

Informal institutionalization in modern Ukraine

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Abstract

The relevance of the research lies in the observation that, while Ukraine has established formal democratic institutions since its independence, many democratization issues remain unresolved. These formal structures lack effectiveness and support, with informal, often non-democratic political processes and secret agreements continuing to prevail. The study aims to conclude a theoretical study, conceptualization, and generalization of the problems of the existence of informal institutions, as well as a comprehensive analysis of practical technologies of informal institutionalization in modern Ukraine. The authors used such general scientific methods as analysis and synthesis, induction and deduction, abstraction, the ascent from the abstract to the concrete. The authors considered such informal institutions that exist in the political reality of Ukraine, such as lobbying, corruption, populism, non-conventional forms of political participation of citizens, party agreements, clientelism, and political bargaining. The effective technologies for the informal institutionalization of modern Ukraine, including technologies for eliminating authoritarian practices, technologies of party structuring, technologies of political participation and technologies for the formation of democratic political consciousness have been proposed. These technologies are aimed at the political modernization of Ukraine, ensuring the institutional functioning of democracy at the proper level and minimizing the negative effects of informal institutions.

Keywords

Political regime, political system, political institution, informal institutions, democratization, political technologies

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Introduction

Under the commonly accepted classification of informal institutions in institutional political science, there are constructive (e.g., civil society) and destructive (e.g., corruption, clientelism, clannishness) informal institutions, which can have both positive and negative impacts in the process of democratization. According to S. Ayres (2022), both types are inherent in all political systems and can complement, support, hinder or paralyze each other. V.S. Popazoglo (2018), studying the forms of manifestations of destructive informal institutions, as well as mechanisms to counteract them, noted that the cognitive capabilities of modern institutionalism make it possible to assess the essential characteristics of informality, to identify both their advantages and risks for individual states, society, and citizens. Political comparativists know many cases when informal institutions in foreign political systems (USA, Mexico, Spain, France, Chile, Republic of Macedonia) played the role of a social regulator, and informal relations, at least partially, compensated for the weakness of official structures and provided effective forms of implementation of political decisions, established communication, and coordinated representation of interests.

Both constructive and destructive informal institutionalization is a much more complex process than the formal establishment of democracy (Uliutina, 2022). After all, the transformation of informal methods and rules of political interaction into a stable democratic attitude requires the time and will of all actors in the political process. The formation of democratic values in Western Europe took centuries, and therefore in transition countries this process a priori cannot take place in a short period. However, informal rules and institutions are characterized by stability, thus ensuring the continuity of political development.

Democracy is a system of government where power is given to the people, either directly or through elected representatives. Core principles that underpin democracy include the protection of individual liberties, the rule of law, free and fair elections, and equality of voting rights (Vandzhurak, 2022). However, democracy is an overloaded concept that has produced diverse forms of government. Even in today's "old" democracies, there is no consensus as to precisely what the concept means and how best to express it as an ideal. Democratization, on the other hand, is the process by which a country transitions from a non-democratic form of governance to a democratic one. This transformation typically involves the establishment or strengthening of democratic institutions, promoting political pluralism, and ensuring the protection of civil liberties and human rights. The process can occur through various means, including revolutions, reform movements, or negotiated transitions, and can be swift or gradual. Democratization is best understood as a complex, long-term, dynamic, and open-ended process that consists of progress towards a more rule-based, more consensual political regime (della Porta and Rossi, 2022).

After the declaration of independence, Ukraine's political system inherited from the authoritarian past most of the informal practices and rules of the political game, which counteract the process of its democratization. Instead of complementing the new normative order, they hinder the effective functioning of formal institutions. That is, informal institutionalization has been undemocratic for a long time, and therefore there is no hope for the consolidation of democracy soon. Such informal practices are intensified by economic, social, and political contradictions of the transition period, lack of formal norms, and inefficiency of formal institutions. The above prompted the authors to search for ways, effective mechanisms, and practical technologies of using informal institutions for the benefit of the democratization process in modern Ukraine. According to the authors, democratization is possible only if informal institutions can act in compliance with democratic procedures and principles and cooperate with official bodies.

In the context of Ukraine, it can be assumed that formal democracy already exists in the country, although it is in transition. In real political practice, it is reflected little due to the existence of many destructive informal institutions, such as corruption, bureaucracy, clientelism, political bargaining, etc. But the idea of joining the European Union (EU), around which Ukraine has united, poses a new challenge – to follow the European model of democracy. The results of the study conducted by I.V. [Kushnarov \(2018\)](#) give grounds to assert that this model provides for non-declarative gradual counteraction to various informal destructive institutions, and [Markovickj and Damjanovski \(2018\)](#) in their joint work give examples of the use of informal complementary practices by the political leadership of the European Union to establish democratization in the states, in particular, in the example of the Republic of Macedonia after the country became a candidate country for the European Union ([North, 1990](#)).

