

Multi-Level Governance in Eastern Europe After the Fall of the USSR: How Russian and Ukrainian Post-Soviet Governmental Institutions Affect Crimea

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ABSTRACT

Regional authority is not always uniformly applied to all territories. How federal governments treat special regions differentiates from how they treat other sub-entities within their jurisdiction. One of the most interesting examples of a special region is Crimea because its story is not connected to just one country, but rather two: Russia and Ukraine. This paper will feature a two-pronged analysis of Crimea and its relationships with the aforementioned countries: first, it will examine late-USSR and post-Soviet history as an explanation for Crimean dependence on its surrounding nations, and secondly, it will analyze governmental institutions in Russia and Ukraine to determine how Crimea fits into each system. This paper will use these findings to elucidate plausible reasons for Crimea's bid for autonomy, and, subsequently, Russia's successful annexation of the region.

Keywords: regionalism, Russia, multi-level governance, Ukraine, territorial conflict

Introduction

Regional authority is not always uniformly applied to all territories. How federal governments treat special regions differentiates from how they treat other sub-entities within their jurisdiction. One of the most interesting examples of a special region is Crimea because its story is not connected to just one country, but rather two: Russia and Ukraine. This paper will feature a two-pronged analysis of Crimea and its relationships with the aforementioned countries: first, it will examine late-USSR and post-Soviet history as an explanation for Crimean dependence on its surrounding nations, and secondly, it will analyze governmental institutions in Russia and Ukraine to determine how Crimea fits into each system. This paper will use these findings to elucidate plausible reasons for Crimea's bid for autonomy, and, subsequently, Russia's successful annexation of the region.

Historical Background

While the 20th century saw Crimea change hands many times between Russia and Ukraine, the focus of this paper is on the Crimean question after the fall of the Soviet Union; therefore, it will only dive into the history of the Gorbachev years and after. However, briefly understanding how Russian supremacy dictated history prior to this period is also important.

In this story, there are three distinct ethnic groups, the Russian, the Ukrainians, and the Tatars of Crimea. As a result, there are also three different views as to where Crimea should fit in the geopolitical map of Eastern Europe: the Tatars essentially believe that they are the only people indigenous to Crimea, and that "the Crimea is their only homeland".⁴⁴

Because of ethnic cleansing and other misfortunes that befell the Tatars in the 20th century, including nationalist movements that garnered little support, the Russian and Ukrainian views of Crimean history are the ones that of particular relevance in this paper. The Tatar view, while having

⁴⁴ Kuzio, Taras. *Ukraine - Crimea - Russia: Triangle of Conflict* (Ibidem-Verlag, 2007), 95.

some importance, is not nearly as influential, as Crimea was never independent under Soviet control, and has never been since the fall of the USSR. Russia’s view dictates that Crimea has always played a historically important and symbolic role in Russian history dating back to the Tsarist Russian Empire, and that it has always naturally been part of the Russian world. On the other hand, the Ukrainian version asserts that Crimea has always been linked to Ukraine more deeply than, and prior to, its linkage with Russia, due to geographical proximity, cultural affinities and ethnic similarities.⁴⁵ While this helps to explain the tension between the two countries over Crimean supremacy, one final, but crucial factor comes into play: in 1954, under Soviet control, Crimea and Sevastopol were transferred to the Soviet Republic of the Ukraine.⁴⁶ Because of this, many tense negotiations between Russia and modern-day Ukraine occurred during the period between the fall of the Soviet Union and the ratification of the Crimean constitution.

Many of these arguments stemmed from the question of Sevastopol and the Black Sea Fleet. Many Russians argue that Sevastopol was subordinate to Moscow until the fall of the Soviet Union; therefore, it should rightfully be under Russian control. Meanwhile, Ukraine asserts that Sevastopol was transferred to the Ukrainian Soviet Socialist Republic along with the rest of Crimea in 1954. The question over whether Ukraine or Russia should inherit Sevastopol and the Black Sea Fleet was one of the major disputes throughout the rest of the 1990s.⁴⁷ Notably, due to over-cautious leadership, Ukraine was never able to fully gain control over the Black Sea Fleet, leaving the door open for Russian contention. These tensions came to a head in 1992 when both Ukrainian parliamentary speaker Kravchuck and Russian President Yeltsin nationalized the Black Sea Fleet, and then decided to back down following escalated tension between the two countries.⁴⁸ While the Black Sea Fleet was eventually split evenly, Russia continued to demand that Sevastopol be leased to Russia. Eventually, Russia and Ukraine were both granted ports in Sevastopol.⁴⁹

In 1998, the Crimean Constitution that was ratified stated: 1) The Republic of Crimea was an autonomous component of Ukraine 2) the Crimea does not possess separate citizenship to that in the remainder of Ukraine 3) Sevastopol is part of the Crimea 4) Russian, Ukrainian and Tatar are official languages, while Russian is the official language of government and business.⁵⁰ While there were more provisions, these four are chief in explaining, firstly, that the final constitution appeased both the Ukraine and Tatars by affording autonomy, yet remaining part of the Ukraine, including Sevastopol. However, it also recognizes strong Russian influence as the official language of government is Russian.

