

# **Citizens' Attitudes towards Institutional Change in Contexts of Political Turbulence: Support for Regional Decentralisation in Ukraine**

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## **ABSTRACT**

Most studies of public opinion regarding constitutional change focus on ‘winners’ and ‘losers’ in established democracies, but in comparative terms most institutional change takes place in unstable political contexts. We contend that mass preferences towards institutional choices are likely to differ significantly in turbulent contexts as compared to stable polities. In this article, we consider the issue of public preferences towards proposals for regional decentralisation in the context of post-Soviet Ukraine, a society that has been in the throes of political uncertainty for the last decade. Using surveys conducted in war-torn Ukraine in 2014, we find that under conditions of political uncertainty the institutional preferences of citizens are connected to group identities and ideological orientations rather than instrumental concerns.

## **KEYWORDS**

constitutional choice; public opinion; Ukraine; centre-periphery relations; federalism

## **Introduction**

In 2014, tensions that had been latent in Ukrainian society and its immediate neighbourhood for much of the post-Soviet period descended into a violent conflict about the contours of the Ukrainian state and its institutional structure. This conflict was inflamed by different conceptions of the territorial organisation of Ukraine that had remained unresolved during the political transition and ongoing turbulence of the previous twenty years. In the event, efforts to resolve the crisis centred on institutional reforms aimed at decentralising power away from Kyiv. Consequently, Ukraine's political elite and its society were forced to confront the dilemma of constitutional change in conditions that were not conducive to dispassionate debate.

The Ukrainian case is not unusual in this respect. Governments are frequently required to make decisions about fundamental political rules during times of transition and crisis. In such circumstances, mass mobilisation is common and the salience of institutional issues is often high. Thus, mass acceptance of any constitutional settlement is at a minimum highly desirable and possibly necessary to secure stability, which makes understanding public preferences towards constitutional choices particularly important in explaining how institutions are designed and emerge in these contexts.

Much of the literature on constitutional choices in democratising societies has been heavily elite focused (e.g., Elster et al, 1998; Negretto, 2014). The extant analysis of citizens' constitutional preferences has largely centred on stable and established democracies - such as the EU (Gabel and Palmer, 1995), the UK (Wenzel et al, 2000), and Canada (Nadeau et al, 1999) – and not on countries in conditions of profound political change and civil or armed conflict where the very character of the state itself is often in question. In stable contexts the literature suggests, citizens base their constitutional preferences mainly on instrumental concerns and partisan loyalties (McLaren, 2006). But, we ask, are such

mechanisms likely to be relevant to how citizens in transitional and politically polarised conditions make their constitutional choices? In stable conditions, choices may be made materially and rationally; in unstable ones, they may be made with emotion and uncertainty. How citizens make such choices, moreover, is potentially of great importance to the constitutions that do emerge, with potential consequences for subsequent political arrangements in that state. We therefore seek in this paper to extend the study of mass preferences towards institutional arrangements beyond established democracies to the common case of unstable polities.

We approach these questions through the lens of citizens' views of the reform to the territorial organisation of power in Ukraine at a time of great crisis in the country (December 2014) when a nationally representative survey was conducted by the authors. We find that the institutional preferences of citizens were more likely to connect to certain group identities (especially ethnicity) and particular ideological orientations towards Ukraine's place in the world, the ethnic basis of citizenship and the market. We found little evidence to substantiate the view that instrumental or economic considerations were an important factor shaping preferences about the desired constitutional outcome, even taking into account the possibility that identities in Ukraine have instrumental consequences.

Our results therefore contribute to an ongoing debate in the literature on the social and ideological bases of public opinion in Ukraine (Hesli, 1995; Pirie, 1996; Kubicek, 2000; Hale et al, 2015), much of which has sought to debunk the idea that political behaviour can be understood in terms of ethnicity or a Ukrainophone and Russophone cleavage (Kuzio, 1998, pp. 75-79). This is not what we can conclude based on our analysis. Moreover, although our findings are subject to the usual limitations of cross-sectional data derived from a single case study, they also suggest the need for a more general re-evaluation of how different political contexts contribute to constitutional settlements and to the nature of the constitutions

themselves. Our findings in particular suggest the need to think in a different way about institutional preferences in the very different set of cases of turbulent polities.

The rest of the paper deals first with existing theories of the factors shaping public preferences towards constitutional issues, then with the political context in which Ukrainians made institutional judgements in 2014, and then with the findings from analyses of national survey data collected by the authors in late 2014. We conclude by discussing the implications of our findings for the broader literature.