This review is essential for understanding Ukraine's political situation and its challenges. M. [Minakov's \(2021\)](#) study offers an in-depth look at Ukraine and other ex-Soviet states' sovereignty. He highlights the geopolitical issues Ukraine faces due to Russian actions, historical post-Soviet conflicts, and tense Russia-U.S. relations. Ukraine could either act as a mediator between the EU/West and Russia or as a NATO buffer, similar to its role pre-2014. Minakov predicts ongoing sovereignty issues in Eastern Europe, with increased conflict risk and limited prospects for lasting peace and economic development. [Lough and Dubrovskiy's \(2018\)](#) analysis focuses on Ukraine's anti-corruption measures across various sectors. They note better success in blocking corruption than in prosecuting offenders, viewing it as a deep-rooted systemic issue rather than a temporary challenge. Their solution is to dismantle monopolistic power and appoint legally adept, unbiased officials. H. [Pleines \(2016\)](#) discusses the unchanged influence of oligarchs from 2000 to 2015, who, while not leading political decisions, adapt to and facilitate political dynamics. Yu V [Matsiyevsky's \(2018\)](#) study observes an increase in Ukraine's elite class but no improvement in quality, with corruption and informal norms still prevalent, maintaining Ukraine's hybrid political structure. [Lankina and Libman \(2019\)](#) examine the Soviet legacy's impact on Ukraine's regional voting patterns, suggesting that economic growth can sometimes impede democratization due to the Soviet influence of a powerful few and unequal economic progress.

The research addresses the challenge Ukraine faces in transitioning to a formal democracy that aligns with the European model, which advocates for a non-declarative, gradual approach to counteracting destructive informal institutions. This approach is distinct in its emphasis on practical technologies and mechanisms to leverage informal institutions beneficially in the democratization process, particularly in the Ukrainian context. The purpose of the research was to identify ways to prevent and overcome the negative consequences of the existence of destructive informal institutions and to determine the mechanism of legalization of constructive informal institutions for the benefit of the democratic development of modern Ukraine. The novelty of this study lies in its focused examination of how informal institutions, both constructive and destructive, interact and influence the democratization process in Ukraine. While previous research has acknowledged the presence of these institutions in various political systems, this study uniquely delves into how they can coexist, either bolstering or hindering each other, within the specific context of Ukraine's political landscape.

Material and methods

To achieve the goals of scientific research, the authors used such general scientific methods as analysis and synthesis, induction and deduction, abstraction, the ascent from the abstract to the concrete, etc. Based on the analysis and synthesis, it was possible to study certain aspects of

informal institutionalization as components of the overall system of political process management. Knowledge of the nature and scale of informal institutionalization in modern Ukraine was facilitated by the division of the object of study into elements and the analysis of all its elements as components of the whole. At the same time, the knowledge of the object under study in its integrity was possible through the synthesis of the data obtained during the analysis. Since the results of the authors' research form several thematic blocks, the synthesis also made it possible to consistently combine these thematic blocks into a coherent logical structure.

Using the method of abstraction, the authors managed to focus on the most important characteristics and features of informal institutionalization technologies and ignore those properties and features that are not crucial within the framework of this study, which also contributed to the development of the author's scientific abstractions – concepts and classifications. The method of induction was used for logical transitions during cognition of specific informal institutions, based on which the picture of informal institutionalization in the political practice of Ukraine was generalized. In turn, the method of deduction was used to move back from abstract theoretical generalizations to specific examples of informal institutions and technologies. The comparative analysis compares the international and Ukrainian experiences of counteracting informal institutionalization of political systems in geographical and historical retrospect. The research was concluded in three stages:

- search for the theoretical basis on the issues, its detailed elaboration and generalization, in particular, the authors analyzed the works of scientists, statistical reports, and regulations;
- applied application of theoretical knowledge to the political realities of modern Ukraine, in particular, using the method of content analysis, election programs, speeches and interviews of Ukrainian politicians, forecasts and comments of political scientists were processed, which contributed to the successful solution of research problems;
- processing of the obtained results based on the accumulated empirical material.

The case study method made it possible to identify the identity and differences between specific technologies of informal institutionalization and their impact on the process of democratization in Ukraine in terms of cause and effect. The study is based on a technological approach, which identified effective technologies of informal institutionalization that can be effectively implemented in the political process of Ukraine. This approach ensured the practical value of the study.

Results

For the study, the authors utilized a broad definition of institutionalization as a multifaceted process that entails the creation of social and political norms and regulations that influence interpersonal relationships. Institutionalization can manifest in two ways - formal and informal. Formal institutions are legitimate and impose written and intentional constraints that define the political, economic, and social safety nets of a society. These regulations are upheld by authorized bodies and established in formal establishments, such as constitutions, political institutions, and legal and property rights systems. Conversely, informal institutions are founded on uncodified rules and processes that develop outside the normative framework. They are regarded as socially shared regulations that are devised, communicated, and implemented outside officially authorized channels (North, 1990).

