

# From Kuchma to Yushchenko

## *Ukraine's 2004 Presidential Elections and the Orange Revolution*

Taras Kuzio

The elections of 2004 completed Ukraine's transition from a post-Soviet state to a European state.

UKRAINE'S presidential election on October 31, 2004, had far greater political significance than merely selecting the country's third post-communist president. The election also represented a *de facto* referendum on President Leonid Kuchma's ten years in office, which were marred by political crisis and scandal throughout most of his second term. The principal scandal—Kuchma's complicity in the murder of an opposition journalist, Heorhiy Gongadze—began in November 2000 and has come to be known as "Kuchmagate."<sup>1</sup> Hostility to Kuchma helped to revive and bolster civil society and opposition groups, giving them four years to organize and prepare for the 2004 elections. Much of this groundwork became apparent during the Orange Revolution—named for Yushchenko's campaign color—that followed the November 21 runoff between Prime Minister Viktor Yanukovych and the opposition candidate, Viktor Yushchenko.

In April 2001, after parliament voted no confidence in Yushchenko's government, the locus of opposition to Kuchma shifted from the Communist Party (KPU) to Yushchenko's Our Ukraine party and the Yulia Tymoshenko bloc. The KPU and its Socialist Party (SPU) allies had been the main source of opposition to Kuchma from 1993, when the KPU was again legalized as a political party, until 2000–2001, when national democrats and centrists joined forces under the Yushchenko government.

Yushchenko's shift to opposition against Kuchma and his oligarchic allies set the stage for the electoral struggles in 2002 and 2004. Our Ukraine won the proportional half of the March 2002 parliamentary elections, marking the first time the KPU was knocked out

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In September 2002, Socialist Oleksandr Moroz, Yulia Tymoshenko, and Communist leader Petro Symonenko (left to right) combined forces to stage large-scale protests demanding the ouster of President Leonid Kuchma. (AP Photo/Viktor Pobedinsky)

of its usual lead position. The main contest in the 2004 presidential election was never in doubt—the race would be fought by Yushchenko and any candidate chosen by Kuchma. In April 2004, after parliament failed to vote for constitutional reforms that would have kept him in office, Kuchma designated the leader of the Regions of Ukraine party, Prime Minister Viktor Yanukovych, as his heir apparent.

The 2004 election season dealt a further blow to the communists. The leader of the KPU, Petro Symonenko, finished fourth in the October 31 vote, behind Yushchenko, Yanukovych, and the leader of the SPU, Oleksandr Moroz. During the second round, Moroz backed Yushchenko, while the KPU marginalized itself by refusing to back either Yanukovych or Yushchenko. The KPU is set to cooperate with the Social Democratic Party of Ukraine–United (SDPUo) and Regions of Ukraine in parliament after Yushchenko's victory.

The 2004 election marked the end of Kuchma's second term in office and therefore represented a succession crisis.<sup>2</sup> Kuchma and his oligarchic allies saw the election as an opportunity to consolidate autocratic rule and thereby safeguard their personal and clan interests. From their standpoint, the ascent of any non-centrist candidate, whether from the left or the right, would be a disaster because it might lead to a redistribution or confiscation of the assets they had accumulated under Kuchma and even to imprisonment or exile. In addition to the Gongadze murder, Kuchma himself was implicated in a host of other illegal acts, such as ordering violence against journalists and politicians, election fraud, corruption, and arms trafficking.

Thus the stakes in the 2004 election were always high.

As early as December 2003 Kuchma warned that the October 2004 elections would be Ukraine's dirtiest,<sup>3</sup> a prophecy that proved to be accurate. The attempted poisoning of Yushchenko during the campaign shows how far his opponents were willing to go to stop his election.<sup>4</sup> Western medical tests concluded that Yushchenko's blood-dioxin level was more than 6,000 times higher than normal.<sup>5</sup>

## It's Time for a Change

For Yushchenko's supporters, the attempted poisoning confirmed that the election posed a simple choice between good and evil. As a student member of the tent city at the forefront of the Orange Revolution explained, "We should never let such a person as Yanukovych be in power because God knows what he can do to us—knowing what he did to Yushchenko."<sup>6</sup> The poisoning was subconsciously seen as a reprise of the assassination of four émigré nationalist leaders by the Soviet secret services between 1926 and 1959. For those who supported Yushchenko, the attempt proved that Ukraine's ruling elite had not changed since the Soviet era.

This fostered and strengthened the feeling that it was time for a change, a sentiment reflected in the name of the radical youth organization PORA! (It's Time!). Yushchenko portrayed the election as a choice between change (represented by himself) and a continuation of the status quo (Yanukovych). Opinion polls showed that upwards of 70 percent of Ukrainians favored a change in course.

The high stakes made it impossible for the elites that supported Yanukovych to even contemplate holding free and fair elections, for they knew they would lose.<sup>7</sup> As a senior presidential adviser, Mikhail Pogrebynsky, admitted, "Many people in power think they can only win unfairly."<sup>8</sup> Although both President Kuchma and Prime Minister Yanukovych stated on countless occasions that they "guaranteed" free and fair elections, in reality the centrist camp never contemplated this option.<sup>9</sup>

Naturally, however, Yanukovych and his backers did not disclose their real intentions. The prime minister told the *Washington Times*, "Ukraine is building a state that is based on European values and will ensure it conducts its life and laws in line with Europe."<sup>10</sup> Serhiy Tyhipko, head of Yanukovych's campaign, similarly claimed, "I will do everything so that the campaign goes publicly, openly, maximum democratically, without quarrels and administrative resources."<sup>11</sup> In reality, the Yanukovych campaign abused the state's administrative resources to an extent unheard of in any previous

Ukrainian election. The chair of the Central Election Commission, Sergei Kivalov, had promised to deal severely with “transgressions” and to prohibit people from lobbying their interests with him,<sup>12</sup> but he was directly involved in election fraud and knew of the “transit server” used to manipulate the vote. Kivalov was dismissed after round two and is now the subject of a criminal investigation of election fraud.

Ukrainian voters tend not to trust state institutions and so were always pessimistic about the chance for free elections. As early as April 2004 only 15.8 percent of Ukrainians believed that a free election was possible, with 70.4 percent believing the opposite.<sup>13</sup> Little wonder that Ukrainians poured onto the streets after round two. Only 13 percent believed the official result—a Yanukovich victory—proclaimed by the Central Election Commission. A staggering 64 percent believed that any official results would be falsified.<sup>14</sup> As *Ukrayina moloda* concluded in July, “It is plain from the very first day that the guarantee of Prime Minister Yanukovich to hold free elections is a farce.”<sup>15</sup>

## Out for Blood

How could Kuchma have known ahead of time that the elections would be “the dirtiest”? Although he and Yanukovich both denied any responsibility for the conduct of the elections, neither Ukrainian voters nor outside observers believed their declarations of innocence. In a poll after round two, 44.9 percent of the respondents believed that Kuchma had ended his term in office with “shame,” and another 35.5 percent believed he had shown himself to be an “indecisive politician.”<sup>16</sup> Only 8 percent of Ukrainians held that Kuchma left office with more authority and “greater respect in society.” A staggering 75.9 percent believed that his actions during the second round were intended solely to defend his own interests and those of his allies—only 11.5 percent thought that Kuchma had acted “in defense of national interests.”

As president, Kuchma was the guarantor of the constitution. As prime minister, Yanukovich was head of the government. Both men repeatedly declared that constitutional reforms were necessary because the president had too much power. Why didn’t Kuchma use this power to curb the election irregularities? After the October 31 vote, Kuchma removed the local governors in regions where Yanukovich had fared badly. He never removed an official for abuse of office in support of Yanukovich.

Most of the dirty tricks in the elections, including



Viktor Yushchenko, right, and socialist leader Oleksandr Moroz smile after signing an agreement on a fair presidential election, in Kiev, August 2, 2004. Moroz’s agreement to support Yushchenko in a runoff was a considerable blow to their opponent, Prime Minister Viktor Yanukovich. (AP Photo/Anatoly Medzyk).

the origin of the infamous transit server, came from the presidential administration, implicating both its head, Viktor Medvedchuk, and Kuchma. How could Yanukovich not know that his trusted allies from the Regions of Ukraine party in his own government were running a shadow election campaign headquarters?