### **Mass preferences and institutional choice in stable and unstable polities**

Citizens in established democracies do have opportunities to influence the institutions that govern them (Wenzel, Bowler, Lanoue, 2000), in particular through referenda. Scholars have debated the significance of a number of factors that shape public opinion on these constitutional matters: the ‘salience’ of the substantive issues being addressed (Siune and Svensson, 1993; Franklin, Marsh, Wlezien, 1994); group-level identities – national, religious, regional and so on (Hooghe and Marks, 2004); and instrumental considerations – do citizens expect to be ‘winners’ or ‘losers’ under the new arrangements? (Gabel and Palmer 1995; McLaren 2006; Hobolt and Wratil, 2015). In this literature, instrumental accounts tend to predominate. This fits well theoretically with what we would expect of a stable polity. When citizens have clearly established interests and institutional change is incremental, parties are able to articulate potential benefits and losses to their supporters.

Yet, institutional choice is not only the preserve of established democracies. It is self-evident that societies in the throes of building new political systems will have to confront decisions on how to institutionalise the redistribution of power. This is highlighted by Figure 1, which summarises frequencies for ‘constitutional events’<sup>1</sup> in all political systems ranked by Polity IV as either open anocracies or democracies from the start of the Third Wave in

1974 to 2013.<sup>2</sup> As can be seen, the frequency of constitutional change falls year-on-year as regimes become more established, with a steep decline following the first years of the new regimes.<sup>3</sup> Notwithstanding the skewed nature of these data – the majority of regimes in the Polity subset had existed for only 15 years or less – they show that the modal context for constitutional choice in the Third Wave is quite different from that which features in most public opinion research on constitutional choice. This context involves considerable crisis and instability. Of the constitutional events coded by the Comparative Constitutions Project, 15 per cent occurred during or within one year of a major episode of political violence. Such violent episodes covered international, civil and ethnic wars that resulted in ‘at least 500 directly-related deaths’ (Marshall, 2016, p. 2). Furthermore, constitutional change frequently occurred in regimes that lacked stable political institutions. Regimes coded by Polity IV as undergoing periods of institutional instability - central authority interruption, collapse, or transition - experienced a constitutional event in 18 per cent of cases. Thus, the question of which factors shape institutional choice in a time of profound change and turmoil is appropriate. But, how important is public opinion in shaping this decision?

- Figure 1 -

There are several reasons why public opinion is likely to matter to rule makers in societies facing crisis and fundamental political reorganisation, and why the bases on which citizens make judgements about constitutional issues is likely to differ from stable democracies. First, the issues being considered are likely to be highly salient in turbulent times, and when such highly salient issues are broached in divided societies they can be a lethal cocktail for peace and stability (Lee and Mac Ginty, 2012). Second, high issue salience raises the domestic legitimacy demands that citizens can place on elites in turbulent times. In conditions of unrest, failure to read the public mood entails greater risks for politicians than simply being voted out of office. Third, the capacity of elites to manage the

timing and terms of the decision-making process is likely to be constrained. The constitutional dilemmas that leaders face in times of profound change are often forced by exogenous shocks to the system, and external third parties, such as foreign governments or international organisations, can set the terms of the decision-making process. Like elites in established democracies, rulers still retain influence over any referendum-based decision-making (Lijphart, 1984), but ‘without the mitigation strategies built into representative democracy’ (Collin, 2015, p. 116). Finally, the party political mechanisms used by elites to mobilise citizens in support of different constitutional preferences in established democracies are likely to have weaker power in societies where party systems have not evolved programmatically and lack deep social roots. In such cases, parties are likely to lack credibility on the substantive issues under consideration, especially when the political class itself is perceived to be an integral part of the crisis that is gripping society.

In sum, and contrary to the view of Victor Chudowsky and Taras Kuzio (2003) in an article published just before the mass uprising in the Orange Revolution that public opinion in Ukraine does not matter, we argue strongly that high issue salience combined with the constrained capacity of political elites to manage the decision-making process provide good grounds for expecting public opinion to have added significance. But, do the *determinants* of mass preferences differ significantly in transitional or crisis-ridden contexts?

Although instrumental theories have tended to dominate in the analysis of public preferences towards institutional choice in established democracies, there have also been influential studies on transitional polities that have focused on instrumental calculations by citizens (Tucker, Pacek and Berinsky, 2002; Herzog and Tucker, 2010), and it is therefore quite possible that these do indeed drive citizens constitutional preferences. The parsimony of this approach, which explains choices in terms of whether citizens are economic winners or losers, is considered to be its main strength in a ‘low information context’ (Herzog and

Tucker, 2010, p. 239). Thus, while the political consequences of different institutional forms might be hard for citizens to calculate in conditions of high uncertainty (Hooghe and Marks, 2004, p. 2; Rohrschneider and Whitefield, 2004, p. 314), their expectations about the economic and distributive consequences of different constitutional formats could well be the most readily available guide to them in making their judgements.