While formal institutions are founded upon rational-legal legitimacy, informal institutions derive from traditional and charismatic rule. In the past, informal institutions were exclusively linked to

traditional societies, and formal institutions were expected to supersede them in modern societies. Nevertheless, contemporary approaches highlight the interdependence between these institutions, and informal institutions now function alongside formal institutions as an objective aspect of political reality. The reasoning behind the development of informal institutionalization differs among nations, but it is imperative to consider the interplay between informal and formal institutions. This relationship can manifest in a range of ways, including complementation, substitution, competition, and conflict (Espinoza et al., 2019).

The following classification of informal institutions is generally accepted based on the interaction between formal and informal institutions: complementary, adaptive, competing, and substitutive. In the first case, informal institutions complement formal ones, filling in the gaps that exist in formal rules, and thus increasing the efficiency of the latter. In the second case, the role of adaptation is played by informal institutions that pursue results that differ from the goals of formal institutions, but do not directly violate them in the sense that they “contradict their spirit but not their letter”. In the case of competing for informal institutions, the result of their actions is a violation of formal rules because the goals pursued by these institutions are incompatible with formal rules. Finally, informal institutions can replace formal ones when the latter have not proved their effectiveness (Markovickj and Damjanovski, 2018). That is, the concept of “institutionalization” combines formal and informal aspects, which is of fundamental importance for assessing the nature of the political system and the prospects for its development. Using this definition, it can be argued that the signs of successful institutionalization of democracy are the presence of permanent, repetitive, impersonal norms and rules based on democratic principles and promoting the implementation of these principles in political practice.

B. Holzer (2014) distinguishes the concepts of “ordinary informality,” which is “contained” in specific political systems and is formed based on existing formal institutions, as well as institutionalized forms of “unlimited informality,” which crosses the boundaries of formal institutions and counteracts the establishment of democracy. Thus, the pace and results of the democratization of a state’s political regime depend on the balance between formal and informal structures, as well as the extent of informal structures in the political system. As for political technologies, the author considers them as a set of ways and means to consistently achieve the desired result in politics. If within the framework of this study it is desirable to consider the result of informal institutionalization of the political system of modern Ukraine, then political technologies, which will be considered in this article, are precisely those ways and means aimed at its consistent achievement. Political technologies encompass a variety of methods, strategies, procedures, and techniques utilized by political actors. These actors may include individuals, political parties, public associations, and pressure groups. Additionally, political technologies may employ management ideologies that are tailored to the goals and nature of these actors. The realm of political technologies includes developing political initiatives and decisions, establishing political authority, devising election strategies, coordinating political organizations and parties, promoting civic consciousness and political culture, molding public opinion, aligning public interests, and resolving political disputes (Burdiak and Konet, 2021).

The political experience of other countries has many examples of informal adherence to authoritarian practices by government officials. Helmke and Levitsky (2006), for example, refer to the “*dedazo*” system in Mexico, under which for 70 years (until the defeat in the 2000 presidential election) the Institutional Revolutionary Party was a symbol of a one-party autocratic political system. Although the Constitution of the state, modeled after the USA, enshrined the separation of powers at the federal level, the Mexican president concentrated in his hands virtually all the power of the state. For decades, presidents elected from the Institutional Revolutionary Party

independently appointed and dismissed senators, governors, and judges of the highest instance. Repeatedly, these elected officials have been accused of election fraud and illegal appointments to senior civil servant positions. The above confirms that in fact in those days in Mexico there was a system when the president by personal selection named his successor. Among other authoritarian practices, which is a given in any state, regardless of the degree of its openness and democracy, is lobbying, but its legal status differs significantly: in some states, it is sufficiently regulated and has passed the stage of institutional formalization, in others, it is a phenomenon that competes with formal rules and contradicts the normative political order. The development of lobbying in its classical sense, regardless of whether it is a formal or informal institution, was the result of the spread of market relations in society, which dictate the logic of the relationship between business and government.

In particular, the ruling elites themselves recognize that lobbying to influence the decision-making process is a normal phenomenon for any political system. For example, according to a survey conducted in 2013 by the consulting firm “Burson-Marsteller” (Kallas and Galbraith, 2013) among parliamentarians and members of governments of 15 most developed European countries and EU bodies, 37% see lobbying as a mechanism for the participation of social and economic actors in the decision-making process, 28% believe that lobbying is the most important channel for obtaining information needed for decision-making, 20% – that lobbying is used to voice local and regional demands and problems. At the same time, the respondents also emphasized the negative aspects of lobbying, such as lack of transparency and difficulty in identifying the true interest of the lobbyist (26%), inequality of opportunities when lobbying the interests of elites and big business (24%), lack of neutral information and bias (23%). Even in Europe and especially at the EU level lobbying is becoming more visible and (to a certain extent) more controlled, most market economies face lobbying at an invisible and often deeply informal level. In Ukraine, as in most post-Soviet countries, lobbying, although it exists, is not a set of formal procedures enshrined in the legislation. The most cited example of the evolution from informal practices to legislative regulation is the institution of lobbying in the USA, but there this process was determined by the peculiarities of the development of federalism, separation of powers, and local business community. But for most countries of Western continental Europe, this path was a failure, because it turned out that it is not enough to adopt a law on registration or regulation of interest groups in the country to change the informal practices that are accepted in this community.

