ELECTORAL PROTESTS IN UKRAINE IN 2004

The Orange Revolution was one of the most significant political events in Eastern Europe after the dissolution of the USSR. Foreign observers compared electoral protests in Ukraine in 2004 to spectacular transformations in Central Europe at the end of the 1980s and the beginning of the 1990s claiming that what Ukrainians did not manage to achieve in 1991, they accomplished a bit later. Andreas Lorek stated that the Orange Revolution marked the beginning of a new stage.¹ Viktor Stepanenko wrote that the Orange Revolution was the beginning of a new age in the development of Ukrainian society and marked the end of the previous hybrid Soviet system.² Adrian Karatnycky claimed that “the orange revolution had set a major new landmark in the postcommunist history of Eastern Europe, a seismic shift Westward in the geopolitics of the region. Ukraine’s revolution was just the latest in a series of victories for “people power” – in Poland, Hungary, and Czechoslovakia in the late 1980s and, more recently, in Serbia and Georgia.”³

Five years later, most foreign observers avoided qualifying the 2004 electoral protests in Ukraine as a revolution, and if they did, it was only in a negative context only.⁴ As the Orange Revolution did arouse great interest in Ukraine among the international community, the aim of this article is to analyse that extraordinary event in the context of social and political transformations that follow revolutions.

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¹ A. Lorek (2006), *Poland’s Role in the Development of an ‘Eastern Dimension’ of the European Union*, Norderstedt, p. 34.
MODERN FACE OF REVOLUTION

There are a great many definitions and quasi-definitions of the term “revolution” and it is not easy to find recurrent attributes of “revolution” in those recently proposed or adopted. The problem is that differently defined revolutions occurred throughout the entire history of mankind. Without getting into detailed deliberations on etymology, evolution and research on the phenomenon of “revolution”\(^5\), it needs to be recognised that a revolution must entail significant social and political transformations, a popular social movement, an ideology and use of non-legal measures or violence.\(^6\)

In the post-Cold War era the international community has not experienced one revolution which would fulfil all the criteria listed above. Nonetheless, mass protests against election frauds in Ukraine at the end of 2004 were referred to as a revolution. The Orange Revolution in Ukraine was not anything extraordinary on the international stage. It was one of the so called colour revolutions. That cover term has been used in reference to mass protests that led to removing corrupted and autocratic political elites from power through democratic persuasive measures, i.e. without violence.\(^7\) Such revolutions took place in Serbia in 2000, in Georgia in 2003, in Ukraine in 2004 and in Kyrgyzstan in 2005. Considering the above, it seems appropriate to ask following questions: What was the Orange Revolution? Was it a revolution at all? If it was, then was it a turning point in democratisation and development of the Ukrainian statehood?

In history, revolution as an idea legitimised the assumption of power in result of using violence. It created favourable conditions for ambitious individuals who desired power at any price and could present their coup d’état in categories of a revolution, i.e. a battle with an unfair social and political system. When in 1991 liberal democracy triumphed after the collapse of the Eastern Bloc, the idea of revolution lost its significance and was replaced by new theoretical concepts. In the world built on principles of liberalism, there was no space for non-legal actions and violence. The liberals have assumed that economic interdependence, trade and money shape international bonds and contribute to spreading democratic principles. Democracies do not fight one another because they are based on the rule of law and system transparency.\(^8\)

In the age of liberalism a new theoretical concept, i.e. “transition to democracy”, has been coined to replace “revolution”. Samuel Huntington believes that the third wave of democratisation meaning some form of democratic transitions from a non-

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democratic system to a democratic one was first observed in the 19th century. The
democratisation wave in the 21st century differs from all the previous ones in that
both, changes in the politics of external actors and a significant shift in US foreign
policy toward the protection of human rights (since 1974) have taken place.9

In 1983, the Reagan administration decided to establish the National Endowment
for Democracy (NED) the purpose of which was to support democratic institutions
in third countries by training people on the principles of democracy and financial
grants management. This institution is a private foundation that transfers funds to
American non-government organisations, including: National Democratic Institute
for International Affairs (NDI), International Republican Institute (IRI), Internation-
al Foundation for Electoral Systems (IFES), International Research and Exchange
Board (IREX) and Freedom House.10 They, in turn, allocate funds to other organisa-
tions operating in third countries, where they have been perceived as credible due to
their non-governmental status. Allen Weinstein, the first director of NED, described
the activities of American non-governmental organisations in 1991 in the follow-
ing way: “A lot of what we do today was done covertly 25 years ago by the CIA”11.