Yet, there are good reasons to expect that alternative theories which stress identity and value orientations are much more likely to carry greater weight in conditions of high uncertainty (Sniderman, Brody and Tetlock, 1991; Chong, 2000). Even if an economic rationale exists in such conditions, calculating the consequences of institutional choice in economic terms may not be the first order concern of citizens. That is why in many studies of institutional performance in non-established democracies, scholars have considered how citizens understand institutions through the prism of a broader set of identities, values and norms, such as their ideological orientation towards democracy and the market (Sniderman, Brody, and Tetlock 1991; Mishler and Rose, 1998; Whitefield 2006).

Identities and values provide citizens with different mechanisms for making choices. In the case of identities, preferences are closely aligned with membership of a particular social group: group-level preferences transcend individual-level calculations about costs and benefits. Such group-level preferences may centre on shared attributes of the group, such as language or territory. For example, members of minority language groups may be expected to favour institutional options that protect the rights of minority languages and other aspects of heritage. In contrast, value orientations are system-level. Citizens make judgements about the choices they face in ways that are consistent with their values about the fundamental rules that govern society: e.g. whether they support the market economy or democracy. These normative orientations are predispositions, which can be resolute and sticky. In the case of

post-communist societies, for example, the legacies of communism have impeded attitudinal change in a number of policy areas (e.g. Chaisty and Whitefield, 2015).

At the same time, however, we must be careful not to overstate the opposition between instrumental and identity based modes of judgement, perhaps particularly in contexts like Ukraine, where ethnicity or language may function precisely as mechanisms for the distribution of goods and therefore as means whereby winners and losers will make instrumental judgements. Were this to be the case, in short, we would expect there to be a clear interaction between economic expectations and ethnic or linguistic identities – those with a particular identity would associate it with their economic prospects under differing institutional arrangements.

To assess the merits of these competing theories of institutional preferences, we now turn to the main empirical focus of this article: mass preferences towards proposals for the reorganisation of centre-periphery relations in Ukraine, which came to the fore in 2014 when a mass uprising against President Victor Yanukovych triggered an armed conflict between the Kyiv government and rebels in the east of the country who demanded greater autonomy. The Ukrainian case provides a good basis to investigate competing perspectives on the factors shaping popular preferences since it involves powerful public concerns about the economy, ethnicity, language and statehood, and the nature of the political and social order as a whole. But it is also a context in which constitutional issues about decentralisation are highly salient.

### **The Ukrainian case and the survey**

This issue of decentralisation has been a contested one throughout the first two decades of Ukraine's post-Soviet history. As a result, reform has largely been kept off the political agenda. Until the crisis of 2014, national politicians were on the whole reluctant to address



the issue beyond electoral pledges, and when they did, as in the case of legislation on language rights at the regional level, they provoked a strong social reaction.<sup>4</sup>

In 2014 these attitudes gained greater significance when political conflict turned violent between Kyiv and regions in the east and south of the country. The new government in Kyiv formed after President Yanukovich fled the country soon became embroiled in a conflict with regions of Ukraine backed by Russia – initially Crimea, and then areas within the Donetsk and Luhansk oblasts<sup>5</sup> bordering Russia in the east of the country - which did not recognise the authority of Kyiv, and sought either unification with Russia or greater autonomy within Ukraine. In March 2014, Crimea was annexed by the Russian Federation; the rebel-held areas of Donetsk and Luhansk - backed militarily by Moscow - then became the focus of a bloody conflict with the Ukrainian armed forces, which claimed over 3500 lives before the first ceasefire was achieved on 20 September 2014 (The Guardian, 2014).

In the aftermath of this ceasefire, we designed a nationally representative survey of 2380 adult Ukrainian citizens, which was conducted in the period 2-15 December 2014. The survey excluded Crimea, which had de facto ceased to operate within Ukrainian jurisdiction by the time the survey was conducted.<sup>6</sup> The survey included citizens from Donetsk and Luhansk. Only settlements close to or in the combat zones were excluded. The methodological difficulties of conducting surveys in these regions are noted in Appendix 1, along with other characteristics of the survey.

To capture the range of institutional preferences on the decentralisation options facing Ukrainian citizens, we asked respondents to select from one of five substantive options to the question ‘What would you say is the ideal government arrangement for Ukraine?’: (1) a unitary state with a strong central government; (2) a unitary state with major powers devolved to the regions; (3) a federal state which accommodates ethnic differences but preserves a

strong central government; (4) a federal state with major powers devolved to the regions, including the power to secede; (6) breakup of the country.

