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CONCEPT AND PECULIARITIES OF PRE-ELECTION CAMPAIGN AS A STAGE OF ELECTORAL PROCESS

This scientific article studies a concept of the pre-electoral campaign as a complicated political and legal phenomenon of the electoral process. Electoral process appears as an independent form of the respective complex of state legal relations maintaining preparation and carrying out of elections. One way or another, but disclosure of the concept of electoral process is inseparably related to legal process of organizing and carrying out of elections. That is why an electoral process may be defined as a technological infrastructure and form of implementing constitutional principles of organizing elections and ensuring electoral rights of man and the citizen within the limits of a set of electoral actions and procedures stipulated by the law, which ensure implementation of a political right of a citizen to vote and to be elected to state and local authorities.

Pre-electoral campaign is also considered as a stage of the electoral process along with such stages as nomination of a candidate for member of parliament; creation of electoral commissions; registration of candidates for members of parliament, voting, and summing up election results etc.

As far as electoral process as a political and social phenomenon is very rapid and is limited in time by campaign period, then pre-electoral campaign is one

of all stages of electoral process, which does not comply with the succession principle to the full extent. However such position is not substantial and does not leave in doubt distinguishing of pre-electoral campaign as an independent stage of electoral process, as it has its own peculiar purpose, specific circle of subjects, and stipulates certain electoral actions and procedures.

It should be noted that functional purpose of pre-election campaign as a stage of electoral process is ensuring a maximum possible transparency of this process, obtaining full and reliable information about the candidates for elected positions and their programs by electors. It envisages a necessity for its clear regulation. Moreover, a particularity of this stage stipulates the fact that it bears conflict of private and social interests, the balance of which is not always possible to maintain via legislation.

Pre-election campaign as a stage of electoral process represents an informational and legal regime clearly defined by time limits of campaign period, the purpose of which is to induce electors to vote for or against certain candidates of political parties. A right to pre-election campaign is not stipulated by the Constitution of Ukraine, but the meaning of this right has a constitutional and legal nature, based on the internal system re-

lations of this right with constitutional institutes of free elections, right of citizens to participate in governing of state affairs, principle of political and ideological pluralism, freedom of speech etc. A right to pre-election campaign, being a type of political rights and freedoms of a person and citizen affects normative

contents of passive as well as active electoral right, in particular: it impacts will and behavior of electors, and also ensures each authorized person of electoral relations with a possibility to bring the essence of pre-electoral programs to the notice of electors by means of campaign technologies.