That meant that non-governmental organisations were emanations of US national
interests, since their survival and activities largely depended on the assistance of
American administration. Those institutions served penetrating of foreign countries
by providing trainings of various sorts, funds, technical support, educational materi-
als and whatever was necessary for the functioning of particular political parties,
non-governmental organisations, student groups, trade unions, dissident movements
and mass media.12

Credibility of American NGOs’ operations on the international stage was
strengthened by presenting them as efforts to build civil society. The concept of
civil society, developed by ancient Roman and Greek philosophers, was not popular
in the 20th century. It was revived after the collapse of the USSR, when the need
for democratisation and triggering changes within systems of non-democratic states
aroused.

Combining US national interests with development of civil society and democ-
ratisation processes proved that in the post-Cold War era what was going on in the
states was as important as what was happening between the states. For decades,
researchers in international relations have focused mostly on relations between the
states that are major actors on the international stage. However, in the 1990s, chang-

9 S. P. Huntington (1993), The Third Wave. Democratization in the Late Twentieth Century, Univer-
10 Y. Beigbeder (1994), International Monitoring of Plebiscites, Referenda and National Elections:
11 After G. Sussman (2010), Branding democracy: U.S. Regime Change in Post-Soviet Eastern
Europe, New York, p. 45.
es in the global system were determined not so much by relationships between states as changes maturing domestically.\textsuperscript{13}

In the US National Security Strategy, adopted after 9/11 (2001), democratisation was identified as a tool for combating terrorism and promoting peace.\textsuperscript{14} Democratisation as a geopolitical strategy of the only global superpower could have been implemented following two scenarios. The first one, called “democracy promotion”, assumed that the impetus for transformations and democratic development would come from outside. Such top-down democratisation occurred in Afghanistan in 2001 and two years later in Iraq.\textsuperscript{15} The second scenario, called “democracy assistance”, differed from the previous one in that the initiative for democratic development came from inside and assistance coming from outside was to support domestic efforts to develop democracy and civil society.\textsuperscript{16}

The extent to which American non-governmental organisations were involved in democracy assistance in non-democratic states depended on the country’s relationship with the US. For example, Islom Karimov’s regime in Uzbekistan was perceived as one of the most autocratic in the former USSR territory because it pain-
fully repressed Islamic opposition groups. Nonetheless, Karimov was an important US ally in the war on terrorism since he provided Americans access to a military base necessary for delivering supplies to the forces of counter-terrorism coalition in Afghanistan.\textsuperscript{17} In Azerbaijan, the situation was similar. In 2003 Heydar Aliyev, the president leaving the office, transferred power to his son, Ilham, in a way which violated standards of democratic elections. In spite of this fact, the administration of George W. Bush recognised the heir as the rightful president due to his loyalty to US interests in the Caspian Sea region.\textsuperscript{18}

\section*{EXTERNAL AND INTERNAL FACTORS IMPACTING ELECTORAL PROTESTS IN UKRAINE}

Starting from 2000, the American administration increasingly opposed policies of some post-Soviet states, especially the Russian Federation, Ukraine and Belarus. Relations between Ukraine and the US rapidly deteriorated, when American intelligence accused Leonid Kuchma of selling modern Kolchuga anti-aircraft systems to Saddam Hussein. The resulting scandal was the reason for withdrawing the invitation for Kuchma to NATO Prague summit in 2002. Despite not being invited,

\begin{itemize}
\item \textsuperscript{13} A. D. Rotfeld, \textit{Dokąd zmierza świat?: determinandy zmian w systemie międzynarodowym}, in: A. D. Rotfeld (ed.) (2008), \textit{Dokąd zmierza świat?}, Warsaw, pp. 11-16.
\item \textsuperscript{14} J. Snyder (2004), \textit{One world, rival theories}, “Foreign Policy” No. 145, p. 57.
\item \textsuperscript{15} A. Etzioni (2007), \textit{Security First: for a Muscular, Moral Foreign Policy}. New Haven, pp. 19-35.
\item \textsuperscript{17} M. Bowker (2007), \textit{Russia, America and the Islamic World}, Burlington, pp. 150-154.
\item \textsuperscript{18} C. Leech (2006), \textit{Crude Interventions: the US, Oil and the New World (dis)Order}, London, pp. 69-76.
\end{itemize}
Kuchma came to the summit. He was seated in the last row as for the first time in NATO history delegates were seated according to the French alphabet. What is more, the US decided to revise its politics toward Ukraine.

