of abuses of the right to vote. Among these, he includes, in particular, the technology of using technical candidates (as well as their variety, such as clone candidates) during elections [Kliuchkovskyi 2018].

The issue of using cloning technology during elections is closely related to the issue of the integrity of the electoral process. In this context, the source base for our research was the works of a number of foreign scientists, who analyzed the problem of election integrity. In this context, it is possible to mention, in particular, Carolien van Ham, who published a chapter entitled "Electoral integrity" in the book "The Oxford Handbook of Political Representation in Liberal Democracies" [The Oxford 2020].

In addition, it is worth mentioning Sarah Birch's book entitled "Electoral Malpractice". In her work, the researcher compares the concepts of electoral honesty and electoral dishonesty, analyzes various types of manipulations used during elections [Birch 2011]. Also valuable in the context of our research was the work of the American researcher Pippa Norris entitled "Strengthening Electoral Integrity", which, noting the general global trend towards increasing risks for democracy and elections, emphasizes the importance and necessity of strengthening the integrity of elections [Norris, 2017].

Given the fact that cloning technology during elections is one of the types of dirty (grey) election technologies, we used a number of scientific sources that covered the topic of election technologies in general and such a subspecies of them as dirty technologies. In particular, this is about such Ukrainian scientists as Yurii Shveda and Iryna Lesechko, who reveal the role of destructive election technologies in Ukrainian electoral practice [Shveda, Lesechko 2020]. In this context, it is also worth mentioning the Russian researcher Mykola Hryshyn, who analyses the technologies that underlie the election campaign [Hrishyn 2003]. The role of technical candidates during election campaigns is revealed by the domestic researcher Anatolii Bondarenko. According to the scientist, such pre-election technology is called the "third force" [Bondarenko 2012].

It is also worth mentioning the work of foreign researchers Michael Alvarez, Thad Hall and Susan Hyde entitled "Election Fraud: Detecting and Deterring Electoral Manipulation", in which the authors raise important and relevant issues of election fraud and manipulation during the election campaign [Alvarez 2008].

However, the works of Ukrainian and foreign scientists, experts and analysts, devoted to the study of cloning technology during elections, which is a type of technology for the use of technical candidates, became the most important source base for our research. Among foreign researchers of cloning technology during election, first of all, it is worth mentioning Edith Elkind, Piotr Faliszewski and Arkadii Slinko, who have developed a mathematical model of technology, in which each candidate can be replaced by several clones – new candidates, who are so similar to an existing candidate that each voter simply replaces the real candidate in his/her vote with a block of these new clone candidates [Elkind, Faliszewski, Slinko 2010; Elkind, Faliszewski, Slinko 2011].

Other researchers, who have directly or indirectly considered the cloning technology in elections, include Mukhtar Mukhtarov, who analyzes falsifications in election campaigns [Mukhtarov 2018], and Oleh Zakharov, who explores the peculiarities of the use of clone candidates during elections [Zakharov 2003].

However, cloning technology is analysed largely not by Ukrainian scholars, but by Ukrainian experts, journalists and analysts. They reveal the features and role of technical candidates in elections, analyse clone candidates as a type of technical candidates, discuss the goals and consequences of using cloning technology in election campaigns [Dzhulai, Naboka 2019; Mykolaichuk 2019; Ovdiienko 2019; Pushchenko 2015; Rohovyk 2018].

Statistical documents and materials related to the 2019 parliamentary election campaign, as well as the election results, have become an important source for

studying the features of the usage of cloning technology during elections [Protocol 2019 № 37; Protocol 2019 № 64; Protocol 2019 № 78; Protocol 2019 № 119; Protocol 2019 № 146; Protocol 2019 № 198; Protocol 2019 № 210; The list 2019 etc.].

However, it should be noted that the issue of cloning during elections is not sufficiently disclosed at the scientific level. This applies primarily to the theoretical study of the features and types of clone candidates, the possible consequences of the use of cloning technology during elections. Moreover, the problem of using cloning technology in election campaigns in Ukraine in general, and during the parliamentary election campaign in 2019 in particular, was left out of the scholars' attention. This makes the scientific research of the peculiarities of the usage of cloning technology during the early elections to the Verkhovna Rada of Ukraine in 2019 actual.

DIRTY ELECTION TECHNOLOGIES

Nowadays, the ability of candidate's team to use a wide variety of election technologies plays a very important role for a candidate's election victory. The more electoral technologies are in the candidate's arsenal, the more realistic are his/her chances of winning the elections. As the Russian researcher Mykola Hryshyn rightly points out, electoral technologies combine all available resources into a single mechanism, give it flexibility and sophistication, appearance and the ability to create miracles [Hryshyn 2003].

Election technologies are understood as a set of methods, shares, and actions that contribute to increasing the effectiveness of the election campaign of the subject of the election process or, on the contrary, are aimed at discrediting the opponents of a certain candidate. Electoral technologies are part of political technologies in general.

There are different approaches to the classification of election technologies. However, in our opinion, the most justified is the division of election technologies into three groups: "dirty", "grey" and "clean". This classification allows to cover all election technologies, give their qualitative characteristics and see the results of their use.

"Dirty" election technologies are understood as the use of methods of campaigning or influencing voters, which contradict the law and do not correspond to established ideas about the ethics of political struggle in a civilized society. "Clean" electoral technologies are methods that are used, as a rule, without violating the law and within the framework of the established rules of pre-election campaign and norms of generally accepted ethics [Buchyn 2009].

Often, along with “dirty” and “clean” election technologies, there are also “grey” election technologies that are in the middle between them. "Grey" electoral technologies are methods that, as a rule, are on the verge of violating the law, or violate it to a small extent. In fact, "grey" electoral technologies are legal actions, which, however, violate generally accepted ethical norms. At the same time, "dirty" election technologies are often characterized by a violation of both legislation and moral principles. But it is rather difficult to draw a clear line between "dirty" and "grey" electoral technologies [Buchyn 2009].

"Dirty" election technologies include signature collection fraud, voter bribery, voter intimidation techniques, compromising materials, disrupting the candidate's meetings with voters, discrediting the opponents on their behalf, etc. "Clean" election technologies include organizational methods that increase the effectiveness of collecting signatures, campaigning and the popularity of the candidate, bring him/her closer to voters, etc.

Regarding technologies of using technical candidates during elections in general, and their variety, such as clone candidates, in particular, then, in our opinion, they should be classified as "grey" election technologies. This can be explained by the fact that the use of technical candidates and clone candidates does not directly violate the election legislation, but lowers moral and ethical norms, distorts the will of voters and indirectly reduces the level of democracy of elections. Therefore, we consider it expedient in the future to pay attention to the disclosure of the essence and role of technical candidates and clone candidates in the election campaign.