In our survey, and in line with others conducted at a similar time (Hale et al, 2015) a clear majority (almost 60 per cent) favoured retaining the unitary system (options 1 and 2), with most respondents favouring greater devolution within the existing system (option 2); 13 per cent opted for a form of federalism that preserved a strong federal government (option 3); 9 per cent favoured federalism with significant power devolved to regional authorities, including the power to secede (option 4); less than 5 per cent supported breakup of the country; and around 15 per cent did not know.

- Figure 2 -

Earlier research suggests that this distribution of preferences was not a temporary phenomenon caused by the war. Since the 1990s, survey research has consistently shown majority support for retaining the unitary structure (Kuzio, 1998), albeit with the largest share of respondents favouring greater devolution within the unitary framework. Support for a federal structure with significantly devolved power has hovered around 10 per cent (Kuzio, 1998, p. 70; Razumkov Centre, 2006, p. 38), with much lower numbers preferring separatism and the break-up of the country (Razumkov Centre, 2007).

Responses to other questions in the survey suggested that the issue was highly salient, too. A large majority of respondents identified the ‘crisis in the east’<sup>7</sup> as the main problem facing the country (see Figure 3). Respondents also expressed greater interest in politics as a result of the crisis (see Figure 4).

- Figure 3 –

Given the high salience of this issue and its significance for domestic political legitimacy, plus the fact that domestic elites were constrained by the international dimension to the conflict and by the low capacity of political parties to deliver credible proposals on regional devolution and federalism (see Motyl, 2013), public opinion on this question was an important consideration for politicians. The public debate connected decentralisation (especially federalism) to bigger conflicts about Ukraine's direction of development (Shlyakhova, 2009; Sydorchuk, 2015): westwards towards the EU or eastwards towards Russia and all that this entailed in terms of normative associations (O'Loughlin et al, 2016). Decentralisation was associated with both a means of de-Sovietisation and democratisation and with efforts by corrupt regional elites in Eastern Ukraine to consolidate their power (Sologoub, 2014; Partlett, 2015). Federalism in particular was associated with Russian efforts to divide the country, and politicians articulated this position (Galushko and Zhurba, 2016). For example, in his speech to the opening session of the commission that was charged with the task of devising the decentralisation reforms, President Poroshenko compared federalism to 'a biological weapon which they [Russia] are trying to impose from outside Ukraine to destroy our unity' (Ditz, 2015). In the context of a crisis where one formerly autonomous region, Crimea, had already separated from the country, this is not surprising. Thus, efforts by politicians to address the issue of territorial reform were always susceptible to the dangers of popular mobilisation, as demonstrated by the protests that surrounded parliamentary consideration of decentralisation legislation in September 2015 (Washington Post, 2015).

### **Modelling preferences towards regional decentralisation in Ukraine**

Our dependent variable is operationalised from the responses shown in Figure 2 which asked respondents to indicate the ‘ideal arrangement’ for Ukraine. The distinction between three categories - status quo (Option 1 in Figure 2), devolution within the existing unitary system (Option 2) and federalism (Options 3 and 4)<sup>8</sup> - reflected the main divisions in the political debate in Ukraine at that time.<sup>9</sup> The implicit ordering of categories in the original question – from status quo to federalism – meant that ordered logistic regression was the appropriate method of analysis.

Our theoretical interest is in estimating the relative importance of instrumental, group identity and value-based factors in driving support for each of these constitutional arrangements. In the Ukrainian case, this involved how citizens made judgements about forms of decentralisation – devolution within the unitary system or federalism - as opposed to the constitutional status quo.

There has been little systematic research of popular opinion towards different territorial options in Ukraine. Nonetheless, as we show below, extant analyses of related institutional issues in Ukraine have engaged with the economic, identity and value-based explanations that we explore in this paper. These analyses provide a basis for motivating the central hypotheses in the Ukrainian context.

*H1. The main determinants of preferences for decentralisation in Ukraine are likely to be based in material calculations to citizens, with opposition to the status quo coming from perceived losers under the existing arrangements or expected winners under decentralisation.*

While we do not offer an a priori theory of what the implications of specific institutional arrangements might be on the economic circumstances of individuals, this does not mean that citizens will not resort to economic expectations and experiences to guide their decision making about the most desirable territorial administration of the country.<sup>10</sup> Those

who have done badly in the past may invest in new institutional arrangements in the hope for better economic returns in the future.