That there was such a setup becomes evident if one looks at the amount of planning needed to organize Ukraine’s dirtiest election, the involvement of Russian political “advisers,” and the massive use of slush funds.<sup>17</sup> The financial and logistical complexity of supporting the sixteen “technical candidates” (Potemkin candidates used to divert votes from Yushchenko),<sup>18</sup> the massive abuse of state administrative resources, the hostile television and media campaigns directed against Yushchenko, the use of a transit server located in the presidential administration to massage the vote, and many other factors testify to the extent of the advance planning to steal the election. Massive evidence of widespread fraud is available on audiotapes illicitly made by the Security Service (SBU) between rounds one and two in the headquarters of Yanukovich’s shadow cam-





Ukraine's prime minister Yulia Tymoshenko is greeted by her supporters in Kyiv, January 24, 2005. Tymoshenko was behind the wave of opposition protests dubbed the "Orange Revolution" that paved way for Yushchenko's victory in the fiercely contested presidential race. (AP Photo/Sergei Chuzavkov).

paign. The tapes were handed over to Yushchenko after round two and submitted as evidence to the Supreme Court.<sup>19</sup> Of course the most dramatic example of the official unwillingness to even contemplate holding a free and fair election was the attempted assassination of the principal opposition candidate. Yushchenko says, "What happened to me was a political act to destroy the leader of the opposition."<sup>20</sup>

The authorities planned and prepared for only two options: moderate election fraud and blatant election fraud. The first option was used in the first round of the elections on October 31. That Yushchenko still managed to take first place came as a shock to the powers that be. The Central Election Commission waited ten days before releasing the final results of round one—the maximum allowed by law. During these ten days they massaged the count downwards for Yushchenko and upwards for Yanukovych. To camouflage this operation they "permitted" a slight Yushchenko victory.

Giving approximately equal tallies to Yanukovych and Yushchenko served to promote the false view that Ukraine was divided into two regions. Western and Russian media described this bifurcation as a threat to Ukraine's stability. In reality, Yushchenko won seventeen or eighteen of Ukraine's twenty-five regions in rounds one and two. He would have won more in eastern and southern Ukraine if the elections had been fairer. Yushchenko was only able to take his message to eastern and southern Ukraine for the third ballot on December 26.

The real (pre-massaged) results stunned the officials grouped around Yanukovych. One member of his camp

claimed that Yushchenko had actually won the elections by garnering 54 percent of the vote in round one, meaning that a runoff was unnecessary.<sup>21</sup> Shocked by this outcome and fearing a Yushchenko victory, the authorities decided to steal round two rather than risk a repeat of round one. This strategic miscalculation led to a second strategic miscalculation, for in their eagerness to defeat Yushchenko by any means, they underestimated Ukraine's voters and the Western reaction. The Orange Revolution and the Western refusal to accept the official results of round two might not have taken place if it had been fought with the more subtle techniques utilized in October. Tens of thousands might have protested, as in 2000–2003, but not more than a million.<sup>22</sup> The massive protest, in and of itself, meant that the West could not ignore the election.<sup>23</sup>

## Parties and Candidates

The opposition forces entered the presidential elections divided, just as during the Kuchmagate crisis. This may have encouraged the Yanukovych campaign to misjudge the opposition's ability to unite during and after the second round.

**Core Opposition.** During the Kuchmagate crisis, only two of Ukraine's opposition groups were always in opposition to the president: Tymoshenko (first as the National Salvation Front and then as the eponymous bloc) and the SPU. Yushchenko did not organize the Our Ukraine bloc until after his government was removed in April 2001. Although the bloc was formed in time for the 2002 elections, the Kuchmagate protests had lost steam by then because of the March 2001 violence between protestors and riot police in Kyiv. Throughout 2002–2004 Yushchenko's Our Ukraine was never quite certain whether it was in opposition or attempting to strike a deal with Kuchma.

**Communists.** The KPU also did not join the Kuchmagate protests in 2000–2001. Like the centrists, who were at times their opponents but at other times their allies, the communists believed that the Kuchmagate crisis was an American plot to unseat Kuchma. The KPU only joined the opposition protests after the 2002 elections. While willing to work with the SPU and even the "dissident oligarch" Tymoshenko, the KPU has always been implacably hostile to Yushchenko. It eagerly embraced the SDPUo's description of Our Ukraine (*Nasha Ukrayina*) as "Nashists" (a derogatory term evocative of "Nazis" that played on the first part

of the bloc's name). When the presidential election went into a runoff, the KPU refused to back Yushchenko—or Yanukovych, for that matter.

**Socialists.** Thus, three major opposition candidates registered for the 2004 elections: Yushchenko, Symonenko, and Moroz. Tymoshenko was the only principal opposition leader who did not run. The KPU and SPU leaders, Symonenko and Moroz, finished the first round in fourth and third place, respectively. Moroz agreed to back Yushchenko in round two. In fact, Moroz would have agreed not to even enter the race if Yushchenko had backed constitutional reforms in April 2004. Going into the November 21 runoff, Yushchenko gathered a formidable alliance ranging from Kinakh's Union of Industrialists and Entrepreneurs to his own Our Ukraine, the Unity Party of Kyiv's mayor, Oleksandr Omelchenko, and the left-wing SPU.

**Kuchma and His Government.** The attempt to repeat the successful strategy that in 1994 enabled Kuchma to attract left-wing votes in the runoff was a failure. The KPU refused to endorse either candidate, while the SPU backed Yushchenko. Yanukovych swayed upwards of 15 percent of KPU supporters to his cause when he doubled pensions, as retirees have traditionally formed the bulk of the KPU vote. While the KPU obtained 20 percent of the vote in the 2002 elections, Symonenko obtained only 4.5 percent in the first round of the 2004 elections. Only the eccentric Natalia Vitrenko, leader of the Progressive Socialists, agreed to back Yanukovych in round two, but she had obtained a paltry 1.5 percent in round one.

**Yanukovych.** The authorities made a major miscalculation when they chose Yanukovych as their centrist candidate. Other candidates, such as the parliamentary speaker, Volodymyr Lytvyn, or the chairman of the National Bank, Tyhipko, would have been more acceptable to mid-level officialdom. Both men are less implicated in corruption, have no prison record, and would have been more acceptable to Ukrainian voters and the West than Yanukovych.

Instead, they chose Yanukovych to become prime minister in November 2002, ensuring that he would be their presidential candidate in 2004, since the position of prime minister was the best launching pad into the presidency.<sup>24</sup> There was not enough time to change the government between November 2002 and October 2004. But installing Yanukovych as prime minister, replacing Anatoliy Kinakh, the leader of the Union of Industrial-

ists and Entrepreneurs, ensured that this personal insult would push Kinakh into Yushchenko's arms in round two.

Yanukovych's image suffered from four shortcomings.

First, he has been in prison twice. His criminal past dogged him throughout the campaign.<sup>25</sup> Opinion polls showed that upwards of 60–70 percent of Ukrainians would never vote for a presidential candidate with a criminal record.<sup>26</sup>

Second, Yanukovych hails from Donetsk, Ukraine's most criminalized region.<sup>27</sup> Donetsk has a reputation for criminality, brutality, and heavy-handed business tactics. Ukrainians did not want Donetsk methods to be

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exported to the rest of the country. For nationally conscious Ukrainians, Donetsk oblast has the reputation of being Ukraine's "Belarus"—that is, denationalized, uncultured, and hostile to Ukrainian national identity. Donetsk's image worsened during the election campaign as the region suffered numerous episodes of violence at the hands of organized-crime "skinheads" linked to local officials. The blatant fraud in round two of the election was seen as evidence of Donetsk-style tactics, especially as the turnout rates in Donetsk oblast were an impossibly high 97 percent, a 20 percent increase over round one. Both the opposition and members of Yanukovych's own camp in Kyiv denounced the separatist congress convened in Donetsk one week after round two and attended by Iurii Luzhkov, the mayor of Moscow.

Third, Yanukovych disgusted young people, who instead flocked to Yushchenko and became the mainstay of the Orange Revolution tent cities. Polls confirmed that younger voters backed Yushchenko. Yanukovych, on the other hand, attracted uneducated and older voters, especially former communist pensioners attracted by his pre-election pension hike.