The issue of dirty election technology and cloning technology is closely related to such a concept as the integrity of elections. In this context, it is worth mentioning first of all the foreign researcher Carolien van Ham, who claims that the integrity of elections is of crucial importance for political representation. Otherwise, an uneven playing field is created for candidates and political parties participating in the elections, and the preferences of the voters will not be truthfully reflected in the election results. Moreover, election dishonesty, according to the researcher, directly creates advantages for certain subjects of the electoral process and nullifies the accountability function normally performed by fair elections [The Oxford 2020].

Another foreign researcher, Sarah Birch, in her study of election abuse, singles out its three main forms: 1) manipulation of the rules on the basis of which elections are regulated; 2) manipulation of voter preferences; 3) manipulation of the voting process [Birch 2011].

It is also worth noting that, as the use of clone candidates is mostly not a direct violation of electoral law, the use of cloning technology is an element of electoral

practice in many countries. However, the level and extent of the use of clone candidates largely depends on the type of political regime. Therefore, it can be assumed that in democratic countries, cloning technology is, on the one hand, less widespread and, on the other hand, less effective. This, in our opinion, can be explained by the high level of democratic consciousness and culture of all participants in the electoral process in democratic countries, who are more inclined to adhere to moral and ethical rules during election campaigns. And in case of their violation, they are able to recognise the intentions of those who use dirty technologies and reduce the effectiveness of such technologies. In contrast, in non-democratic political regimes, cloning technology is used more widely during elections.

Speaking about Ukraine, it should be noted that according to the Democracy Index, the country has a hybrid political regime [Democracy 2023]. It is characterised by the lack of stable democratic institutions and practices of democratic governance [Kononenko 2018]. Therefore, we can assume that the hybrid nature of the political regime in Ukraine has a negative impact on the level of democratic elections. Thus, the electoral process in Ukraine is characterised by use of dirty electoral technologies, including the use of technical candidates and clone candidates.

TECHNICAL CANDIDATES AND THEIR ROLE IN THE ELECTION PROCESS

Analysing the features of cloning technology in the electoral process, it is necessary, first of all, to consider such a concept as “technical candidates”. This is due to the fact that clone candidates can be considered as one of the types of technical candidates. Therefore, clarifying the place and role of technical candidates during election campaigns will provide a significant understanding of the specifics and objectives of the use of cloning technology in the election process.

Revealing the essence of the concept of “technical candidate”, the most problematic is the issue of identifying those characteristics that will allow to refer a particular candidate to the cohort of technical ones. In this context, it is important to emphasize that there is no consensus among researchers as to which candidate can be considered technical and which features may be inherent in him/her.

Summarizing the approaches of various scholars and analysts regarding the understanding of technical candidates, we can identify the following characteristics that, according to researchers, describe such subject of the election process:

- the main goal of the technical candidate is not related to winning the election [Dzhulai, Naboka 2019; Ovdiienko 2019; Rohovyk 2018];
- the technical candidate is an instrument of struggle against other candidates in elections [Dzhulai, Naboka 2019; Mykolaichuk 2019; Ovdiienko 2019; Rohovyk 2018];
- the technical candidate is a non-independent subject of the election process and acts on behalf of another main candidate to increase his/her chances of winning [Pushchenko 2019];
- the technical candidate is used to provide an advantage to another candidate (by using his/her quota to increase representation on election commissions, increase airtime on television, election observation, etc.) [Rohovyk 2018];
- the technical candidate seeks to drag the part of the votes of candidates who are opponents of the subject of the election process in whose interests he/she acts [Rohovyk 2018];
- the technical candidate is quite passive during the election campaign, etc.

In our opinion, not all of the above characteristics make it possible to clearly classify a particular candidate as technical one. For example, this applies to the participation of candidates in the election race for reasons other than the desire to win. This can be explained by the fact that winning the election is the most common, however, not the only reason why candidates run for elections and participate in the election race. Also, the passivity of certain candidates during the election campaign may indicate that their resources are limited, not their technicality.

In addition, different election campaigns have their own specific features, tools, subjects and opportunities to win. Therefore, in our opinion, certain goals that these candidates pursue during the elections should not be considered as characteristics of technical candidates. After all, goals should always be applied relevant to the specific situation, so the aim of any candidate can be used more as a criterion for the typology of technical candidates than as an inherent feature of the technical candidate.

Thus, the main reason for classifying a candidate as technical is his/her lack of independence, acting on behalf of another candidate or political party. So, in our opinion, technical candidates should be understood as fictitious persons who participate in the election campaign, having a specific goal, not related to victory, but aimed at realizing the interests of other subjects of the election process by manipulating voters.

CLONE CANDIDATES AS A KIND OF TECHNICAL CANDIDATES

One of the most common and effective types of technical candidates is a clone candidate. This is due to the fact that the use of a clone candidate, who is similar to another candidate (as a rule, it is the biggest opponent of the main candidate), allows to most effectively achieve planned goals by manipulating the interests and awareness of voters.

In the political context, cloning is an electoral technology that involves the use of candidates in the elections, who are namesakes of other candidates and/or who are representatives of newly established organizations, parties or private enterprises, that have similar names to another candidate's party or organization. It should be noted that the term "clone candidate" has the same meaning as the term "twin candidate", so we accept the use of any of these terms to denote a technical candidate who has similarities to the real candidate.

In this context, we consider it necessary to provide arguments why the use of clone candidates during elections should be considered as a separate electoral technology, and not a just procedural aspect of the electoral process. Of course, clone candidates are associated with such a stage of the election process as the nomination and registration of candidates. However, the use of clone candidates has a clear purpose: to prevent a namesake of clone candidate (the so-called "victim candidate") from winning the election. Therefore, this gives us reason to talk about a separate technology of cloning as a kind of dirty election technology, which has its own purpose, specifics of application depending on election procedures, the list of candidates and voters' preferences, and specific consequences for the election results.

Foreign researchers Edith Elkind, Piotr Faliszewski and Arkadii Slinko note that mandatory condition for the effective use of cloning technology during elections is the similarity of new candidates, used in the election process, with existing candidates [Elkind, Faliszewski, Slinko 2011: 539].

The increasing use of clone candidates in the electoral practice of the world emphasizes the importance of careful analysis of this phenomenon. In this context, it is worth analysing the work of Russian analyst Oleh Zakharov, who conducted one of the most thorough studies of the features of the usage of clone candidates. First of all, the scholar identifies the following types of twin candidates:

1) "understudy", who participates in the election in order to prevent the election without alternatives, as the election may be declared invalid if only one

candidate is running. Such a candidate receives an average of 1–4 % of the votes;

2) "assistant", whose participation contributes to the success of the main candidate, which can be manifested in campaigning for him/her using the airtime of the assistant candidate;
3) "twin of competitor", who aims to drag some votes from another candidate [Zakharov 2003].

