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## ПРОЦЕСНО-ОРІЄНТОВАНА ВЗАЄМОДІЯ ДЕМОКРАТІЇ В УКРАЇНІ

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## PROCESS-ORIENTED INTERACTIONS OF DEMOCRACY IN UKRAINE

**Анотація.** Стаття являє собою цільовий аналіз прикладів демократії. Недавні дослідження політичних режимів переповнені глибоким розумінням процесів демократизації та де-демократизації. Процеси демократизації чітко визначені навіть у випадках консолідованої демократії, зважаючи на те, що доля нових демократій, що зазнають великих змін, є надзвичайно важливою. Стаття присвячена розвитку політичного режиму в Україні. Методологічний аналіз відношень демократизації та де-демократизації в Україні підкреслює різницю між позитивною неминучістю ліберальної демократії в транзитології та позитивним різноманіттям форм відносин між процесами демократизації та де-демократизації в трансформатології, включаючи несподівані. Увага притягується зрештою до гібридного політичного режиму, що існує в пост-демократичному просторі, внаслідок чого процеси демократизації та де-демократизації як заперечують та замінюють один одного, так і взаємодіють. Дана стаття зазначає, що існуючий політичний режим в Україні слід охарактеризувати за категоріями про-демократичний та пост-демократичний. В цілому, стаття щонайбільш базується на сучасному контексті та правомірності гібридного політичного режиму.

**Ключові слова:** демократія, відносини між демократизацією та де-демократизацією, гібридний політичний режим, внутрішні та зовнішні фактори політичного режиму, пост демократія, Україна.

**Abstract.** This article constitutes a case study of democracy. Recent studies on political regimes are rich in insights into the relationship between processes of democratization and de-democratization. There are clearly identifiable processes of de-democratization even in consolidated democracies, given that a fate of the new democracies, which are facing great challenges, is of high importance. The article is focused on the development of the Ukrainian political regime. A methodological analysis of the relationship between the democratization and de-democratization processes in Ukraine underlines a difference between a positive inevitability of liberal democracy in transitology and a positive diversity of forms of relationship between democratization and de-democratization processes, including unexpected ones, in transformatology. Attention is drawn to a hybrid political regime in the long run that exists in a post-democratic environment, whereby the processes of democratization and de-democratization either

deny and interchange each other or interact. The article argues that the hybrid political regime, existing in Ukraine, should be characterised by categories of pro-democratic post-democracy. In general, the article focuses much on present-day contextuality and appropriateness of a hybrid political regime.

**Key words:** democracy, relationship between democratisation and de-democratisation, hybrid political regime, internal and external factors of political regime, post-democracy, Ukraine.

**Introduction.** Democracy is perhaps a universally recognised ideal to be pursued or, even, a natural and, in a certain sense, an ultimate condition of development for countries. S. Huntington's *democratic waves* have actively been in the forefront of studies on democracy for 30 years now. They claim to answer the question of what is really going on with democracy over the past 50 years. Whilst there were only about a third of states considered democracies in the 1960s and this was called the first wave of democracy, now the focus of discussion is the end of the third wave of democratization. It can be acknowledged that democracy has been an incredible success; nonetheless, the number of democracies stabilised in the first decade of the 21st century. Meanwhile, democracies themselves undergo unexpected changes. The latter are increasingly analysed using a post-democratic approach, from a perspective of the relationship between democratization and de-democratization processes, and involve the discourse of the hybridisation of political regimes.

It is both scientifically and practically important to establish a link of democracy, democratization and de-democratization processes with current trends such as post-democracy and hybrid political regimes, as well as to see not just short-time undemocratic content in the latter. The continuity of the history of democracy should be seen only through the oldest prism of its «inevitability,» but from the perspective of its actual historical effectiveness, too. In particular, this makes sense when transformation and de-democratization processes take place in consolidated democracies. Another topical question arises of whether the countries that call themselves 'new democracies' do not follow the traditional path of 'pure democracy,' where democratic development is undergoing fundamental changes and the 'new democracies' themselves have not become the consolidated democracies for a long time. Neither the separation of the vectors of democratization and de-democratization nor the analysis of their relationship is a scientific innovation. Scientific innovation means a description of the relationship between the above processes, aimed not only to show the outlines of current and future political conjuncture but also to assess the prospects for democracy regarded as the best form of governance to date in those cases when the processes democratization and de-democratization not only change, deny, and eliminate each other, but also when they interact with each other in certain situations and in a certain way, thus, complementing and restraining those extremes that hinder political stability and good governance. So, cases of theoretical modelling and practices of democratization and de-democratization as a one-way process for better political governance are not excluded.

Ukraine, as a focus of analysis of the relationship between democratization and de-democratization processes and a hybrid political regime, is a relevant choice. Ukraine is the right case for further construction and operationalisation of the theoretical model of the relationship between democratization and de-democratization; it might become a tool for analysing the political development of not

only those countries that are now known as ‘gray areas,’ but also those countries that are failing to meet standard regulations for democracy, facing more and more challenges, though, argued to be called ‘consolidated democracies.’

The years 1989-1991 became a turning point for many countries of the Central and Eastern Europe in terms of choosing a historical perspective. As is well known, about a decade later, teleology of democratic transit was substituted by transformatology, which treated the establishment of liberal democracy only as one of the possible alternatives for the development of post-communist and other post-authoritarian countries. The Orange Revolution, which started in Ukraine as late as in 2004, inspired the first pro-democratic and pro-Western processes that began to decline after 2010. The pro-Russian unrest led to the Euromaidan Revolution in 2014. In that sense, pro-Russian and pro-Western political realities came into collision. The revolution became a challenge in political, social, economic, and even military terms. The years 2004 and 2014 marked the aspirations for democratization. The years 2008 to 2010 noted the frustration as democratization processes were not backed by its institutionalisation or restraint of corruption, oligarchisation, and other undemocratic processes. The recent years 2019-2020 also point to the complicated relationship between the democratization and de-democratization processes. So, in today’s Ukraine, like in most other pro-democratic countries of the world, there are both the processes of democracy building and undemocratic processes taking place.

Based on the analysis of the situation in Ukraine, the article presents findings of the research, i.e., verification of the two following statements-hypotheses for the relationship between democratization and de-democratization processes that are relevant in scientific discourse:

1. In Ukraine, the processes of democratization and de-democratization interact not only as the ones denying or eliminating each other, but also as complementing and restraining those extremes that hinder political stability.

2. The relationship between democratization and de-democratization processes in Ukraine is subject to both internal and external factors, the interaction of which generates the peculiarities of post-democracy and hybrid political regime in Ukraine.

**Methodology.** The methodological «triangle» of the research is as follows: 1) the use of scientific discourse of the analysis of the relationship between democratization and de-democratization processes; 2) changes in indices for the political system in Ukraine for 2004–2020 based on The Economist Intelligence Unit (EIU) Democracy Index, Freedom House Index (FHI), and Bertelsmann Stiftung’s Transformation Index (BTI); 3) expert survey (interview) on the topic of relationship between democratization and de-democratization processes in Ukraine.