Younger voters ridiculed Yanukovych as incompetent and uneducated. During his September 2004 visit to Ivano-Frankivsk, Yanukovych was pelted with an egg. Instead of simply brushing it off as a prank, he dramatically crumpled to the ground and was carried away by his security guards. The event was seen as a badly mismanaged attempt to divert public attention from the poisoning of Yushchenko earlier that month.<sup>28</sup>

Other caricatures built on his lack of education. The handwritten curriculum vitae he submitted to the Central Election Commission contained more than ten grammatical and spelling mistakes. Furthermore, it was signed by Yanukovych as “Proffessor,” a spelling not used in either Ukrainian or Russian. As with many members of ruling elites, Yanukovych’s inferiority complex had driven him to obtain a free Ph.D. to improve his public stature. Yanukovych’s dismal education was also seen in his poor manners and lack of civility. The campaign revealed numerous examples of how he treated Ukrainian voters and even his own allies with disdain. His use of prison slang became legendary. His most well known phrase was his depiction of his opponents as *kozly* (swine or bastards), a highly derogatory term.

Pop music written during the Orange Revolution used these phrases repeatedly. A popular rap song sung by the previously obscure Ivano-Frankivsk hip-hop band Sleigh became the Orange Revolution’s unofficial theme song.<sup>29</sup>

Falsification? No!

Manipulation? No!

Yushchenko Yes!

Yushchenko Yes!

He’s our president!

Yes! Yes!

We aren’t scum [*bydlo*]!

We aren’t stupid swine [*kozly*]!

We are Ukraine’s daughters and sons!

It’s now or never!

Enough with the wait!

Together we are many! We will not be defeated!<sup>30</sup>

Finally, Yanukovych was regarded as the public face of Ukraine’s largest, most brutal, and wealthiest oligarchic clan. He headed the Regions of Ukraine party, the political “roof” (*krysha*) of the Donetsk clan, and the power looming behind the party was the oligarch Renat Akhmetov. A presidential victory by Yanukovych would have led to the consolidation of an oligarchic autocracy. As prime minister, Yanukovych had played the role of a neutral umpire standing above the three large rival clans (Donetsk, Dnipropetrovsk, and Kyiv). Under a Yanukovych presidency, there would be no such neutral umpire.

The man most afraid of a single clan dominating the others was Viktor Medvedchuk, leader of the Kyiv clan’s

Social Democratic Party–United (SDPUo) and head of the presidential administration. Medvedchuk revived an eighteenth-century tactic used in Hetmanate Ukraine by inviting Russia to play the role of external guarantor of the oligarchic status quo after a Yanukovych victory. Russian president Vladimir Putin could hardly refuse, particularly as Yanukovych’s criminal records were located in Moscow.

## Weak Support for Yanukovych Among the Ruling Elite

The problems with a Yanukovych candidacy simplified the election by making it a choice between good and evil. Many voters simply did not accept that Yanukovych could run Ukraine and feared that the country’s international image would deteriorate even further with a former criminal in charge. The contrast was easier because Yushchenko had no arrest record and projected the image of a politician with high moral standards. Moroz had a similarly clean image, making their eventual alliance a formidable one.

The good versus evil dichotomy was especially important in energizing hundreds of thousands of people to join the Orange Revolution. Ukraine’s post-Kuchmagate opposition had been well organized but, on its own, was only able to mobilize 20,000–50,000 demonstrators. The scores of thousands of demonstrators who made the Orange Revolution a success were largely apolitical, but they were galvanized into action by the blatant fraud in the November runoff. As a typical protestor explained, “This is a first for me. I didn’t expect it of myself. My patience just ran out.”<sup>31</sup>

All these factors made some members of the centrist ruling elite doubt that Yanukovych was the right candidate. The pro-Kuchma parliamentary majority began to fall apart during the April 2004 parliamentary vote on constitutional reforms and had disintegrated completely by September, when parliament reconvened after the summer recess. Moderates in the pro-Kuchma camp openly flirted with Yushchenko. The People’s Democratic Party (NDP) was openly in favor of Yushchenko, especially its Democratic Platform.

Kuchma’s allies from his first term in office refused to back Yanukovych. Kinakh’s Union of Industrialists and Entrepreneurs, which Kuchma had headed in 1993–94 and which had helped him come to power, backed Yushchenko in round two. The NDP, Kuchma’s unsuccessful attempt at creating a “party of power” after the 1998 elections, also only paid lip service to Yanukovych.



After the second round, the Democratic Platform seceded from the NDP, and the NDP parliamentary faction disintegrated.<sup>32</sup>

There were a number of defectors from the Dnipropetrovsk clan's Labor Party. One of them, Andrei Derkach, openly sided with Yushchenko by providing him with air time on ERA TV and radio channels. Oleksandr Volkov, a top Kuchma adviser, also defected to Yushchenko. After the condemnation of round two in a parliamentary resolution on November 28, Serhiy Tyhipko resigned as head of the Yanukovych campaign and as chairman of the National Bank. Tyhipko's Labor Ukraine faction in parliament completely disintegrated.

Oleksandr Omelchenko, the popular mayor of Kyiv, had long been at loggerheads with Medvedchuk's SDPUo, a clan that was unpopular in its home base of Kyiv. Omelchenko ran in round one but backed Yushchenko in round two. He also provided important logistical support, infrastructure, and other resources to the Orange Revolution crowds.<sup>33</sup> Konstantyn Grigoryshyn, a Russian businessman who was another strong opponent of Medvedchuk, threatened to take back many of his assets, which he argued had been stolen by Medvedchuk and his cronies.<sup>34</sup> Medvedchuk himself had never been happy with the Yanukovych candidacy.<sup>35</sup> For him and the SDPUo, a victory by either of the two Viktors, Yushchenko or Yanukovych, represented a threat to their interests.

## The Issues

The 2004 campaign was never really about issues. The leading candidates (Yushchenko, Yanukovych, Moroz, Symonenko) all used populist language, especially in the socio-economic domain. Issues became confused as the contest was portrayed as a campaign that pitted support for the authorities and the status quo (Yanukovych) against opposition to what had taken place in the last decade under Kuchma. Hostility to Kuchma's "bandit regime" made strange bedfellows, such as the socialist Moroz and the liberal Yushchenko. Moroz and Yushchenko were also united in their support for democratization and the rule of law, as well as a belief in the need to overcome corruption. Both candidates were against the oligarchs, whom they associated with the government and therefore with Yanukovych.

The KPU saw little difference between Yushchenko and Yanukovych. From the communist standpoint, they represented opposite sides of the same coin and the election was merely a contest between two oligarchic

groups. Thus the KPU decided not to support either candidate in round two. This was challenged by rank-and-file party members who wanted to back Yushchenko, and by their Russian "elder comrades": communists who lobbied for the KPU to follow Natalia Vitrenko and the Progressive Socialists in backing Yanukovych.

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**Language Policy.** The 2004 election, unlike the one in 1994, was not a conflict between Russophones and Ukrainophones. Linguistic issues consistently scored very low in voters' concerns.

**European or Eurasian.** The 1999 presidential election represented a choice between a return to Soviet communism with Ukraine as part of a revived Soviet Union (Symonenko) and a continuation of post-Soviet "reform" (Kuchma). The 2004 election was different in that the central issue was no longer statehood but what kind of state Ukraine would become. The 2004 election, therefore, represented a "clash of civilizations" between two political cultures: Eurasian and European.<sup>36</sup> This clash was evident in the contrast between Yanukovych (Eurasian) and Yushchenko (European). However much Kuchma had called for Ukraine to "return to Europe," his record after a decade in office strongly indicated that his personal political culture was non-European.

Many Ukrainian voters saw Yanukovych's political culture and mannerisms as not only a continuation of Kuchma's non-European political culture, but far worse. Yanukovych represented a step backwards to the more gruff, neo-Soviet political culture that dominated Russia and the Eurasian CIS.<sup>37</sup>

Yushchenko was easily contrasted to the Kuchma/Yanukovych neo-Soviet and Eurasian political culture—he represented European values. It was not surprising, then, that young Ukrainian voters, Western governments, and international organizations could relate to—and understand—Yushchenko but were unable to fathom Kuchma and Yanukovych.<sup>38</sup> When the European Parliament voted for a resolution on the second round of the Ukrainian elections, its members were only too

happy to wear orange scarves purchased and distributed by Polish members.

