

CONDITIONALITY, ESSENCE AND PARAMETERS OF THE RESEARCH OF INFORMAL POLITICAL INSTITUTIONS

The article is devoted to considering the problems of conditionality, essence and parameters of the research of informal political institutions. It is stated that informal political institutions are quite important in structuring the political process and cover many issues that are not in the field of the operationalization by formal political institutions. The author argued that informal political institutions are characterized by different causes of conditionality, different sources of institutional change, different mechanisms of changes and modification (in the framework of formation and functioning) and variable rates of change. As a result, it is proved that various causes of conditionality, evolution and development, as well as the causes and mechanisms of formation of informal political institutions, determine the heterogeneity of the latter, and therefore they can be structured.

Keywords: institution, political institution, formal political institution, informal political institution, political systems, political actors.

W artykule omówiono problematykę uwarunkowań, istoty i parametrów badań formalnych instytucji politycznych. Stwierdzono, że nieformalne instytucje polityczne są ważne w strukturyzacji procesu politycznego i obejmują wiele zagadnień, które nie mieszczą się w zakresie operacjonalizacji formalnych instytucji politycznych. Argumentuje się, że nieformalne instytucje polityczne charakteryzują się różnymi przyczynami predestynacji, różnymi źródłami zmian instytucjonalnych, różnymi mechanizmami modyfikacji (w ramach tworzenia i funkcjonowania) oraz zmiennymi tempami zmian. W rezultacie udowodniono, że różne przyczyny uwarunkowań, ewolucji i rozwoju, a także przyczyny i mechanizmy tworzenia nieformalnych instytucji politycznych, z góry determinują heterogeniczność tych ostatnich, a zatem nieformalne instytucje polityczne mogą podlegać strukturyzacji.

Słowa kluczowe: instytucje, instytucje polityczne, formalne instytucje polityczne, nieformalne instytucje polityczne, systemy polityczne, aktorzy polityczni.

ЗУМОВЛЕНІСТЬ, СУТНІСТЬ ТА ПАРАМЕТРИ ДОСЛІДЖЕННЯ НЕФОРМАЛЬНИХ ПОЛІТИЧНИХ ІНСТИТУТІВ

У статті розглянуто проблематику зумовленості, сутності та параметрів дослідження неформальних політичних інститутів. Констатовано, що неформальні політичні інститути є доволі важливими у структуруванні політичного процесу і охоплюють чимало питань, які не є в полі операціоналізації формальних політичних інститутів. Аргументовано, що неформальні політичні інститути характеризуються різними причинами зумовленості, різними джерелами інституційних змін, різними механізмами модифікацій (у рамках становлення і функціонування) та варіативними темпами змін. У підсумку доведено, що різні причини зумовленості, еволюції та розвитку, а також причини і механізми формування неформальних політичних інститутів, зумовлюють гетерогенність останніх, а тому неформальні політичні інститути можуть бути піддані структуризації.

Ключові слова: інститут, політичний інститут, формальний політичний інститут, неформальний політичний інститут, політична систем, політичні актори.

Modern political science, especially comparative political science, is methodologically mostly neo-institutional. This means that it operates traditional political or other research institutions, predominantly formal and legally regulated. However, political practice shows that focusing exclusively on formal political and other institutions is insufficient, as it cannot identify and cover the entire dynamics of politics and the political process. The fact is that the real political process is inevitable, and regardless of the type of political regime – democratic or autocratic – is composed of both formal and informal interactions, many of which are institutionalized and appear political institutions. That is why the coverage of political science with exclusively formal political and other institutions is insufficient and does not guarantee an exhaustive assessment of certain phenomena and processes. All this inevitably actualizes the expediency of posing research problems of informal political institutions, including their essence, conditionality and parameters of research in political science.

This research focus is far from new in political science, as the issues of informal political institutions have been considered at different times by both representatives of neo-institutionalism and critics of this methodological direction, in particular criticizing the ubiquity of institutions as such. Accordingly, it is possible to single out such researchers who at least partially appealed to the essence and phenomenon of informal political institutions, as C.

