

Prelude to a Revolution: Reflections on Observing the 2004 Presidential Elections in Ukraine

Rory Finnin and Adriana Helbig

Over the course of the highly contested 2004 presidential elections in Ukraine, two graduate students from Columbia University served as International Election Observers. Rory Finnin, doctoral student in the Department of Slavic Languages and the Center for Comparative Literature and Society, and Adriana Helbig, PhD candidate in the Department of Music, were members of delegations fielded by the Ukrainian Congressional Committee of America (UCCA), a U.S.-based non-governmental organization founded in 1940 and registered with the Central Election Commission of Ukraine. Rory served in the Cherkasy oblast in central Ukraine during the first round of the elections on October 31, 2004, and Adriana served in the Transcarpathian oblast in western Ukraine during both the first round on October 31 and the second round on November 21, 2004.

This article is comprised of two sections, organized by electoral round and region. Based on Rory's observations, the first section addresses the October 31 poll in Cherkasy, briefly reviewing the electoral significance of the oblast before elaborating upon the corrupted voter registries and the state's use of "soft" intimidation that undermined the voting process there. The second section, based on Adriana's observations, deals with the November 21 poll in Transcarpathia; the account is prefaced with a discussion of the political machinations in Uzhhorod prior to the elections between the pro-government *Sotsial-demokratychna Partiiia Ukraïny-obiednana* (Social Democratic Party of Ukraine-united; SDPU-o) and the opposition party, *Nasha Ukraïna* (Our Ukraine). It then proceeds to describe many of the ways in which local officials intimidated voters and manipulated marginalized constituencies in a campaign of falsification and fraud.

First Round: Cherkasy Oblast

As crowds in the hundreds of thousands swelled Kyiv's *Maidan Nezalezhnosti* (Independence Square) to protest widespread electoral fraud following the November 21 run-off between Viktor Yushchenko and Viktor Yanukovich, journalists in Europe and the United States tended to cast the dramatic events of the Orange Revolution in binary terms, as the outcome of a conflict not only between a "pro-Western reformer" and a "Kremlin-backed prime minister," but also between "western" and "eastern" Ukraine. "Ukraine's East and West Are Miles Apart on the Issues," declared one headline on the front page of the *Los Angeles Times*,¹ while television commentators in the United States depicted the crisis as a confrontation between a "Red State vs. Blue State" Ukraine.² This regional cleavage, while qualified by some, was frequently depicted in the popular media with Manichean simplicity, offering journalists a convenient analogue to the international power play putatively taking place between Moscow, on one hand, and Washington and Brussels, on the other, over the election row.³

Of course, the thesis of "two Ukraines" is nothing new. In 1992, the Ukrainian intellectual Mykola Riabchuk introduced the concept *per se* in an article entitled "Two Ukraines?" in the *East European*

1. Kim Murphy, "Ukraine's East and West Are Miles Away on the Issues," *Los Angeles Times*, December 3, 2004, front page.

2. See Michael McFaul's conversation with Jim Lehrer of the *PBS NewsHour* on November 23, 2004, http://www.pbs.org/newshour/bb/international/july-dec04/ukraine_11-23.html.

3. See, for example, Fred Weir and Howard Lafranchi, "The East-West Stakes over Ukraine," *Christian Science Monitor*, November 25-26, 2004, front page.

*Reporter*⁴; in 2002 he sought to update and clarify it in an article entitled “One State: Two Countries?” in *Transit*.⁵ Nor is it necessarily misleading. Differing historical, linguistic, and cultural circumstances have produced something of a political divergence that can be drawn along a geographical imaginary in Ukraine, and it is one that Yushchenko himself effectively acknowledged in a campaign slogan, “Donets'k + L'viv = Peremoha” (Donets'k + L'viv = Victory).⁶ It is rather when the concept of “two Ukraines” participates in essentializing these differences, casting them as irrevocably black and white and devoid of shades of gray, that it becomes not only grossly simplistic but also dangerous fodder for political manipulation.⁷