We have a particular interest in the democracy research strategy proposed by R. Dahl (2015-2014). Herein, we refer mainly to his book *Democracy and Its Critics* (1989). When using R. Dahl’s concept of the limits of democracy, we will find that even so-called stable democracies (according to R. Dahl, *polyarchies*, i.e., real democracies, which are short of democratic ideals) have no chance of escaping de-democratization processes. «We need to understand not only why democracy is desirable but also what its limits and its possibilities are» (Dahl, 1989, p. 2-3). So, further democratization of the real democracy, i.e., polyarchy, is necessary. According to R. Dahl, an undemocratic guardianship regime is a perennial alternative to democracy. We, like R. Dahl, do not divide the world into a priori good

democracies and bad non-democracies — we analyse theories and practices of democracy in the world in which we live now and will live in the foreseeable future. The powers of «good» democracies in introducing democracy in other countries, as R. Dahl suggested, are likely to remain restricted. At the same time, we increasingly gain insight into R. Dahl's arguments that the number of democracies in the world should not change significantly, in particular, when we supplement the insight with C. Tilly's concept of 'long-run trajectories' of democratization and de-democratization.

The topicality of theorising the relationship between democratization and de-democratization originates from the theoretical and empirical-analytical legacy of C. Tilly (1929–2008), mainly from his research work *Democracy* (2007). We draw attention to at least four major aspects of this legacy. First, C. Tilly does not agree that a political regime does not count as a democracy anymore if it lacks at least one of the six institutions named by R. Dahl. According to C. Tilly, this may work for annual count of political regimes, however, «If we want insight into the causes and effects of democratization or de-democratization, we have no choice but to recognize them as continuous processes rather than simple steps across a threshold in one direction or the other» (Tilly, 2007, p. 10). By the way, we borrow the definition of political regime from C. Tilly (2007) and T. Colton (2018)<sup>1</sup>: a political regime is state-society (citizens) relationship, the essence of which is who gets access to the sources of state power and in what way, and how those who use those sources of power treat those who do not have such power. This definition of a political regime is effective in outlining both the differences in its democracy / non-democracy and its hybridity. In addition, a political regime is deemed stable where the state and its citizens negotiate, have a dialogue and advising, and mutual trust prevails. On the contrary, a political regime is unstable (fragile) where the state and the citizens do not negotiate, do not trust each other, or are even in a state of struggle.

Second, C. Tilly defines democracy as «a certain class of relations between states and citizens, and democratization and de-democratization will consist of changes in those sorts of relations, <...> democratization (and of de-democratization as well) center on the state-citizen struggle, <...> regime is democratic to the degree that political relations between the state and its citizens feature broad, equal, protected and mutually binding consultation. Democratization means net movement toward broader, more equal, more protected, and more binding consultation. De-democratization, obviously, then means net movement toward narrower, more unequal, less protected, and less binding consultation» (Tilly, 2007, p. 12, 13–14).

Third, even though C. Tilly conceptually sees the opposition of democratization and de-democratization processes («In a democratic theoretician's ideal world, democratization and dedemocratization would move along the same straight line, but in opposite directions») (2007, p. 161), in reality, however, things are much more complicated («History abhors straight lines»), while irregular trajectories mean the intertwining of multiple democratization and de-democratization processes, with the domination of one achieved only after a continuous effort. Further, C. Tilly (2007, p. 195–196) emphasises «the asymmetrical patterns of support for and involvement in democratization and de-democratization.»

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<sup>1</sup> T. Colton links the origins of his definition of a political regime to a representative review of R. A. Fishman's (1990) studies on political regimes.

Fourth, C. Tilly distinguishes three fundamental processes of democratization and de-democratization: 1. Increase or decrease of integration between interpersonal networks of trust (e.g., kinship, religious membership, and relationships within trades) and public politics; 2. Increase or decrease in the insulation from public politics of the major categorical inequalities (e.g., gender, race, ethnicity, religion, class, caste) around which citizens organize their daily lives; 3. Increase or decrease in the autonomy of major power centers (especially those wielding significant coercive means) such as warlords, patron-client chains, armies, and religious institutions with respect to public politics. We are going to analyse the processes of democratization and de-democratization in Ukraine from the perspective of the above three processes. Before emphasising that the discourse of democracy studies is «richer» in propositions about democratization as inevitable and irreversible process, and that de-democratization is often described as a random and reversible process, in our opinion, we should look at the processes of democratization and de-democratization through the present day's conductors such as political corruption, oligarchisation, growing socio-economic inequality, terrorism, global emergencies (climate change, COVID-19 pandemic), ethnic-cultural tensions caused by the mobility of the world's population, attempts of some democracies to democratise non-democratic countries and, conversely, attempts of some non-democratic countries to obstruct democratization processes in other countries. Looking at the today's world old democracies and new democracies from C. Tilly's point of view, we should acknowledge the stage of de-democratization. Without ruling out such possibility, we should note that two relatively new concepts have recently been competing in the scientific discourse of de-democratization: post-democracy and hybrid political regimes.

We seek a methodological solution with respect to the scientific discourse of a hybrid political regime. V. Laurénas (2018) suggests assessing the diversity of the latter discourse by means of the democratization–de-democratization (D–D) analytical tool and argues that the processes of democratization and de-democratization not only deny each other and, in this sense, follow each other, but they also directly interact, i.e., may complement and restrain each other's extremes that hinder the emergence of a stable political regime in a post-democratic environment. According to V. Laurénas' concept, aimed at the search for a more sustainable political regime, where relations between the state and citizens are free of any struggle, the processes of democratization and de-democratization are too closely linked to the dimensions of one-wayness (parallel) and unidimensionality. We are not completely putting aside V. Laurénas' analytical D–D tool, especially, the segment in which V. Laurénas derives his concept of post-democracy and hybrid political regime from the R. Dahl's (1989) guardianship regime and defines the D–D tool as a condition of a pro-democratic post-democracy and a pro-democratic hybrid political regime. We, however, opt for a methodological approach to analysing the relationship between democratization and de-democratization which is close to C. Tilly. We replace the *integrity* of the processes of democratization and de-democratization, expressed by the abbreviation D–D, with their *totality*, expressed by D&D.