Boussard¹, D. Brinks², R. Calvert³, F. Freidenberg and S. Levitsky⁴, G. Helmke and S. Levitsky⁵, J. Knight⁶, H.-J. Lauth⁷, C. Mershon⁸, D. North⁹, S. Pejovich¹⁰, D. Porta and A. Vannucci¹¹ and some others.

At the same time, however, it should be noted that informal political institutions have almost never been a central component of analytical attention for these or most of these researchers, even though they occur in virtually all types and cases of political systems in all regions of the world. Accordingly, the proposed study is aimed at scientific understanding and theorizing of the phenomenon of informal political institutions, in particular their essence, the causes of the features of research in modern political science.

Appealing to the scientific achievements of the above and other researchers, and mainly neo-institutionalists, it can be confirmed that the latest political science really cannot be imagined without institutional analysis or without analysis of political institutions and inter-institutional relations. Nevertheless, the consideration and comparison of informal political and other institutions in political science has always occupied and even still occupies an openly peripheral position. The main explanation for this state of affairs is due to the position of neo-institutional scientists that “the motives and expectations of actors are determined first or even purely by formal rules”¹². However, as it is evidenced mainly by the practice of the political process, the analysis of purely formal institutions, including political, leads to a number of problems and deprives the research environment of deep and multidimensional comparative analysis, which is appropriate to explain complex facts and political phenomena. Accordingly, even though, at first glance, the formation and functioning of informal political institutions may seem largely secondary, the study of these components of the political system is still necessary for a holistic apprehension of the activities of political actors. After all, informal political institutions, usually on a par with formal ones, have a direct or indirect influence on the behavior of various political actors, and in certain periods of time may even dominate formal political institutions and be leading in structuring the political process. D. Porta considers Italy to be a vivid example of this

¹ Boussard C., Democratic consolidation: The role of informal institutions. Illustrations from Central America, Presented at 22nd International Congress of the Latin American Studies Association, 2000.

² Brinks D., Informal institutions and the rule of law: The judicial response to state killings in Buenos Aires and São Paulo in the 1990s, “Comparative Politics” 2003, vol. 36, nr. 1, s. 1–19.

³ Calvert R., The rational choice theory of social institutions: Cooperation, coordination, and communication, [w:] Calvert R. (ed.), *Modern political economy: Old topics, new directions* Wyd. Cambridge University Press 1995, s. 216–267.

⁴ Freidenberg F., Levitsky S., Organizaciones Partidistas e Institucionalización Informal en América Latina, Presented at Latin American Congress of Political Science, University of Salamanca, 2002.

⁵ Helmke G., Levitsky S., Informal Institutions and Comparative Politics, “Perspectives on Politics” 2004, vol. 2, nr. 4, s. 725–740.

⁶ Knight J., *Institutions and social conflict*, Wyd. Cambridge University Press 1995.

⁷ Lauth H.-J., Informal institutions and democracy, “Democratization” 2000, vol. 7, nr. 1, s. 21–50.

⁸ Mershon C., Expectations and informal rules in coalition formation, “Comparative Political Studies” 1994, vol. 27, nr. 1, s. 40–79.

⁹ North D., *Institutions, institutional change, and economic performance*, Wyd. Cambridge University Press 1990.

¹⁰ Pejovich S., The effects of the interaction of formal and informal institutions on social stability and economic development, “Journal of Markets and Morality” 1999, vol. 2, nr. 2, s. 164–181

¹¹ Porta D., Vannucci A., *Corrupt exchanges: Actors, resources, and mechanisms of political corruption*, Wyd. Aldine de Gruyter 1999.

¹² Helmke G., Levitsky S., Informal Institutions and Comparative Politics, “Perspectives on Politics” 2004, vol. 2, nr. 4, s. 725

in the period after World War II, in which the norms of corruption (as an informal political institution) were “more serious than state laws: the latter could be violated with impunity, while those who dared to challenge the conditions of the illegal market punishment, in one form or another”¹³. A similar situation exists today in a number of countries, especially with hybrid political regimes, in which corruption has already become institutionalized, even though they are formally trying to “eradicate” it with relevant legislation.