Orest Subtelny, among others, has argued for an evaluation of Ukraine's political geography in terms of “a three-part rather than a two-part scheme,” which identifies three basic regions that, notably, may be broken down further:

western Ukraine; central Ukraine, encompassing what was traditionally called Right- and Left-Bank Ukraine, with Kyiv at its center; and the southeast, which includes such areas as the Donbas, the Crimea, and the Odessa regions. In this scheme, the west and the southeast represent the two extremes of the national consciousness spectrum, while the center occupies an intermediate position.⁸

Central Ukraine's intermediacy, Subtelny points out, stems from the fact that it did not experience the degree of “ethnic confrontation” that historically beleaguered western Ukraine, nor was it subject to the degree of

“ethnic homogenization” that took place in southeastern Ukraine.⁹ As a result, the region has tended to mediate the “national extremism of the west” and the “national nihilism of the southeast,” acting as a glue, as it were, that keeps Ukraine together.¹⁰

This accommodation of differing political viewpoints has been especially evident in presidential election years. In the run-off between Leonid Kuchma and Leonid Kravchuk in 1994, for example, the most highly contested oblasts were Cherkasy and Kirovohrad, where Kuchma garnered 45.7% (compared to Kravchuk's 50.8%) and 49.7% (to Kravchuk's 45.7%) of the vote, respectively. In 1999, when the Kyiv oblast and the city of Kyiv cast their lots with Kuchma over the Communist Petro Symonenko, the Cherkasy oblast joined those of Luhans'k, Kherson, and Crimea, among others, in supporting the latter candidate. This potential to “swing” made central Ukraine a linchpin in the 2004 presidential elections, “the region that will most likely decide [their] outcome,”¹¹ and its importance meant that it was never far from the threat of electoral foul play.

When our team of six observers arrived in the city of Cherkasy on October 30, the day before the first-round contest, we met with Maksym Mykhlyk, head of the local branch of the independent nongovernmental organization *Komitet Vyboriv Ukraïny* (Committee of Voters of Ukraine; CVU), to gauge the pre-election atmosphere in the Cherkasy oblast and identify the polling stations that were feared particularly susceptible to falsification and fraud.¹² Only the day before, the

4. Mykola Riabchuk, “Two Ukraines?” *East European Reporter* 5:4 (July-August 1992).

5. Mykola Riabchuk, “One State, Two Countries?” *Transit-Europäische Revue* 23 (2002).

6. *Bez Tsenzury: Hromads'ko-Politychnyi tyzhnevnyk* 34 (October 31-November 6, 2003), 1; quoted in Yaroslav Hytsak, “On the Relevance and Irrelevance of Nationalism in Ukraine” (paper presented at the Second Annual Cambridge-Stasiuk Lecture on Ukraine, University of Alberta, February 20, 2004), http://www.ualberta.ca/~cius/stasiuk/st-articles/2004-02-20_Cambridge%20Lecture%202004.pdf, 8.

7. In this regard, we need only look to the events in Severodonets'k on November 28, 2004, when 3,500 pro-Yanukovych officials from seventeen eastern regions mobilized the rhetoric of regionalism and threatened secession and Ukraine's territorial integrity.

8. Orest Subtelny, “Introduction” in Sharon L. Wolchik and Volodymyr Zvighyanich (eds.), *Ukraine: The Search for a National Identity* (New York and Oxford: Rowman and Littlefield, 2000), 5. As we shall see in the second section of this article, western Ukraine is a very complicated tableau itself. One would be mistaken to equate the level of “national consciousness” in Uzhhorod with that of L'viv, for example.

9. *Ibid.*

10. *Ibid.*, 6.

11. Taras Kuzio, “Front Runners Battle It Out in Ukraine's Last Presidential Polls,” *Eurasian Daily Monitor*, October 22, 2004.