**Privatization.** A Yushchenko victory was seen as a threat to the status quo that had developed during the Kuchma decade, but in fact the challenger always ruled out revisiting the privatization deals made in the 1990s. The only such deal he promised to reopen is the one involving Kryvorizhstal, a steel producer sold to Viktor Pinchuk, Kuchma's son-in-law and a major Dnipropetrovsk oligarch, and Akhmetov, the oligarch behind the Donetsk clan. The \$800 million paid for Kryvorizhstal is less than half what was being offered by Russian and other foreign investors. "Kryvorizhstal was stolen. The entire business community looked at it with shame," Yushchenko argued. "The letter and spirit of the law in Ukraine will be restored."<sup>39</sup>

Although Yushchenko has ruled out reopening privatization, he has promised to change other aspects of the Kuchma regime. The cozy relations between the executive and the oligarchs that allowed the latter to become so wealthy at the expense of most Ukrainians and the Ukrainian budget will end. This will particularly affect Medvedchuk and the SDPUo, whose ability to generate wealth lies not in industrial assets as with the Donetsk and Dnipropetrovsk clans, but in access to the budget, energy, and trade. Yushchenko will give Kuchma immunity from prosecution, even though this is an unpopular move.<sup>40</sup> In return, like Boris Yeltsin, who made a similar immunity deal in Russia, Kuchma will keep out of politics.

**Unfinished Business.** Kuchma intended to play a behind-the-scenes role in Ukrainian politics after he left office—either as a senator, as prime minister with increased powers transferred from the presidency, or through an additional two years in office if the election had been postponed to 2006—but all of these eventualities are now impossible. The Ukrayina Foundation, which Kuchma hoped to head as an elder statesman, will be marginalized.<sup>41</sup> Nor will Kuchma be able to ignore the Gongadze case. As part of their alliance for the runoff, Yushchenko and Moroz agreed that the investigation of the Gongadze affair would be resumed.<sup>42</sup>

A thorough investigation, however, may not lead to prison sentences, because those involved in the Gongadze murder include not only Kuchma, but also Lytvyn, Yushchenko's ally in 2004, Yuriy Krawchenko, then the interior minister (who reportedly fled to Russia in the summer of 2004), and Volkov (another Yushchenko election-year ally). The investigation could

take the form of a public information campaign to publicize the investigation's conclusions, coupled with a moral condemnation of Kuchma's involvement in ordering violence against Gongadze that inadvertently led to his death. The name of the street where the presidential administration is located (Bankova) is to be changed to Gongadze Street, a symbolic step signaling the end of Kuchma's involvement in Ukrainian politics.

**Establishment Platform.** Yanukovych's election program is more difficult to analyze, because of the ideological amorphousness of Ukraine's political center. The country's centrists only emerged as a political force in 1998–99, and the Donetsk party of power, Regions of Ukraine, appeared two years later. Ukraine's centrists, like their fellows in Russia, are exemplified by a lack of anything resembling an ideology. Centrist groups are therefore less political parties than "grooves" that lie between the ideologically driven left and right. Their parliamentary members are the most likely to defect from one faction to another, and their factions are the least stable.

Yanukovych eschewed campaign speeches during the elections. His oratorical skills are even worse than Yushchenko's, who made up for this charisma deficit by having the firebrand populist Tymoshenko as his ally. Yanukovych, together with most members of the centrist camp, is a product of the top levels of the Soviet-era *nomenklatura*, who traditionally kept a distance from the *narod* they were supposed to represent. The gulf between the ruling elites and the populace increased under Kuchma. Parliamentary Speaker Lytvyn admitted:

I think the authorities, in the broad sense of that meaning, I also mean here the Supreme Council, were wrong in thinking that they reflected the mood of "the people." The authorities and the people have taken different paths in this country. By the way, this was always the case but it was visibly demonstrated in Ukraine when they met at the barricades.<sup>43</sup>

The disdain of the ruling elite for the *narod* deepened during the 1990s, when they became fabulously wealthy overnight. Charisma was also always in short supply, making it difficult for Kuchma to find a suitable successor.

Reading Yanukovych's election program was like reading a wish list drawn up by a panel of experts who listed every positive policy they could think of. No politician, Yushchenko included, would ever be able to implement most of Yanukovych's program.



Yanukovych's populism on the Russian language is a case in point. Kuchma had also called for upgrading Russian to an "official language" in the 1994 campaign but ignored this issue after the election. He relied upon national democratic support during most of his first term in office (1994–99) when the centrists were still not an organized political force. Why, Ukrainian commentators asked, should we therefore assume that Yanukovych would upgrade Russian if he were elected?

Disbelief in Yanukovych's election program was deepened by the gulf between official policy and legislation, on the one hand, and actual policies in the domestic and foreign domains, on the other. Yushchenko's call for Ukraine to live by laws and not according to *poniatta* (i.e., how the laws are understood or interpreted) was a criticism of how the centrists carried on the Soviet tradition of adopting good constitutions and legislation but then circumventing them through verbal instructions, "telephone law," and outright deception.

Typical of this deception was the "guarantee" to hold free and fair elections made repeatedly by Kuchma and Yanukovych while they were planning to do the exact opposite. As in traditional Soviet practice, both Kuchma and Yanukovych refused to accept responsibility for Ukraine's dirtiest election ever, a refusal that Ukrainian voters, Western governments, and international organizations greeted with disbelief.

## Dirty Tricks and "Political Technologists"

The 2004 elections saw a broad range of dirty tricks. Many of them were contributed by unscrupulous Russian "political technologists" like Gleb Pavlovsky and Marat Gelman, whose heavy involvement reflected Russia's intervention, both overt and covert, in the election campaign. Pavlovsky's Russian Club in Kyiv is located in the Premier Palace Hotel. Yanukovych, Medvedchuk, and the Russian ambassador to Ukraine, Viktor Chernomyrdin, all attended its grand opening ceremony.

The Russian political technologists had been working closely with Medvedchuk, Ukraine's most pro-Russian oligarch, since the 1998 and 1999 elections. As head of Kuchma's presidential administration since 2002, Medvedchuk developed close ties to the Russian presidential administration.

Ukrainian and Russian advisers planned the dirty tricks used in 2004.<sup>44</sup> Yanukovych's shadow campaign team, headed by his close ally, Deputy Prime Minister Andriy Kluyev, then implemented these tactics. The Ukrainian presidential administration, the Russian Club,

and Kluyev's shadow campaign were at the center of election fraud and dirty tricks.

The strategies can be divided into six areas.

**Television.** Yanukovych was presented on television as a prime minister in tune with and responsive to voter concerns. More than 80 percent of TV time was devoted to giving Yanukovych a positive image. Yushchenko, on the other hand, was only depicted in a negative manner, labeled an "extremist," "fascist," and

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*Yanukovych eschewed campaign speeches during the elections. His oratorical skills are even worse than Yushchenko's, who made up for this charisma deficit by having the firebrand populist Tymoshenko as his ally.*

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"nationalist." Roman Kozak, the leader of the Organization of Ukrainian Nationalists (OUN) and an officially backed technical candidate, described Yushchenko on TV as his "nationalist" ally, but the television campaign, like the other dirty tricks, failed to produce the desired outcome. Medvedchuk's senior adviser, Pogrebynsky, described television policy during rounds one and two as "shameful."<sup>45</sup> Censorship all but stopped following the runoff on November 21, when journalists went on strike. In the repeat runoff on December 26, most television stations were more objective and, for the first time, gave more neutral coverage to Yushchenko.

**Anti-Americanism.** Yushchenko's wife is American, and during the 1980s she worked in various U.S. government agencies. A Brezhnev-era anti-American campaign was therefore resurrected and directed against Yushchenko as an American stooge. The campaign had deep roots in the vestiges of Soviet political culture inherited by the centrist camp. A key element was the allegation that NGOs, civil society, and Yushchenko's bid for the presidency were all part of an American plot that had been successfully tested in Serbia and Georgia. Yanukovych's Regions of Ukraine, Medvedchuk's SDPUo, and the KPU all held xenophobic Soviet-style views of this kind. They failed to win over the voters because their Russian political advisers did not realize that in Ukraine, unlike Russia, there was no popular base for anti-Americanism.