To estimate whether citizens who might be termed losers were more likely to favour a change to the status quo, we selected variables that estimated the economic wellbeing of respondents and the strength of their political voice. Respondents were asked to assess their standard of living (whether it had fallen or risen) over the previous five years, and their expected standard of living over the next five years; and they were asked whether they disagreed or agreed with the statement that they had ‘no say’ in what the government did.<sup>11</sup>

When modelling the effects of instrumental factors alongside regional predictors that were used to estimate the effects of identity-based explanations, we also examined whether respondents were more likely to support greater devolution or federalism in regions that were more exposed to the Russia economy. This variable was included to address the related hypothesis that greater decentralisation would be sought by citizens from regions that stood to gain economically from closer ties with Russia. In the extant literature, the strength of federalist preferences in the eastern oblasts of Donetsk and Luhansk has been explained instrumentally in terms of the losses these regions incurred as a result of independence from Russia (Hesli, 1995; Kubicek, 2000). To test this hypothesis at the individual level, we interacted individual-level variables on economic performance (backward looking and forward looking perceptions of standard of living) with oblast-level data on exposure to the Russian economy (Movchan, Giucci, Ryzhenkov, 2014, p. 7).

*H2. In conditions in which expected benefits are difficult to calculate and in which constitutional arrangements are expressed as system-level distinctions, the main determinants of preferences for decentralisation in Ukraine are likely to be based in identities and fundamental political values.*

Identity variables in Ukraine do lend themselves to more precise hypotheses about institutional choice. We would expect ethnic Russians and Russian language speakers to be more supportive of federal options. Federalism was organised along ethnic lines in the former Soviet Union, and has been perceived by defenders of the rights of Russian language speakers as a means of providing constitutional protection (Hesli, 1995). Support for federalism has had a regional dimension, too. Support has been greatest in the south and east of country since independence, especially in the regions of Donetsk and Luhansk (Wolczuk, 2002, p. 71).

To estimate the effects of identity we considered the predictive power of several identity markers considered to be important in the Ukrainian case (Shulman, 2005): ethnicity, which was measured as a dummy variable for respondents who self-identified as ethnic Russians; language, which was measured as a dummy variable for respondents who used Russian language at home (Arel, 1995);<sup>12</sup> and region, which has been found in some studies to have effects in addition to ethnicity and language (Barrington, 1997, 2002; Shlyakhova, 2009).<sup>13</sup> Although we would expect a combination of these variables to pose problems of collinearity, extant research has shown convincingly that both region and language in Ukraine capture much more than whether Ukrainian citizens belong to the Russian minority or not (Sasse, 2010), and as a consequence extant analyses have included all these variables separately in statistical analysis (Barrington, 1997, pp. 610-12).<sup>14</sup>

A battery of attitudinal variables was also included to capture the normative or value orientations of citizens to system-level questions. These covered questions related to citizenship (should it be ethnically inclusive or exclusive); the place of Ukraine in the world (should it be more closely integrated with the EU or Russia); the meaning of patriotism (whether respondents identified more strongly with the Soviet Union than Ukraine); the desirability of free markets; and whether respondents would be willing to countenance rule

by an authoritarian leader. All of these system-level questions connected to the preferred direction of Ukraine's development: to the east and Russia or to the west and the EU.

Given the close association between federalism and Russian influence in Ukrainian popular discourse, we expected that those respondents who held an ethnically exclusive understanding of citizenship; supported EU integration and free markets; opposed authoritarian leadership, and identified with Ukraine in preference to the Soviet Union, would be less likely to favour federalism than those who held diametrically opposed attitudes.

The incorporation of attitudinal variables always risks endogeneity problems when the dependent variable is also attitudinal (Barrington and Herron, 2001). However, the purpose of incorporating attitudinal variables was not to identify the direction of causality. Rather we sought to uncover whether there was a statistically significant relationship between the orientation of citizens towards territorial preferences and other system-level questions. Our findings suggest that the inclusion of attitudinal variables had additive effects.

Finally, we included a range of control variables associated with political behaviour in Ukraine and elsewhere (e.g. Barrington, 2002, pp. 469-70). They included demographic variables for age, gender, education, class and place of residence (urban or rural).

## **Results and discussion**

We considered the effects of the different theories in a two-stage analysis (see Table 1). First, we analysed each theory *separately* (see models I-III in Table 1). As you can see, the statistics that estimate the fit of each model (the pseudo R<sup>2</sup>) suggests that the instrumental variables accounted for less variance in the responses than either of the identity or value-based approaches. Whereas identity and value-based predictors accounted for 9 per cent and 12 per cent of the variance, instrumental theories captured just 1 per cent of this variability.