After adopting the constitution, the leadership in Crimea continued to push for more and more autonomy. A combination of resurgent Tatars in the region that want independence and pro-Russian civilians put continuous pressure on Kiev to relinquish some control of the region.⁵¹ While the constitution of ‘98, and the Black Sea Fleet agreements of ‘96 seemed to de-escalate the issues surrounding the conflict between Russia and the Ukraine, they also show continued unrest and lack of permanent solution. While this story illustrates the growing conflict between Russia and the Ukraine, as well as the growing push for Crimean autonomy, it does not address why it was so easy for Russia to annex Crimea in 2014. Russian and Ukrainian institutional development and

⁴⁵ Ibid., 96.

⁴⁶ Ibid., 106.

⁴⁷ Ibid., 105.

⁴⁸ Ibid., 206.

⁴⁹ Ibid., 220.

⁵⁰ Ibid., 174.

⁵¹ Ibid., 106.

relative treatment of Crimea can be a possible explanation for why Crimean nationalists favor Russian control.

Post-Soviet Institutions in Russia

Almost immediately after Gorbachev's resignation, Yeltsin began nationalizing commodities that once belonged to all of the USSR, and revitalizing a solely Russian military. Russia became the USSR's successor state, taking over its place in international organizations, including the United Nations. It also assumed all Soviet debt in exchange for the former USSR's assets abroad.⁵² Thus, Russia immediately was met with international success and a relatively smooth political transition, unlike many of the other former Soviet states. Furthermore, Russia's Constitution outlines governmental institutions, which account for the widespread geopolitical diversity of the country.

The Russian Parliament, also known as the Federal Assembly consists of two houses: the Duma (lower house) and the Federation Council (upper house). The Duma consists of 450 deputies, who are popularly elected based on party affiliation.⁵³ On the other hand, the Federation Council is comprised of two representatives, one from the legislative branch and one from the executive, from each constituent region within Russia (called *sub"ekty* or subjects). The Federal Council oversees different areas of jurisdiction, as well as approving or rejecting presidential decrees, while the Duma rules on presidential appointment, raises issues of confidence in government, rules on amnesty, and brings impeachment charges.

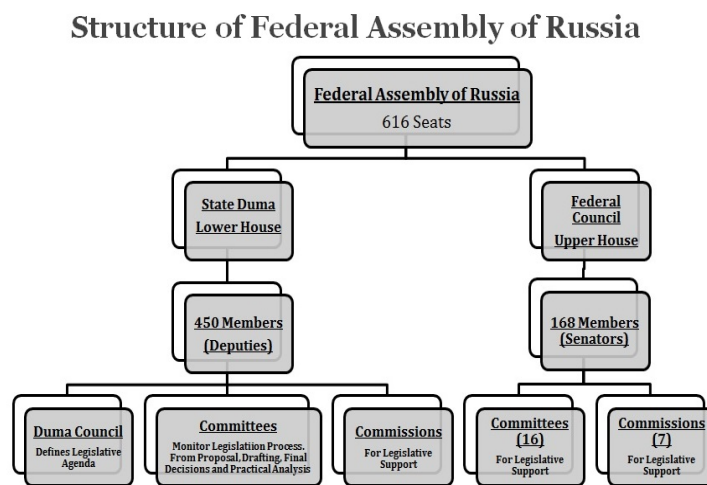


Fig. 1: The Structure of the Russian Federal Assembly⁵⁴

Thus, the Parliament of Russia recognizes both party agendas via the Duma as well as regional agendas via the Federal Council. The Duma is the dominant of the two houses,⁵⁵

The other important governmental structure in post-Soviet Russia, as is relevant to this paper, is the federal system. As aforementioned, Russia is a federation made up of 89 regional *sub"ekty*. These *sub"ekty* can be classified in four ways: republics, *krya*, *oblasti* and cities of federal

⁵² Barry, Donald D. *Russian Politics: the Post-Soviet Phase* (Lang, 2002), 56.

