THE EU AND THE COLOURED REVOLUTIONS: FACILITATING POLITICAL CHANGE IN THE EASTERN NEIGHBOURHOOD

Ivaylo Gatev
Aston University

Introduction

An important aspect of the 2004 Ukrainian presidential election concerns the role played by the newly enlarged European Union in the events that came to be known as the Orange Revolution. The EU played a significant, and according to some, a decisive role in the outcome of the election. This paper examines the modalities of EU involvement in the Ukrainian election crisis of 2004. It argues that this involvement took several forms, namely: (1) medium-term technical assistance and training to local non-governmental organisations engaged in election-related activities; (2) election monitoring via OSCE and other international observer missions; (3) declarative diplomacy in the form of speech acts of non-recognition uttered by prominent political figures from the EU; and (4) crisis mediation in the framework of the roundtable talks held in Kiev following the disputed second round of voting. It is further argued that through this interlocking set of activities the European Union became a facilitator of political change in the eastern neighbourhood.

The paper uses official documents and declarations by EU and national leaders. It also draws on material from ten confidential interviews conducted by the author in Brussels and Kiev. Interview respondents included OSCE election monitors, officials from EU Member State embassies in Kiev, the EU Council of Ministers Secretariat, the EC Delegation to Ukraine, and members of the team of mediators that accompanied Javier Solana in Kiev.

The 2004 Ukrainian Presidential Election Crisis

The 2004 presidential elections were the third of their kind in the history of post-Soviet Ukraine. After a decade in power, the outgoing president, Leonid Kuchma, decided to step down despite a Constitutional Court ruling allowing him to stand for a third term in office. His very poor standing in the polls and

the prevailing political circumstances in the country persuaded him not to seek re-election. The year 2004 thus marked the end of the Kuchma era and ushered in a period of intense political competition. For the main forces in Ukrainian politics this was a time of great trial and trepidation as the country's future course of development and their own political fortunes hinged upon the result of the forthcoming election. The national importance of the ballot and the uncertainty it spelled for the forces contesting it conspired to turn the 2004 presidential election into a highly charged political event.

Incumbents and Challengers

What fuelled the drama surrounding the vote was that the main political actors vying for the presidency had different domestic and foreign policy agendas. Ukraine's political life since independence has been characterised by a high degree of ideological polarisation that has its origins in the country's historic regions (Birch, 2000). Regionalism is judged to be a major factor in Ukrainian politics as diverging historical experiences; cultural affinities; economic incentives; family ties; and, above all, language use have shaped the electorate's political preferences in ways that have led commentators to speak about different political cultures coexisting within the confines of the Ukrainian state (Barrington and Herron, 2004: 78). So deep are the divisions in political outlook associated with different parts of the country that some have even questioned whether Ukraine is a political community or nation at all (Zimmerman, 1998). These divisions are present along a wide spectre of issues but transpire most clearly in the different attitudes towards Ukrainian statehood and towards relations with Russia and the status of Russian culture and language in Ukraine found in the west and north of the country, on the one hand, and in the east and south on the other (O'Loughlin, 2001: 29).

The attitudinal differences among voters living in different parts of the country translate into domestic and foreign policy preferences that define the electoral map of Ukraine. While they remain dormant outside periods of intense political activity - thus accounting for the relatively peaceful state of affairs in the country so far - regional divisions become an important factor during elections and political crises (Chudowski and Kuzio, 2003: 276).

Political parties in Ukraine tend to have regional bases of support, and reflect and champion the ideological preferences of the populations in the geographic regions that they hail from. Because regional polarisation has persisted and shows no signs of abating (Kubicek, 2000), every national election since 1991 has been essentially a referendum on issues pertaining to cultural and foreign policy identity rather than an inquiry into the precise set of policies that voters think would take the country forward and into the future. The 2004 presidential election was no exception in this regard.

Voting in 2004 was not only about matters of ideology and national identity however; it was also about the protection of vested interests. Because of the way politics and business are intertwined in the post-Soviet world, one of the predicted outcomes of the ballot was that those members of the economic elite enjoying close ties with the new president would stand to gain from his administration's economic decisions and policies. Ukraine's business elites are grouped around several financial-industrial conglomerates that emerged as a result of the privatisation process in the late 1990s. These business groupings or 'clans' are centred on three of Ukraine's biggest cities and are held together by ties of friendship, kinship and loyalty to the region in which they are domiciled (Copsey, 2005: 102). Much of Kuchma's second term was characterised by intense rivalry over lucrative investment deals that were part of the ongoing privatisation of state enterprises. The period leading up to the election saw tensions among the clans, as well as between the clans and smaller business groupings that had been less successful in acquiring state assets. These oligarchic rivalries added to the sense of expectancy surrounding the election and served to intensify the already highly charged political atmosphere in which it was taking place.