**State-Administrative Resources.** Regional governors, state institutions (hospitals, schools, universities, pris-

ons, etc.), and state enterprises shamelessly exploited their administrative powers on behalf of Yanukovych. Laws prohibiting officials from agitating in favor of candidates were routinely ignored. Employees of state institutions and enterprises were forced to demonstrate in support of Yanukovych and threatened with the loss of their jobs if they did not vote for him.

**Violence.** The use of organized-crime skinheads first came to public attention during the two rounds of the April 2004 mayoral elections in Mukachevo, Trans-Carpathia.

**Extremist Groups.** Despite claims that Yushchenko was a Nashist, his Our Ukraine bloc never included more than one nationalist group, the Congress of Ukrainian Nationalists (KUN). The authorities, meanwhile, sup-

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*"Eastern Ukraine" is as much an artificial construct as "western Ukraine." And elections are decided by central Ukraine.*

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ported four nationalist groups: OUN in Ukraine, Rukh for Unity, Bratstvo (Brotherhood), and the Ukrainian National Assembly (UNA). The first three registered their leaders as technical candidates working for Yanukovych. The UNA marched on the streets of Kyiv in Nazi-style uniforms "in support of Yushchenko," and their parades were given wide coverage on television.

**Take Out Yushchenko.** The attempt to poison Yushchenko in the first week of September involved members of the SBU who had close ties to Medvedchuk. The dioxin probably came from laboratories in Russia once controlled by the Soviet KGB and now by the FSB. The timing of the poisoning suggests an element of panic on the part of Kuchma's supporters, since it took place after two months of dirty campaigning had not dented Yushchenko's lead. If they had always intended to remove Yushchenko, why not poison him in July, the first month of the campaign? In rounds one and two of the elections, 41 percent of voters believed that Yushchenko was poisoned, while 43 percent did not. In western and central Ukraine 71 and 42 percent respectively believed that he was a target of an assassination attempt. This view dropped to 16–19 percent in the south and east.<sup>46</sup> The number of voters who believed that Yushchenko was poisoned grew in the third round, after his doctors in Vienna released their diagnosis.

## The Myth of Regionalism

Scholars and journalists alike tend to attribute the political dominance of eastern Ukraine to its large urban centers and industry. This view is exaggerated in two ways.

To begin with, "eastern Ukraine" is as much an artificial construct as "western Ukraine." The Donbas oblasts of Donetsk and Luhansk, Yanukovych's home base, are not necessarily reflective of the entire eastern and southern Ukraine.<sup>47</sup> Dnipropetrovsk, another oligarch center in eastern Ukraine, is different from Donetsk and unwilling to be dominated by it. In Kharkiv, the intellectual center of eastern Ukraine, Yushchenko attracted rallies of up to 40,000 people before the November runoff. Southern Ukraine, in contrast, is more rural but includes cosmopolitan cities like Odesa. According to exit polls (but not the official results) Yushchenko won Kherson oblast in rounds one and two.

Just as the Donbas does not reflect all of eastern Ukraine, it is wrong to assume that Galicia is atypical of the entire region of western Ukraine. Of the seven oblasts annexed by the Soviet Union after World War II, only four are predominantly Greek Catholic (three Galician and Trans-Carpathia). The remaining three oblasts are predominantly Orthodox, as are the other oblasts to the west of Kyiv. Yet Western media reports persisted in simplistically depicting Ukraine as divided into a Catholic west on one side of the Dnipro River and an Orthodox east on the other.

In addition, elections are decided by central—not eastern—Ukraine. This was the case in 1994, when Kuchma won more of central Ukraine than his rival, the incumbent Leonid Kravchuk. The regional factor worked in Kuchma's favor in the 1994 elections and, coupled with support from the left in round two, permitted his victory.

Neither regionalism nor left-wing support worked for Kuchma's successor in 2004. The SPU backed Yushchenko in round two, while the KPU stayed neutral. Yanukovych, unlike Kuchma in 1994, could therefore not count on left-wing backing in round two. Although Yushchenko was seen by the KPU as at least as much of a "nationalist" as Kravchuk in 1994, public dislike of the regime was far deeper in 2004 and Yanukovych was a more odious candidate than Kuchma had been in 1994.

Polls showed that Yushchenko dominated central Ukraine in round one. Kuchma comes from Dnipropetrovsk, a region perceived less negatively in eastern

and southern Ukraine than Donetsk, Yanukovych's home base. Volodymyr Polokhalo, editor of *Politychna dumka*, pointed out that most of Ukraine's regions, "in particular, central regions do not accept the Donetsk sub-culture, do not accept the ambitions and strivings of their financial-political groups."<sup>48</sup>

Yanukovych further damaged his standing in central Ukraine by listening to his Russian advisers, who recommended that he play the "Russian card." In October 2004 the Yanukovych campaign began to promote Russian as a second state language (later reformulated as support for Russian as an official language) and dual citizenship with Russia. Why dual citizenship would only be available with Russia was never made clear.

These proposals could not have been genuine, because there was no legal mechanism to upgrade Russian in the short time frame before the first-round vote. Changes to the constitution require two separate sessions of parliament, one where voting is by a simple majority and another where it is necessary to win 300-plus votes out of 450. Electoral populism by the Yanukovych camp failed to generate additional votes, except among KPU pensioners who would have largely voted for him anyway. Instead, these populist Russophile policies served to further undermine Yanukovych in central Ukraine.

## Foreign Policy

Foreign policy issues were largely absent from the campaign. Yushchenko focused almost exclusively upon domestic issues. When Yanukovych dealt with foreign policy concerns, what he said was clouded by deep contradictions.<sup>49</sup> He took an anti-NATO position as part of his attempt to play the Russian card, but NATO membership had been declared a state and therefore government objective in 2002.

Similarly, he portrayed EU membership as unrealistic and only to be pursued as an afterthought to Ukraine's deep integration with the CIS Single Economic Space together with Russia, Belarus, and Kazakhstan. Ukraine's foreign policy on such issues as joining the World Trade Organization would be coordinated with Russia. The anti-Americanism unleashed by the Yanukovych camp belied its claims to be seeking good relations with the United States and undermined its commitment to the Iraqi operation, where Ukraine had the fourth-largest military contingent.

Foreign policy issues did make their presence felt indirectly. As the elections were a "clash of civilizations," whoever won would decide where the country

belonged geopolitically. Yanukovych's neo-Soviet, Eurasian political culture could only find a home in the Commonwealth of Independent States. Yushchenko's European political culture had the potential to be welcomed in Europe.<sup>50</sup> Consequently Putin saw Yushchenko's policy as a threat to the "managed democracy" model that he has promoted in Ukraine and the CIS.

Yushchenko won seventeen of Ukraine's twenty-five oblasts in rounds one and two of the elections, and increased his support in other parts of eastern and southern Ukraine during the repeat of round two. This greatly surpassed Kuchma's victory in 1994, which saw a country far more deeply divided. In 2004 Yushchenko was able to win Poltava, Chernihiv, Sumy, and Kirovohrad oblasts, which Kravchuk failed to do in 1994.

Besides dislike for Yanukovych's use of the Russian card and Russia's overt intervention in the election campaign, two other factors account for Yushchenko's success. The 2004 election came at the end of a serious, four-year political crisis that had dogged most of Kuchma's second term. A candidate associated with the *vlada* (authorities) would never be able to win a free and fair election.

The Ukraine of 2004 was very different from the Ukraine of 1994. A decade of state- and nation-building had produced a more united civic nation, stronger support for independence, and greater acceptance of Ukraine's national symbols. This did not mean that regionalism was absent. But as can be seen in elections in Canada, the United States, and the United Kingdom, regionalism does not mean that a country is fated to disintegrate. The progress in nation building undoubtedly assisted Yushchenko in securing central and northern Ukraine.