⁵³ *Ibid.*, 143.

⁵⁴ "Structure of Russian Government, How the Largest Country of the World Is Governed?" Ribttes. <https://www.ribttes.com/russian-government/>.

⁵⁵ Barry, *Russian Politics*, 89.

subordination, autonomous districts and autonomous *oblasti*.⁵⁶ Of the 89, 21 of these units are classified as “republics”. In addition to other concessions afforded to the *sub”ekty*, republics are constitutionally permitted to have their own language and to adopt constitutions of their own (other subject may only have charters).⁵⁷ While it is stated in the Constitution that all *sub”ekty* are equal, this is clearly not the case. Furthermore, there is another issue in the Russian Constitution where seven *sub”ekty* (*krya* and *oblasti*) contain nine other *sub”ekty* (autonomous districts).⁵⁸

While this system is extremely asymmetrical, exacerbated by the fact that Yeltsin relied on the old system of *nomenklatura* to further push certain regional agendas, it does allot significant power to autonomous regions, i.e. the Republic of Crimea. However, under President Putin, the persistence of Soviet *nomenklatura* began to dwindle, and many Constitutional reforms began to centralize power under Moscow and take power away from the regions. The Russian Federation maintains sole control over foreign, defense and security policy, taxation, federal budget, customs regulations, state borders, the economic system, etc...much like other federations. Shared rule between the regions and the central government comes into play on issues such as natural resources, law and order, public health and education.⁵⁹ Issues that are not encompassed by shared rule, or granted to the Russian Federation, are left under regional jurisdiction. This resembles the US constitution in which issues not specifically stated in the Constitution are under state control, which gives a rather large amount of jurisdiction to the sub entities.

However, in recent years, President Vladimir Putin’s desire to “reassert central control in the country’s regions” has watered down some of the perceived power of the regions. Under Putin, the regions grouped the *sub”ekty* into seven administrative regions. This effectively created another layer of intermediary government, which checks some of the regional power. The Putin regime also passed legislation stating that heads of territorial legislatures could not serve in the Federal Council, only lower representatives.⁶⁰ Finally, Putin created the State Council to provide another venue for governors to converse with the president, since they were banned from serving on the Federal Council. This rearranges the hierarchy in Russia to mimic a more vertical pattern.

Given this summary of Russian institutions, it appears that in the years immediately following the collapse of the USSR, Yeltsin’s reforms and the Constitution would have given the Crimea an advantageous place in the political system of Russia. As a former Autonomous Republic of the Soviet Union, it would be classified as a republic under the federal system, and granted a significant portion of regional independence. Under Putin, it appears Crimea loses some of its autonomy, as the power wrangling from the Federation Council shows. However, it does not seem to have an effect on the status of Crimea as an Autonomous Republic. Therefore, it still seems that Russia’s federal system grants Crimea generous self-rule. Furthermore, Russia recognizes three federal cities - individual cities that are *sub”ekty*, granted the same amount of regional authority as the rest of the 86 *sub”ekty*. One of these three cities is Sevastopol, once again showing the amount of importance that Russia places on the Crimea.

Post-Soviet Instability and Political Obstacles in Ukraine

⁵⁶ Malfliet, K. *Elusive Russia: Current Developments in Russian State Identity and Institutional Reform under President Putin* (Universitaire Pers Leuven, 2017), 54.

⁵⁷ Barry, *Russian Politics*, 96.

⁵⁸ Malfliet, K. *Elusive Russia*, 54.

⁵⁹ Barry, *Russian Politics*, 94.

⁶⁰ *Ibid.*, 152.

Following the breakup of the USSR, Ukraine faced many decisions regarding how to govern itself, now that it was no longer subservient to the Supreme Soviet of Russia. One of the major issues with this is that Ukraine, historically throughout the Soviet regime, was divided regionally in loyalty. While western Ukraine favored Kiev, the Donbas region and Crimea always sought guidance from Moscow.⁶¹ Thus, centralizing Ukrainian government under Kiev was not something that was taken well throughout the entire country. While Ukraine can unite under civic and political homogeneity, its late-developing central government does not seem to be able to sway those who ethnically and culturally feel more connected to Russia. Furthermore, Ukraine saw a power-struggle between Kiev and Crimea, which worsened ethnic and economic tensions instead of strengthening political and national identities. Because of this struggle, the ratification and adoption of a Ukrainian constitution did not happen until 1996.⁶² As a result, while Russia’s political structures stabilized almost immediately, Ukraine had nothing in place to develop. Regions took advantage of this lack of central power, instead choosing to strengthen regional governmental structures. Regionalism became such a factor in Ukraine that by the time a constitution had been established, and an official government did sit in Kiev, the damage had already been done.