The institutionalization of lobbying has revealed the following paradox: formalization of the rules of the game does not always lead to the legitimization of these rules. To be more precise, these rules may become legitimate for the direct participants of the interaction between the state and interest groups, but they are often perceived by society as contrary to democracy and the common interest. The formalization of the lobbying institution, for example, in France (since 2014) or the Netherlands (since 2012), has not reduced the level of criticism from the public and some politicians, for whom lobbying is the embodiment of private interest as opposed to the public interest. Elite pacts in the new EU member states were an insufficient basis for the development of strong democratic systems, which largely depend on deep social processes and relationships, and trust between members of society. At the same time, it is worth noting the difference between informal institutions that permeate broad layers of society and informal rules of interaction purposefully created by elites. Often, the only purpose of creating institutions is to serve the interests of individuals who hold influential positions – so influential that they can influence the formation of new rules (Hix and Høyland, 2022).

As for Ukraine, authoritarian informal rules are increasingly penetrating the activities of formal institutions. And this is the main reason for the hybridity of the political regime and the threat to the

democratization of the political system. Hybridity is a political system that amalgamates features of both democratic and authoritarian structures. Hybrid regimes are situated between conventional democratic and authoritarian classifications. In these regimes, elections may take place, but they are not entirely free or completely manipulated. Certain civil liberties exist but frequently face limitations, particularly if they contradict the ruling elite. The judicial system, although present, may lack complete independence, as the judiciary is often influenced by political elites. These regimes may possess formal democratic institutions, but they exist along with informal control mechanisms, such as an executive branch that wields an excessive amount of power. Moreover, civil society is usually active, but its operations are limited, especially when opposing the ruling class. Even if the media appears free, the state could hold significant control or influence over major outlets. These regimes are occasionally referred to as “illiberal democracies” or “competitive authoritarian regimes” and may change over time, becoming more democratic or more authoritarian based on different factors (Yilmaz, 2022).

An illustrative example of the rootedness of authoritarian informal traditions in socio-political relations is the attitude of Ukrainian citizens to corruption. Thus, according to the results of a nationwide survey of Ukrainian citizens conducted in 2018 by the Ilko Kucheriv Democratic Initiatives Foundation together with the Razumkov Center sociological service, it was found that 9% of respondents consider corruption to be a quick and effective method of solving problems, 35.2% of respondents are convinced that corruption can be justified in some cases, and 25.5% of respondents openly admitted that they were participants in corrupt agreements during the last year. The reasons for such actions, according to the respondents, were different: both illegal demands from the authorities and their initiative were caused by the desire to achieve the expected result quickly and easily. The present level of corruption in the country is not due to the loyal attitude of citizens to this phenomenon, but rather to the habit of such a way of solving everyday issues, the lack of a clear understanding that the traditional “gratitude” today is an illegal benefit, and its provision is a criminal offense. As for the reasons for the “deformation” of political procedures, they are also different, but, they are associated with a decrease in the level of trust in society. In this case, informal institutions and rules compensate for the low authority of the authorities and offer alternatives to resolve social contradictions. This in turn undermines citizens’ faith in the ability and possibility to achieve their goals through representative and elected institutions and processes (Electoral Ratings, 2018).

The results of studies of informal institutionalization processes conducted over the past 2 years have shown that the introduction and active use of informal practices of party structuring is a characteristic attribute not only of the political systems of individual states. Thus, the study of Ahrens et al. (2022) is aimed at analyzing the practices and processes by which the internal cohesion of political groups of the European Parliament (EP) and coalitions between them are formed. Using qualitative and mixed methods, the researchers focus on how power operates at the micro level of European politics, exploring the importance of informality and the role of actors in decision-making by EP political groups. The authors define formal institutions as codified rules that are transmitted and implemented through formal channels, and informal institutions as elements of custom, tradition, moral values, religious beliefs, and norms of behavior. The latter is “hidden and embedded in everyday life.” In the case of the EP’s political groups, formal institutions include the rules of procedure of the parliament and the statutes of the groups, which govern everything from how the EP works, functions as an institution and a workplace for plenary sessions, to the formal procedure for the formation of political groups. Examples of informal institutions, on the other hand, include such unwritten practices as power hierarchies or “*cordon sanitaire*,” which translates from French as “*sanitary cordon*” and means counteracting political rivals keeping radical (left/right) parties out of

governmental, parliamentary and/or electoral arenas. These technologies are unwritten but commonly used.