Although the changed attitude of the American administration toward Ukraine was an important external factor on the eve of the Orange Revolution, the feeling among Ukrainian society, i.e. an internal factor, was of much greater significance. Edmund Wnuk-Lipiński believes that a radical social change occurs when a favourable combination of external factors overlaps with internal factors thanks to which a change may be initiated and which later impact the course of the social change as well as the resulting social and political order.

Discrediting Kuchma on the international stage coincided with him losing authority in Ukraine. Violations and infringements of human rights revealed earlier during his term of office were nothing compared to what was revealed in November 2000. At a parliamentary sitting, Oleksandr Moroz presented records of talks held in Kuchma’s office which linked the Kuchma administration to illegal arms trade, election fraud in 1999 presidential elections, persecution of independent journalists, corruption of top-level authorities, manipulated investigations, power abuse and adverse management of public assets, violence against politicians and journalists (murder of Georgiy Gongadze).

Although it was not proven that the highest level governmental dignitaries were guilty and the authenticity of the recordings was not confirmed, their very disclosure made the opposition launch the impeachment procedure, start the anti-presidential campaign “Ukraine without Kuchma”, collect signatures to set a referendum and undertake efforts to remove Kuchma from power. None of the objectives listed above was accomplished for several reasons. Firstly, in 2000, the Ukrainian opposition lacked unity, structure and a charismatic leader. It was composed of only three parties: Batkivshchyna or All-Ukrainian Union “Fatherland” (Yulia Tymoshenko), Socialist Party of Ukraine (Oleksandr Moroz) and Communist Party of Ukraine (Petro Symonenko). The first two parties supported anti-presidential campaigns. The

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Communist Party, however, perceived the anti-presidential movement as an “American conspiracy” that to all intents and purposes succeeded in Serbia several months earlier, where pro-Western political parties took power. In the case of Ukraine it was not entirely clear who represented the opposition. Throughout the mass protests from December 2000 to March 2001, Viktor Yushchenko was Prime Minister and was loyal to Kuchma. Moreover, Yushchenko together with Kuchma and the head of the parliament, Ivan Plyushch, wrote a letter in which they condemned protesters calling them fascists.25

Secondly, the mass protests were not manifestations of civil society development in Ukraine. Although some researchers quoted the number of 28 thousand non-governmental organisations registered in Ukraine on the eve of the campaign “Ukraine without Kuchma” to prove the opposite, Ukrainians’ membership in those organisations was negligible.26 Activities of protesters were chaotic and uncoordinated. Thus it was no surprise that they fell victims of provocations, were arrested and their riots contained and dispelled by the police.27

Thirdly, the opposition tried to remove Kuchma from office during the election cycle, that is in the period when the political regime was not threatened and weakened with a potential change. Removing the president from power one year after he started his second term of office was an extremely difficult task.28

Fourthly, anti-presidential manifestations in Ukraine were held only two months after the collapse of Milosevic’s regime in Serbia. This was too short a period for Ukrainian non-governmental organisations to learn Gene Sharp’s doctrine and practice of non-violent protests.29 Sharp’s ideas exerted huge influence on the conduct of Serbian opposition, especially on the Otpor student group which played a key role in overthrowing Milosevic. Only after succeeding at home, activists of Otpor, and American NGOs that supported them, started to focus their activities on other

28 Mark Beissinger argues that all political regimes are weakened in the election period, when once again they have to solicit for internal and external legitimisation. What is more, elections attract attention of the international community. See: M. R. Beissinger (2007), Structure and example in modular political phenomena: the diffusion of Bulldozer/Rose/Orange/Tulip revolutions, “Perspective on Politics” Vol. 5, No. 2, pp. 259-276.
29 Gene Sharp - American political scientist, well-known for his works on organising non-violent protests, i.e. bloodless revolutions. It is believed that his ideas formed the basis for colour revolutions and other anti-governmental and anti-presidential demonstrations in the world. See: G. Sharp (2003), Front Dictatorship to Democracy: a Conceptual Framework for Liberation, Boston.
In Ukraine, the opposition heard about the events in Serbia but did not have the experience of coordinating mass protests. A missing key to success was the lack of education.