The political system of Ukraine differs significantly from Russia in that it is not a federation. The goal of Kiev after the fall of the Soviet Union was to move towards “Ukrainianization”, not to give power to regions that favored relationships with Russia.⁶³ Today, Ukraine now functions as a unitary republic under a semi-presidential system. While many of the regional and local governments are allotted generous autonomy in determining local policy issues, they do not have a substantial platform to voice concerns on the national level, nor do they have representation. Ukraine is divided into 27 regions: 24 administrative divisions known as Oblasts, two cities with special status (Kiev and Sevastopol), and one autonomous region (Crimea). However, following the annexation the Crimean annexation of 2014, Russia officially recognized Crimea and Sevastopol as part of the Russian Federation with similar special statuses.

The Cabinet of Ministers appoints a head of each government to represent state interests in each of these subdivisions. In this way, Ukraine micro-manages how each of the Oblasts is run, and essentially attempts to bypass the regional second tier of government. Because of this, it seems that it favors a top-down approach, with limited self-rule.⁶⁴ Furthermore, the Ukrainian system’s mix of centrally appointed and locally elected officials causes an overlap of competencies, which is neither efficient nor practical. This means that while officials that are elected to represent territorial interests are constantly put into conflict with officials that are supposed to realize the state’s interest within the regions and vice versa.⁶⁵ While Crimea is granted exceptional powers as an autonomous republic, it still has a history of being checked against the Ukrainian Constitution, which repeatedly stipulates that it is subordinate in all ways to Kiev.

⁶¹ Kuzio, *Ukraine - Crimea - Russia*, 39.

⁶² *Ibid.*, 41.

⁶³ *Ibid.*, 49.

⁶⁴ Misachi, John. “What Type Of Government Does Ukraine Have?” *WorldAtlas*, 28 Mar. 2017, www.worldatlas.com/articles/what-type-of-government-does-the-ukraine-have.html.

⁶⁵ *Local and Regional Governance in Ukraine and the Development of Cooperation between Ukraine and the EU*. Report no. QG-31-12-226-EN-N. Aston Centre for Europe, Aston University. European Union, 2011. Accessed April 19, 2018. <https://cor.europa.eu/en/documentation/studies/Documents/local-regional-government-ukraine.pdf>.

Explanations for Crimean Secession

Crimean secession did not occur because of one factor; rather, it was a build-up of a events that occurred over the course of hundreds of years of history. The passing of the Crimea between Russian and Ukrainian hands created deep-rooted, divisive viewpoints over whether the republic was subordinate to Russia or Ukraine, or whether it should, in fact, be allowed to act independently and of its own accord. Therefore, one of the leading explanations for Crimean secession is identity politics.

Many people in Crimea want independence, or view Russia as more of a patron state than Ukraine. This can be seen in Ukraine's election results in 2001. During this election, Crimea voted overwhelmingly for Yanukovich, the pro-Russian candidate. Within Crimea itself, more than 50% of its inhabitants prefer speaking Russia to speaking Ukrainian.⁶⁶ All of this contributes to Crimea's desire to secede. This hold true even after annexation, as results from a German poll (GfK), conducted in 2015, show that 82% of respondents responded that "yes, definitely" they supported Russia's annexation of Crimea, while a further 11% answered "yes, for the most part".⁶⁷ Furthermore, in retrospect, Crimea was more stable under Russian or Soviet rule, in comparison to Ukrainian rule. The story of Crimea and Ukraine is one in which Ukraine is constantly trying to smother Crimean independence or reject bids for autonomy, while also trying to bolster their own government. On the other hand, Russia has always boasted a strong and stable governmental system - one in which Crimea has a place, and negotiation is taken off the table. While this may seem like the more repressive of the two options, it is also the more stable of the two. In addition, ethnic Russians in Crimea are more numerous than ethnic Ukrainians. In this respect, identity politics in Crimea favor Russia over the Ukraine.

Regional governance of the Autonomous Republic of Crimea may also be a factor in why Crimea chose to secede; however, because of the outcome of actual governance versus theoretical, this is not the best solution. The Russian Constitution allows for an ample amount of regional authority, with regions or *sub"ekty* (including Crimea and Sevastopol) being represented across the Federal Council - a body which is comprised of those who represent regional interests. On the other hand, Ukrainian governmental structure recognizes Crimea and Sevastopol as administrative regions and sends national representatives to support national interest therein. This inherently seems to allow for less self-rule and governance in the regions. However, because of President Vladimir Putin's reforms, and pro-centralization policy, this explanation does not carry the same weight as it had before, because it is unclear whether the Ukrainian system or Putin's system actually allows for more regional autonomy.