State and nation building also had a major impact on Ukraine's youth, who dominated the Orange Revolution. Most of "Generation Orange" were born in the 1980s and were socialized in a non-communist, non-KGB-ruled independent Ukrainian state during the 1990s. This generation primarily voted for Yushchenko and defended democracy on the streets of Kyiv after Yanukovych was declared victor in the first runoff.

## The Orange Revolution

The Orange Revolution unfolded among three sectors of society.

**The Organizers.** Civil society and opposition groups had been organizing and preparing for the 2004 elec-



tion since the Kuchmagate crisis ignited exactly four years earlier. None of them doubted Kuchma's warning that the election would be Ukraine's dirtiest. In 2000–2003 these groups had been able to mobilize a maximum of 50,000 people on Kyiv's streets. Their experience in crowd management ensured that the *narod* could be well organized, orderly, and peaceful.

**The Narod.** The Orange Revolution was made possible by the spontaneous mobilization of upwards of a million people who were disgusted and angry at the manner in which they had been treated as *kozly* and *bydlo* during Kuchma's decade in office and by the blatant fraud in round two.<sup>51</sup> Most of these spontaneous participants had never before been involved in politics and had never taken part in protests. The *narod* provided the numbers the organizers needed to make the protests a success.

**The Defectors.** By Thursday November 25, four days after the November 21 runoff, state institutions and key officials began to flee the sinking Kuchma-Yanukovych ship. Local governments, television channels, Interior Ministry and military personnel were just some of the numerous defectors. The most important defectors were from the security forces. Yevhen Marchuk, defense minister until the summer of 2004, issued a statement on November 24 condemning the stolen runoff.<sup>52</sup> As in Serbia in 2000 and Georgia in 2003, the defection or neutrality of the security forces, coupled with the huge number of participants in the protests, eliminated the option of a violent crackdown. Nonetheless, Medvedchuk and Yanukovych tried to persuade Kuchma to authorize the use of force. The presidential administration's claim that Kuchma rejected these calls at the November 28 meeting of the National Security and Defense Council may be legitimate.<sup>53</sup> But Kuchma did not decline to use force because he did not want to leave office with blood on his hands, as he claimed, but rather because this option simply was no longer available one week after round two. Any attempt to declare a state of emergency would have been rejected by parliament, and the security forces would have been divided. Even the Interior Ministry stated its readiness to defend the Orange Revolution.

The Orange Revolution confirmed a thesis first proposed by Mykola Ryabchuk and then developed by other scholars in regard to the close link between national identity and civil society in Ukraine.<sup>54</sup> Although the Orange crowds included people from across the country, the bulk of its participants were from central and western Ukraine. Many of the die-hard partici-

pants occupying the tents in central Kyiv were Galicians.

Fear of a Yushchenko victory could be seen in the way the authorities increasingly came to regard the NGOs and civil society groups that were at the heart of the Orange Revolution as a threat.<sup>55</sup> The increasingly paranoid and negative view of the NGOs was tied in with the return to the use of Soviet-style language to denounce the opposition as “destructive forces,” “extremists,” and “fascists.”<sup>56</sup>

In October 2004 NGOs were raided—and explosives planted—to incriminate them as “terrorists,” a strategy that backfired by turning even more young people against Yanukovych. In particular, the government focused on PORA!, a radical youth group consisting of two cooperating subgroups.<sup>57</sup> The fact that PORA! was modeled on Serbia's OTPOR and Georgia's Kmara gave substance to the allegation that the Orange Revolution was imported from the United States via Serbia and Georgia.

Who was behind the Orange Revolution? Claims that it was an American plot were made by Yanukovych's Regions of Ukraine, the SDPUo, and KPU and were widely accepted in Russia. Anti-American xenophobia of this kind conveniently distracted attention from the government's failings, flaws that made Yanukovych (and Symonenko) unpopular presidential candidates. Parliamentary Speaker Lytvyn rejected the U.S. conspiracy theory as too simplistic:

I do not think that the hundreds of thousands of Kyivites who took food to protestors, including my family, and, by the way, I did not know this, were prompted or told to do this by anyone. That is not to mention the hundreds of thousands of people some of whom I talked with, especially young people.<sup>58</sup>

Russia gave Yanukovych far more money than the United States. Moreover, the funding it provided, unlike what was received from U.S. and other Western sources, was non-accountable and non-transparent. The use of U.S. government financing by Freedom House, USAID, the National Democratic Institute, the International Republican Institute, and the National Endowment for Democracy is publicly accountable and transparent.

## Results

Although both candidates received approximately 40 percent of the vote in the first round, the results were massaged downward for Yushchenko and upward for Yanukovych (*see Table 1*). The Central Election Commission aroused suspicion by waiting ten days before

Table 1

**Official Results: 2004 Ukrainian Presidential Election (in percentages)**

	Viktor Yushchenko	Viktor Yanukovych
Round 1 (October 31)	39.90	39.26
Round 2 (November 21)	46.61	49.46
Round 3 (December 26)	51.99	44.19

Source: Central Election Commission.

Note: Round 2 results were annulled by a parliamentary vote (November 27) and by a Supreme Court ruling (December 3).

releasing the results of round one, the maximum time allowed by law. Even then the authorities were forced to concede that Yushchenko had won round one. Among voters, 52 percent believed that the official results were falsified, and only 28 percent accepted it.<sup>59</sup>

Round two was different, because the fraud was far more blatant. The Committee of Voters NGO calculated that 2.8 million votes had been falsified in Yanukovych's favor.<sup>60</sup> This was accomplished mainly through abuse of absentee ballots, massive voting at home (up from the usual 2 percent to 15–30 percent), and inflated turnout rates that would be the envy of Central Asia's authoritarian rulers. Vast numbers of votes for Yanukovych were stuffed into the ballot boxes after the polls closed at 8:00 p.m. on November 21. Turnout rates increased by more than 20 percent between rounds one and two in Donetsk and Luhansk oblasts, with some polling stations reporting better than 100 percent turnouts. Turnout rates in Donetsk increased to an impossibly high 97 percent.

Exit polls released on November 21 gave Yushchenko an 8 percent lead (see Table 2). This was more believable to Ukrainian voters than the official result released three days later. Hundreds of thousands of Ukrainians heeded Yushchenko's call to challenge the results. Tapes illicitly made by the SBU in Yanukovych's shadow campaign headquarters reveal how they discussed massaging the final result so that Yanukovych would win by 3 percent, a result that was duly made official.

The official schedule for the week after round two is shown below:

**Sunday, November 21:** Runoff between Yanukovych and Yushchenko.

**Monday, November 22:** Putin congratulates Yanukovych on his "victory."<sup>61</sup>

**Wednesday, November 24:** Central Election Commission announces official results giving Yanukovych a 3 percent margin of victory. Stepan Havrysh, Yanukovych's representative on the Central Election

Table 2

**Exit Polls**

Polling organization	Viktor Yushchenko	Viktor Yanukovych
National Exit Poll (December 26)	56.3	41.3
NEP: November 21	53	44
NEP: October 31	44.6	37.8
Social Monitoring (December 26)	58.1	38.4
ICTV (December 26)	56	41

**Notes:**

1. The National Exit Poll was conducted by the Razumkov Center, Democratic Initiatives, and the Kyiv International Institute of Sociology.
2. ICTV is owned by Viktor Pinchuk, an oligarch and Kuchma's son-in-law.

All three exit polls in the December 26 repeat election gave Yushchenko a fifteen- to twenty-percentage-point lead, nearly double the official results, which gave him an eight-percentage-point victory. The discrepancy between the exit polls and the official results suggests that fraud and violations also took place in the repeated runoff.

Commission, would replace Lytvyn as parliamentary speaker, ensuring a takeover of parliament by Yanukovych loyalists.

**Friday, November 26:** parliament's *Holos Ukrainy* and the government's *Uriadovi Kurier* newspapers would publish the official results. Yanukovych would be inaugurated as president.

Nothing happened as planned, because the attitude of Ukraine's aggrieved voters and the international reaction were both seriously underestimated. Three or four days after round two, a million Ukrainians were on the streets of Kyiv, and the United States, Canada, and EU had all refused to recognize the official results.<sup>62</sup> The authorities had crossed the line of acceptability and were faced by a widespread domestic and international crisis.