When in Ukraine new mass protests, known as the Orange Revolution, broke out in 2004, many significant changes had taken place on Ukraine’s political stage. In 2001, after anti-presidential demonstrations, Kuchma dismissed Yushchenko from the function of prime minister and thus “created” the leader of Ukrainian opposition. In the same year, on the initiative of American NDI a meeting of ten Ukrainian opposition parties was held in Poland. Thanks to that discussion forum, cooperation of various parties aiming at overthrowing Kuchma’s regime became possible. The event was regarded as an unofficial birth of Viktor Yushchenko’s election bloc “Our Ukraine” and of a united opposition with one candidate for president. Efforts of opposition parties were rewarded in 2002, when in parliamentary elections they won 156 seats in the Supreme Council of Ukraine (Verkhovna Rada).

The outbreak of the Rose Revolution in Georgia in 2003 was a strong impetus for opposition activities in Ukraine. The fact that the anti-presidential campaign “Ukraine without Kuchma” ended in a fiasco by no means meant social and political stagnation in the country. A nationwide series of civic protests under the banner of “Rise up, Ukraine!” has been organised. As part of these protests such non-governmental organisations as Clean Ukraine, Znaju or Pora have been established. What is more, the protests created a training platform where experience of foreign NGOs could be utilised.

Stephen Nix, a representative of the International Republican Institute (IRI) in Ukraine, admitted that his organisation passed to Ukrainians the same knowledge as it had to political activists in Serbia and Georgia. It was not just a theory, for IRI also provided practical guidelines by organising foreign study trips and trainings for mentors to be. After participating in the trainings all new mentors worked with volunteers and the youth in Ukraine, teaching them how to inform and motivate the society, cooperate with the media, respond to provocations, communicate and coordinate their activities, behave when arrested, etc. It may seem that methods to support democracy could not be taught on seminars arranged in hotels. However,

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32 M. Bader (2010), *Against all Odds: Aiding Political Parties in Georgia and Ukraine*, Amsterdam, pp. 116-118.
having considered that IRI was one of many non-governmental organisations cooperating with the Ukrainian opposition and that on the eve of the Orange Revolution the American administration transferred USD 65 million to support democracy in Ukraine, it becomes clear that activities of the aforementioned organisations must have had an impact on the outbreak of Ukrainian protests in 2004.36

Learning social involvement and activities involved both ordinary citizens and members of Ukrainian political elite. In 2001 majority of politicians were loyal to Kuchma while in 2004 part of the political elite joined the united opposition. Considering the fact that Ukrainian politicians were influential businessmen, abandoning Kuchma should be treated as an additional financial support for the opposition. In 2001, representatives of big businesses controlled the media and their loyalty to Kuchma resulted in mass media understating the size of public protests. This largely contributed to stopping the inflow of protesters who made their participation in demonstration conditional on social proof (informational social influence). In 2004, financial and press tycoon Petro Poroshenko decided to support the opposition. His TV Channel 5 broadcast mass demonstrations in Kiev live, which contributed to increasing the number of protesters.37 A number of Kiev authorities’ members and representatives of the Ministry of Transport and the Ministry of the Interior also took the side of the opposition. The resulting consent to hold demonstrations ruled out the possibility of closing the entry to Kiev or use of violence against protesters.38

While part of the Ukrainian political elite learned their lesson from Serbian and Georgian colour revolution, Kuchma and supporting him Yanukovych learnt nothing from the defeats of Milosevic and Shevardnadze. Learning about social involvement could have been done in two ways: either political elites joined the opposition or supported its case seeing the enfeeblement of the old political regime, or the elites took actions aiming at preventing possible protests of the opposition. While Kuchma categorically rejected the possibility of a colour revolution in Ukraine39, presidents of Russia, Belarus, Uzbekistan, Azerbaijan and Kazakhstan undertook special precautionary measures: increased state control over mass media, suppressed opposition and prohibited activities of American NGOs in their countries.40