Besides, Oleh Zakharov identifies the following stages of the scenario of using clone candidates:

1. Search for the namesake of the competitor candidate, which should have the maximum match in the surname, name and patronymic.
2. Receiving of the power of attorney with the maximum volume of transactions from the fictitious candidate by the representative of the main candidate. After that, all actions on behalf of the clone candidate are carried out by a special team of professional lawyers, who have experience in the use of such manipulations.
3. Creation a specific position or job for a clone candidate to simulate the activities of a real candidate against whom cloning technology is used.
4. Nomination, paying the electoral deposit and registration of a clone candidate.
5. Isolation of the clone candidate from certain contacts with the external environment, to prevent the leakage of any information, that could interfere with the implementation of the plans of the organizers of the technology.
6. Registration, if available, of the pseudonym of the clone candidate in the election commission (if such a possibility is provided by law).
7. Control over the leakage of certain photographs and videos of a clone candidate in the media (usually such candidates do not conduct pre-election campaigning).
8. Tracking of media materials that testify to the falsity of the candidate, and the implementation of an appropriate response.
9. Ensuring the mandatory participation of a clone candidate in the election and the presence of his/her name on the ballot [Zakharov 2003].

However, Oleh Zakharov points out that the above scenario is standard and mentioned stages are the main ones, but can be adjusted according to the situation. In this context, the researcher also singles out additional opportunities for the use of twin candidates, in particular the discrediting of a real candidate by substituting surnames in certain campaign materials; using a clone candidate in

such a way that its negative traits can be accidentally attributed to a real candidate, or to demonstrate a twin candidate where voters do not know the appearance of the real candidate [Zakharov 2003].

Scholar Madiiar Mukhtarov argues that a clone candidate should be something similar to his/her opponent and be aimed at dragging his/her votes. In his opinion, there are two subspecies of clone candidates:

1. Person with the same surname or full namesake of another candidate, for whom supporters of a real candidate may accidentally vote. It is possible to use a candidate, who not only has the same surname as a competitor, but also works in an organization that has a similar name to the organization of the real candidate and is usually created only for this election campaign.
2. "One-fielder candidate", who is focused on the same part of the electorate as the real candidate. Such a fictitious person can be a colleague of the opponent by profession, have a similar image or be his/her countryman. This type of clone candidates is very difficult to identify [Mukhtarov 2018].

According to analyst Pavlo Romaniuk, clone candidates are used for the following purposes: distraction of electoral votes from the main competitors, who are supported by a significant part of voters; receiving from the real candidate an illegal benefit in exchange for withdrawing the candidacy by clone candidate; raising the recognizability of the main candidate's name [Shcho take 2019].

In return, the coordinator of the Civil Movement "CHESNO", Vita Dumanska, emphasizes that the technology of using clone candidates, which was previously intended only to "steal" votes from a particular candidate, has now become a business. Therefore, according to the expert, a certain candidate may be offered to receive money for the fact that his/her namesake clone did not participate in the elections [TsVK vpershe 2019].

However, given the above approaches to the characterization of clone candidates, it should be understood that they are generalized, as such candidates may often have specific goals, including intimidation of a real candidate or the sale of seats on election commissions.

It is important to understood that the clone candidates are focused on the common features which they have with the real candidate. So, we believe that a complete match in the full name of the victim candidate and the clone candidate is more effective than having only the same surname. Of course, the simultaneous usage of similarities both in the full name and in the name of the organization on whose behalf the victim candidate carries out activities can be even more effective. In order to better identify these aspects of cloning, we propose our own classification of clone

candidates. However, we believe it appropriate to consider clone candidates who withdrew their candidacies from the election separately, calling them pseudo-clones. All other clone candidates, whose names appeared on the ballot on election day, can be divided as follows:

1. **Direct clones** – candidates, who use matches in the full name to achieve their goal. The following subspecies of direct clones can be distinguished:

– *absolutely direct clones* – full namesakes of the real candidate (persons with the same surname, name and patronymic);

– *relatively direct clones* – namesakes of a real candidate who do not have a complete match in name or patronymic.

2. **Indirect clones** – candidates who, when participating in elections, are representatives of organizations, private enterprises or political parties that have the same or similar names with a known political party or with the relevant structure, the activities of which are associated with the victim candidate.
3. **Double clones** – individuals who are both namesakes of a real candidate and use the same name of organization or party as the victim candidate.

As for pseudo-clones, we assume that the purpose of their nomination on election is to intimidate a real candidate, to demand illegal benefit. Thus, pseudo-clones see their refusal to run as a way to make money or possibly get a specific position.

In addition to the problem of classifying clone candidates, there is also the problem of the impossibility of unambiguous definition whether a candidate is technical or not. However, taking into account the data on the candidates, it is possible to identify clear characteristics that help determine the technicality of the candidate. It can be belonging to or not belonging to a political party, a subject of nomination, and sometimes even a position or place of work.

In our opinion, among the namesake candidates, one of whom holds a position related to, for example, politics, economics or business, and the other is temporarily out of work, it is more likely that the clone candidate is unemployed. But this feature is not exclusive, as the mere fact that a candidate is temporarily out of work does not provide sufficient grounds to claim that person is a technical candidate, and at the same time, having an influential position does not guarantee that person is not a technical candidate. Also, a more influential and well-known candidate with political experience more likely is a victim candidate, and a less influential and well-known candidate is a clone candidate. This is due to the fact that the use of a clone candidate is mostly aimed at dragging votes from the victim candidate, which is

much more appropriate and effective to do regarding a well-known and popular candidate than vice versa.

In this context, it is important to reveal some additional aspects related to the specifics of using cloning technology. It is primarily about the connection between cloning technology and the type of electoral system. Cloning technology is more widely used within majoritarian and mixed (in its majoritarian component) electoral systems. This is due to the fact that under the conditions of a majoritarian electoral system, voting takes place for a specific candidate, who can be opposed relatively easily by a clone candidate. Within the framework of the proportional election system, cloning technology can also be used, but it will already apply not to the nomination of a namesake candidate, but to a political party that will have a similar name. But in the context of a proportional electoral system, it is more difficult to apply cloning technology than in the case of a majoritarian system, which, in particular, is connected with certain requirements for political parties participating in elections. For example, legislation may establish the existence of a certain period of party existence as a condition for participation in elections (which may make it difficult to quickly create a clone party).