There is an increasing focus on the hybridity of political regimes in scientific discourse. The principal definition of a hybrid political regime is as follows: The regime is hybrid because it combines both democratic (regular and direct elections)

with autocratic (repression against political opponents, opposition constraints, media control) features (Karl, 1995; Diamond, 2002, 2015). The definition of the assumptions, preconditions for existence and scenarios of hybrid regimes provided by L. Diamond should be considered as a reference point. However, according to A. Cassani (2014), M. Mufti (2018), the scientific discourse still has no consensus on the hybrid regime. So, it makes sense to list several categories of a hybrid political regime: weakened democracy; weakened autocracy; a third regime between democracy and autocracy; open autocracy. It is, therefore, necessary to deepen discussions of inadequacy of the definition of a hybrid political regime as a «gray area,» for this purpose, to resort to separate arguments for describing hybrid political regimes as normal, where hybridity is typical not only for separate new democracies, but also increasingly emerges in the 'old,' i.e., consolidated democracies.

Thus, it is important to deconstruct definitions of a hybrid political regime, to analyse the historicity, contextuality, and relevance of this regime. Perhaps the biggest obstacle to doing this is, as L. Diamond (2002) rightly points out, the following dilemma: on the one hand, democracy usually is a measure to outline other political regimes, to formulate their definitions and, on the other hand, there is still a lack of unified understanding what democracy itself means. We also resort to the time-tested insight of J. J. Linz (1973, p. 34): it is not efficient to use categories of democracy for describing hybrid regimes as the differences between democracy and the hybrid political regime are diminished. Moreover, such political regimes need to be distinguished from authoritarian dictatorships. Of course, such types might be supplemented by adjectives 'competitive' or 'electoral' authoritarianism (plg. Collier and Levitsky, 1997). This, however, is not enough to define a hybrid political regime itself. Given the multifaceted nature of this form of governance, we should further classify sub-categories of hybrid governance. Whatsoever, we seek to analyse hybrid political regimes in the context of their appropriateness rather than their *a priori* denial. In the current circumstances of chaotic processes, a hybrid political regime is promising not only because it becomes a counterweight to disorganised democracy, to politics in general and politics — it also properly adapts the performance of democratic institutions through some undemocratic elements. Such a political regime is not a case of lacking representation of political interests or abuse of power but, unlike the so-called «gray area» regimes, it is responsibly developed and legitimate, may help in achieving long-term sustainability of the state-citizen relationship. Of course, this is just a theoretical vision. It does not mean at all that the type of hybrid political regime so defined is numerous — on the contrary, there are only a few regimes retaining such unique features. For instance, we can mention Poland or Hungary. So, an effective functioning of a hybrid political regime is not a matter of course.

A key element of the methodology is the application of post-democratic approach. Post-democratic theorists emphasise the increasing gap between the state (ruling elites) and society (citizens), where the usual political participation of citizens is diminished and the ruling elites are willing to govern in the same democratic way as the mass participation of citizens in politics (Crouch, 2004, 2011; Rancière, 2007). It is just a matter of time before a large-scale social conflict escalates into an outbreak of violence. (Polokhalo, 1997). The biggest obstacle to Ukraine's faster democratization and economic transformation had been and still is an overly established nomenclature, which

has accumulated vast economic resources in hand of a few big capitals as a result of to economic and political paralysis in the first five years of independence. (Polokhalo, 1997). The further evolution of political, economic, and social events in Ukraine can be argued to have greatly revealed the correct forecasts of such processes. According to J. Matsievski, neither of the quantitative changes of political organisations, that took place in 1991 and 2005, turned into qualitative change, i.e., transformations into the national elite (Matsievski, 2016). The nomenclature itself treated the processes of the country's independence as a chance to concentrate even more power and capital in its hand, at the same time, combining these steps with the prevailing need for social and economic security in society.

Post-democracy is not just a demonstration of power and role of elites — it is also a gap between governors and citizens, at the heart of which is growing social inequality. The simplest definition of the elite presupposes that they are narrow groups of society that control the resources of power, such as workforce, decision-making, military resources, etc. The rest of the society, which are outstandingly larger, are those controlled who have no power to influence the people around them, and whose social status is much lower. The existence of a gap between the state and society is evidenced by massive protest movements, unconventional political participation in general. Post-democracy also exists in the elections of authoritarian political leaders in democracies (plg. Levitsky and Ziblatt, 2018). We mostly refer to the statement by K. Šerpetis (2009) that post-democracy is an opposition to adverse cases of liberal democracy. At the same time, we supplement this statement: post-democracy is not only a post-democratic but a pre-democratic political regime, too.

Post-democracy is considered a historical case of de-democratization, which, however, is temporary and eventually replaced by democratization or coming across and coexisting with democratization for a long time. It is commonly believed that populism is a sign of de-democratization. However, keeping in mind that neo-democracy as, among other things, democracy may coexist with unconventional and spontaneous participation, even with right-wing populism, without linking it to radicalism or extremism, K. von Beyme's (2013; 2018) argument that democratization and de-democratization are phases in relations between the state and citizens is subject to additional verification. Observations on the ending of post-democracy associated with the rise of unconventional protest movements are valuable, as well (Miller, 2020). According to the Freedom House and The Economist (2019) indices, an overall political activity of citizens is increasing. At the same time, a mass emergence of protest movements was classified as exceptionally populist too hastily. However, as noted by Guy Peters and J. Pierre (2020), though the wave of populism remains sound in today's politics, actual dominant positions are occupied by a small number of politicians or political forces who are advocating populist ideas. A protest is becoming a key tool for changing the policy agenda, which the authorities do not grant access to as a platform for policy change. All of this is more similar to what we have called the D-D and D&D processes and relate to the foundation of a hybrid political regime.

The scientific challenge is that more and more political systems are gaining signs of hybridity. As the scope of decision-making and accountability decreases in society, the processes of de-democratization naturalise in a certain way, rather than just hinder democratization processes or deny democracy at all. This assumption stems from the

evolution in the state of democracy as of the first decades of the 21st century, as well as from the interaction between democratization and de-democratization, i.e., the reverse process. Namely, the latter concept of interaction is lacking in the scientific discourse of democracy studies. So the fundamental question is whether do democratization and de-democratization deny each other and coexist temporarily or does their relationship suggest a new political regime — hybrid and long-term?

It is time to emphasise that the article is based on the works of Ukrainian scholars. Publications by V. Lebediuk (2018), Razumkov Centre (2020), J. Matsievski (2016), V. Polokhalo (1997) present not only data of public surveys in Ukraine, but also the range of political preferences, by linking it with the sensitivity of the political regime in the context of external and internal political, social, and economic events. The publications of the English scholar T. Kuzio (1998, 2005) who originally hails from Ukraine, have also been used. The works focus on the transition of Ukraine from the Soviet, communist state towards a democratic system, as well as the typology of political regimes in Ukraine.

A range of scientific and expert publications on the analysis of democratization and de-democratization processes in Ukraine is growing. Reports by L. Lindegaard, N. Webster (2018), Carnegie Endowment for International Peace (Jarábik, De Waal, 2018) in *Ukraine Reform Monitor*, Transparency International (2017, 2018, 2020), Fragile States Index, Ukraine (2020) analyse the trajectory of political reforms in Ukraine after the Euromaidan Revolution and the decentralization as one of the key vectors of democratization in the context of reforms.