Of the variables that comprised the instrumental approach, those that captured economic well-being over the last five years and strength of political voice were the strongest. Respondents whose standard of living had fallen a great deal over the previous five years were more likely to support change to the status quo, and in particular the federal option: holding all the other variables at their means, they were 11 per cent more likely to support federalism than those whose standard of living had risen markedly.<sup>15</sup> Individuals who felt marginalised by the political process were also more likely to favour the federal alternative: respondents who strongly agreed with the statement that they had no influence over the government were 13 per cent more likely to opt for federalism than those who strongly disagreed with this statement. Given the uncertainty created by the crisis conditions facing Ukraine at the time, it may not be surprising that the significance of forward-looking economic-well-being predictors had weaker effects.

Identity variables had even stronger effects. Those respondents who self-identified as ethnic Russian were significantly more likely than other ethnic groups (predominately those who self-identified as ethnic Ukrainians) to favour federalism. Ethnic Russians were 23 per cent more likely to favour the federal option, while those who predominately self-identified as being ethnically Ukrainian were 14 per cent more likely to support the status quo than ethnic Russians. As with the instrumental variables, support for greater devolution within the unitary system generated less division: ethnic Russians were only 4 per cent less likely to favour devolution within the existing system than those who predominately self-identified as Ukrainian.

Russian language use was also a significant predictor of support for federalism: Russian language speakers were 10 per cent more likely to support federalism than other language speakers; they were also 10 per cent less likely to support the status quo and were less than 1 per cent more likely to support regional devolution within the unitary structure.



As this effect was in addition to ethnicity, it suggests the existence of a category of respondents for whom identity was language-based rather than ethnicity-based. This is a feature of Russian-speaking populations in the countries of the former Soviet Union where Russian language speakers exceed those who self-identify as ethnic Russian (Laitin, 1998) and it justifies the separate inclusion of ethnicity and language.

Regional identities appeared to matter, too. As hypothesised, respondents in the east and south of the country were more likely to support federalism, especially in the rebel-held areas of Donetsk and Luhansk (DNR/LNR). These effects existed in addition to the effects of language and ethnicity.

Finally, values-based predictors showed strong effects. Respondents who believed in an ethnically inclusive notion of Ukrainian citizenship were more likely to support devolution within the unitary system, whereas those who took an ethnically exclusive view were more likely to support the status quo. Respondents who believed that Ukraine should remain isolated as far as possible from the European Union were overwhelmingly in favour of federalism. They were 50 per cent more likely to favour federalism than respondents who believed that Ukraine should integrate as far as possible with the European Union. Likewise, respondents who favoured closer integration with Russia and opposed the idea of the free market were significantly more likely to support federalism (17 percent and 14 percent) than those who did not.

In the second stage of the analysis we combined all of the theoretical predictors, allowing for the net effects of each theory to be considered while controlling for all other explanations (including demographic variables). The inclusion of all the theoretical predictors plus extra demographic controls strengthened the fit of the model - it accounted for 15 per cent of the variance in responses (see model IV Table 1) – but it did not change the statistical support for our contention that individuals were more likely to fall back on their

group identities and ideological predispositions when making institutional choices in times of crisis and uncertainty.

The pooled model provides no evidence to suggest that political or economic losers would be more likely to favour greater decentralisation: devolution or federalism. Citizens who had experienced a deteriorating standard of living over the previous five years were no more likely to support change, and the effect of political voice was also removed by the full model. Moreover, we found no evidence to suggest that instrumental variables interacted with regional-level variables in significant ways. For instance, instrumental factors were found to be no more significant in accounting for institutional preferences in oblasts that were more exposed to the Russian economy.<sup>16</sup>

The full model reinforced the importance of Russian ethnicity as the main identity predictor of institutional choice. The predicted probabilities for Russian ethnicity are illustrated in Figure 5. As in the reduced identity model, ethnic Russians were less likely to support the status quo and devolution within the existing system (by 10 per cent and 2 per cent respectively), but were 12 per cent more likely to support federalism. These effects were stronger than those for language, which nonetheless continued to predict support for federalism. Holding all the other variables at their means, Russian language speakers were 6 per cent more likely to choose federalism than other language speakers.

- Figure 5 -

The finding that self-reported ethnicity is an important predictor of institutional choice contrasts with extant research on political attitudes in Ukraine, which has tended to prioritise region (Barrington, 2002), language (Arel, 1995; Shulman 2004), and even socio-economic factors (Birch, 1998; Craumer and Clem, 1999) over ethnicity. This may be a consequence of the specific question that was asked – regional devolution and federalism in particular are closely associated with ethnic cleavages in the former Soviet Union – but it

might also suggest that the crisis exacerbated ethno-national divisions (Pogrebinskiy, 2015; Kuzio, 2015).