Also, the use of cloning technology is related to the electoral ratings of candidates and the preferences of voters. It is about the fact that cloning technology is advisable to be used against leading candidates who have significant voter support and a real chance of being elected. In this case, cloning technology will pose a real threat to the victim candidate and may prevent him/her from winning the election. Otherwise (nomination of clone candidates against outsiders in electoral races), cloning technology will be both illogical and ineffective.

THE USE OF CLONE CANDIDATES IN ELECTION PRACTICE (ON THE EXAMPLE OF THE 2019 PARLIAMENTARY ELECTION CAMPAIGN IN UKRAINE)

The use of technical candidates in elections is a manipulative technology inherent in Ukraine's electoral practice. It is known, that during the elections in Ukraine, clone candidates who are usually aimed at dragging votes from the rating namesake candidate or a representative of an organization or party with a similar name are the most often used. Therefore, in our opinion, it is worth focusing on the peculiarities of the use of cloning technology during the early parliamentary elections held on July 21, 2019.

The 2019 parliamentary elections in Ukraine were held on the basis of a mixed electoral system, according to which 225 deputies were elected in single-mandate majoritarian electoral districts, and 225 were elected in a single nationwide multi-mandate electoral district [Zakon 2019]. Such an electoral system led to the fact that cloning technology was used primarily in the majority component in single-mandate constituencies.

In addition, the parliamentary elections were extraordinary and were held only 3 months after the victory of Volodymyr Zelensky in the presidential elections in Ukraine. This also determined certain features of the application of cloning technology during the 2019 parliamentary elections in Ukraine. It is about the fact that Volodymyr Zelensky, being at the peak of his popularity (which, by the way, was the main reason for the early dissolution of the parliament), extended it to the Servant of the People political party, which he represented. Therefore, candidates for people's deputies from the presidential political party, due to the popularity of their political power, most often became the object against which cloning technology was used.

Norms of electoral legislation also contributed to the use of cloning technology. According to the law in force at the time, on the basis of which parliamentary elections were held in Ukraine, no restrictions were established regarding the running of namesake candidates in one electoral district [Zakon 2019]. In addition, in our opinion, the widespread opinion that the majority of Ukrainian voters are not interested in politics, elections and candidates was contributed to the use of cloning technology. Therefore, according to the plan of the political technologists who used the technology of cloning, it was supposed to be effective, because many voters could mistakenly vote for the clone candidate due to lack of knowledge and information.

So, analysing the data on candidates for the elections to the Verkhovna Rada of Ukraine in 2019 [Perelik 2019], we concluded that cloning technology was actively used. In total, in 2019, 164 namesake candidates ran for the People’s Deputies of Ukraine, based on information about whom we identified 57 potential direct clones. It should be noted that in assessing who, among namesake candidates, is a victim candidate and who is a clone candidate, we were guided by the voting results, believing that the real candidate (victim candidate) usually receives a higher percentage of votes than the clone candidate [Perelik 2019]. Among the total number of candidates running in single-mandate constituencies in the 2019 parliamentary elections, direct clone candidates accounted for 1.8 %.

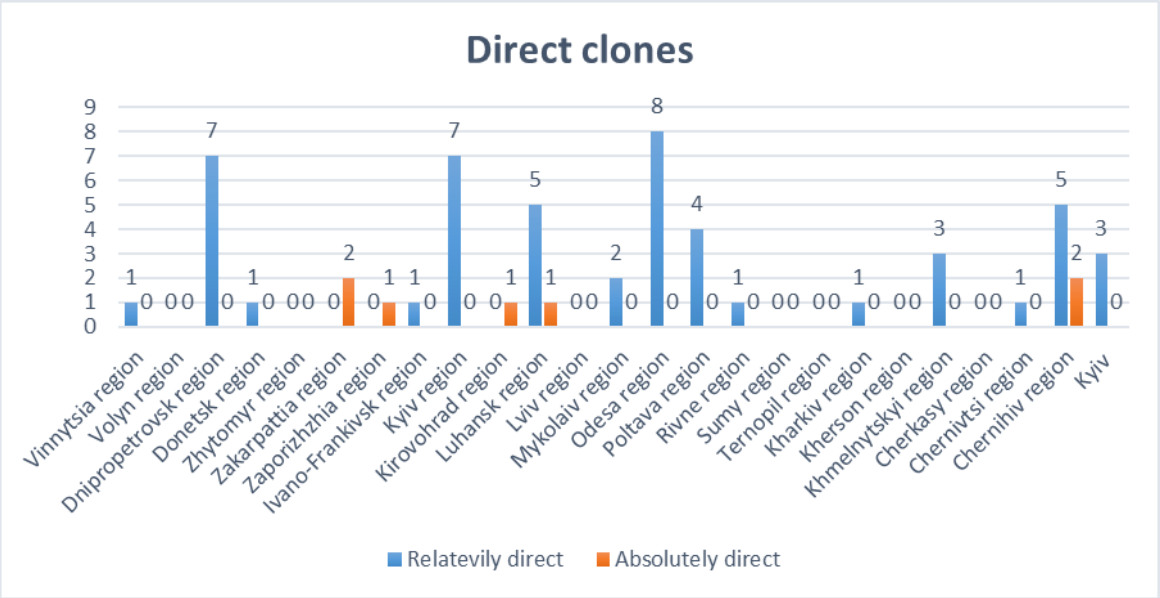

Figure 1. Frequency of using direct clones in the regions of Ukraine (parliamentary elections 2019)

Source: authors.

Thus, the largest number of direct clones was in Odesa region – 8 candidates (see Figure 1). Instead, direct cloning was not used in the following regions: Volyn, Zhytomyr, Lviv, Sumy, Ternopil, Kherson and Cherkasy regions. The largest number of direct clones was in constituencies № 34 and № 137 – 4 candidates in each one. In total, 7 absolutely direct clones took part in the elections. It is interesting to study the running of candidates in constituencies № 94, 92, 107, 113, 127, 133, 137, 207, 208, 209, where there were several direct clones against the real candidate (see Table 1).

Table 1

The phenomenon of using several direct clones against one victim candidate within a particular constituency in the elections to the Verkhovna Rada of Ukraine in 2019

Sequence number of constituency	Number of direct clones	Surnames of victim candidates and clone candidates
1	**2**	**3**
92	2	Hudzenko
	3	Ferenets
94	3	Dubynskyi
	2	Kononenko
	1	Kononko

The End of the Table 1

1	2	3
107	3	Rybalka
113	2	Struk
127	2	Diatlov
133	3	Baranskyi
137	2	Honcharenko
	1	Klymov
	1	Klimov
207	2	Yevlakhov
208	2	Davydenko
209	2	Zub

Source: authors.