At the same time, the study of the formation and functioning of informal institutions is also necessary for the analysis of the consequences of inter-institutional relations. After all, informal rules and regulations can certainly affect formal institutions. On the one hand, informal norms help to regulate the relationship between the legislative and executive branches of government, which is not always possible to do exclusively with formally institutionalized constitutional actions and instruments. For example, various neo-patrimonial norms that allow unlimited or almost unlimited presidential control over other state institutions in various countries, traditionally lead to an increase in the concentration of power of the executive branch, which goes far beyond the presidential powers defined by the constitutions¹⁴. Instead, on the other hand, informal political institutions may have some deterrent effect, including limiting the power of the president or parliament. A striking example is the various republics in which presidents, despite their declarative powers, have in fact sooner or later do not use up completely their constitutional prerogatives through the existence of informal political institutions that encourage consultation and distribution of presidential powers¹⁵. Similarly, informal rules determine and adjust the consequences of the functioning of formal political institutions in such areas as the electoral process¹⁶, the legislature and politics¹⁷, the judiciary¹⁸, the establishment and operation of political parties¹⁹, party financing and election campaigns²⁰, change of political regimes²¹, federalism²², and state and constitutional engineering²³, etc.

Nevertheless, despite the practical palette of the importance of informal political institutions, the question of the origin and functioning of informal political institutions is currently

¹³ Porta D., Vannucci A., *Corrupt exchanges: Actors, resources, and mechanisms of political corruption*, Wyd. Aldine de Gruyter 1999, s. 10.

¹⁴ O'Donnell G., *Delegative democracy*, “*Journal of Democracy*” 1994, vol. 5, nr. 1, s. 57.

¹⁵ O'Donnell G., *Delegative democracy*, “*Journal of Democracy*” 1994, vol. 5, nr. 1, s. 59.

¹⁶ Mershon C., *Expectations and informal rules in coalition formation*, “*Comparative Political Studies*” 1994, vol. 27, nr. 1, s. 43.

¹⁷ VanCott D., *Legal pluralism and informal community justice administration in Latin America*, Presented at Conference “*Informal Institutions and Politics in Latin America*”, Kellogg Institute for International Studies, 2000.

¹⁸ Freidenberg F., Levitsky S., *Organizaciones Partidistas e Institucionalización Informal en América Latina*, Presented at Latin American Congress of Political Science, University of Salamanca, 2002.

¹⁹ Porta D., Vannucci A., *Corrupt exchanges: Actors, resources, and mechanisms of political corruption*, Wyd. Aldine de Gruyter 1999, s. 12.

²⁰ Ottaway M., *Democracy challenged: The rise of semi-authoritarianism*, Wyd. Carnegie Endowment for International Peace 2003

²¹ Way L., *The dilemmas of reform in weak states: The case of post-Soviet fiscal decentralization*, “*Politics and Society*” 2002, vol. 30, s. 580.

²² Hamilton-Hart N., *The Singapore state revisited*, “*Pacific Review*” 2000, vol. 13, nr. 2, s. 199

²³ Grzymala-Busse A., Pauline L., *Reconceptualizing the state: Lessons from postcommunism*, “*Politics and Society*” 2002, vol. 30, nr. 4, s. 537.

largely unexplored, at least in political science. That is why under the timing and comparative analysis of such widespread informal institutions as clientelism and patrimonialism, their emergence is increasingly explained by historical tribute or, conversely, considered as part of cultural design and landscape, without focusing on the root causes of these informal institutions²⁴.

That is why the transformations and adaptations of informal political institutions often remain unexplored and highly descriptive. Moreover, even those studies that are available today often fall into the common trap of early functionalist descriptions of informal institutions. After all, in this case, the emergence and functioning of informal institutions, including political ones, are explained mostly in terms of the goal set for researchers (for example, improving their functioning or the functioning of the political system as a whole), but without defining the mechanisms by which they were created, that is why they still exist²⁵.

Accordingly, in answering the question of “why and how informal institutions arose”, we will first focus on why, in the presence of formal rules and mechanisms, different political actors still create and use informal rules, which often overshadow formal political institutions. Accordingly, we can specify three main explanatory motives, which are defined by different researchers. First, political actors create and develop informal rules and regulations due to the inadequacy of the provision, regulation and functioning of formal institutions²⁶. After all, formal rules and regulations generate general parameters of the environment, but do not take into account all possible configurations. Accordingly, political actors operating in, for example, bureaucratic institutions and agencies are simply forced to create new rules and procedures to simplify and optimize their activities, which are not typically enshrined in formal rules and regulations²⁷. Second, informal institutions, including political ones, can be used as a “reserve” strategy for the behavior of political actors, especially if the latter prefer formal institutional decisions and norms, but may not always be able to use them in practice and effectively enough. In some cases, political actors simply lack the power to change established formal rules, a clear example of which was once the Soviet Union, in which workers and leaders used profitable connections, in part because they could not reform or abandon state institutions altogether²⁸.