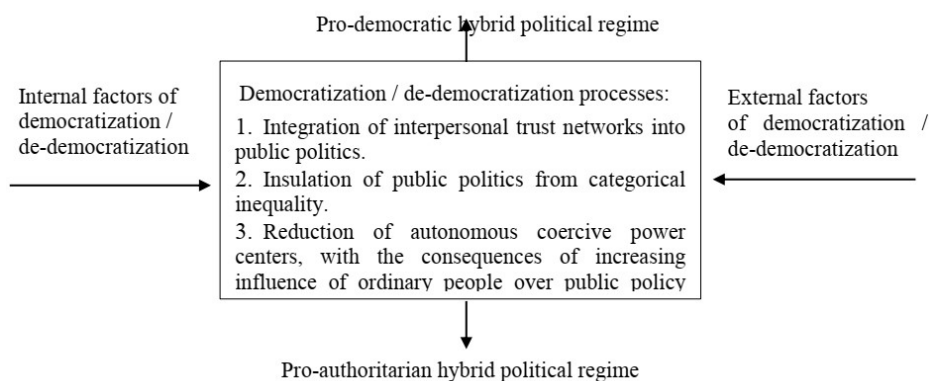
**Empirical data.** Regarding empirical data on democratization and de-democratization processes in Ukraine, the Economist Intelligence Unit (EIU), Freedom House (FHI), and Bertelsmann Stiftung Transformation Index (BTI) were consulted for assessing the development of democracy in Ukraine. Opinions on the development of democracy in Ukraine of experts from the above institutions have also been used. Another source of empirical data has been a semi-structured expert survey. Nine Ukrainian political development experts were interviewed, six of them from Ukraine and three — from Lithuania. The study was aimed to interview Ukrainian experts with residences in different regions of the country. This enables a more detailed analytical section of the above processes. Some experts from Lithuania were questioned in order to compare expert opinions and have a more diverse analytical approach.

The research questionnaire, used to construct a semi-structured interview, was formulated and presented nineteen questions, by dividing them into three groups: the nature of interaction of democratization and de-democratization in Ukraine, internal factors of D&D processes, and external factors of D&D processes. This structure of expert interview makes it possible to characterise perhaps the most affecting aspects of the political development of Ukraine of the 21st century. This allows for a more reasonable analysis on development of democracy in Ukraine, as well as observation that although Ukraine is formally recognised as a country positioning the features of democracy, in reality, democracy in it often faces existential challenges. Four stages of Ukraine's political development have been identified: the years 2004 — 2008 — 2014—2019. In collaboration with the experts, it has been acknowledged that this division into periods is not complete, but rather analytical and depends on the opinion of the experts themselves.



Expert opinion (not always with sufficient data for summarising it) is particularly sensitive and operative, interpreted in the context of both the scientific discourse of democratization and de-democratization in Ukraine and the sequences of indices of Ukrainian democracy (de-democratization). The aim is to identify those statements and data, to agree upon reliability of some of them and to disagree and discuss reliability of other ones.

Finally, we present a schematic diagram of the study:



### **1. Internal and external factors of democratization and de-democratization in Ukraine**

D&D processes in Ukraine are significantly determined both by internal and external factors. Therefore, a better knowledge of peculiarities of the relationship between democratization and de-democratization processes in Ukraine requires analysis of D&D internal and external factors in a complex way, integrally. Among internal D&D factors, there are the following: the form of state governance, institutionalisation of democracy, oligarchisation and corruption, civil society, pro-Russian and partly pro-Soviet-union forces, nationalism, post-communist socio-economic transformation. External factors include the configuration of Russian, US, and EU influences. In Ukraine, the sum of such factors creates a situation of a hybrid political regime.

In the annual issue of *Nations in Transit* published by FHI in 2021, Ukraine's Democracy Score in the seven-point rating declined from 3.39 to 3.36 due to court rulings that suspended laws necessary for reforms, discredited progressive public officials, and overturned corruption verdicts; additionally, a constitutional crisis was caused by the judges of the Constitutional Court, who abolished asset declarations of public officials while acting with conflicts of interest.<sup>2</sup>

We can also suggest that Ukraine is surrounded by either authoritarian or under-democratic regimes. Belarus (7 points in 2020, 5 points in 2021) and Russia (7 points in 2020, 7 points in 2021) have consolidated authoritarian regimes. Poland (65 points

<sup>2</sup> Nations in Transit (2021). Freedom House. Source: <https://freedomhouse.org/country/ukraine/nations-transit/2021>

in 2020, 60 points in 2021) and Romania (57 points in 2020, 57 points in 2021) have non-consolidated democracies; Hungary (49 points in 2020, 45 points in 2021) and Moldova (35 points in 2020, 35 points in 2021), according to the FHI, have hybrid political regimes.

Meanwhile, only the Baltic countries, i.e., Lithuania (77 points in 2020, 78 points in 2021), Latvia (80 points in 2020, 80 points in 2021), and Estonia (85 points in 2020, 84 points in 2021) are a part of the group of consolidated democracies.

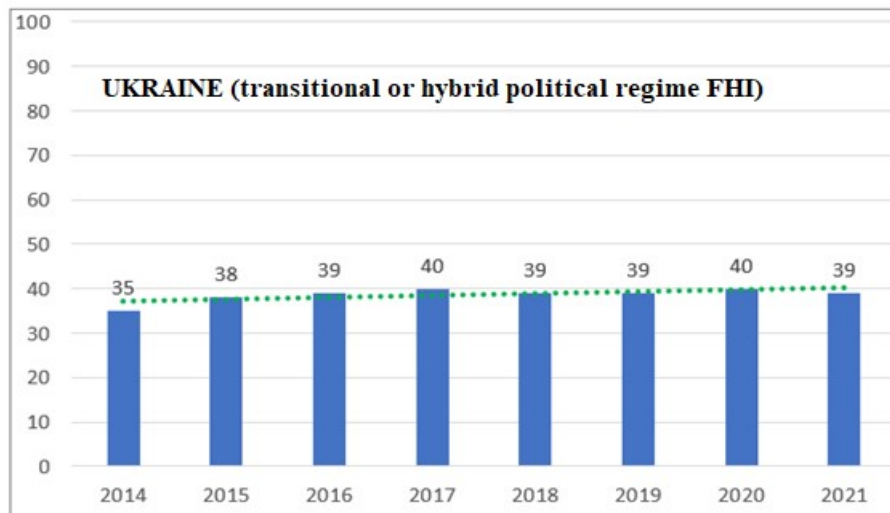


Fig. 1. Changes in the Ukrainian Democracy Index

Source: Freedom House (2021)

In 2020, the Bartelsmann Foundation reports as follows, «Ukraine continued to struggle to achieve reform and exercise international influence.»<sup>3</sup> The post-Euromaidan period marks a two-power struggle for influence in the country. We can classify these forces into those who want to «overload» the country's political system and those who want to retain their old influence.