12. An independent NGO active throughout Ukraine, the CVU also organized approximately 10,000 domestic observers for the first round. The polling stations on our itinerary were often full of domestic observers, as most of the 24 candidates for president had their own corps of them. A place for chairs, resembling a jury box, was usually cordoned off inside the voting premises to accommodate them, and most sat there throughout the day, content to “observe” from a distance. Observers from the CVU and Our Ukraine were exceptional in this regard, however; they tended to move about the polling stations, anticipating potential problems, and were very eager to work with us. Observers from the Yanukovych camp, meanwhile, were eager to photograph us, and to our amusement, one woman in Korsun'-Shevchenkiv's'kyi, wearing black sunglasses, went to great lengths to do so while hiding behind voters and members of the election commission. Two days earlier in Kyiv, rather less amusingly, two thugs accosted me for taking a photo of a Yanukovych campaign truck. Taking campaign- or election-related photos is the right of all observers upon their registration with the Central Election Commission, but even after seeing my credentials, they did not relent in fighting, ultimately unsuccessfully, for the film in

CVU had released a report alleging a number of recent incidents of violent intimidation of political activists in Cherkasy, which included the poisoning of animals on the farm of a leader of a “pro-Yushchenko civic group” on October 5 and the destruction of a Socialist Party print shop on October 10.¹³ These acts portended the possibility of active voter intimidation in *Cherkashchyna* on Election Day. The CVU also informed us of its concern about the integrity of ballot papers and voter registries, and we compiled a list of polling stations in the oblast considered at risk to these problems, mapping out an itinerary for the next day.

Our team split into three mobile groups of two on Election Day, and I worked with Stefan Petelycky, an Auschwitz survivor, representing the Ukrainian Canadian Congress,¹⁴ throughout territorial election district 199, a predominantly rural consistency of approximately 140,000 voters and 177 polling stations.¹⁵ Together we visited two polling stations in the town of Horodyshe, eight in the town of Korsun'-Shevchenkiv'skyi, and two in the district of Lysianka. We were permitted entry at every stage, and the chairpersons of the polling station election commissions were, by and large, friendly and cooperative. Similarly, the members of the election commissions who checked voter identification, distributed the ballots, and counted the votes were, on the whole, diligent and well-trained. Of course, as in any country, conditions were far from perfect—the voting premises in polling station #2 in Horodyshe, for example, failed to meet size specifications, and the subsequent overcrowding undermined the secrecy of the voting process there—but upon being informed of our observations, the election commissions tended to act quickly and professionally to remediate any problems.

With twenty-four candidates vying for the presidency in the first round, the election ballot consisted of a long sheet of paper consisting of a control

coupon, which contained the numbers of the territorial election district and the polling station, and the body of the ballot itself, which listed the surnames, names, and patronymics of the candidates next to brief summaries of their respective platforms. By law, each voter is to receive one ballot upon presentation of valid identification, and its receipt is confirmed by the voter's signature on the control coupon, which is then separated from the body of the ballot and kept for the record before the vote is cast in anonymity. When issuing a ballot, the member of the election commission must sign both the control coupon and the body of the ballot; otherwise, it is *nediisnyi* (invalid). In polling station #2 in Horodyshe, we observed one member of the election commission repeatedly fail to append her signature to the ballots that she distributed, in effect invalidating votes before they were cast. Upon our deposit of an *akt pro porushennia* (violation report form), this individual was apparently relieved of her post, although we cannot confirm that she did not return to it later in the day.

The problem that pervaded every polling station on our itinerary was not within the primary purview of the polling station election commissions, however. Incomplete and often woefully inaccurate voter registries were commonplace, and their assembly was the responsibility of the Central Election Commission and the executive bodies of local municipalities. We observed scores of prospective voters in electoral precinct 199 being turned away from polling stations and instructed to go to the local court in order to submit a complaint (in accordance with Article 34, part 3 of the law, “On Elections of the President of Ukraine”) and petition for their immediate inclusion in the relevant voter registry. Only with a positive decision from the court could they return to the polling station and cast their vote. Many of the voters affected by this problem informed us that they were lifelong residents of their towns or villages and had even voted in the same polling station in the 1994 and 1999 presidential elections. The perception of injustice among the disenfranchised was often so acute that some adamantly refused to go to the local court, accusing the polling station election commissions of misdeeds and insisting that that the matter be resolved then and there. In fact, two residents of Korsun'-Shevchenkiv'skyi nearly came to blows with members of the election commission in polling station #43 over their exclusion from the voter registry, and it was only upon the intervention of a police officer that they reluctantly acquiesced and departed for the local court.¹⁶

my camera. Adorned with Yanukovich's likeness, the campaign truck bore the slogan “Hadiia – dobre, nadiinist' – krashche” (Hope is good; certainty is better).