Detailed definitions of this motivation for the behavior of political actors belong to K. Mershon, who explains that political actors create informal political institutions when they consider this process less resource-intensive than the creation of similar formal political institutions²⁹. For example, the researcher continues, the leaders of the “Christian Democrats” in postwar Italy, in particular to prevent communists and neo-fascists from coming to power, once decided that it would be easier to develop a kind of informal “formula” that would politically exclude these parties from possible ruling

²⁴ Helmke G., Levitsky S., *Informal Institutions and Comparative Politics*, “Perspectives on Politics” 2004, vol. 2, nr. 4, s. 730.

²⁵ Shepsle K., Weingast B., *Structure induced equilibrium and legislative choice*, “Public Choice” 1981, vol. 37, nr. 3, s. 505.

²⁶ Johnson J., *Opening questions*, [w:] *Informal Institutions and Politics in the Developing World*, Wyd. Weatherhead Center for International Affairs 2002.

²⁷ Weingast B., Marshall W., *The industrial organization of Congress; or, Why legislatures, like firms, are not organized as markets?*, “Journal of Political Economy” 1988, vol. 96, nr. 1, s. 136.

²⁸ Helmke G., Levitsky S., *Informal Institutions and Comparative Politics*, “Perspectives on Politics” 2004, vol. 2, nr. 4, s. 731.

²⁹ Mershon C., *Expectations and informal rules in coalition formation*, “Comparative Political Studies” 1994, vol. 27, nr. 1, s. 48.

/ government or even the legislative coalition, rather than lobbying in parliament for a special law on a possible change in the electoral system to increase the influence and power of large and mainstream political parties³⁰. Similarly, the creation of informal political institutions can be a fallback option when formal political institutions exist exclusively nominally and are completely or relatively ineffective in political practice. For example, in the case of informal substitute political institutions, political actors create them not because they oppose formal rules, but because formal rules and procedures for their creation and influence have no authority³¹. Finally, and thirdly, the motive for creating informal political institutions may be the efforts of political actors to achieve goals and objectives that are not considered acceptable by civil society. Due to their relative invisibility, informal political institutions allow political actors to act in the same way. There are various tools of influence and pressure – from unpopular to illegal. However, even in situations where corruption, patrimonialism and vote buying are prevalent, the norms of universalism, which have a greater advantage and support among the population, prevent the legalization of such informal rules and procedures³². Similarly, the case of conditionality of informal, including political, institutions in the format of so-called “norms of indulgence”³³ is relatively common. In particular, prostitution, soft drugs and euthanasia are formally banned in some countries, but no one is fighting them. A similar mechanism can be used to explain informal procedures that allow extrajudicial executions in some countries around the world³⁴.

However, the apprehension of the reasons for the emergence and functioning of informal political institutions does not give us a complete picture of the process of their creation. The fact is that incorrect and incomplete rules and regulations do not explain the main thing, in particular, how the need for additional rules and regulations still leads to their emergence or why informal rather than formal rules and norms of political or political-legal practice are adopted. Accordingly, if informal political institutions are a fallback strategy, why can those political actors who lack the resources to change formal norms and rules still set informal political rules?³⁵ To answer these questions, we will consider in more detail the mechanisms for creating informal political institutions.

We insist that the design and implementation of informal political institutions is strikingly different from a similar process in the analysis of formal political or political-legal rules. The fact is that if formal political institutions are implemented exclusively on a clear and defined official / regulated vertical (because the decision taken by the parliament or the executive is still implemented by public authorities) and control over the implementation of such rules is exercised by public authorities (in particular, the police and the courts), then, in contrast, in informal political institutions their rules and norms are disseminated and implemented not always or not quite publicly, and sometimes even

³⁰ Mershon C., Expectations and informal rules in coalition formation, “Comparative Political Studies” 1994, vol. 27, nr. 1, s. 50.