A parliamentary vote and a ruling by the Supreme Court denounced round two and refused to legitimize it. Kuchma and Putin had pushed for a complete rerun of the elections, meaning that Kuchma would stay in power until the spring of 2005. The Kuchma camp's preferred new candidate would be Tyhipko. These plans came to naught when the Supreme Court ruled that the rerun of the November 21 runoff would be held on December 26.

Yanukovych ran at an obvious disadvantage and lost by a substantial margin. Besides being tainted with election fraud, something Yushchenko used to his advantage during the second television debate on December 20, Yanukovych was handicapped by the defection of supposed allies and fewer election violations that reduced voters' fears of reprisals. A final factor in

Yushchenko's favor was the confirmation by international medical specialists that he had indeed been poisoned with dioxin three months earlier.

## Conclusion

The Orange Revolution and Yushchenko's victory in Ukraine's 2004 presidential elections should be seen from three perspectives.

First, it represented the second and final stage in the Ukrainian revolution that began toward the end of the Soviet era.<sup>63</sup> In 1991 Ukraine had a national revolution, whereas in 2004 it underwent a democratic revolution. Thus the 1991 revolution was unfinished until 2004. Yushchenko described his victory as a "definitive end to its post-Soviet period."<sup>64</sup>

Second, Yushchenko's victory marks the end of the "Ukraine without Kuchma" movement that began in November 2000 and was to last four years. Kuchma has not been replaced by "Kuchma III," as Yushchenko described Yanukovych during their second televised debate, but by Yushchenko. Yushchenko's government was Ukraine's most successful until it was removed in 2001 by a KPU-centrist alliance. Three years later he returned to power as Ukraine's president.

Third, the Orange Revolution and Yushchenko's victory brought together three revolutions in one: national, democratic, and anti-corruption. Yushchenko's supporters took back Our Ukraine, which as they see it was hijacked in 1992 by Leonid Kravchuk and then in 1994 by Kuchma.<sup>65</sup> Their usurpation of Our Ukraine led to democratic regression, mass corruption, and a semi-authoritarian regime. Yushchenko's candidacy in 2004 was associated with the return of democracy to Ukraine and the battle against what he and his allies termed the "bandit regime."<sup>66</sup>

At a victory rally after the repeat of round two, Yushchenko stated: "I would like to say that we were independent for fourteen years but we were not free. There was tyranny in this country for fourteen years. . . . Today, we can say that all of this is in the past. We have a free and independent Ukraine ahead of us."<sup>67</sup> "Our Ukraine" had returned to Ukraine's citizens.

## Notes

1. In November 2000, the Socialist leader Oleksandr Moroz gave parliament excerpts of audiotapes made illicitly in President Leonid Kuchma's office by a presidential security guard, Mykola Melnychenko, who had recorded hundreds of hours of tapes between 1999 and 2000. The first tapes released by Moroz implicated Kuchma in the murder of Heorhiy Gongadze, an opposition journalist and joint editor of the *Ukrayinska pravda* Web site. An Interior Ministry *spetsnaz* unit kidnapped Gongadze on September 16, 2000, and his decapitated body was found in

early November 2000. The unsolved murder cast a shadow over most of Kuchma's second term. Melnychenko fled to the Czech Republic and then to the United States prior to Moroz's public revelations. Both Melnychenko and Myroslava Gongadze, Heorhiy's widow, now live in Washington, DC.

2. The Constitutional Court ruled in December 2003 that Kuchma could run again, based on a ruling that his first term (1994–99) had begun before the adoption of the June 1996 constitution and therefore did not count. Numerous sources have confirmed that Kuchma found it difficult to contemplate the idea of leaving office.

3. *Ukrayinska pravda* (December 19, 2003).

4. In mid-December 2004, doctors at a prestigious Viennese clinic stated that Yushchenko had been poisoned with a high dose of dioxin, a poison similar to the active element in Agent Orange, the defoliant used by the United States in the Vietnam War. See *Ukrayinska pravda* (December 12, 2004) and Chrystia Freeland, Stefan Wagstyl, and Tom Warner, "Viktor Suffered Things a Normal Person Could Not Survive," *Financial Times* (December 13, 2004).

5. AP (December 15, 2004).

6. AP (December 11, 2004).

7. I reported this conclusion in July 2004. See Taras Kuzio, "Is a Free Election Possible in Ukraine?" *Eurasia Daily Monitor* (July 13, 2004); "Rising Abuse of State-Administrative Resources in Ukrainian Elections," *Eurasia Daily Monitor* (August 3, 2004); "Falsification of Elections Already Under way in Ukraine," *Eurasia Daily Monitor* (September 27, 2004); "Fraud Feared in Ukrainian Diaspora Voting," *Eurasia Daily Monitor* (October 15, 2004), all available at [www.jamestown.org](http://www.jamestown.org).

8. Interviewed by [www.glavred.com](http://www.glavred.com) on October 6, 2004.

9. Yanukovych promised the Parliamentary Assembly Council of Europe reporters free elections; see *Ukrayinska pravda* (June 2, 2004). Kuchma's "guarantees" were made in his state of the nation address to parliament (*Ukrayinska pravda*, March 17, 2004). Interviewed by *Die Welt* (February 19, 2004), Kuchma said, "I will do everything I can to ensure that these elections will take place on the basis of honesty and transparent competition through a severe abiding of election legislation."

10. *Washington Times* (July 9, 2004).

11. *Ukrayinska pravda* (July 15, 2004).

12. *Segodnya* (March 9, 2004). Interviewed by *Zerkalo nedeli/Tzerkalo tyzhnia* (October 23–29, 2004), Kivalov claimed he was interested in the elections being "held democratically, transparently, and legally."

13. Poll by Democratic Initiatives and Sotsis reported by *Ukrayinska pravda* (April 26, 2004).

14. Poll by the Razumkov Center (Ukrainian Center for Economic and Political Studies) reported by *Zerkalo nedeli/Tzerkalo tyzhnia* (September 18–24, 2004).

15. *Ukraina moloda* (July 8, 2004).

16. *Ukrayinska pravda* (December 14, 2004).

17. Anders Åslund of the Carnegie Endowment for International Peace estimated that the Yanukovych campaign spent \$600 million more than the amount officially reported to the Central Election Commission. Yanukovych's shadow campaign spent most of these illicit funds on dirty tricks. Half of the money came from Gazprom and other Russian businesses. Åslund cited these figures at a Carnegie Endowment seminar on Ukraine, Washington DC, November 23, 2004.

18. See the detailed expose of the "technical candidates" in *Zerkalo nedeli/Tzerkalo tyzhnia* (August 14–20, 2004).

19. See Taras Kuzio, "Yanukovych-Gate Unfolds After Ukrainian Elections," *Eurasia Daily Monitor* (December 3, 2004). The tapes are available at <http://maidan.ia.net/audio>.

20. *Financial Times* (December 13, 2004).

21. *Independent* (November 2, 2004).

22. During the Kuchmagate crisis, the Ukraine Without Kuchma and Stand Up Ukraine! movements organized protest rallies that attracted between 20,000 and 50,000 people. Kuchma ridiculed threats by the opposition to bring out 200,000 demonstrators on the streets of Kyiv. A leading member of PORA!, Yuriy Poliukhovych, had said it could bring out half a million people (Kyiv



Post, November 11, 2004). The threat materialized during the Orange Revolution, when the crowds reached a peak of 1 million.

23. The author attended a meeting in Kyiv on November 21, 2004, only halfway through election day, where the Organization for Security and Cooperation in Europe, Council of Europe, European Union, National Democratic Institute, and observers from Eastern Europe and Ukraine all reported massive fraud far worse than in round one. Senator Richard Lugar, President George W. Bush's representative during the second round, attended the meeting but did not speak. The meeting reflected the negative assessment of round two by Western governments and organizations that was to become evident later in the week.

24. Kuchma had himself been prime minister in 1992–93 before going on to win the presidency in 1994. The post of parliamentary speaker was less useful in winning elections, as shown by the failed attempts of Ivan Plushch in 1994 and Oleksandr Tkachenko in 1999.

25. One of the many anecdotes that circulated asked, "Why are relations between prison inmates improving? Because their cellmate may be the next president!"

26. Everywhere in Kyiv I heard "Eta bandyt!" or "Vin ye bandyt!" when Yanukovych was mentioned. Yanukovych served time in prison in 1968–70 and 1970–72.