The effects of regional identities were weaker in contrast. In the east and south support for decentralisation fell away in the full model when we controlled for a range of attitudes, notably towards EU integration. These attitudinal variables appear to capture some of the particular regional ‘cultures’ that have been the focus of analysis (Barrington, 2002), although there are other regional-level factors (such as the effects of local patronage and oligarchic networks) that we cannot test using these data. The notable and highly significant exceptions were the rebel-held areas in Donetsk and Luhansk (DNR/LNR): there was a 43 per cent probability that respondents of DNR/LNR would be more likely to favour federalism when all other variables were held at their means. There was also little evidence of region interacting with language and ethnicity in other ways. Variables interacting east and south with the dummy variables for Russian ethnicity and language (analysis available but not shown) were not significant in terms of support for devolution or federalism.

The effects of values-based predictors remained strong, too. Supporters of ethnically-inclusive citizenship were 6 per cent more likely to support devolution and 19 per cent more likely to support federalism than those who did not. This support for federalism is consistent with the findings for ethnicity. The marginal effects of attitudes towards the European Union also remained strong in the full model (see Figure 6). Supporters of greater integration into the EU were 29 percent and 10 percent more likely to support the status quo or devolution within the unitary system, while those who preferred greater isolation were 43 percent more likely to support federalism. In contrast, those respondents who sought closer integration with Russia were 17 per cent more likely to support federalism, and opponents of the market were 14 per cent more likely to support that option, too. Respondents at the other end of the scale on both attitudinal questions – isolation from Russia and support for the market - were

more likely to support the status quo (15 and 12 per cent respectively), although as with most other variables the differences in levels of support for the devolution option were much narrower.

- Figure 6 -

Clearly, however, there is the possibility we outlined above that identities are mechanisms in Ukraine for the distribution of economic benefits or losses and that when citizens therefore make judgements about institutional arrangements through the prism of ethnicity or language what they have in mind is the likely effect of these arrangements on their economic position. Ethnic Russians or Russophones, by this reasoning, would make judgements about institutional arrangements on the basis of their identity and their economic position or prospects: if a set of institutions was economically beneficial or detrimental to Russians, for example, then we would expect to see a significant interaction between economic past or future prospects and their ethnic status. In particular, Russians should prefer decentralised institutions when their economic experiences or expectations are those of economic losers under the institutional status quo. We tested these possibilities by adding a range of interaction terms between identity and economic variables (analysis available but not shown) but found no significant results in the hypothesised direction. We therefore find no support for the identity/economic approach. Rather, it seems that identities are used as the basis for institutional choices largely independently of instrumental considerations.

In sum, and in line with H2, we find that identity and value concerns were the most significant predictors of support for institutional preferences. There is little evidence to support H1 that instrumental factors would be most important in shaping preferences for institutions. Of particular interest is the identity dimension to the support for decentralisation (especially federalism). Scholars of Ukrainian politics have spent much of the post-Soviet period debunking the idea that political behaviour can be understood in terms of ethnicity or a

Ukrainophone and Russophone cleavage (Kuzio, 1998, pp. 75-79). The fact that ethnic and language predictors feature significantly in our results could indicate that the crisis revived this division, at least on the question of regional decentralisation.

## **Conclusion**

To date, most of the research on public opinion and institutional choice has focused on established democracies, and it has addressed questions such as the influence of political parties over constitutional preferences in conditions of low issue salience. These questions are of less relevance in societies that are in transition and/or face significant political instability.

We argued that theories which assume mass institutional choice in terms of the rational capacity of individuals to calculate the payoffs from the different alternatives available (H1) are much more difficult to apply in conditions of high uncertainty. Hence, we theorised that identity-based and value-based theories, which assume that citizens draw on ready-made preferences, are likely to provide a better fit (H2).

Our findings from the study of preferences in war-torn Ukraine on the issue of regional decentralisation provide evidence to support this second hypothesis. Despite a quarter of a century of nation-building, which appeared to erode the division between Ukrainophones and Russophones in many areas of political behaviour, we find that linguistic, ethnic and associated value predispositions emerged as the most important factors shaping institutional preferences on regional reform.

These findings chimed with the prevailing public discourse on decentralisation in Ukraine at the time. The public debate connected decentralisation (especially federalism) to bigger questions about Ukraine's direction of development: westwards towards the EU, and all that it entailed in terms of political and economic norms, or eastwards towards Russia, and

all the normative associations which that entailed. This was evident in the association of federalism with those who held pro-Russian attitudes for much of the post-independence period.

Such contextual details matter when institutional choices are made in conditions of high uncertainty. When citizens connect institutional preferences to conflicting identities and values, the room for bargaining is constrained. Under these conditions, much depends on the ability of elites to sell tradable solutions to their supporters. But, in hybrid regimes or weak democracies, elites often do not have access to the effective party mechanisms that are used by elites to cue citizens in more established democracies. In the Ukrainian case, political parties had not seriously engaged with the decentralisation agenda over the previous decades, and as a consequence there was a deficit of information on the issue. As a result, citizens were left with identities and values as the main basis for informing their institutional choices.