13. Committee of Voters of Ukraine, “Report on the Pre-Election Environment for October 4-15, 2004,” *CVU Events Chronicle*, October 29, 2004,

http://www.cvu.org.ua/?menu=chronicles&po=doc&lang=eng&date_end=2004-07-14&date_beg=2005-01-10&id=646. These acts of violence in the Cherkasy oblast would culminate in the second round in the murder of police captain Petro Potiekhin, who was guarding ballot papers in the village of Molodets'k in election district 202, which abuts district 199.

14. Mr. Petelycky has recounted his ordeal in Auschwitz in his autobiography, *Into Auschwitz, For Ukraine* (Kingston, Ontario: Kashtan Press, 1999).

15. The chairperson of territorial election district 199 was Tamara Mosenko, a supporter of Victor Yanukovich.

16. A more than 10% increase in eligible voters in polling station #43 between the first round on October 31 (1,730) and the repeat run-off on December 26 (1,908) testifies to the extent of the voter registry debacle.

The majority of these disenfranchised voters appeared middle-aged, and a number of them told us that their demographic had been deliberately targeted for its pro-Yushchenko sympathies. They suspected that old-age pensioners, who by contrast were inclined to vote for Yanukovich, had not been as widely omitted from the voter registries.¹⁷ (Irrespective of the legitimacy of this claim, we did observe that a number of pensioners were indeed turned away from polling stations in electoral precinct 199, and we met one elderly woman in Korsun'-Shevchenkivs'kyi who, like many others, had to walk over a kilometer to the local court and back again.) Word quickly spread of long lines at the local courts, and some of the residents excluded from the voter registries seemed to leave the polling stations frustrated and discouraged upon hearing this news. It was impossible for us to know whether they went to appeal their exclusion or simply returned home in resignation.

Rumors ran rampant on Election Day, and the grapevine worked to the advantage of the state and its party of power. In Lysianka, a district with a population of approximately 28,000, we observed an armed contingent of what appeared to be *Berkuty* (Golden Eagles), an elite police force under the command of the Ministry of the Interior, disembark from two buses near the center of town. They did not approach a polling station or physically intimidate voters, but rather congregated outside the buses for a half an hour. What the *Berkuty* were doing in Lysianka on a Sunday afternoon remains a mystery—indeed, the mayor of Lysianka, a member of Yushchenko's Our Ukraine party, had not been informed in advance of their arrival—but their presence alone was enough to frighten voters and contribute to an already tense atmosphere. Similar visits reportedly occurred throughout central Ukraine on October 31, evidently part of a larger program of what might be called “soft” intimidation, whereby the state conspicuously wields its stick, as it were, without using it.

The arrival of the *Berkuty* proved a distraction in Lysianka, but the counting of the votes in polling station #96 nonetheless proceeded apace when the polls closed at 8:00 PM. Members of the election commission manually conducted the count well past midnight, and I remained there until the election materials were secured and prepared for transport to the territorial election commission. The count was orderly and thorough, with only one exception. Superfluous marks on a ballot may invalidate it, and two members of the election commission were counting with pens in their hands. A domestic observer and I raised the issue to the

chairperson of the election commission, who then made adjustments accordingly. At the conclusion of the count, I retrieved a copy of the result protocol, signed and sealed by the election commission; of the 2,093 votes cast in polling station #96, a resounding 1,477 (or 71%) were for Yushchenko, 232 (11%) for the Socialist Oleksandr Moroz, and 165 (or 8%) for Yanukovich. Results later published by the Central Election Committee of Ukraine revealed that, out of the 108,940 votes cast in election district 199, 65,426 (60%) were for Yushchenko, 16,940 (16%) for Yanukovich, and 14,716 (14%) for Moroz. After winning 76% of the vote in district 199 in the invalidated second round on November 21, Yushchenko went on to win 85% there in the repeat run-off on December 26. Indeed, at the turn of 2005, district 199 and the entire Cherkasy oblast had unequivocally become Yushchenko country.