27. The analogy with Russia would be for the governor of the Russian Far East to run for president.

28. See [www.eggs.net.ua](http://www.eggs.net.ua), which is replete with egg jokes.

29. See Daniel Williams, "Ukraine Rockers Set Protest to Their Unique Beat," *Washington Post* (December 11, 2004); Yana Dlugy, "Accidental Anthem Keeps Kiev Streets Rocking," *Agence France-Presse* (December 14, 2004).

30. "Together we are many! We will not be defeated!" became an important slogan that helped overcome fear among Ukrainians who, as opinion polls had repeatedly shown, who lacked efficacy and felt powerless vis-à-vis the officialdom. Many people were energized by the large numbers on Kyiv's "Majdan," the heart of the Orange Revolution.

31. Daniel Williams, "Revolutionary Love," *Washington Post* (December 9, 2004).

32. For background, see Taras Kuzio, "Former Party-of-Power Divided Over Supporting Yanukovych," *Eurasia Daily Monitor* (July 19, 2004).

33. Oleksandr Zinchenko, head of the Yushchenko campaign, gives considerable credit to Kyiv's mayor and state administration ([www.razom.org.ua](http://www.razom.org.ua), December 15, 2004).

34. *Ukrayinska pravda* (December 13, 14, 2004).

35. Rumors in Kyiv in the summer of 2003 claimed that Yanukovych and Medvedchuk had resorted to fisticuffs in the presidential administration. Medvedchuk does not get along well with most of the centrists, including the parliamentary speaker, Lytvyn.

36. See Yulia Mosytova in *Zerkalo nedeli/Tzerkalo tyzhnia* (December 4–10, 2004).

37. See Taras Kuzio, "What Do Ukrainians Really Think of Yanukovych?" *Eurasia Daily Monitor* (July 29, 2004).

38. Poland's ambassador to Ukraine, Marek Sliukovsky, was dumbfounded by Yanukovych's assertion that the assistance of Poland and the EU in brokering a round-table compromise was "interference" in Ukraine's internal affairs (*Ukrayinska pravda*, December 15, 2004).

39. *Washington Post* (December 9, 2004).

40. See Mark Franchetti and Askold Krushelnicky, "Kiev's Strongman Seeks Immunity," *The Times* (December 5, 2004). For background, see Taras Kuzio, "The Fear That Drives Him," *Transitions Online* (October 2, 2003), available at [www.tol.cz](http://www.tol.cz).

41. See Taras Kuzio, "What Now for Leonid Kuchma?" *Eurasia Daily Monitor* (November 19, 2004).

42. Most of the facts pertaining to the Gongadze affair have long been known. See Taras Kuzio, "Did Ukrainian Death Squads Commit Political Murders?" *RFE/RL Newline* (August 22, 2002) and "Is Ukraine Any Nearer The Truth on Gongadze's Murder?" *RFE/RL Media Matters* (February 28, 2003).

43. Interviewed by Novyi Kanal television, December 9, 2004.

44. For a more detailed background, see Taras Kuzio, "Russian and Ukrainian Authorities Resort to Inter-Ethnic Violence to Block Yushchenko," *Eurasia Daily Monitor* (June 29, 2004) and "Russia and State-Sponsored Terrorism in Ukraine," *Eurasia Daily Monitor* (September 22 and 23, 2004).

45. This has to be taken with a pinch of salt, as Pogrebinsky was heavily involved in the production of *temnyky*—secret censorship instructions from the presidential administration to TV stations. Pogrebinsky's comment was made during an interview on 1+1 television on December 15, 2004. For background, see Taras Kuzio, "Prime Minister Yanukovych and Media Freedom" and "Television Coverage Highly Biased in Ukraine Election Campaign," *Eurasia Daily Monitor* (August 11 and 12, 2004).

46. Interfax-Ukraine (October 11, 2004).

47. I argued this already in *Ukraine: State and Nation Building* (New York: Routledge, 1998). See the chapter dealing with regionalism.

48. *Ukrayinska pravda* (December 15, 2004).

49. See Taras Kuzio, "Deep Contradictions Cloud Yanukovych's Foreign Policy," *Eurasia Daily Monitor* (November 12, 2004).

50. Richard Holbrooke, the former U.S. ambassador to NATO, saw the Orange Revolution as paving the way for Ukraine to obtain a Membership Action Plan from NATO as early as the December 2005 NATO ministerial meeting. See his "From Tent City to NATO," *Washington Post* (December 14, 2004). The EU might require more prodding than NATO on Ukraine. See Taras Kuzio, "Orange Revolution Exposes EU's Deficient Ukraine Policy," *Eurasia Daily Monitor* (December 13, 2004).

51. The spontaneity and voluntary participation of the Orange Revolution's demonstrators should be contrasted with the payment of a flat \$100 per diem and transportation costs to the supporters sent to Kyiv by Yanukovych. Some of them defected to the Orange Revolution, while others used the \$100 to have a good time getting drunk and then return to Donetsk. Alcohol was banned from the Orange Revolution's tent city.

52. See Taras Kuzio, "Security Forces Begin to Defect to Viktor Yushchenko," *Eurasia Daily Monitor* (December 1, 2004).

53. Stefan Wagstyl, Chrystia Freeland, and Tom Warner, "Ukraine Resistant Spurned Yanukovych Pressure to Use Troops to Quell Protestors," *Financial Times* (December 14, 2004).

54. See Mykola Riabchouk, "Civil Society and Nation Building in Ukraine," in *Contemporary Ukraine: Dynamics of Post-Soviet Transformation*, ed. Taras Kuzio (Armonk, NY: M.E. Sharpe, 1998), pp. 81–98; Taras Kuzio, "National Identity and Democratic Transition in Post-Soviet Ukraine and Belarus: A Theoretical and Comparative Perspective," *East European Perspectives* 4, nos. 15–16 (July 24 and August 7, 2002) and "The National Factor in Ukraine's Quadruple Transition," *Contemporary Politics* 6, no. 2 (June 2000): 143–64.

55. For background, see Taras Kuzio, "NGOs and Civil Society Under Attack in Ukraine," *Eurasia Daily Monitor* (May 26, 2004); "Ukrainian Authorities Target Student and Youth Election Monitoring Groups," *Eurasia Daily Monitor* (October 13, 2004); "Ukrainian Crack Down on Youth Groups Ahead of Elections," *Eurasia Daily Monitor* (October 20, 2004).

56. For background, see Taras Kuzio, "Ukrainian Officials Increasingly Denounce Opposition as 'Extremists' and 'Terrorists,'" *Eurasia Daily Monitor* (September 30, 2004).

57. "Radical" here is not meant to imply any negativity. PORA! has always advocated non-violence. It is closer in spirit to the right-populist Tymoshenko and has therefore advocated, and continues to advocate, a more "radical" alternative to the former Kuchma regime than the moderate Yushchenko and his pragmatic business supporters in Our Ukraine. PORA! members do not regard the label "radical" as incorrect (interview with PORA! activists, Kyiv, December 25, 2004).

58. Interviewed by Novyi Kanal television, December 9, 2004.

59. Razumkov poll cited by *Ukrayinska pravda* (November 24, 2004).

60. *Ukrayinska pravda* (November 30, 2004).

61. How did Putin know three days before the official results were released that Yanukovych had won the elections?

62. See Taras Kuzio, "International Community Denounces Mass Election Fraud in Ukraine as CIS Upholds Official Results," *Eurasia Daily Monitor* (November 24, 2004).

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63. See Taras Kuzio, *Ukraine: Perestroika to Independence*, 2nd ed. (New York: St. Martin's Press, 2000).

64. Viktor Yushchenko, "Ukrainians Have Won the Right to Choose Their Destiny," *Financial Times* (December 28, 2004).

65. A popular song of the Orange Revolution by Rusava was entitled "Nasha Ukrayina." The song repeatedly emphasizes, "This is our country, our native Ukraine."

66. See Taras Kuzio, "Yushchenko Victory to Speed up Ukraine's De-

mocratization and Europeanization," *Eurasia Daily Monitor* (December 17, 2004).

67. Channel 5 TV, December 27, 2004.

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