The BTI, which analyses and assesses whether and how developing and transition countries are focusing social change towards democracy and the market economy, sees Ukraine (Figure 2) as strongly opposed to democratic reforms and not harnessing its international potential.<sup>4</sup> Within the country, all influential political actors formally and rhetorically accept democratic institutions. No political force claims that democracy is alien to Ukraine or that it has been imposed from outside. However, in practice there is a temptation to misuse and abuse political power and therefore to undermine democratic principles. In this context, in the period from the Orange Revolution, during the presidency of Viktor Yushchenko, up to 2010, when Viktor Yanukovych became president, the BTI index with regard to Ukraine was stable. Viktor Yanukovych's policy of maneuvering between East and West was associated

<sup>3</sup> Ukraine Country Report 2020. Bartelsmann Stiftung. Source: <https://www.bti-project.org/en/reports/country-report-UKR.html>

<sup>4</sup> Ukraine Country Report 2020. Bartelsmann Stiftung. Source: <https://www.bti-project.org/en/reports/country-report-UKR.html>

with greater centralisation of power, de-democratization. Only Euromaidan protests, as a response to this policy, became a turning point in the fall of the index. Although the positions of this index increase, it still cannot reach the level of 2006 or 2008. To summarise, the index can be argued to show a limited situation of democracy, whereby the gap between official and actually functioning democracy remains quite large.

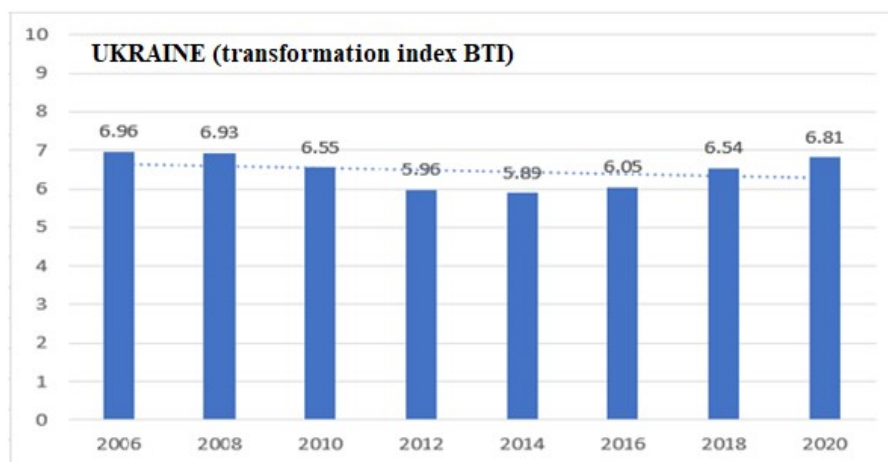


Fig. 2. Ukraine Transformation Index (Democracy and Market)

Source: Bartelsmann Stiftung (2020)

Political pluralism is an integral factor in the state of democracy, which relies on the above-mentioned indices. A number of vectors characterize the essence of pluralism. First, power, in the case of pluralism, should be dominated by several groups rather than single large elite. Second, those groups are politically independent, autonomous, and their operating principles should not depend on permits of higher authorities, but only on their own capability to mobilise political resources. Third, the more open politics is to citizens, the more democratic it is.

Most of the experts interviewed refer to post-communist Ukraine, which means that «the difficult process of transition to democracy continues.» None of the experts state Ukraine's post-communist state means a consolidation of democracy and «the end of post-communist transformation, where Ukraine no longer has anything to do with the Soviet or autocratic past.» Nevertheless, some experts describe Ukraine's post-communist transformation as a «frozen transition,» state its prospects are unclear, and likely mean the undemocratic perspective of Ukraine.

The distribution of expert opinions on the D&D process relationship, which is especially important to us, allows formulating intermediate generalisations. Some experts consider the reciprocity of the D&D relationship, whereby democratization and de-democratization processes complement each other and restrain those extremes that hinder political stability and good governance. It should be noted that all experts from Lithuania keep to the latter position. At the same time, opinions of experts from Ukraine differed, and part of them failed to formulate any clear answer to the

question. The traditional attitude to the D-D relationship, to democratization and de-democratization understood as mutually denying or eliminating processes, is followed by only a third of experts; all of them from Ukraine. It is also important to mention the prevailing opinion among experts is that the relationship of D-D processes in Ukraine is subject to both internal and external factors, as well as on the geopolitical situation in general.

When asked about political pluralism in Ukraine, five experts stressed the answer ‘partly,’ two — ‘yes.’ According to V. Lebediuk (2018), political pluralism formally exists in Ukraine, however, political competition which political pluralism is founded on, is restrained.

Expert	D&D processes interact^		The relationship between D&D processes in Ukraine is subject to both internal and external factors	Is Ukraine a democratic country & What the form of state governance?	Are only democratic processes typical for the country's political transformation	The degree of democracy in the ongoing political processes in Ukraine
	As denying and eliminating each other	As complementing and restraining those extremes that hinder political stability and good governance	Yes — X No — 0 P — presidentialism P – P — parliamentary republic PA — prone to autocracy			1 — low 5 — high
E1 UKR	X	—	X	Partly/P	0	2
E2 UKR	—		0	X/P – P	0	2
E3 UKR	—	X	X	0 / PP	0	3
E4 UKR	—	—	X	X / P – P	0	4
E5 UKR	X	—	X	Partly	0	3
E6 UKR	X	—	0	0 / PA	0	1
E7 LTU	—	X	X	Partly/P	0	3
E8 LTU	—	X	X	X/P – P	0	3
E9 LTU		X	X	Partly/P – P	0	3

Fig. 3. Data from an expert survey conducted as part of the research

Source: Compiled by the author

In essence, political pluralism is not unlimited, as the «revolution of dignity» and Russian aggression in Eastern Ukraine induced the need for pro-European forces (Lebediuk (2018)). Nevertheless, the range of parties in the country is quite large,

which implies the emergence of new parties and groups depending on the tendencies prevailing in the political space at that time. In this sense, there is no institutionalisation of the party system in Ukraine, and the institutionalisation itself as a phenomenon is not new — it is rather constant, complicated, and accompanied by de-democratising vectors, such as corruption, nepotism, oligarchisation, lack of accountability and so on. According to C. Tilly (2007), de-democratization manifests itself in the growth of critical inequalities and in the emergence of centers of power that do not comply with public policy. We can state that where party system is stable, it is institutionalised. Such processes mean the opportunity for better public policy, less populism.

In Ukraine, the institutionalisation of the democratic features is best reflected in structural transformations. In particular, this decentralisation reform has assigned a significant part of rights and freedoms to regional and local elites. In this case, however, it is mostly representative democracy that is discussed, with less emphasis on direct or participatory democracy.