Second Round: Transcarpathia

Whereas the regions indicated in Yushchenko's slogan “Dontes'k + L'viv = Victory” represent two relatively homogenous electorates—the former being predominantly Russophone Orthodox, the latter largely Ukrainophone Greek Catholic—the oblast of Transcarpathia is a collage of diverse ethnic, religious, and linguistic affiliations. More than seventeen changes of statehood over the course of its history have greatly influenced the sense of identity in Transcarpathia.¹⁸ Since constituting part of the Austro-Hungarian Empire, the region has been a part of Czechoslovakia (1919-38), Hungary (1938-44), the USSR (1945-91), and Ukraine (1991-present). The oblast is home to more than seventy ethnic groups and twelve ethnic minorities, among them Russians, Hungarians, Slovaks, Roma (Gypsies), and Jews. Ukrainian, Russian, Hungarian, and Slovak are commonly spoken in Transcarpathia, and Roman Catholic, Greek Catholic, Orthodox, and Baptist are among the most common religious affiliations. Identity is extremely open to fluidity in Transcarpathia, differentiating it from other western oblasts like Ternopil', L'viv, and Ivano-Frankivs'k, where the majority of the electorate expresses a relatively strong Ukrainian patriotic sentiment. While political analysts never doubted a strong win for Viktor Yushchenko in these oblasts, they considered Transcarpathia, like Cherkasy to some extent, something of a “swing state.” This ambivalence, however, did not stem from a lack of clarity regarding which candidate particular ethnic groups would support, but rather from the degree of influence that the political

17. In October 2004, only weeks before the first round, Yanukovich had raised pensions and public sector pay in a naked campaign appeal to pensioners and civil servants.

18. Judy Batt, “Transcarpathia: Peripheral Region at the ‘Centre of Europe,’” *Regional and Federal Studies* 12:2 (Summer 2002), pp. 155-77.

and economic party of power in the region, namely, the Social Democratic Party of Ukraine-United (SDPU-o), would have over the electorate on Election Day.

Transcarpathia is the poorest and least developed region in western Ukraine, and with unemployment at 70%, it was not difficult for a group of Kyiv oligarchs with Transcarpathian family connections to take control in the region. For close to a decade, the SDPU-o, which is closely allied to President Leonid Kuchma, considered Transcarpathia a solid home base.¹⁹ An Uzhhorod resident best described the party's financial and political monopoly in the region in this way: "If you were for them, you had money in your pocket. If you weren't, you got left behind."²⁰ On April 18, 2003, the mayoral elections in the Transcarpathian town of Mukachevo proved to be a harbinger of the struggle for power that would occur between the SDPU-o and the increasingly popular Our Ukraine party during the 2004 presidential elections. In Mukachevo, independent exit polls and voting protocols indicated that the Our Ukraine candidate for mayor, Viktor Baloha, had won the elections with 57% of the vote over SDPU-o candidate Ernest Nusser, who had received 40%. The election commission in Mukachevo nonetheless announced Nusser the official winner. Observers of the mayoral elections noted serious violations during the voting: skinhead groups harassed voters and exit poll workers, international observers were not allowed to enter polling stations, ballots were manipulated, and ballot boxes were stolen.²¹ On May 29, 2004, following more than a year of protests and legal appeals from the opposition, Nusser resigned. While the events in Mukachevo were an indication that the SDPU-o was slowly losing its grip in the region, SDPU-o loyalists remained determined to prevent Viktor Yushchenko from winning in the oblast in the presidential elections.

Between the first and second rounds of the presidential elections (October 31–November 21, 2004),

19. Much of my knowledge regarding the role of SDPU-o in Transcarpathia is rooted in first-hand experience, because in 2001-2002, I conducted dissertation research among Roma in the region. I chose to serve as an election observer in Uzhhorod because I felt that, in order to be effective, one had to have a grasp of local politics. My sister Zenia Helbig and I worked as a two-person observer team, whose task was to monitor the larger, more problematic polling stations in central Uzhhorod. In both rounds of the elections, I recognized and knew many members of the voting commissions as well as the voters themselves. Being aware of people's social and political positions helped me discern which people to monitor more closely than others.