The two main contenders for the presidency epitomised the deep divisions existing within Ukrainian society at both mass and elite level. The election pitted the leader of the parliamentary opposition, Victor Yushchenko, against the incumbent prime minister, Victor Yanukovich. Yushchenko's political support derived from his leadership position in Ukraine's largest opposition party, Our Ukraine, which represented an alliance of mainly right-wing nationalist organisations active in the western part of the country. He also had the backing of the eponymous Yulia Tymoshenko bloc popular in

central Ukraine, with whom his party had signed a coalition agreement. Yushchenko thus enjoyed the support of voters in the country's historic west and, to a lesser extent, central regions. His patriarchal image and espousal of national traditions went down well with these regions' predominantly agricultural population (Zhdanov et al, 2004: 7). Yushchenko's candidacy also appealed to the growing upper middle classes in the capital city Kiev, as well as to members of Ukraine's smaller business groupings, many of whom had joined the ranks of his party and were providing the funding for his electoral campaign.

The candidate of the opposition's central message was that the country needed comprehensive change in all aspects of public life. In a televised debate with his opponent held shortly before the second round of voting, Yushchenko criticised the status quo and promised sweeping changes that would transform Ukraine's political, economic and administrative landscape (*UT-1*, 19 November 2004). He made the issue of corruption a central pillar in his campaign strategy and advocated far-reaching personnel changes as a way of dealing with the problem. Similarly, his election manifesto contained a long list of measures - many of which smacked of populism - designed to radically alter the socio-economic conditions in the country and thereby restore the dignity and moral and spiritual wellbeing of the Ukrainian nation (Copsey, 2005: 100). Yushchenko's reformist zeal extended to foreign policy as well which under his presidency would become much more consistent. He was deliberately vague as to what precisely this would entail but left no doubt that with him in the driving seat the country would be moving in a westward direction. In attacking nearly every aspect of his predecessor's rule, Victor Yushchenko positioned himself as the anti-establishment candidate who challenged the established political order in the country.

By contrast, the candidate of the government staked his claim to the presidency on the preservation of the status quo. As prime minister since 2002, Yanukovich defended his government's economic record by drawing attention to the high rates of growth achieved during his time in office, while stressing the need for stability necessary to preserve these economic gains. He exploited his reputation as a capable manager and a resolute politician that appealed to the urban working classes in the heavily industrialised east of

the country. Yanukovich made a point in articulating the disappointment felt by many in the Russian-speaking east and south about the way in which the country had evolved since independence. He offered dual citizenship and official status for the Russian language to those who thirteen years on still found it difficult to come to terms with the break-up of the USSR (Hesli, 2005: 170). Much like Yushchenko's social programme, these promises betrayed a taste for populism. On foreign policy, the incumbent prime minister defended the economisation of Ukraine's external relations that had taken place during Kuchma's second term in office, and spoke in favour of closer economic ties with Russia within the framework of the Single Economic Space agreed in 2003. His comments on the western vector of Ukrainian foreign policy were measured and generally positive, yet carried overtones of reservation to and disappointment with the EU (*UT-1*, 19 November 2004).

Victor Yanukovich was officially nominated by the Party of the Regions, a centrist political force with extensive ties to big business in the far eastern *oblast* of Donetsk. His candidature was also endorsed by several other centrist parties drawing support from left-bank Ukraine, who together with the Party of the Regions represented the pro-presidential majority in parliament (Zhdanov et al, 2004: 8). As the former governor of Donetsk, Yanukovich had the full backing of Ukraine's wealthiest and arguably most powerful industrial conglomerate, System Capital Management, whose owner, Renat Akhmetov, was underwriting his election campaign. Yanukovich also had the half-hearted support of the other two principle oligarchic groupings in Ukraine. Although they feared the might of the Donetsk clan whose interests he represented (Kuzio, 2007: 52), as far as the election was concerned, Yanukovich seemed to them like the more palatable of the two alternatives; it was assumed that he would uphold the status quo from which they all benefited; his reform-minded opponent, on the other hand, threatened to change the rules of Ukrainian politics in ways that they found distasteful.