As for indirect cloning, it was most often used in Dnipropetrovsk region – 18 people; not used at all – in Volyn, Zakarpattia, Ivano-Frankivsk, Rivne, Ternopil and Khmelnytskyi regions (see Figure 2). In total, there were 77 indirect clones in the 2019 parliamentary elections in Ukraine. The largest number of such candidates within one constituency was in the constituency № 25 – 6 candidates [Perelik 2019]. Among the total number of candidates running in single-mandate constituencies in the 2019 parliamentary elections, indirect clone candidates accounted for 2.5 %.

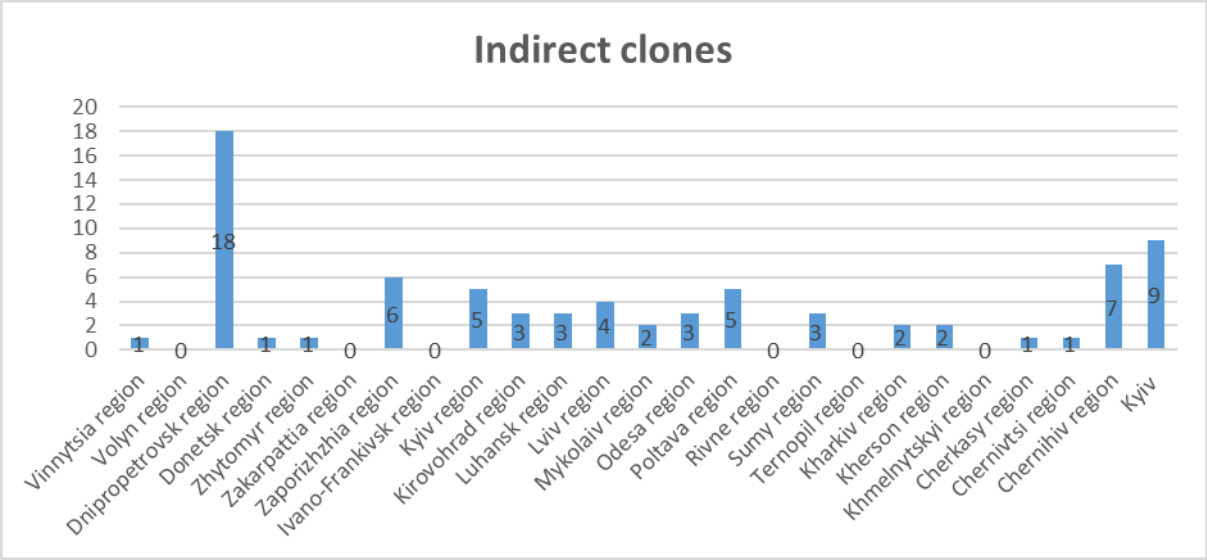

Figure 2. Frequency of use of indirect clones in the regions of Ukraine

Source: authors.

According to our research, 3 organizations (Holos! LLC, Golos PE, Holos PE) used the brand of the Holos political party for cloning; brand of UDAR party was used by private enterprise UDAR. Instead, the brand of the Servant of the People political party was used the most – in 26 different interpretations, including the names of 2 charitable foundations, 1 charitable organization, 10 public organizations, 1 public movement, 4 private enterprises, 8 LLCs [Perelik 2019].

Such cloning, in our opinion, is quite understandable, given the high popularity in 2019 of Volodymyr Zelensky and the Servant of the People party. For a better understanding of the situation, we visualized cloning in the names of NGOs and LLCs (see Figures 3, 4).

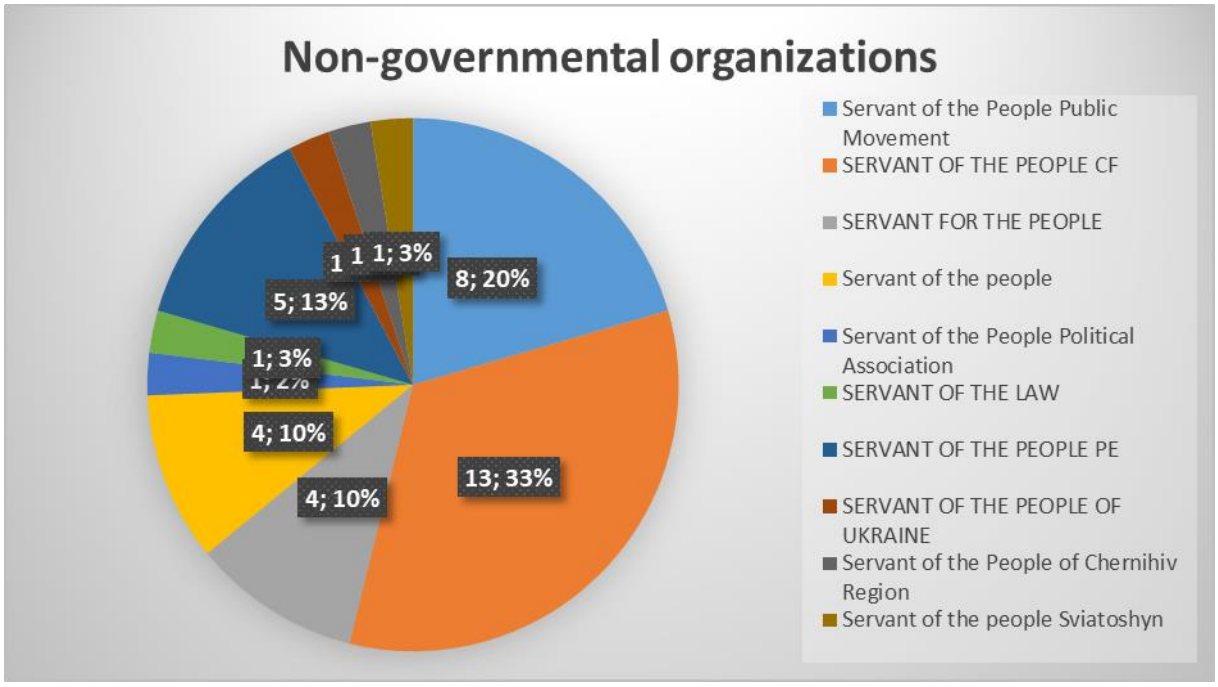

Figure 3. NGOs that used the brand of the Servant of the People party (2019 parliamentary elections)

Source: authors.