Second, regional differences and a fragmented identity prevent the formation of solid elite, though, the latter is a key factor in consolidating any type of regime. Unlike neighbouring countries, the Ukrainian elite inherited a fragmented pattern, thus, making the smooth establishment of democratic values unlikely. As long as various elite groups compete for influence (and revenues), none of them can monopolise power. Besides, the institutionalised monopoly of power is hampered by weak political parties and limited repressive capabilities of the state.

Third, the enhancement of relations between Ukraine and the West (through the EU-Ukraine Association Agreement, visa-free regime) and the growing dependence on Western financial and security support have forced the Ukrainian elite to adopt new anti-corruption legislation and establish new institutions. The effect of institutional pressure is not immediately palpable as regard to Western countries. On the contrary, even a small progress means additional investment in building democracy in Ukraine. The absence of a charismatic leader, the prevailing pro-democratic mood in society, and the three waves of anti-authoritarian regime prevent the development of de-democratization processes. Nevertheless, part of the long-awaited democratic processes were inspired by the historicity itself that hindered any appreciable democratic experience, the subsequent political isolation, economic turmoil, and socio-demographic difficulties within the country (Kuzio, 1998).

According to R. N. Stone, since the Euromaidan protests of 2013-2014, Ukrainian civil society has faced significant positive and negative changes in its operating environment. Among the positive developments is an increase of active citizenship and entry of many new actors into civil society. The armed conflict in eastern Ukraine was a strong impetus for many Ukrainians to volunteer, donate to charity, and support the army and conflict-affected population. The state, with the entry of many new members of parliament and government officials, has reached out to civil society for assistance in reforms. At the same time, increasing political competition and the entry of some civil society leaders into politics created more tension between civil society and the state. (Stone, 2021).

According to the Razumkov Centre and the Foundation for Democratic Initiatives, one of three Ukrainians (32.8 %) argue they regularly participate in the life of their community, while a slightly smaller proportion of citizens (16.9 %) participate in the

activities of public organisations. The majority of respondents (63.5 %) are not ready to sacrifice freedom for greater security and prosperity. 47.8 percent of respondents also argued that the state must assume responsibility for the well-being of everyone; 30.0 percent accept that they are responsible for their own well-being. 63.3 percent advocated for Ukraine's accession to the European Union, 49.8 % — for Ukraine's accession to NATO.<sup>5,6</sup> The results of the survey show an interesting situation where 62 percent of Ukrainians are not happy with the development of democracy in the country; however, about 60 percent believe that a «Strong Man» will bring order to the country. Such an ambivalent attitude as regards democracy is quite common in countries of the post-Soviet-Eastern Bloc, when the society wants a democracy that would allow the direct election of as many representatives as possible. In addition, according to C. Tilly (2003), those societies where involvement in public policy is encouraged, have categorical inequality or de-democratization are in a steadily declining position. In this sense, it is important to overview the degree of freedom of expression, assembly and press in Ukraine and whether it is not restricted.

Further, the survey has revealed that respondents almost unanimously agree that restrictions on freedom of expression are on the rise in Ukraine. According to experts of the Ukrainian Institute of Mass Information, the number of violations of freedom of expression is growing.<sup>7</sup> The key categories of violations of freedom of expression: obstruction of legitimate journalistic activities, threats, battery. According to the monitoring data of the Institute, the number of cases of reinforcing of censorship for media owners has increased.

On the other hand, though the restriction of freedom of expression is fundamentally inconsistent with major principles of democracy, it is not inseparable from the phenomenon of nationalism, which, on the contrary, may influence the institutionalisation of democracy. According to E. Yazici (2019), nationalism itself is not in conflict with freedom of ex or assembly, however, for state security or national unity, freedom of speech may be temporarily suspended. Principally, as N. Statkus (2003, p. 23) argues, nationalism is worth to be defined as an ideal or ideology whereby ethnic and political boundaries match, an ethnically homogeneous state is the best form of political structure, and a nation is a politically organised ethnic group, seeking to gain or maintain political autonomy or independent statehood.

The experts involved in the study (Fedorenko, Rybiy, Umland, 2016) argue that nationalism in Ukraine indeed has an influence on the (non)institutionalisation of democracy to some extent. The Orange Revolution was followed by an ideological split in Ukraine. Competition between opposing groups emerged on the following issues: a) pro-presidential or pro-parliamentary position; (b) pro-Europeanism or pro-Russianism, (c) ethnonationalism or neo-Sovietism. In addition, fragmentation into electoral macro-regions in the south-east and north-west stabilised. The ideological feature of this phase is passing through the division of the electorate into East and

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<sup>5</sup> Рівень підтримки громадянами вступу України до ЄС та НАТО (січень 2020р. соціологія). Разумков Центр. Source: <http://razumkov.org.ua/napriamky/sotsiologichni-doslidzhennia/riven-pidtrymky-gromadianamy-vstupu-ukrainy-do-yes-ta-nato-sichen-2020r>

<sup>6</sup> Українці залучені до громадської діяльності, але уникають активної участі. Фонд Демократичні Ініціативи імені Ілька Кучеріва. Source: <https://dif.org.ua/article/ukraintsi-zalucheni-do-gromadskoi-diyalnosti-ale-unikayut-aktivnoi-uchasti>

<sup>7</sup> Source: <https://imi.org.ua/monitorings/barometr-svobody-slova>

West. This was observed in 2014 and proved true in 2019. Ukraine's electoral ecosystem changed with the loss of voters in Crimea, some of them in Donetsk and war-affected voters in the southeast. At the same time, nationalist groups took over control of official politics of memory and educational institutions and, thus, gained the opportunity to «push up» their agenda (Kasyanov, 2018). At present, Ukrainian democracy is a hostage to unfinished war and poverty. The future of political and civil liberties depends on how quickly and fairly peace is regained, on how soon national reconciliation begins, and how quickly households in Ukraine are able to live better. Achievement of the above three key objectives will enable the sustainable and continuous development of democracy.

Efforts to establish institutions to restrict and destroy oligarchic clan rule were deemed as one of the dichotomies of changes to the Ukrainian Constitution. It is in the national media discourse that focuses much on oligarchs and their influence on the country's life. Ukraine underwent many conspiracies among politicians or between politicians and oligarchs, however, this was not to be the case of «going by the rules.» In the meantime, oligarchic conspiracies explain the results of practically all Ukrainian presidential elections, including Zelensky's victory in 2019. The oligarchic consensus in this case presupposes a conspiracy in sharing power, specifically, in electing another heir, successor. The heir elected through such a conspiracy together becomes a hostage to oligarchs, thus, allegedly explaining his/her freedom of choice in the fight against corruption and the inconsistency in implementing reforms. In fact, there has been no consensus among oligarchs / elites in Ukraine yet, neither is it expected in the near future. Ukrainian politics fluctuates between forced compromises, i.e., where the elite majority temporarily recognises the key player's right to power and where «everyone's struggle against everyone» exists. As long as the subject of the struggle is the allocation of wealth instead of the principles and rules of interaction and cooperation, any stable compromise (elite consensus) will be principally impossible. This is why oligarchic competition is a strong feature of Ukrainian politics (unlike in Russia or Belarus, where the competition is considerably restricted and takes place for the devotion of the country's patron rather than for wealth). This is true as regards all the presidents, starting with Leonid Kuchma, and there is no indication that things with Zelensky will be different. Potential flaw is that the internal struggle among those oligarchs weakens the state. The good thing, however, is that oligarchic competition allows for a change of power and prevents the transition towards autocracy.