## Appendix 1: The Survey

<b>2-15 December 2014</b>	<u>Adult</u>	<u>Stratification</u>	<u>Response Rate</u> 47%
	<u>population</u> <u>(18+)</u>  Control Quota on age, sex and education	<u>Method</u> Stage 1: Selection of regions (6 regions as used in the official statistics) Stage 2: Selection of settlement (allocated to 6 strata in proportion to the population of each stratum) Stage 3: Selection of random routes* Stage 4: Selection of households (random route method with a pre-determined starting point) Stage 5: Selection of respondents within households (the most recent birthday method; only one respondent per household was interviewed)	Successful contacts Completed interviews: 2380  Non-contacts i) Eligible respondent refused: 742 ii) Household unreachable 1538 iii) Eligible respondents unreachable 337 iv) Empty dwelling 75

\*The significant displacement of people in Donetsk and Luhansk meant we were unable to obtain a full probability sample in the occupied territories.<sup>17</sup> Given the geographically skewed nature of the distribution of the local population in these territories, quota sampling was used for respondent selection within each household.

We did not conduct list experiments so cannot rule out preference falsification in the rebel-held territories. However, we note in responses to the question below the willingness of respondents to criticise the authorities, which is not consistent with fear of the authorities.

**How would you evaluate the performance of the governments of the Donetsk and Lugansk People's Republics since President Yanukovich's removal from office?**

	Frequency	Percent
very highly	11	3.9
highly	60	21.4
neither highly nor low	69	24.6
low	29	10.3
very low	36	12.8
don't know	76	27.0
Total	281	100



## Notes

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<sup>1</sup> These data are coded by the Comparative Constitutions Project as the adoption, amendment or reinstatement of constitutions. We do not include data on the suspension of constitutions, which is mainly confined to authoritarian systems (Comparative Constitutions Project, 2015).

<sup>2</sup> Polity IV employs a 21-point scale to distinguish between autocracies (-10 to -6), anocracies (-5 to 5) and democracies (6 to 10). Anocracies are ‘countries whose governments are neither fully democratic nor fully autocratic but, rather, combine an often incoherent mix of democratic and autocratic traits and practices’ (Marshall and Cole, 2014, p. 21). We only include ‘open’ anocracies, which are closer to democracies in terms of their characteristics. For data see Marshall and Gurr (2014).

<sup>3</sup> Polity IV define regime durability as the number of years since the most recent regime change.

<sup>4</sup> President Victor Yanukovych’s introduction of legislation allowing regional authorities to use Russian as an official language proved to be particularly divisive (Balmforth, 2012).

<sup>5</sup> Oblast is the main administrative division in Ukraine.

<sup>6</sup> Crimean citizens were included in a separate survey which was conducted within the Russian Federation at the same time.

<sup>7</sup> Fear of the country breaking up was the second most frequent response within this category

<sup>8</sup> In order to increase the number of observations and strengthen the robustness of the findings, we combined the two federalism options into one ‘federalist’ category. The merger of the two categories did not alter our results.

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<sup>9</sup> Given our substantive focus on within-state modes of constitutional change, we exclude the relatively small ‘break-up’ and larger ‘did not know’ categories.

<sup>10</sup> Evidence from research on public opinion towards the political system more generally suggests that this factor has been significant (Kubicek, 2000, p. 282).

<sup>11</sup> The full versions of these questions are available in the on-line Appendix, along with the specification of all the other variables.

<sup>12</sup> Other measures of language – language at work, parents’ language – were excluded due to evidence of multicollinearity. These language variables also had weaker effects than language at home when they were included separately in the full model.

<sup>13</sup> In line with official statistics we cover six regions: kyiv, north, south, east, west and central, plus the rebel-held areas of Donetsk and Luhansk. The inclusion of a separate category for the rebel-held areas meant that we were not able to apply consistently the macro-regional categories used in some other studies:

<http://kiis.com.ua/?lang=eng&cat=reports&id=231> (accessed 4 July 2016). See the on-line Appendix for a breakdown of the oblasts included in each region.

<sup>14</sup> We did not detect any problems of multicollinearity in the specified models.

<sup>15</sup> Marginal effects were estimated to interpret the substantive impact of statistically significant variables.

<sup>16</sup> Interactions of the standard of living variables and exposure to the Russian economy were insignificant. Direct effects of exposure to the Russian economy were also insignificant.

<sup>17</sup> According to the UN, some 514,000 people had been internally displaced by early December 2014 (TASS, 2014).

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