Often, such technology of informal institutionalization as personalization of politics takes a significant part in party structuring. It is characterized by the lack of real economic and social programs in political parties and their formation around leaders who can unite complex coalitions of people. Such coalitions are often fragmented, as personal loyalties change rapidly, and new elections generate new politicians. Personalization affects both intra- and inter-party relations. The way personal relationships ensure or limit the stability and internal cohesion of parties affects the stability of the government, political alliances, the way coalitions emerge and break up, and the distribution of ministerial portfolios (Veenendaal, 2020). In Ukraine at the present stage, probably one of the most common technologies of informal political structuring is political bargaining. Most often they are used to form a parliamentary coalition and achieve a common ideological position in it, which ensures the predictability of voting results on certain important issues. Coalitions often consist of political forces that defend differentiated or even opposing interests. However, in exchange for positions in the executive branch of government or the leadership of parliamentary committees, politicians join the coalition. Also, participation in political bidding (lots of money, certain provisions in draft laws, or public positions) may be offered to opposition factions or individual politicians whose votes are simply “bought.” Such politicians, whose votes can be bought during each vote for a particular draft law, are called “carcasses” or majority politicians (Zelenko, 2021).

Despite the existence of established institutional mechanisms for the active participation of citizens in policy and decision-making in Ukraine, the level of political and public activity of the population remains low: less than 20% of citizens take part in various socio-political events. In recent years, the indicators of public and political participation have significantly decreased. Low political effectiveness and lack of interest in politics among citizens, insufficient political competence, low level of trust in citizens’ associations and state institutions, and lack of civic responsibility form the basis of the passive attitude of Ukrainian citizens to social and political life. Undoubtedly, they contributed to this:

- lack of tradition of participation in political practices based on the personal choice of the citizen;
- lack of civic attitudes, desire to participate in politics;
- disappointment of citizens when their active political actions did not lead to the expected consequences.

As such, the role of democratic procedures of political participation and elections is hindered. Indeed, in the conditions of entrenched authoritarian methods of governance, the latter serves only as a facade of formal democracy. There is a tendency of citizens to non-conventional forms of political participation. In the examples of Estonia, France, Germany, the Netherlands, Scotland, and Spain, digital participation initiatives that have been institutionalized in public administrations can be considered effective technologies of political participation. And although the adoption of a digital decision does not cause changes in the policy-making process, the institutionalization of digital participation has become an effective means of involving citizens in political processes (Randma-Liiv, 2022).

Overcoming political indifference today can be solved through the introduction of new virtual forms of political activity and modification of the electoral process through “*political actionism*,” that is, the use of imaginative and emotionally saturated technologies. For example, *astroturfing* is a

technology of easy formation and manipulation of public opinion. Online discussions, political debates, and the deliberate spread of hashtags in social networks are attributes of modern election campaigns. Mainstream “trollfaces” and Internet memes about politicians have also become popular (phrases or information that at first glance do not carry any semantic load, but quickly gain popularity in the network and because of their primitiveness become common). The informal institution of “mediaocracy” establishes links between the political establishment and the citizen. The institute of “mediocracy” consists of “special” technologies of secret manipulation of public consciousness to create quasi-principles of an imaginary democratic society and increase the political activity of citizens, at least participation in elections. Therefore, it is no coincidence that there is a need to attract analysts, experts, commentators, repeaters, propagandists, technologists, and manipulators responsible for maintaining communication between politicians and voters (Strelkov, 2021).

Finally, there are ideological reasons for the predominantly informal institutionalization, namely the reluctance of citizens and representatives of the political elite to act under new democratic norms. It is much easier to use the already familiar authoritarian methods of interaction. Exploring the reasons for the prevalence of authoritarian informal institutionalization, it is worth pointing out the rather low level of citizens’ awareness of the content of political reforms and support for political institutions. Thus, 49% of Ukrainian citizens have never read the Basic Law, and 47% – know nothing and have not heard anything about the planned changes in the constitutional structure of the state (Citizens’ awareness of the constitutional system, 2014). In addition, the contradiction of formal and informal institutions is indicated by the growth of conflict potential in society, since in a general sense it is a confrontation between old and new values, a significant difference between formally proclaimed rights and the available opportunities for their implementation.

The facts of the prevalence of authoritarian informal institutionalization, which contradicts the principles and contributes to the ineffectiveness of democratic institutions, include the lack of a stable majority in the parliament, constant changes in the structure of the ruling coalition, electoral legislation, ineffective party structuring, which results in changes in the names of parties, but not in the quality of their composition. Thus, the status of the Verkhovna Rada of Ukraine has repeatedly changed in search of the optimal model of representation of interests because of constitutional reforms. There are no isolated cases in the history of Ukraine when the creation of parliamentary coalitions distorted the will of voters, and the coalitions themselves were situational and quickly disintegrated. At the present stage, the Verkhovna Rada also maintains only a situational balance. A striking example of how formal aspects of democracy institutionalization become a screen for informal authoritarian practices is the constitutional process in Ukraine. The issue of constitutional amendments is raised in crisis moments of national history, and changes are made on the wave of popular protests to please public sentiment without considering legal and political expediency. Once again in 2014, amendments to the Constitution of Ukraine became the end of the “Revolution of Dignity.” As aptly put by the authors of the report of the Ilko Kucheriv Democratic Initiatives Foundation: “even though the constitutional reform of 2014 still lacked formal legal legality, it gained a high level of public trust” (Electoral Ratings, 2018).