Thus on the eve of the presidential election Ukraine's political and economic elites, as well as large sections of the voting public, found themselves on opposite sides of the political divide. While initially Yushchenko enjoyed a considerable lead in the opinion polls, by late summer his victory was no longer a forgone conclusion. As is often the case in closely fought

elections, the “dynamic of the campaign generated a greater degree of uncertainty about the outcome than might have been predicted” (Whitehead, 2007: 17). Yushchenko’s lead in the opinion polls began to wane, owing partly to Yanukovich’s greater electoral reserves in the more populous eastern oblasts which took longer to mobilise, and partly to the sharp increase in pensions and salaries paid out by his government in the immediate pre-election period. This emergency, even desperate, measure taken by the Yanukovich side proved successful in swaying undecided voters in favour of the prime minister. By October 2004 his ratings were virtually on a par with those of the opposition candidate.

Following the first round of voting, which Yushchenko won by the narrowest of margins, the main third force candidates aligned themselves with the each of the frontrunners. The leaders of the Socialist Party, Alexander Moroz, and the Union of Industrialists and Entrepreneurs, Anatoly Kinakh, on the one hand, and that of the Progressive Socialists, Natalia Vitrenko, on the other, urged their supporters to vote for Yushchenko and Yanukovich, respectively (Clem and Craumer, 2005: 376-377). The head of the communist party, Petr Symonenko, refused to back either of the two contenders whom he saw as representatives of competing oligarchic interests, but his followers in all likelihood voted for the prime minister because of the similarity between Symonenko’s electorate and that of the Party of the Regions (Kuzio, 2005a: 9). President Kuchma officially remained neutral, yet clearly favoured Yanukovich. The aftermath of the first round, therefore, pointed to an even higher concentration of interests of the political and business elite around the two key candidates than had previously been the case (Kempe and Solonenko, 2005: 131). Clearly, a major fault-line had emerged between those who saw their interests as served by stability and the continuation of the status quo and those who identified themselves with change.

The Status Quo and its Discontents

While Yanukovich stood for stability and the preservation of the status quo, the status quo was far from stable. Already in 2000 Kuchma’s regime had been rocked by a series of scandals that the opposition had dubbed

‘Kuchmagate’. The political crisis that had gripped the country for several months saw large protest rallies in central Kiev at which leading politicians had called for the president’s resignation (Kudelia, 2007: 82). The protests, organised by Moroz’s socialists and Tymoshenko’s Fatherland Party, continued sporadically throughout Kuchma’s second term. Although the president managed to ride them out, his approval rating never really recovered and by the time of the presidential election in 2004 he was regarded in many quarters as something of a lame duck. Kuchma’s unpopularity became a liability for Yanukovich who, in the eyes of the opposition, was guilty by association with the president’s beleaguered and discredited regime (Kuzio, 2007: 50).

The political instability that characterised much of the early 2000s threatened to affect the distribution of competences among the main institutions of the state. An important element in Kuchma’s fight for political survival involved the adoption of constitutional amendments that would expand the powers of the parliament at the expense of the presidency. Ukraine entered the election period with a constitution that provided for a super-presidential system of government in which the head of state had considerable leverage over every other branch of power. In a series of legislative initiatives, Kuchma attempted to muster an absolute majority in parliament in order to push through the necessary changes to the constitution that would in effect tie the hands of his successor (Christiansen et al, 2005: 220). This proved to be rather tricky, not only because Kuchma’s initiatives were resisted by Yushchenko and his allies who were hoping to win the forthcoming election, but also because enforcing party discipline across the diverse and unwieldy pro-presidential majority was an exceedingly difficult task. Kuchma’s efforts were repeatedly frustrated right until the start of the election campaign, which meant that the presidential hopefuls had to compete in the knowledge that theirs was an all-or-nothing contest in which the victor would claim all the spoils.

The failure to implement constitutional reforms in line with Kuchma’s plan for a weakened presidency led to heightened expectations and fears on both sides. The uncertain outcome of the race and the high stakes involved in it caused great agitation among the elite as personal and clan interests hung

in the balance. This mood was replicated at the societal level, where the foregoing ideological schisms combined with considerable popular dissatisfaction with standards of living in the country to produce a feverishly politicised atmosphere. The ballot took place at a time when the Ukrainian economy was registering very high rates of growth while living standards remained depressingly low. There were some regional variations across the country, with higher earnings in the industrialised east where much of the new wealth was being generated (Bojcun, 2005: 10). On average, however, the high levels of poverty and underemployment inherited from the 1990s persisted. Against the backdrop of strong economic growth, this situation led many to question the government's social policy. In addition, the growing gap between the rich and the poor created strong undercurrents of discontent among the public at large as it raised the obvious question of how the benefits of the economic boom were being distributed. Thus with a divided elite and a disaffected population the country found itself in a situation that was highly conducive to the rise of election-related tensions.