We also determined that 8 double clones, who had similar full name to the real candidate and the name of the organization (in all eight cases, the second parameter of double cloning was affiliation to a certain organization with a name close to or identical to the Servant of the People party), took part in the election campaign: in Odesa and Kyiv regions – 3 candidates in each one; in Zaporizhzhia and Sumy regions – 1 candidate in each one (see Table 2).

The 2019 parliamentary elections were also characterized by the participation of clone candidates who withdrew their candidacies (so-called “pseudo-clones”). There

were 23 such candidates; the most – in the constituency № 25 – 4 candidates (see Figure 5) [Perelik 2019].

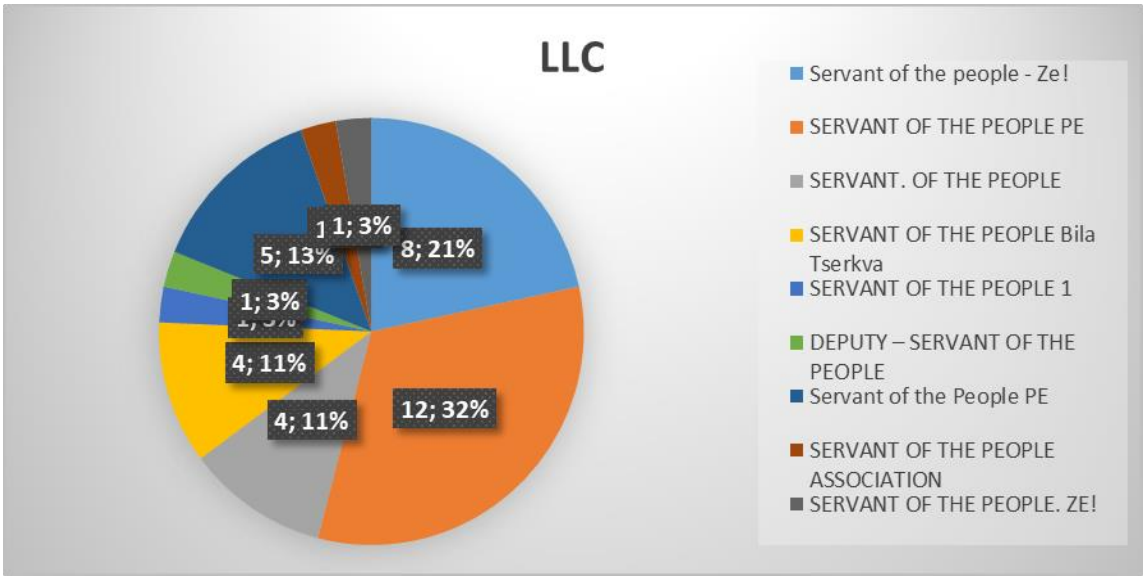

Figure 4. LLCs that used the brand of the Servant of the People party (2019 parliamentary elections)

Source: authors.

Table 2

Use of double clones during the 2019 parliamentary elections in Ukraine

Sequence number of constituency	Region	Full name of double clones	Full name of victim candidate
1	**2**	**3**	**4**
78	Zaporizhzhia	Vasyl Ivanovych Bohovin	Vitalii Viktorovych Bohovin
94	Kyiv	Vadym Volodymyrovych Dubynskyi	Oleksandr Anatoliiovych Dubinskyi
		Maksym Mykolaiovych Dubynskyi	
95		Dmytro Ivanovych Horobets	Oleksandr Serhiiovych Horobets
133	Odesa	Artem Yaroslavovych Dmytruk	Artem Hennadiiovych Dmytruk
135		Yevhen Mykhailovych Leonov	Oleksii Oleksandrovych Leonov

The End of the Table 2

1	2	3	4
139		Vasyl Mykolaiovych Vasylkovskyi	Ihor Ihorovych Vasylkovskyi
159	Sumy	Dmytro Stanislavovych Shevchenko	Dmytro Stanislavovych Shevchenko

Source: authors.

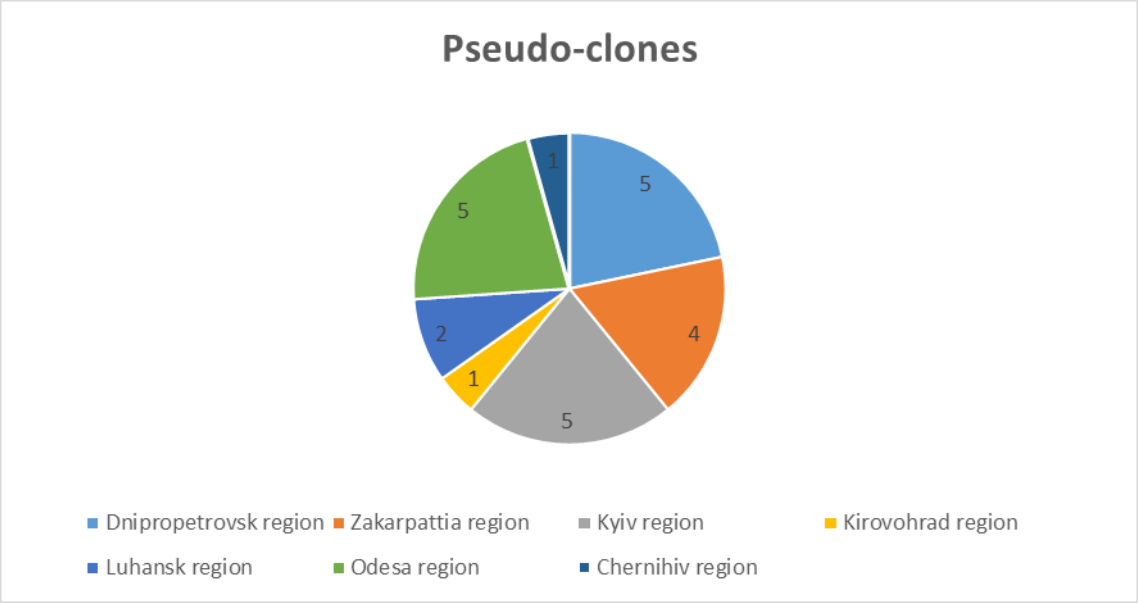

Figure 5. The number of pseudo-clones in the 2019 parliamentary elections in the regional context

Source: authors.

THE LEVEL OF EFFICIENCY OF CLONING TECHNOLOGY IN THE 2019 PARLIAMENTARY ELECTIONS IN UKRAINE

According to our estimates, there were 161 clones among the candidates for People's Deputies of Ukraine. The leader in the use of twin candidates was Dnipropetrovsk region (30 candidates) and constituency № 94 (8 candidates). Cloning technology was not used in Volyn and Ternopil regions.