The discussions on further constitutional reform ended quickly, satisfying the main political actors, but this did not avert the threat of new conflicts between the president, parliament, and government, against which a precedent for further use of constitutional reform for political rhetoric was formed. Another urgent problem of institutionalization in Ukraine is bringing other laws in line with the new Constitution. The current Rules of Procedure of the Verkhovna Rada of Ukraine do not contain any provisions on the formation and functioning of a coalition of parliamentary factions. That is, after the change of the constitutional model of the form of government in Ukraine, there

were no relevant amendments to other laws of Ukraine, including the Rules of Procedure of the Verkhovna Rada of Ukraine ([Law of Ukraine No. 1861-VI, 2010](#)). Elections in Ukraine are constantly held under other legislative norms. This hinders the formation of skills to ensure the voting process and vote counting creates grounds for falsification and discredits the institution of elections in the eyes of the electorate. It is worth citing the data according to which the public demand for new political parties in the parliament was not satisfied. Even though in the parliamentary elections of 2014 only “Batkivshchyna” remained from the old parties, according to the estimates of the public movement “Chesno” after the elections the personal composition of the Verkhovna Rada was renewed by only 56%. That is, the parties change their names, slogans, and programs, but the structure of the parliament remains dependent on the conjunctural agreements in the parliament. Therefore, the party does not fulfill its function of representing interests and loses support from citizens ([Yakovlev and Garan, 2015](#)).

According to opinion polls conducted by the Razumkov Centre in October-November 2020, only 2.2% of citizens felt trust in political parties, 12.5% rather trust, and 73.2% do not trust at all. In contrast to the low quality of political parties, their number is constantly growing. Paradoxically, the level of distrust in such institutions was the highest in the years when their largest number was registered. Since Ukrainian political parties do not perform the expected function of articulating the interests of society, there is no permanent connection between society and the state ([Citizens’ assessment of government activity, 2020](#)). It is significant that in the presidential and parliamentary elections of 2019, as a result of a surge in populism and due to public distrust in the government, which reached its maximum level, voters voted for the anti-systemic presidential candidate V. Zelenskyy and the new party “Servant of the People” created by him. Undoubtedly, such an electoral revolution testifies to the emergence of a new trend – the use of conventional methods to solve urgent problems (after all, almost 75% of citizens voted for a charismatic, previously unrelated political candidate, rather than the well-known former president P. Poroshenko, discredited by corruption scandals at the end of his presidential term. Before that, similar problems were usually solved unconventionally – with the help of “Maidans,” which further demonstrates the distrust and unsuitability of democratic instruments ([Zelenko, 2021](#)).

Discussion

Analysis of scientific works of recent years has shown increased attention of authors to various manifestations of informal institutionalization in political regimes of individual states and international politics. Although this study has a rather limited scope – it focuses on the identification of technologies of interaction between informal institutionalization and democratization of modern Ukraine, broader aspects of the general problem of informal political governance also deserve attention. Thus, [Westerwinter et al. \(2021\)](#) consider informal institutionalization in a strategic context. The authors argue that informal governance is a kind of strategy that states choose for various reasons:

- sometimes considering informal forms of governance as the best way to structure specific interactions and solve specific problems, which allows them to achieve different substantive, political, or organizational goals;
- in other cases, the strategic choice of informal governance is driven by specific constraints and opportunities that determine the costs and benefits that can be derived from available institutional models.

For this study, the author's conclusion is that the secrecy and opacity of informal governance are attractive to governments in democracies, especially when the political process is dominated by strong domestic actors with veto power or political advantages that do not always correspond to the legitimate goals of political governance, may be useful. The results of this study indicated that informal institutionalization as a political process has its positive and negative sides. Exploring the positive and negative features of informality R. Youngs et al. (2022), focus on the question of whether it is possible to combine formal and informal institutions while maintaining the integrity and comparative advantages of each form. From the empirical examples studied by the authors, it follows that informal institutionalization is not so significantly different from formal institutionalization, but rather coincides with or complements it. Informality is a kind of "halo" that surrounds formal political institutions and civil society. Informality consists of a set of practices and dispositions that are not intended to replace formal institutions, but rather to extend their legal content or compete with them in terms of boundaries. This means that many of the disadvantages of informality can be addressed without necessarily moving to formalization. And, in turn, formal institutions can adopt many of the practices of informality, including greater participation in decision-making, greater transparency about funding, and less centralization (of course, such steps would require political leaders at the top of the institutional hierarchy to give up some of their benefits).