The 2004 presidential election campaign was probably the most acrimonious and hate-filled political confrontation the country had ever seen. The campaign itself was conducted in a hostile and tension-laden environment with ample use of 'black PR' and other character assassination techniques by both sides (Kuzio, 2005d: 496). There were rumours of conspiracies and assassination plots, including an alleged poisoning of the opposition candidate Victor Yushchenko. In a prelude to serious political instability, violent tussles broke out outside the building of the Central Electoral Commission which at the time was deliberating the possibility of opening additional polling stations in Russia to accommodate the large numbers of Ukrainian citizens residing there. The events of the night of 23 October, in which Yushchenko himself took part, demonstrated that the political partisanship and activism inspired by the approaching election had reached levels of militancy that threatened to destabilise the political process in Ukraine (Whitehead, 2007: 18).

However, the most destabilising element in the election campaign was the accusations of vote-rigging levelled by the opposition against the authorities. The mayoral election in the south-west Ukrainian town of

Mukachevo held earlier in the year was an important precedent of how the legitimacy of the voting process can be called into question and how the contest can then be taken outside the electoral framework. In Mukachevo, the opposition alleged that through a strategy of intimidation and ballot-box stuffing the authorities had managed to secure the appointment of their preferred candidate. Refusing to acknowledge defeat, they took to the streets in protest and ultimately forced the resignation of the official concerned. The significance of this municipal contest lay in the fact that the opposition viewed it as a preparation on the part of the authorities for what would later occur on a national scale (Kuzio, 2005c: 125). The response it provoked from opposition groups, whereby they resorted to acts of civil disobedience, and the implicit (and in some cases explicit) threat that such actions would recur nationwide should the autumn elections fail to meet their expectations added yet another level of uncertainty to an already tense political environment.

To summarise, after a long period of political instability that accompanied Kuchma's last years in office Ukrainian politics was set for a major upheaval. The fact that on the eve of the presidential election Ukrainian elites and public opinion were polarised and divided; that tempers were flaring and violence was threatening to break out; that previous attempts at accommodation had failed thus turning the election into a winner-take-all race; and, finally, that the contenders were prepared to challenge the election results and to act, if necessary, outside the electoral process signified that in the autumn of 2004 the situation in the country contained all the requisite ingredients of a serious political crisis-in-the-making.

Post-electoral Standoff

The crisis erupted with full force on 22 November soon after the official election results were declared. Following the announcement that, according to the electoral commission's figures, the prime minister had won the ballot by a couple of percentage points, large crowds began to gather on Kiev's main square. The protests were spearheaded by opposition MPs and members of the radical youth group Pora that had started as a student nationalist movement in the western city of Lviv. In fact, the most ardent protesters on

independence square hailed from western Ukraine, Yushchenko's electoral stronghold (Kuzio, 2005a: 14). They were joined by students, young professionals and other residents of Kiev. Protest rallies were held in other Ukrainian cities as well and were not exclusively in favour of the opposition candidate. However, the main action took place in the capital city where the vast majority of the demonstrators supported Yushchenko.

The opposition barricaded the presidential administration, cabinet of ministers and other key government buildings and threatened to take them by force. They also announced their intention to hold an indefinite campaign of civil disobedience and called for a national strike if the official results were not withdrawn and reconsidered. Then on 23 October, a day after the election outcome had been announced, Victor Yushchenko took the presidential oath of office in a plenary session of the parliament attended only by opposition MPs and therefore lacking quorum (Karatnycky, 2005: 40). He articulated the demands already made by the protesters and called upon local authorities to assist him in bringing the crisis to an end. This radical, if symbolic, gesture testified to the opposition's complete withdrawal of consent to the legitimacy of the government and its institutions. After months of growing tensions, the contest finally reached the point when "the dynamics of politics were replaced by the dynamics of revolution" (van Zon, 2005: 386).

Yet despite the revolutionary rhetoric coming out of opposition leaders, the protests themselves were relatively peaceful considering the circumstances in which they were held. Only on one occasion did the threat of a forceful takeover come close to materialising. Otherwise, the organisers demonstrated remarkable skill in managing the campaign of non-violent but active resistance that underpinned the opposition's strategy (Wilson, 2006: 30). Indeed, the level of organisation and professionalism seen in Kiev suggested that the protests were not spontaneous but had in fact been a long time in the planning. Maintaining the infrastructure that kept them going for several weeks testified to the financial clout of the opposition's business sponsors (Bojcun, 2005:16). The demonstrations also brought to light the latent support that Yushchenko had within the establishment.