Other factors that could explain Crimean secession include traditional socioeconomic and political reasons. As Russian, the Ukrainian, and Crimean legislative branches all resemble parliaments, party politics most likely plays a role in Crimean secession. Certain parties favor independence, pro-Russian, or pro-Ukrainian standpoints for a variety of reasons including domestic politics, foreign policy, or economic reasons.

A final explanation for Crimean secession could be the imminence of a second Cold War or, perhaps, a World War III. While these ideas are rather extreme, the escalation of tensions between Russia and the European Union along with the United States is a notable event. Currently, the

⁶⁶ "Crisis in Ukraine: What Happened and Why." *Research Guides*, 3 Apr. 2018, libguides.gwu.edu/CrisisinUkraine.

⁶⁷ Rapoza, Kenneth. "One Year After Russia Annexed Crimea, Locals Prefer Moscow To Kiev." *Forbes*, Forbes Magazine, 23 Mar. 2015,

Ukraine is the buffer zone between the EU and Russia - it is by no means a stable environment. Furthermore, the stationing of the Black Sea Fleet in Sevastopol is a huge military asset for whomever control it. With the lease of certain ports in Sevastopol expiring in 2017, Russia may have felt a more urgent need to fully control Crimea.

Limitations and Oversights

Due to time constraints and resource availability, this paper focuses primarily on how post-Soviet governmental structures impact Crimea, and it is rather surface-level. The history section highlights key events in the 1990s, but fails to consider earlier history. Importantly, the history of the Tatars plays a much larger role than this paper suggests before the rise and after the fall of the Soviet Union. Furthermore, the paper only covers surface level analysis of what the historical events of the 1990s meant for each of the three governments. The full story of the the conflict between Russia and the Ukraine over Crimea is much more nuanced.

In relation to the governmental structures in place in Russia and the Ukraine, both descriptions are cursory. The federal system of Russia is extremely complicated with many contradictions present in the Russian Constitution. For this reason, this paper focuses on the overarching picture: that regional self-rule was strong under Yeltsin and weakened under Putin. Similarly, for Ukraine, the main takeaway is that the structure differs from the Russian structure, as it is not a federation; therefore, Crimea fits into the system differently. In addition, the administrative divisions of Russia and Ukraine are further divided, with more levels of governance; however, because Crimea sits in the second tier in both systems, this paper does not take into account further divisions. With more time, RAI coding of the Ukrainian government could have been done to further highlight the difference between the Russian system; however, I did not use Russia’s RAI scores because there was not anything to juxtapose them with.⁶⁸

One last oversight of this paper is that because of the emphasis on regional governance, it focuses less on other chief reasons for Crimean secession. Notably, economic concerns are huge for all three governments involved, and most likely had one of the largest roles in determining Crimean secession and subsequent Russian annexation.

Conclusions

In conclusion, Crimea’s history of contact with Russia and Ukraine is nuanced, convoluted, and complicated; however, one can easily see how the conflict exacerbates identity politics and crises within the region. The ethnic Tatars and Russian minorities have such a strong influence within the region that it seemed inevitable that Crimea would not be able to remain under control of Ukraine. Furthermore, the history of the Black Sea Fleet and its symbolic connections to Russia and the USSR show that Russia would never be content with Ukraine having control over Sevastopol. In regards to multilevel governance and Crimea’s role within respected governments, it does appear that Crimea gets more recognition and self-rule in the Russian Federation than it does in the Ukrainian People’s Republic. While the administrative divisions in Russia and Ukraine are structurally similar, the actual governmental structure at the highest level is different and provides for less regional representation. However, because of recent moves by Putin, the power of regional governments is actually much reduced from those powers originally stated in the

⁶⁸ Hooghe, Liesbet, and Gary Marks. *Community, Scale, and Regional Governance: a Postfunctionalist Theory of Governance*. Oxford University Press, 2016.

Constitution. Finally, it should be noted that the Russian annexation of Crimea was not violent, although military personnel was involved. Crimea had declared independence from Ukraine before Russia stepped in (even though it was not recognized constitutionally); therefore, the Crimea story will continue to be one of cautionary politics as its annexation is not a black-and-white event.

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