It is rightly emphasized that in a situation of unforced, evolutionary formation of formal and informal institutions, their influence on the course of democratization is often complementary. This can be seen in the comparison of "old" and "new" democracies. Informal rules in "old" democracies determine the consequences of the work of formal institutions, in the following areas: the legislative process, the creation of political parties, the state structure, and construction. Informal practices that may hinder positive conflict management (whether corruption or administrative pressure on political actors, as well as lobbying) are limited. Formal rules act as a fixation of a stable core of the way of life, and informal rules are its changing periphery. Informal rules are used to resolve issues on which there is no consensus yet. Therefore, the coexistence of formal and informal governance institutions is considered effective. The situation is different with "new" democracies, which are often "defective." During the transformation of formal institutions, the gap between them and informal institutions often grows. This can also lead to the fact that informal rules become so widespread that they completely devalue and make the functioning of formal institutions meaningless. The basis of the institutional structure of the democratic systems of these states is various external forms of control of the population over the representatives of the authorities, elections, and control of the legislative branch over the executive, referendums, etc. This is an example of a culture of democracy formed independently of externally imposed formal rules and procedures (Lauth, 2004).

Worthy of attention is the scientific point of view that the process of institutionalization in post-Soviet countries should be preceded by a stage of deinstitutionalization when old post-communist institutions are transformed into new ones, and the destruction of traditional institutional foundations in all cases proceeds radically and is accompanied by social crises and instability. Instead, the process of deinstitutionalization in the Ukrainian reality has led to quite different results. It has not led to any of the possible consequences – neither to social and political chaos nor to social instability. In addition, there was no deterioration of social or interethnic relations, and the deterioration of the socioeconomic situation did not affect social intolerance and intolerance. And although during the years of Ukraine's independence two revolutions took place in the country, constitutional, administrative, and anti-corruption reforms were carried out, the form of government changed, and most of the old institutions continue to function illegally in the new conditions. As a

result of deinstitutionalization, such institutions were not transformed into new ones or replaced by completely different ones, as expected, they retained their importance, but only went “into the shadows” and continued to exist as informal political institutions (Rusynyak, 2017).

One of the main characteristics that define most informal political institutions is their resilience to change and great adaptive potential for “survival” and stability. Of course, there are changes and dynamics in the work and definition of informal political institutions, but their pace is slow and characterized by gradualism. Informal political institutional changes depend on the evolution of social values. And since the system of social or socio-political values changes very slowly and gradually, the corresponding informal institutional changes in politics are also slow. If we talk about impulses to change informal political institutions, they have several sources. First, an important source of change is direct changes in formal political institutions, which manifest themselves in two dimensions: as changes in the structure and changes in the efficiency of formal institutions.

As a result of changes in the structure of formal political institutions, the functional need for additional informal political rules that complemented formal norms may be eliminated, which inevitably leads either to the abandonment of these informal political institutions or to their transformation. If we talk about changes in the strength or effectiveness of formal political institutions, then in the case of these changes, modifications occur primarily for those political actors who use informal political or political-legal norms that compete with formal political norms. This is because changes in the effectiveness of formal political institutions also affect changes in the authority of formal political and political-legal rules and norms. Indeed, in conditions of effective formal norms, political actors increasingly abandon such informal political norms, which again leads to either adaptation or disappearance of such informal political institutions (Moszczyńska, 2021).

V.A. Haponenko (2019) also supports the thesis that informal institutions can positively influence the democratization process in transitional political systems. According to the scientist, “informal institutions such as coalition presidential or civil disobedience can improve the quality of democracy, acting as a functional equivalent for formal channels of political participation.” Informal institutions have their advantages, including, for example, the absence of coercion in the regulation of social relations, and the natural nature of their formation. These features make it possible for informal institutions to play the role of a mechanism that can overcome the inefficiency of formal institutions in the state, prevent normative inflation, and prevent the deficit of national values. Under certain circumstances, the existence of informal rules is objectively necessary since legal norms cannot always cover all possible variants of social and political practice. Therefore, it is often informal institutions that underlie democratic transformations and act as prerequisites for progressive actions to change official institutions. The new institutional environment depends on the integration and flexibility of formal institutions that are not yet fully formed. The process of overcoming informal political practices directly depends on the implementation of formal political institutions. Until the latter has “sufficient flexibility and the necessary stability to fully take their place and function effectively, the role of informal institutions will grow.”

A.N. Yuldashev (2022) believes that to increase the efficiency of formal political institutions, firstly, legal and organizational capabilities are necessary, and secondly, the presence of political situation and initiative. A certain part of the elite, naturally, is interested in preserving informal political institutions, rules, and procedures, while some representatives of the society are interested in strengthening the activity of formal political institutions, increasing their role and influence in society. Integration of formal political institutions into political processes and quick access to the political system serve to accelerate the development of society and increase the level of political awareness of society members. This can be done not only with the help of power resources of the

state authorities but also by ensuring the active participation of society in political processes, raising the political culture of the population, raising political and legal awareness, and strengthening the activities of political institutions. Both society and the state will benefit from this.