That the protests were allowed to continue for as long as they did and on a scale that gave the opposition the means to put pressure on the regime

suggests that extensive collusion had taken place between the revolutionaries and representatives of Ukraine’s security services. The rallies in support of Yushchenko went on unimpeded for seventeen days, as there was no attempt to restrict access to the city centre, where the crowds were gathered, or indeed to disperse them (D’Anieri, 2005: 245). A week into the crisis rumours spread that detachments of the Interior Ministry’s riot police were making their way towards central Kiev with the intention of securing access to government buildings. The alleged march on Kiev, however, did not come to pass as troop commanders were reportedly talked out of it by senior officers from the armed forces who either sympathised with the protesters or simply wanted to avoid escalation (Binnendijk and Marovic, 2006: 419). Also, individuals within Ukraine’s intelligence agency liaised with the opposition on a regular basis and provided information on any activities that may have put the protestors in danger. The divided loyalties of the security services thus ensured that the demonstrations could go on unhindered.

Moreover, some members of the establishment actively facilitated the protest movement by offering logistical and moral support to the demonstrators. Of particular note here is the behaviour of the mayor of Kiev who, after hedging his bets for a while, opted to join the opposition effort by providing shelter and other amenities to Yushchenko’s supporters. When the protests continued unimpeded, whole sections of the governing elite began to defect to the opposition as local authorities in west and central Ukraine, MPs from the pro-presidential majority, and business leaders who no longer saw their future as lying with the prime minister decided to jump ship and throw in their lot with Yushchenko. The party of power thus began to rapidly disintegrate prompting an even greater number of desertions. This time journalists, government employees and cadets from the capital’s police academy openly declared their support for the opposition on Kiev’s independence square. The prime minister was now facing calls for his resignation amid growing demands for the results of the second round of voting to be annulled.

The breakdown in loyalties among Kiev-based elites and the subsequent advancement of the opposition cause prompted a backlash from those regions in the east and south of the country that had voted for

Yanukovich. A congress was convened on 28 November in the town of Severodonetsk situated in the far eastern region of Lugansk (Kuzio, 2005a: 7). The congress brought together local government officials from 17 oblasts representing all parts of the country. Among the topics for discussion was the controversial proposal to create a south-eastern autonomous republic within the boundaries of the Ukrainian state in the event that Yushchenko became president. According to the proposal, the president of the autonomous republic was to be Victor Yanukovich who was present at the meeting. Although the proposal was in all probability an emotional reaction to the events in the capital, and anyway no decisions were taken on it, the potential threat to Ukraine's territorial integrity implied in the idea of an autonomous south-eastern republic undoubtedly came as sobering news for revolutionary Kiev.

Alarmed by the events in Severodonetsk and wishing to prevent the further deepening of the crisis, President Kuchma called for round-table discussions to be held between the two sides in the dispute. The talks were held at the initiative of Volodymyr Lytvyn, the parliamentary speaker and leader of the pro-presidential faction in parliament who acted as the go-between. Three sets of round-table talks were held in the space of two weeks during the period late November – early December. They were attended by representatives from two of the new member states, the EU foreign policy chief, the chairman of the OSCE and the speaker of the Russian Duma. In between the three roundtable discussions there were numerous behind the scenes negotiations among representatives of the government and the opposition. In was during these informal meetings that a compromise was thrashed out. The compromise involved the holding of a repeat second round which met the opposition's main demand. The trade-off for Yushchenko was that, if elected, he would have to accept a weakened presidency. The Ukrainian Parliament and the Constitutional Court effectively legitimised these agreements. The repeat election was held just before Christmas. This time round Yushchenko won with a comfortable majority and became the third president of post-Soviet Ukraine. Yanukovich never acceded defeat. He appealed the result of the repeat second round on the grounds that it had

been falsified, but the Constitutional Court rejected his appeal. Yushchenko was inaugurated in January 2005.

The Orange Revolution as an Example of Modern Liberal Governance

The set of theories presented in this section relate to a mode of exercising political power that is prevalent in and among present-day European polities. These theories do not constitute a single coherent doctrine but fall instead under the general rubric of post-structuralism - a theoretical broad church bringing together various approaches in the social sciences that eschew the search for an underlying essence or a cause. Likewise, theories of liberal governance do not emanate directly from the study of international relations. Rather they have their provenance in the disciplines of political science and sociology and have subsequently found wider application across the social sciences as a whole. Their interdisciplinary character makes them particularly suitable for studies such as this one, spanning as it does the spectrum of EU intervention in the electoral politics of Ukraine. The following paragraphs address several themes that run through the literature on governmentality and are closely identified with the study of liberal rule.