Politicians attempt to take advantage of this situation, which is a kind of fertile ground for manipulation on their agenda. In 2014-2017, civil society changed certain public functions. In particular, this was evident when the volunteer movement grew and the Ukrainian army in eastern Ukraine gained support. On top, many representatives of civil society were admitted to government authorities. All this, however, was fragmented and their effect was not institutionalised. There remains a high level of mistrust in political institutions in Ukraine.

The key external factor for Ukraine's D-D is the configuration of Russian, US, and EU influences, namely, configuration. There are well-known cases where, after the Second World War, the powerful democracies managed to encourage and, in a certain sense, enforce the democratization of Japan, Germany, and Italy. The US and EU focus on Ukraine's development is not without the prospect of democracy

consolidation. Though, there are few stories of successful external democratization, especially in view of the fact that undemocratic powers seek to support the processes of de-democratization. For example, efforts to democratise some countries in North Africa and the Middle East have failed. Political developments in post-communist countries also varied due to differences in their external effect. The 'export' of non-democracy to Ukraine might have no less impact on the country's development than the efforts of the democratic West to help democratising Ukraine.

Ukraine since Ukraine's independence, Russia's policy towards the country has been linked to economic, social, political, military or, more generally, geopolitical policy of Russia. Z.Brzezinski (1994, p. 16) said, «Without Ukraine, Russia ceases to be an empire; with subordinate Ukraine, Russia automatically becomes an empire.» Such a generalisation claims to be a reflection of Russia's strategy. Russia can be argued to have an interest in dependent, unstable Ukraine or, according to the FCI, in a failed state. This strategy of Russia builds on influential pro-Russian forces in Ukraine. Even though such forces are not consolidated, they show 13.05 percent of voter support, according to the results of the parliamentary elections in 2019. The military conflict provoked and supported by Russia, as well as the ethno-linguistic card in Ukraine have had a significant impact on the country's development. One example, according to V. Lebediuk (2018), is the plan of Medvedchuk, Ukrainian oligarch, and Putin to end the process of national unification. According to O. Carroll (2018), V. Medvedchuk's attitude to the solution of the Ukraine-Russia conflict is consistently favourable to Moscow and changes as the Kremlin's position changes. During the presidential election in 2019, V. Medvedchuk supported the candidate Yuri Boyko, one of the leaders of the political party «Opposition Platform — For Life.»

Whereas a major number of Ukrainians, especially those living in Central and South-Eastern Ukraine, had more or less pro-Russian attitudes or were indifferent to geopolitics by 2014, population's position towards the big neighbour became rather negative after the events of 2014. This led both to a further decline in the influence of pro-Russian political parties and ideas, especially in western Ukraine, and to a widespread perception of Russia as a «threatening other.»

Nevertheless, as regards decision-making bodies, rather than society, there are still a large number of players to be found whose interests are still linked to the country's northern neighbour, thus, re-imposing to the issue of maneuvering among concerned parties.

The study shows that the West support as such serves like a catalyst, guarantor, and 'observer' of democratization processes. The role of the EU is fundamental, as the crisis in Ukraine began with the EU's failure to convince Yanukovich to sign an association agreement. By the way, Lithuania was holding the presidency of the EU Council at that time. There are arguments as to whether the fate of Ukraine's orientation towards the EU is becoming similar to the fate of same orientation of Turkey?

The EU's association criteria and, in the case of European integration — the Copenhagen criteria, clearly set targets that both create a seemingly positive environment for democratization and hamper democratization. The general situation, however, remains in the state of hybrid governance. The orientation towards the West, the strong North Atlanticist (USA, Turkey) support is one of the major determinants for the institutionalisation of democracy in Ukraine. The EU's and IMF's financial



support (not necessarily political support) in exchange for reforms is forcing the government to make changes, since any 'overtures' with the aggressor country will result in the loss of voters. This can be observed from the public opinion polls mentioned above, exit polls, and the final elections at various levels.

## **2. Ukraine: the case of which hybrid political regime? (just temporary — transitional or long-term pro-democratic?)**

The EIU classified the political regime in Ukraine of 2019 as hybrid, not even «flawed democracy.» At the same time, according to the Freedom House Index (FHI), Ukraine consistently remains a *partly free* country. Together, on the basis of FHI data (Figure 1), Ukraine is also positioned as having a hybrid political regime. Despite positive developments in both the judiciary and the executive or legislative authorities, this rating has not changed since the events of Euromaidan in 2014.

Thus, not to get lost in this complex maze of D-D processes in Ukraine, we should use the analytical tool of a hybrid political regime. However, it is not enough to state that the democratization process in Ukraine continues in a hybrid political regime — it is necessary to name the specific characteristics of this regime and, perhaps, at least immediate future thereof.

Hybridity of political regime itself is the result of relatively long-term development. The hybrid regime itself and its stability / effectiveness in the Ukrainian «young democracy» may be implied in so far as the country's society is ready for this. In principle, this form of governance is not bad or good. It is one of the outcomes of the processes inspired by the globalisation and geopolitical situation of a certain period of time and, in this case, of the present time.

A specific combination of formal and informal institutions (including competitive elections, but also the lack of the rule of law or the prevalence of informal politics in the political process) has proved to be quite a strong political construct in Ukraine. This hybrid regime was developed during the governance of L. Kuchma; it survived the Orange Revolution and the Euromaidan. The elite rather want to support dysfunctional institutions as the latter maintain and even increase the resources of the elite. As long as hybridisation, rather than democratization or authoritarianisation, prevails in the dynamics of the Ukrainian political regime, this hybridity will remain the state so wanted by the elite (Smirnova, 2017, p. 70).