In turn, W. Veenendaal (2020) is convinced that the existence of informal institutions in the political systems of different countries can have opposite consequences for the democratization process. For example, the growth of polarization and populism in the USA can have a devastating impact on American democracy, potentially paving the way for authoritarian leadership. In contrast, in small states, which are characterized by personalization, polarization, and partisan leadership, democratic regimes continue to function, even if the day-to-day political dynamics may be quite far from democratic standards. In this sense, the experience of small states suggests that institutional erosion and personalization do not always translate into authoritarian policies, but may only indicate a transition to an alternative, albeit non-standard type of democracy. In addition, this system in the case of small states can be assessed as extremely stable and resilient, even in the absence of strong formal institutions. Addressing the above-mentioned, it can be added that the establishment of the anti-democratic nature of informal institutionalization in Ukraine has consistently occurred under the influence of the following chain of interrelated factors:

- historically, the state government and political system of Ukraine were not based on the achievements of the culture of democracy, but on the foundations of authoritarian practices;
- after gaining independence, there was no sufficient re-institutionalization of formal institutions in the state, as a result of which the old and new formal institutions do not enjoy the support of the population;
- if the formal component of institutionalization is weak, the informal component can only be destructive: in Ukraine, strong informal political practices compete with weak formal institutions – ineffective legislation, ineffective electoral process, and illegitimate political orders.

Under these circumstances, isolated manifestations of civil disobedience, as well as unsystematic attempts to formalize informal practices have not had and will not have an obvious result. Therefore, only gradual, and balanced steps towards the comprehensive implementation of the political technologies identified in the study will contribute to the positive interaction of formal and informal institutionalization of modern Ukraine and its further democratic development.

Conclusions

The study found that the political regime of modern Ukraine is in a state of transition and is characterized by hybridity and a dual institutionalization – formal and informal: old authoritarian practices inherited from the post-Soviet past continue to be applied, and new formal institutions are weak and ineffective. Thus, the new legal political institutions of an independent state have not yet gained the sufficient trust of citizens and recognition of politicians, and informal “rules of the game,” despite their illegality, are consciously professed by all political actors: from ordinary citizens to politicians holding senior government positions.

Since, according to the classification given in the article, most of the existing informal institutions are competing and substitutable, that is, destructive, the formation of informal institutionalization in modern Ukraine does not contribute to the processes of its democratization. As it was established, the reasons for this situation are rooted both in its historical past (corruption, lobbying, and political bargaining are considered traditions of the Ukrainian political reality, which were established before

the declaration of independence) and in everyday realities (low level of citizens' trust in the authorities due to the lack of socially useful ideas, the predominance of the interests of specific political elites, the use of non-conventional forms of political participation). In this regard, at the present stage, informal institutions and relations act exclusively against the interests of democratization, which is associated with the weakness of democratic institutions, legislative instability, lack of regulation, and lack of understanding of the essence and value of democracy among most citizens. As was established above, the legalization of informal rules is not always an effective means of overcoming their negative consequences, since such legalization without subsequent legitimization will not contribute to positive democratic development. Therefore, the existing problem can be overcome in the following way:

- bringing legislation in line with the parliamentary-presidential model of governance, stabilization of electoral legislation to ensure the political party nature of the coalition, which would unite ideologically close political forces;
- compliance with the new regulatory order by all subjects of the political system of Ukraine to achieve public interests, not their benefit.

Thus, the main technologies of institutionalization of democracy in modern Ukraine include the creation of party coalitions based on ideological principles, involvement of informal institutions in the governance process, stimulation of conventional forms of civic activity through the introduction of new virtual forms of political activity, information and advocacy campaign to explain the goals and directions of democratic reforms, the value of democracy in general. In a conclusion, it is necessary to create such conditions when the existing informal institutions will start to operate in the legal plane and will use only democratic methods of influence on the government. Given the generalizing and systematic nature of this study, promising areas for further research may be a deeper detailing of individual political technologies and the development of practical action plans for their practical implementation.

The novelty of the study lies in the proposed key technologies for institutionalizing democracy in modern Ukraine, including creating party coalitions based on ideological principles, involving informal institutions in the governance process, stimulating conventional forms of civic activity through the introduction of new virtual forms of political activity, and launching information and advocacy campaigns to explain the goals and directions of democratic reforms, as well as the value of democracy in general. In summary, this study makes a significant contribution to understanding the contemporary political regime of Ukraine, its challenges, and potential pathways for overcoming them, thus promoting democratic development in the country.

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Data Availability

The data that support the findings of this study are available on request from the corresponding author.

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