Liberalism is associated with a political philosophy that places limits on the legitimate and desirable exercise of power by political authorities (Rose and Miller, 1992: 179). A distinguishing characteristic of the manner in which liberalism does things is its frugality. Liberal government is frugal government concerned with “maximising its effects while diminishing, as far as possible, its costs understood in the political as well as the economic sense” (Foucault, 1994: 74). Governing as much as possible and at the least possible price is achieved by involving the countries and populations one wishes to control in the exercise of their own government, a strategy that theorists of contemporary governance term ‘advanced liberal’.

Advanced liberal modes of government are heavily reliant on the agency of the governed themselves (Dean, 1999: 66). No international actor can expect to advance their interests in another country efficiently and with maximum economy without the complicity of that country’s inhabitants, whether they be ruling elites or the population at large. This absolves the

ruling power not only of the obligation to administer a given territory on a day-to-day basis but also of the responsibility should anything go wrong there (Rose, 1999: 174). Instead of total domination and control, the aim is to shape and direct the conduct of the governed as well as to enhance their capacity to govern themselves. Relying on the self-governing capacities of foreign regimes and populations, however, presupposes their continued enjoyment of a large measure of autonomy in deciding what best serves their interests.

The notion of freedom has a specific meaning within studies of advanced liberalism which is different from the everyday usage of that term. Theorists of modern liberal governance distinguish between 'freedom as a formula of resistance' and 'freedom as a formula of power'. The former refers to an ideal exalted by liberation movements in their struggle against oppressive regimes, whereas the latter relates to a mode of governing where freedom operates not only as a value but as part of a technology of rule (Rose, 1999: 65). Scholars of advanced liberalism take the latter, instrumental view of freedom when they put forward the seemingly paradoxical notion that entire countries and their populations can be governed from outside through freedom. Freedom becomes an instrument of rule when the governed start to conceive of their national interest as consonant with the interests of the external power and so begin to actively engage in their promotion. The governed are, of course, free to act otherwise, but their choosing not to do so marks them, in the eyes of the said power at least, as competent and responsible choice-makers capable of dealing with the consequences of their own actions. In fact, subjects of liberal rule are not merely free but are obliged to be free in terms of the responsibility they are expected to assume for the choices they have made (Rose, 1999: 87). The role of the external power in this scenario consists in encouraging the governed to make independent choices and in helping them to translate these choices into action.

This understanding of freedom as an 'artefact of government' (Rose, 1999: 63) involves a re-definition of political power away from notions of coercion or domination and closer to the idea of consent. Theorists of modern liberal governance denounce as 'extremist' the uni-dimentional notion of power as repression found in realism (Michel Foucault in Dean, 1999: 25), and propose in its stead a kind of power that states bring to bear upon each

other which does not “crush their capacity to act, but acknowledges it and utilises it for its own objectives” (Rose, 1999: 4). Contemporary regimes of liberal governance, be they international or domestic, thrive on this type of power, i.e. a positive, productive, empowering power that does not detract from the capabilities of the governed but, on the contrary, augments and enhances them. Thus instead of strategic deployments of coercion designed to silence, subordinate and enslave others, ‘advanced liberal democracies’ extend their sway over foreign governments and populations by recognising their desires, aspirations and interests and adjusting their policies to them. Despite the apparently consensual and mutually beneficial character of the ensuing relations with the governed, these relations are still based on power which, as argued above, works its effects indirectly and through non-violent means (Dean, 1999: 69).

The ability to affect external developments indirectly and without undue interference in the internal affairs of other states is a central feature of advanced liberal rule. ‘The art and practice of indirect government’ (Walters and Haahr, 2005: 9) consists in regulating, but not directing, the conduct of others in order to exercise control over their actions without at the same time being responsible for them. Liberal regimes are able to perpetuate their rule over foreign territories and subjects by utilising already existing national institutions and structures rather than creating new ones. In advancing their interests on the international stage, dominant powers make extensive use of ‘indigenous authorities’ by implicating national and local governments in projects of ‘reform’ designed to improve their political and material problem-solving capacities in order then to be able to tap into them (Lavenex, 2004a: 694). In so far as they are successful in co-opting indigenous elites and constituencies, liberal polities can extend their influence well beyond the confines of their national borders, thereby acquiring the capacity to ‘act at a distance’ understood in both the spatial and the figurative sense (Rose, 1999: 50). Action at a distance is a key component of modern liberal rule and is predicated on the establishment of linkages and the forging of lasting alliances between authorities at various levels both in the ruling polity and in the territories where that polity seeks to make its presence felt.