In Ukraine, democracy failed to consolidate since the end of the Cold War. The «trap» between democracy and autocracy is the case of the «gray area,» i.e., such a situation or processes are expected to last only for a while and to end eventually with the consolidation of either democracy or autocracy. However, there are those who believe that hybrid political regimes are neither accidental nor short-time, but rather a new form of stable political regime. V. Laurénas associates the perspective of hybrid political regimes with the principal circumstances for the development of today's societies.<sup>8</sup> Indeed, tools to prevent and deal with the consequences

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<sup>8</sup> «Social hybrids actually emerge in two principal circumstances: (1) Change is always a shorter or longer co-existence of past (existing) and new forms of life; (2) In order to temporalise this coexistence, given that the accelerative societies «have no time» at all, a holistic change is being pursued. The proponents of such change, however,

of terrorism and epidemics alone leave democracy with the perspective of its procedural dimension, if the latter fail to limit a shift in conventional political participation towards protest, quite often, unconventional political participation. Thus, an inevitable count of population communication and mobility severely hinders the spread of democratic principles and implies mostly undemocratic or truly illiberal measures of the guardianship regime.

Meanwhile, T. Kuzio (2005), who is representing a popular concept of hybrid political regimes as an unviable and, therefore, short-term link between the democratic and authoritarian rule, argues that there are the six following features of a hybrid regime in Ukraine, which are specifically attributed to both the years under Kuchma and to the little changed current reality:

- citizens of the state are not completely represented or their opinion (especially at the local government level) is partially ignored;
- low political activity, with the exception of participation in elections as an attribute of delegated democracy;
- frequent breaches of the rule of law or manipulation;
- election results do not seem legitimate in the eyes of citizens;
- low trust in state authorities;
- poor results in terms of state performance.

According to the EIU, in 2020, improving results of political pluralism were observed in Ukraine as one of the countries having a hybrid political regime. In 2019, the elections pointed to the higher standards of the electorate, greater fairness and transparency. In these terms, despite the fact that the country's political spectrum (pro-Western political wing, oligarchs, and pro-Russian political forces) remains largely unchanged and periodic elections at all levels of government prevent major emergencies of authoritarianism, the degree of hybridity in Ukraine itself can be concluded to have the preconditions for strengthening.

It should be emphasised once again that the hybridity of the Ukrainian political regime is the outcome of the resulting political, socio-economic, and geopolitical environment. Attempts to change the country's institutional system have been repeated multiple times, in particular, for the purposes of expanding the President's powers. The country has a parliamentary-presidential form of government. Attempts to establish a presidential form of government are associated with the monopolisation of power. Each time Viktor Yanukovich or, even earlier, Leonid Kuchma attempted to expand their powers, the parliament and population kept preventing it from happening. In 2018, Yulia Tymoshenko presented an idea of a parliamentary system with a strong prime minister which still stays an unfeasible project. This constitutes a difficult task due to competing elite groups and a lack of support from the society. While Ukraine's current model of governance is far from perfect, Ukrainians tend to have a divided executive authority that prevents the concentration of power. A form of governance in Ukraine changed six times (in 1991, 1995, 1996, 2004, 2010 and 2014), though, according to the surveyed experts, the regime changed only once. That means, there has been a transition from an authoritarian regime to a hybrid one, in which the political evolution of the country is taking place now.

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are in for a wild ride: they do not know in the end how to adapt institutions in one area of life to other. Thus, hybrid forms of society develop completely «not out of bad faith» (Laurénas, 2017, p. 86).

The cases of other countries, Hungary and Poland, suggest that the so-called 'gray area' between democracy and autocracy is expanding. In this context, EU membership does not deny the hybridity of the political regimes of Hungary and Poland, especially given that the EU itself has a democratic deficit. On the contrary, the survival of Hungary and Poland in the EU means not only the stability of a hybrid political regime, but also the entrenchment and legitimacy of it (Bozóki, Hegedűs, 2018). So, with the increasing expansion of hybrid political regimes, they can be defined as a separate form which, in one case or another, given the economic, social, and political situation in a country, may be even more logical and effective than a «pure» democracy which fails to consolidate.

### **Conclusion**

The processes of hybridization of post-democracy and political regime have not spared Ukraine. They used to be and still are influenced by certain consequences of post-communist (post-Soviet) transformation. More generally, post-democracy is a reaction to the disruption of democratization and the emergence of de-democratization processes in the circumstances of democratic challenges. More specifically, the processes of democratization and de-democratization in Ukraine, like in other Eastern European countries with a similar historical background, run deeper, i.e., they stem from the post-communist (post-Soviet) environment.

We cannot say that the democratization and de-democratization processes in Ukraine are categorically denying each other; on the other hand, we lack arguments that the relationship between democratization and de-democratization is purposefully constructed and maintained in pursuance of better political governance in Ukraine. Opinions of the interviewed experts also distributed equally in favour of the relationship between D&D and D-D processes. The situation is rather similar to what is called the «gray area.» The above situation is validated by the first part of our hypotheses that the processes of democratization and de-democratization in Ukraine interact not only as the ones denying or eliminating each other, but also as complementing and restraining those extremes that hinder political stability and good governance. Ukraine is forced to limit the institutionalisation of a «full democracy» regime not only by its geopolitical situation and military conflict situation, but by other internal factors, too, first and foremost, by the potential and efforts of pro-Russian forces, which in many cases are pro-Soviet allies.

Therefore, our second hypothesis, i.e., the relationship between democratization and de-democratization processes in Ukraine is subject to both internal and external geopolitical situation and has features of a hybrid political regime, is as well validated in the first part only, while the second part needs to be revised. The revision should be as follows: the current hybrid political regime in Ukraine is not appropriate in view of the prospects for the country's faster development. Though Ukraine has a case of a hybrid political regime that is not appropriate for faster development of the state and society, an experience of Ukraine's separate neighbours, EU members, demonstrates that a historically contextual, appropriate case of a hybrid political regime is possible in the region provided that the actual political process and its effectiveness are not assessed solely by criteria of democracy, in particular, liberal democracy, the principles

of democratic and undemocratic political governance are effectively applied, and a general pro-democratic orientation is respected.

So, the relationship between democratization and de-democratization processes in Ukraine is controversial and difficult to predict. The critical question remains: will a hybrid political regime enhance democratization processes or induce an authoritarian transition and undemocratic trends? The hybrid political regime in Ukraine is fragile due to the substantial and indivisible effect of internal and external determinants for both democratization and de-democratization processes, which are in a state of mutual struggle rather than restriction of extremes of each other that hinder political stability and good governance. The Ukrainian hybrid political regime is still far from the best form of governance; yet, as proponents of democratic values and principles, we need to build the relationship between democratization and de-democratization processes that would imply a pro-democratic development of a hybrid political regime in Ukraine. A political regime remains pro-democratic where, as C. Tilly argues, there is «integration of interpersonal trust networks into public politics,» «insulation of public politics from categorical inequality,» and «reduction of autonomous coercive power centers, with the consequences of increasing influence of ordinary people over public politics and rising control of public politics over state performance.» In such an environment, a political regime — a state-citizen relationship — becomes stable: the state and citizens consult, there is an increase in breadth, equality, protection of mutual binding, and the state-citizen trust networks.

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Стаття надійшла в редакцію 24.06.2021