20. Interview with an anonymous voter, Uzhhorod, Transcarpathia, November 21, 2004.

21. "Elections Put Democracy, Rule of Law to a Test in Ukraine," *USA Today*, August 14, 2004, http://www.usatoday.com/news/world/2004-08-14-ukraine-elections_x.htm.

twenty school directors in Uzhhorod, Transcarpathia, were removed from their posts. They had received significant bribes to influence the vote in polling stations set up in their respective schools and were instructed to choose trusted teachers to comprise local polling station election commissions. These teachers were to work in a way that would ensure a final vote count that favored the pro-government candidate, Viktor Yanukovich.²² Such hand-picked commissions were meant to ensure that pro-government supporters outnumbered opposition supporters at the local level. It was ultimately Viktor Yushchenko, however, who won the first round of the elections in the Transcarpathia oblast with 47% of the vote; the school directors were presumably punished for his victory.

Despite numerous complaints lodged by local and international observers over the imbalance of representative power in election commissions, the structure of the commissions remained the same in the second round of elections. In the first round, for example, I had served as an international observer in polling station #7, among the largest of the 41 polling districts in Uzhhorod's territorial election district 70. The head of the polling station election commission there, Maria Zhebliak, had kept 1,739 unused ballots in an open, unguarded safe out of the view of observers and other commission members. The ballots were placed beneath a desk in a side room where Ms. Zhebliak and her assistant claimed they were "doing paperwork." In response, representatives from Our Ukraine immediately filed a criminal complaint in the local courts, at which time we counted the unused ballots. They were all accounted for, but during the eventual vote count, many cast ballots were deemed invalid (*nediisni*) because they had been stamped with two seals from the election commission rather than one. (Had 10% of the ballots been deemed *nediisni*, the voting in polling station #7 would have been invalidated, nullifying Viktor Yushchenko's 68% win in the polling station.) Despite these suspicious incidents in the first round, the courts dismissed the criminal complaint against Ms. Zhebliak filed by Our Ukraine and signed by local observers and myself. In fact, she was reappointed chairperson of the election commission for polling station #7 in the second round of the presidential elections on November 21, 2004.²³

22. Interview with an anonymous member of the election commission at polling station #6, Uzhhorod, Transcarpathia, November 21, 2004.

23. On November 21, my sister Zenia served as an election observer in Ms. Zhebliak's polling station. Commission members forbade Zenia, along with other local observers, to walk freely throughout the station. Zenia filed a complaint against Ms. Zhebliak for allowing commission members to commit this violation, among others. Unfortunately, even after the rights of the observers had been "reinstated" at the

Our Ukraine representatives who served on electoral commissions were harassed and threatened even more during the second round of elections than they had been during the first. For example, the former head of the electoral commission in polling station #6, an Our Ukraine supporter, was pressured to resign; a Yanukovich representative replaced her. At the same polling station, pro-Yanukovich commission members relegated the greatly outnumbered Our Ukraine representatives to the post of observers and prohibited them from distributing ballots to voters.

During the second round on November 21, one figure who immediately caught my eye in Uzhhorod's polling station #7 was a school director, who was lingering around the voting premises. When I asked him to leave the polling station because he had already voted and had no reason to stay since he was not a member of the electoral commission, he replied that he ran the school where the voting was taking place and had to stay to ensure that voters did not damage school property. The school director neglected to admit, however, that he was an elected SDPU-o official on the city council and by law could not be present on the premises at all. Nonetheless, he greeted voters at the door and, with a firm handshake, a smile, or stern look, "reminded" them for whom to vote. Days before he had instructed the schoolchildren in a homework assignment to write an essay about the candidate for whom their parents would vote. At a dinner on the eve of the elections, Vera Madiar-Novak, a music professor whose children attend the particular school in question, told me that the director had actively encouraged parents to vote for Viktor Yanukovich in the presidential elections.²⁴ The director hinted that such a vote would benefit their children's "progress" in the school.

Transcarpathia's university students were coerced as well. Students from Uzhhorod informed us that they were forced to vote by absentee ballot in polling stations outside the city. Before they cast their ballots, the students had to hold them in such a way that the Yanukovich representative lingering near the ballot boxes could ensure that they voted for the "correct" candidate. Students who did not cooperate were expelled, fined, or given low marks.