Remote governing or governing at a distance relies on the co-optation of others and on their inclusion into 'networks of consent' (Rose, 1999: 50). Power in contemporary international relations derives to a large extent from the ability to weave foreign agencies, practices and infrastructure into cooperative networks based on shared norms, standards and interests. If international actors can successfully "build, maintain and expand these networks so that they can act at considerable distances" (Agnew, 1999: 511), they would effectively open lines of force across wide geographical, political and economic spaces that would enable them to act even in remote locations. The longer and more reliable their chain of command, the greater the control they would have over events and developments in far away places. Dispersed, de-territorialised and de-centred, these webs of networked power on which modern liberal rule depends for its operation go beyond the state as a political institution and involve entities who often do not form part of the formal apparatus of government.

Theories of advanced liberal rule maintain that contemporary "government is accomplished through multiple actors and agencies rather than a centralised set of state institutions" (Dean, 1999: 27). Far from being concentrated exclusively in the chancelleries of large states, political power resides in a complex set of relations in which civil society actors have a prominent place alongside the state (Walters, 2004: 159). Modern systems of rule increasingly rely on self-organising networks of intermediate entities that span the divide between state and civil society and between the public and the private sphere. These actors range from various quasi- or para-governmental agencies receiving funds from both state and private sources, to voluntary associations of like-minded individuals supported by grants and foundations, to for-profit organisations and corporate entities who compete in subcontracting tenders organised by public institutions. International "politics is [thus] seen as increasingly involving exchanges and relations amongst a range of public, private and voluntary organisations, without clear sovereign authority" (Rose, 1999: 17).

At the same time, a plethora of regional and global organisations and institutions increasingly plays a pivotal role in the conduct of international affairs. Rather than being dominated by a handful of powerful states, the

contemporary diplomatic scene features a multiplicity of international associations and strategic alliances between sub- and supra-national authorities who work hand in glove with national governments to achieve common ends. Modern liberal governance operates through a series of interlocking and proliferating agencies that engage in informal behind-the-scenes policy preparation and that act as forums for exploring new ground, overcoming disagreements and building consensus. The involvement in foreign affairs of various civil society groups and other actors beyond the state gives credence to the post-structuralist argument that "to examine liberal regimes of government is to conduct analysis in the plural" (Dean, 1999: 27).

Furthermore, advanced liberal modes of rule are predicated on the continuous monitoring and surveillance of the activities and conduct of the governed. The exercise of power over distant territories and populations involves turning the social and economic transactions taking place among them into objects of knowledge that can be observed and analysed (Barry, 1993: 321). Transforming the institutions, economies, and infrastructure of foreign countries into observable spaces enables liberal regimes of power not only to know more about those whom they seek to govern, but also to act pre-emptively and reduce the likelihood of irresponsible abuses of freedom occurring (Walters and Haahr, 2005: 55).

One of the main insights into the workings of political power offered by the literature on governmentality is that in realising its objectives modern liberal government is guided by a form of technocratic rationality. Theorists of advanced liberalism recognise the fact that contemporary regimes of rule have an important technical or technological dimension that needs to be studied alongside the more formal and headline-grabbing aspects of international politics. In other words, analyses of contemporary forms of rule are to be conducted at the level of technology where political thought is at its most practical and operational.

As with the term 'freedom', the meaning of the word 'technology' in post-structuralism is different from its common everyday usage. Rather than just signifying a piece of equipment, hardware or the knowledge required for its production, technology is understood in a much broader sense as any pragmatic solution to a specific problem or indeed as a routine way of going

about things (Foucault, 1984: 255). This definition covers a wide range of practices from specific 'hard' technologies of surveillance, training and assessment, to more general forms of administrative expertise and know-how, to all manner of mundane bureaucratic and organisational procedures that make governing possible.

Because post-structuralists focus on the mechanics of contemporary liberal rule, they are acutely aware of the potential discrepancy between the stated objectives of a particular technology of government and how that technology actually operates in practice. Technical programmes and initiatives, it is argued, possess their own internal logic or rationality that cannot and should not be reduced to the explicit intentions and motivations of the political authorities who utilise them (Dean, 1999: 22). Rather than viewing these programmes as the straightforward realisation of the aims and objectives sought by liberal governments as revealed in their official statements, policy documents and speeches, we should analyse technical programmes in their own terms, as it were, by paying close attention to those aspects of their activity that are implicit in their operations (Rose, 1999: 56). Theorists of contemporary liberal governance advocate a 'bottom-up', as opposed to a 'top-down', analysis of political power in which tactics have analytic precedence over strategy. Rather than carrying out a central plan or an order issued 'from above', technologies of government follow their own rationality that, according to post-structuralists, "can only be known through the realm of their effects" (Dean, 1999: 211).