Despite the quantitative characteristics of the use of clone candidates, the outcome of the election is crucial. It is important to understand that it is the result of the vote that determines whether a clone candidate has achieved its goal, thus demonstrating the effectiveness or ineffectiveness of cloning technology. This does not apply to pseudo-clones whose candidacies are not on the ballot on election day,

or to those technical candidates who have a specific goal that they achieve by participating in the election itself, regardless of the results (PR, preparation for the next election, etc.).

In our opinion, the effectiveness of cloning technology is determined by the ratio of results between the clone candidate, the victim candidate and the winning candidate. We can speak more or less clearly about the effectiveness of cloning technology only if the victim candidate lost the election and the number of votes received by the clone candidate (the number of votes taken by the clone candidate from the victim candidate) would be sufficient for the victim candidate to become the winner.

Therefore, the condition for the effectiveness of cloning technology can be represented by the following formula:

$E=Rv + Rc > R1$, where:

E – efficiency of cloning technology;

Rv – the number of votes received by the victim candidate;

Rc – the number of votes received by the clone candidate;

R1 – the number of votes received by the winner of the election.

However, the absence of the above-mentioned conditions does not mean that cloning technology is clearly inefficient. It can hypothetically be effective in any case where the victim candidate loses the election. This means that our proposed formula shows only the direct impact of voting technology (direct withdrawal of votes by a clone candidate from a victim candidate). However, cloning technology can also have an indirect effect, as the presence and actions of a clone candidate may result in some voters planning to vote for the victim candidate eventually voting for a third candidate.

However, such indirect impact of cloning technology is very difficult to calculate. In addition, cloning technology can help the victim candidate win, provided candidate can inform voters that dirty election technologies are used against him/her and gain the support of the electorate who is often inclined to vote for those against whom they act immorally. Finally, if the victim candidate wins the election, we can speak unequivocally about the ineffectiveness of cloning technology.

Analysing the information on the election results, which is posted on the official website of the Central Election Commission of Ukraine, we concluded that the cloning technology was successfully implemented in 8 constituencies № 37, 64, 78, 106, 119, 146, 198, 210 [Protocol 2019 № 37; Protocol 2019 № 64; Protocol 2019 № 78; Protocol 2019 № 106; Protocol 2019 № 119; Protocol 2019 № 146; Protocol 2019

№ 198; Protocol 2019 № 210; Perelik 2019 and others]. The success of the cloning was that the rating candidate did not win due to the dragging of votes by the clone candidates.

For example, in constituency № 37 candidate Ihor Fartushnyi lacked 1,209 votes to win. Given the fact that the twin candidates in this constituency received a total of 12,454 votes, it can be assumed that without their participation in the election, Ihor Fartushnyi could have won [Protocol 2019 № 37; Perelik 2019: 9–10].

A similar situation was in the constituency №64. Viacheslav Sihachov lacked 641 votes to win. And his indirect clone candidate in this constituency Anatolii Areshkov received 5,872 votes [Protocol 2019 № 64; Perelik 2019: 13]. Instead, in the constituency №78, Vitalii Viktorovych Bohovin did not win due to a lack of 3,290 votes, and his clone candidate, Vasyl Ivanovych Bohovin, received 3,860 votes [Protocol 2019 № 78; Perelik 2019: 16].

Besides, without the use of cloning technology, Yurii Furman could have won in election district No. 106, but the twin candidate "took away" 1,622 votes from him. Yurii Furman lacked 1,002 votes to win [Protocol 2019 No. 106; Perelik 2019: 22].

In addition, without the use of cloning technology, Orest Kavetskyi could have won in constituency №119, but the twin candidate "withdrew" 2,409 votes from him. In fact, Orest Kavetskyi lacked only 140 votes to win [Protocol 2019 № 119; Perelik 2019: 24]. Cloning was also successful in constituency №146, where Feliks Urin lacked 2,707 votes to victory, and clones in this constituency received a total of 3,641 votes [Protocol 2019 № 146; Perelik 2019: 29–30].

In constituency № 198, clone candidate Oleksandr Pyliukhno withdrew 1,419 votes from the victim candidate. As a result, Nataliia Diachenko was defeated by another candidate with a difference of 1,016 votes [Protocol 2019 № 198; Perelik 2019: 39].

Also, without the use of cloning technology, Dmytro Pakhomov could have won in electoral district No. 210, but the twin candidates "took away" 5,672 votes from him. D. Pakhomov lacked 3,105 votes to win [Protocol 2019 No. 210; Perelik 2019: 41].

By the way, this influence of clone candidates on the results of the 2019 parliamentary elections in Ukraine is also confirmed by the OSCE/ODIHR. In its report based on the results of monitoring the elections to the Verkhovna Rada of Ukraine, the International Mission of OSCE/ODIHR states that in 7 electoral districts clone candidates were able to deprive the candidates from the Servant of the People party of victory, and in 1 electoral district the opposite happened: clone candidate took votes from the main rival of the representative of the Servant of the People party, thanks to which the latter managed to win [Early 2019].

For more details on the effectiveness of cloning technology, see Table 3.

Table 3

Effectiveness of cloning technology during the 2019 parliamentary elections in Ukraine

Winning candidate	Victim candidate	Clone candidate	Type of cloning	Efficiency of cloning
1	2	3	4	5
Constituency № 37				
Dmytro Yuriiovych Shpenov (24 739)	Ihor Ivanovych Fartushnyi (23 531)	Valentyn Vasylovych Hryzhuk (2 019)	Indirect clone	E=23 531 + (2 019 + 1 811 + 3 665 + 1 511 + 2 336 + 1 112) = 23 531 + 12 454 = 35 985 >24 739
		Anton Volodymyrovych Kravchenko (1 811)	Indirect clone	
		Pavlo Oleksandrovych Prykhodko (3 665)	Indirect clone	
		Oleksandr Oleksandrovych Riabovol (1 511)	Indirect clone	
		Alyona Viktorivna Tovkun (2 336)	Indirect clone	
		Mykola Mykolaiovych Fartushnyi (1 112)	Relatively direct clone	
Constituency № 64				
Volodymyr Yuriiovych Areshonkov (22 056)	Viacheslav Valeriiovych Sihachov (21 416)	Anatolii Mykhailovych Areshkov (5 872)	Indirect clone	E=21 416 + 5 872 = 27 288 >22 056
Constituency № 78				
Oleksandr Serhiiovych Ponomaryov (27 488)	Vitalii Viktorovych Bohovin (24 199)	Vasyl Ivanovych Bohovin (3 860)	Relatively direct clone	E=24 199 + 3 860 = 28 059 >27 488