Nothing like that happened in Ukraine. Nonetheless, in the context of the Orange Revolution one should not exaggerate the significance of external technical support since the weakness of the regime, striving to prolong its existence by vote rigging,

was decisive for the outbreak of electoral protests. The protests led to a compromise among Ukraine’s political elite that consisted in holding the second election round again in exchange for transforming Ukraine’s political system (limiting president’s power in favour of the government and the parliament).41

The chronology of the 2004 events and the significance of the results of the repeated election round are common knowledge and need not to be detailed. The question to be answered is whether the 2004 mass protests were in fact a revolution. Examining this issue in a narrow perspective, we may say, that it was an unprecedented event in the history of the Ukrainian state. Looking at it in a broader perspective, the Ukrainian Orange Revolution was a continuation of earlier colour revolutions that spread across the post-Soviet area. Due to their similarities, Michael McFaul distinguished several structural conditions required for an electoral revolution to arise: 1) a semi-autocratic rather than fully autocratic regime, 2) an unpopular incumbent, 3) a united and organised opposition, 4) an ability quickly to drive home the point that voting results were falsified, 5) enough independent media to inform citizens about the falsified vote, 6) a political opposition capable of mobilising tens of thousands or more demonstrators to protest election fraud, 7) divisions among the regime’s coercive forces, and 8) favourable external circumstances.42

The conditions specified above occurred in Ukraine in 2004, but the question whether Ukrainians would have been able to succeed without referring to developments in Serbia and Georgia remains open. Due to an external inspiration and following the examples of other states, politicians originally from Kuchma’s circle suddenly became leaders of the Orange Revolution and – with the rising tide of mass protests – took power from their predecessors. Such a change, assessed by Ukrainians as significant, was not a revolution, because the regime as such was not changed. The only innovation was the introduction of a constitutional reform. But the initiative of that change came from the resigning president who was interested in establishing political pluralism by transferring power to the parliament. Pluralism, on the one hand, excluded the possibility of continuous power concentration in the hands of one person but, on the other hand, it has led to internal political turmoil because the liquidation of the rule of an autocratic leader was not tantamount to establishment of the rule of law.43

The 2004 electoral protests in Ukraine were not a revolution because during a revolution negotiations are not carried, concessions are not made and compromises are not reached. Generally, revolutions involve use of violence and strong reactions

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43 M. Riabchuk, What’s left of Orange Ukraine?, “Eurozine” 4.03.2010.
that lead to significant social, political or economic transformations. Nothing of that sort happened in Ukraine. If the 2004 events were a revolution, then the “perpetrator” of this revolution, i.e. Viktor Yanukovych, would never have been prime minister. What is more, he would never have represented Ukraine on the international stage as the head of state. As it happened, in less than two years after the Orange Revolution, Yanukovych was prime minister, and in 2010 he was elected Ukraine’s president. The above leads to a conclusion that the success of Ukrainian 2004 electoral protests have contributed to a political evolution of the state. This evolution was somewhat interrupted during the presidency of Kuchma, who by vote rigging deprived Ukrainians of the “right to have such authorities as they deserved, that is, authorities elected in fair elections”.44

ABSTRACT

This paper is an attempt to analyse Ukraine’s Orange Revolution, i.e. mass protests against fraud in Ukraine’s November 2004 presidential election. The author presents the modern face of the revolution, external and internal causes of electoral protests in Ukraine and argues that the Orange Revolution was not a revolution in the full sense of the word. Throughout history revolutions erupted in the name of ideology, led to significant changes in the government, ideas, society and were violent. Nothing of the sort happened in Ukraine. Therefore the author presents the Orange Revolution as evolution because it reinvested Ukrainians with the law-sanctioned right to have a political system in which leaders are chosen in free and fair elections.

44 M. Riabczuk (2009), Władza i reguły, "Nowa Europa Wschodnia" No. 6, pp. 49-50.