To sum up, the governmentality literature analyses the characteristic ways in which (coalitions of) 'advanced liberal democracies' conduct their external affairs. Liberal governments exercise power and influence over foreign elites and/or populations by recognising their desires and interests and adjusting their policies to them. Because they try not to challenge the interests and aspirations of others but rather to mobilise and enlist them in the service of their own ends, liberal polities are said to 'govern through freedom' (Dean, 1999: 15). Involving the governed in the exercise of their own government depends upon the creation of networks that link multiple agencies in a variety of locations of which state institutions are only one and not necessarily the most significant.

EU Involvement in the Presidential Election Crisis

EU involvement in the events described above took several forms. It took the form of: (1) medium-term technical assistance and training to local non-governmental organisations engaged in election-related activities; (2) election monitoring via OSCE and other international observer missions; (3) declarative diplomacy in the form of speech acts of non-recognition uttered by prominent political figures from the EU; and (4) crisis mediation in the framework of the roundtable talks held in Kiev following the disputed second round of voting.

Assistance and Training

The 2004-2006 National Indicative Programme adopted in August 2003 and governing TACIS funding in Ukraine identified the strengthening of NGO networks and independent media outlets as a priority within its “Civil society, media and democracy” chapter. Local civil society groups were considered useful in enhancing democracy in Ukraine because of their ability to check and balance government power, while independent media channels were judged to play an important role before and during elections (European Commission, 2003: 14-15). To this end the European Commission allocated 10 million Euro over the duration of the programme.

In 2004, the Commission launched three projects that sought to facilitate the conduct of free and fair presidential elections. These involved the monitoring of the election coverage by the media in several oblasts, the mobilisation and education of youth groups in fifteen target regions to prepare them for their first voting experience, and an ‘Each Vote Matters’ mobilisation campaign carried out in four eastern and north-eastern oblasts targeting young people and journalists. All the projects had local NGO partners who together received funding of around 1 million Euro through a variety of EU technical assistance programmes (EC Delegation in Kiev, 2004). The funding was used to cover the printing costs of posters, leaflets, booklets, manuals

and guidebooks, and paid for numerous trainings, lectures, round tables, seminars and press conferences.

In a separate election-related project the Commission contracted the services of the Bureau for Institutional Reform and Democracy GmbH (BiRD) to assist Ukraine's Central Electoral Commission in the administration of the 2004 presidential election, focusing in particular on voter education, effective communication with governmental and non-governmental organisations in the election process, and on improving the legal environment for the resolution of electoral disputes (European Commission, 2004). Founded in 1998 in Munich, BiRD is a privately owned German consulting firm that provides advisory services and technical assistance in electoral support, institutional reform, good governance, democratisation and conflict prevention. BiRD, in partnership with another German consulting firm, Icon Institute Public Sector GmbH, produced audio and visual materials explaining the meaning of election fraud. They also trained territorial election commission officials and judges dealing with election-related disputes according to west European and American standards (BiRD, 2004; Icon Institute, 2004). The project, worth over half a million Euro of Tacis funding, was implemented in close collaboration with the Committee of Voters of Ukraine (CVU), a national NGO active in the field of election monitoring. Altogether, around 2000 polling station commissioners and observers received training in the framework of the project (CVU, 2004).

The European Commission's efforts to promote the conduct of free and fair presidential elections in Ukraine were complemented by national assistance programmes financed and managed by the member states themselves. The UK Foreign and Commonwealth Office, for example, through its Global Opportunities Fund and with the technical and coordination support of the British embassy in Kiev ran a number of projects in the period 2003-2004 that were directly related to the conduct of the vote (Quarterly Magazine of the British Embassy in Kiev, 2004). The following projects were funded:

- Training of Presidential Election Campaign Teams: a one-year project implemented by a Polish NGO that trained party officials in election campaign organisation, communications, and media and publicity work. The participants cascaded the lessons learned to others in the network.

- Training on Anti-Ballot Rigging: a one-year project that provided opposition activists with the skills to identify and counteract ballot rigging and electoral fraud. Activities included a six-day training course for opposition party officials in Warsaw.
- On-Site Media Training with an Election Perspective: a one-year project implemented by a Ukrainian partner aiming to train regional broadcast journalists in investigative journalism with an election focus.
- Ukraine Political Press Centre: a two-year project with a budget of over £200K designed to encourage objective media coverage of political events in Ukraine, with a particular focus on the lead-up to the presidential elections. Main activities included reviews, opinion polls, and thematic analytical materials on political events relevant to the election which were disseminated through the internet.

Their combined budget (excluding the last one) was over £65K (FCO, 2003/4: 51-52).

These projects were followed up with additional "interlocking set of actions" designed "to provide the information, confidence and know-how that fuelled the peaceful calls for an electoral re-run and ultimate election of a pro-reform, pro-EU president".

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