The End of the Table 3

1	2	3	4	5
Constituency № 106				
Oleksii Oleksandrovych Kuznietsov (10 125)	Yurii Anatoliiovych Furman (9 123)	Andrii Leonidovych Furman (1 622)	Relatively direct clone	E=9 123 + 1 622= 10 745 >10 125
Constituency № 119				
Mykhailo Leontiiovych Bondar (12 789)	Orest Yuriiovych Kavetskyi (12 650)	Vitalii Volodymyrovych Kravchuk (2 409)	Indirect clone	E=12 650 + 2 409 = 15 059 >12 789
Constituency № 146				
Yurii Anatoliiovych Shapovalov (19 206)	Feliks Oleksandrovych Urin (16 500)	Tetiana Valentynivna Aleksiienko (864)	Indirect clone	E=16 500 + (864 + 1 006 + 1 193 + 578) = 16 500 + 3 641 = 20 141 >19 206
		Vitalii Mykolaiovych Dediurin (1 006)	Indirect clone	
		Iryna Viktorivna Drozdova (1 193)	Indirect clone	
		Kyrylo Volodymyrovych Kuzmin (578)	Indirect clone	
Constituency № 198				
Serhii Yaroslavovych Rudyk (18 921)	Nataliia Oleksandrivna Diachenko (17 906)	Oleksandr Ivanovych Pyliukhno (1 419)	Indirect clone	E=17 906 + 1 419 = 19 325 >18 921
Constituency № 210				
Borys Viktorovych Prykhodko (16 436)	Dmytro Anatoliiovych Pakhomov (13 331)	Roman Petrovych Borsuk (4 476)	Indirect clone	E=13 331 + (4476 + 1196) = 13 331 + 5672 = 19 003 >16 436
		Mykhailo Yuriiovych Lukianchuk (1 196)	Indirect clone	

Source: authors.

PECULIARITIES AND PROBLEMS OF COUNTERING THE USE OF CLONING TECHNOLOGY IN UKRAINE

The difficulty in opposing a dirty election technology like cloning is that the technology is not well regulated. Therefore, it is very complicated, even dangerous, to prohibit its use by the norms of election legislation. The point is that it is practically impossible to clearly prove in any specific case that the appearance of several namesake candidates in the same electoral district is an unequivocal indication that cloning technology is being used. Since the fact that there are candidates with the same surname can be a coincidence. Therefore, we can recognise the use of cloning technology by indirect features, such as the status and chances of candidates with the same surname, their actions during elections, etc. However, even if all the signs are present, it is very difficult to officially prove the use of this dirty technology.

Therefore, the legislative ban on the use of namesake candidates may, on the contrary, unreasonably limit the electoral rights of candidates with the same surname who happened to be in the same electoral district by coincidence. Moreover, in such a case, the use of cloning technology would acquire additional possibilities: in this way, a real candidate could be deprived of the opportunity to run, by nominating a clone candidate on the first day of the election and positioning the real candidate as a clone.

Thus, the fight against cloning technology should take place primarily in the technological direction, by using counter-technologies. In this case, it is considered most effective to systematically inform voters that a clone candidate is running in their district, citing convincing facts and arguments for this. After all, a conscious and informed electorate is always one of the best mechanisms against dirty election technology.

In addition, according to the Electoral Code adopted after the 2019 parliamentary elections in Ukraine, the next elections to the Parliament of Ukraine should already be held on the basis of a proportional electoral system [Election 2019]. It is less favorable for the use of cloning technology. Therefore, we can assume that the scale and efficiency of cloning technology in Ukraine will decrease in the future.

CONCLUSIONS AND RECOMMENDATIONS

World and Ukrainian election practice is characterized by a fairly large use of technical candidates – fictitious persons who participate in the election campaign, with a specific goal, not related to victory, but aimed at realizing the interests of other subjects of the election process by manipulating voters.

One of the most common and effective types of technical candidates is a clone candidate. We consider it expedient to divide them into 3 groups: 1) direct clones (candidates who have the same surnames, and often – even names and patronymics with the victim candidate); 2) indirect clones (candidates who have jobs or are related to public organizations or private enterprises that are similar or consonant with the parties, enterprises or organizations to which the victim candidates are related); 3) double clones (candidates who combine elements of direct and indirect cloning).

During the 2019 parliamentary elections, cloning technology was used quite actively, and the victims of the technology were primarily candidates from the Servant of the People party, which is understandable, given the high popularity in 2019 of the recently elected President of Ukraine Volodymyr Zelensky and the Servant of the People party, with which he was associated by voters. As a result, other candidates often sought to manipulate voters by creating or renaming own enterprises, organizations, or movements so that their names were similar or consonant with the Servant of the People party. In the west of the country, where the Holos party was popular at the time, there were also frequent cases of using indirect cloning technology against this party.

In total, during the 2019 parliamentary elections in Ukraine, we identified 57 direct clone candidates, 77 indirect clone candidates and 8 double clone candidates. According to the results of the elections, cloning technology proved to be effective in 6 constituencies, potentially depriving victim candidates of the opportunity to be elected, as the number of votes received by potential clone candidates in these constituencies was greater than the number of votes that the victim candidates did not have enough to win the election. Candidates nominated by the Servant of the People party, have become victims of cloning technology in all these constituencies. However, when claiming the effectiveness of cloning technology, we do so with some caution, because we understand that the outcome of the election is influenced by a whole range of factors, so we can never be 100 % sure that without the use of cloning technology, these victim candidates would be guaranteed to win.

The difficulty of combating cloning technology is that, on the one hand, it is a “dirty” election technology that dishonestly and undemocratically affects the course of elections. However, on the other hand, the cloning technology, as a rule, does not violate the election law, while ignoring the moral and ethical principles of elections. Therefore, given the technological nature of the phenomenon, it is necessary to combat this phenomenon, first of all, technologically, using counter-technologies.

As not all voters actively monitor the election process, do not analyse the information about the candidates, so, eventually, they can vote for such candidates for whom election slogans, programs and promises mean nothing, and even victory in the election is not significant for them. Thus, the most effective mechanism for counteracting the impact of cloning technology is to widely and timely inform voters about the use of this technology, clarify that certain candidates are clones and pursue other goals, and vote in support of them will be the result of effective manipulation. It is important that the presence of a high level of political and electoral culture of voters can neutralize the impact of cloning technology.

Besides, effective fight against cloning technology will have a snowball effect and reduce the scale of its use in geometric progression. This is due to the fact that cloning technology is often quite resource-intensive, so seeing its inefficiency, candidates and political parties will consider it more appropriate to use resources for their own popularization, rather than cloning technology, the effectiveness of which in their eyes will be questionable.

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