Particular segments of the voting public were especially vulnerable to manipulation, and Roma voters are among the poorest and most marginalized members of Transcarpathian society. Roma activists Aladar Adam and Evhenija Navrotska reported that, throughout

the region, Roma passports were taken away for "routine inspection" a few days prior to both the first and second round of elections.²⁵ Third parties submitted these documents to obtain absentee ballots, which were then used to cast votes for Viktor Yanukovich. Many Roma in rural settings were physically harassed and transported to polling stations where they received instructions to cast pre-checked ballots in favor of Yanukovich. In a village a few kilometers from Uzhhorod, a local official attempted to accompany Roma voters into the voting booths, stating that they were illiterate and that he had to help them read the ballot.

Perhaps the most elaborate violation scheme uncovered in Uzhhorod was a vote-rigging system known as a "carousel." An operative outside the polling station paid a voter to bring out a blank ballot. The operative marked the ballot for a particular candidate and gave it to the next voter, who then dropped it in the ballot box and brought back a blank ballot. Such a system was very difficult to identify; in fact, an investigation only began when a voter mistook an observer as the contact person for a local "carousel."

As in Cherkasy, the fear factor was among the more effective forces utilized by pro-government factions during the pre-electoral campaign and during both rounds of the presidential elections. One voter called our observer team "the Ukrainian people's only hope," and an election commission member from the Our Ukraine party pointed out that the presence of international figures in the polling stations was a form of moral support. Seeing international observers gave her the confidence to stand up against the commission members who were breaking election laws.

Working together, my sister Zenia Helbig and I noticed that at numerous polling stations, however, local election observers did not report election violations. When I asked one observer to sign a violation report form as a witness, he declined, stating, "Tomorrow you will leave, but I have to live here." Such a statement implies that the observer, an Our Ukraine supporter, did not believe that Viktor Yushchenko would be pronounced the winner of the second round of elections. The statement also indicates that the observer had been intimidated or feared harassment by those in power. Among the observers who refused to sign my violation report forms, however, were also those who had been paid to look the other way.

Despite the violations my sister and I witnessed as election observers in Uzhhorod, and despite the stronghold that the SDPU-o had had in the region in the past, Viktor Yushchenko won the second round of the

polling station, the commission's boldness intimidated local observers to the point that none felt comfortable monitoring the commission members closely.

24. Personal communication, Vera Madiar-Novak, Uzhhorod, Transcarpathia.

25. Interviews with Aladar Adam and Evhenija Navrotska, editors of the *Romani Yag* newspaper in Uzhhorod, Transcarpathia.

elections in Transcarpathia with 55% of the vote. In the repeat run-off on December 26, 2004, he won the region with a solid 67% of the vote. His margin of victory nationwide was approximately 3 million votes.

Conclusion

When a record number of more than 12,000 international observers walked into polling stations across Ukraine on the morning of December 26, 2004, they encountered an electoral atmosphere marked by significant improvement. After the Ukrainian Supreme Court's dramatic ruling on December 3 that invalidated the November 21 poll, the *Verkhovna Rada* (Supreme Council, Ukraine's Parliament) implemented a number of measures designed to curb future falsification and fraud. Several members of the Ukrainian Central Election Commission were replaced, for example, and territorial and polling station election commissions were restructured as well. Polling station commissions were no longer comprised of thirty or more members; rather, each election commission had twelve members with equal representation afforded to both candidates. Crucial modifications were also made to numerous election laws. Because absentee ballots were so extensively abused in the first and second rounds, the percentage of absentee ballots allowed in the December 26 run-off was reduced from 4% to 0.5% of all ballots cast. All ballots were also imprinted with the registration number of their respective polling stations in order to ensure that voters only cast ballots in the stations where they were registered. New regulations also stated that the results in a particular polling station could be annulled if observers, journalists, or commission members were not allowed entrance into the polling station or prevented from attending commission meetings or the vote count.

The efforts of international and domestic observers were instrumental in bringing world opinion to bear on the Ukrainian presidential elections and highlighting the electoral violations that prompted the *Verkhovna Rada* to adopt these changes. But it was the tremendous will of the people of Ukraine—who came together from all regions of the country to defend the integrity of their vote in a peaceful “Orange Revolution”—that ultimately made the 2004 Ukrainian presidential elections a true victory for democracy.

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