³¹ Helmke G., Levitsky S., Informal Institutions and Comparative Politics, “Perspectives on Politics” 2004, vol. 2, nr. 4, s. 730.

³² Mershon C., Expectations and informal rules in coalition formation, “Comparative Political Studies” 1994, vol. 27, nr. 1, s. 50.

³³ Van Oenen G., Citizenship and “informal rule of law”. How lax enforcement can sustain the rule of law, Presented at Annual Meeting of Latin American Studies Association, 2001.

³⁴ Brinks D., Informal institutions and the rule of law: The judicial response to state killings in Buenos Aires and São Paulo in the 1990s, “Comparative Politics” 2003, vol. 36, nr. 1, s. 12.

³⁵ Helmke G., Levitsky S., Informal Institutions and Comparative Politics, “Perspectives on Politics” 2004, vol. 2, nr. 4, s. 731.

informally. In addition, for the phenomenon of informal political institutions, the nominal (public) refusal of political actors to declare their participation is just as common. The difficulty of identifying the emergence of new informal political institutions and understanding the mechanisms of their formation and possible institutionalization follows from all of these things. It is on the basis of such a marked fundamental difference in the mechanisms of origin and functioning of these rules that it is first necessary to investigate and identify the political actors, coalitions and interests behind their (political institutions) origin³⁶. Thus, when analyzing informal political institutions, attention should be paid to their internal component, which may include coercive confrontations, instead of perceiving informal political institutions solely as those based on collaboration and cooperation³⁷.

At the same time, as G. Helmke points out, the process of emergence of informal political institutions can have several dimensions. Sometimes, as in formal political institutions, there is a clear mechanism of hierarchy "from the top to the bottom." Thus, informal rules and their consolidation in society can be implemented primarily by the political elite. However, in addition, they may arise as a result of strategic interaction of political actors at the level of the same political elites. However, in contrast, informal political institutions such as political corruption and bribery also emerge in a decentralized environment with a large number of political actors³⁸.

Similarly, the possibility that one or another informal political institution was or is being created as a result of a specific historical process and as a result of the need to react to new realities and thus the search for compromise cannot be ruled out. Bright cases of such "historical coincidence" can be various informal systems of social relations within the framework of formally-institutionalized political and legal norms. Therefore, even if some informal political and other institutions eventually begin to perform functions that have a positive impact on society, this is not always directly related to the reasons for their emergence. Finally, as to how informal rules are accustomed to, implemented and, consequently, how information is disseminated, this process is also related to the conditions in which informal political institutions emerge. In some cases, the dissemination of information about informal political institutions is the coverage of the results of political actors. For example, those post-war Italian prime ministers who violated an informal rule that allowed parties to appoint specific people to government remained in office for a relatively short time. Therefore, their successors, in particular from the mid-1950s, no longer violated these norms and "the rule of decision-making through negotiations between the leaders of parties and factions was finally established"³⁹. This is complemented by the fact that the procedure for familiarizing with informal political rules is also carried out through social ties and parties. So, sometimes informal norms are spread through communication in the field of cooperation between universities, public authorities and private corporations, which is typical for the countries of Northern Europe. Parties, in turn, can also be a source of disseminating information

³⁶ Knight J., *Institutions and social conflict*, Wyd. Cambridge University Press 1995.

³⁷ Cook K., *Whom Can We Trust?: How Groups, Networks, and Institutions Make Trust Possible*, Wyd. Russell Sage 2009, s. 137.

³⁸ Helmke G., Levitsky S., *Informal Institutions and Comparative Politics*, "Perspectives on Politics" 2004, vol. 2, nr. 4, s. 731.

³⁹ Merston C., *Expectations and informal rules in coalition formation*, "Comparative Political Studies" 1994, vol. 27, nr. 1, s. 67

and bringing it to the public⁴⁰. Thus, as demonstrated above, it is political and surrounding political actors and conditions that have the primary influence on the creation, development and implementation of informal rules and norms that can become informal political institutions in a given country.

It is important to add here that one of the main characteristics that define most informal political and other institutions is their resistance to change and great adaptive potential for “survival” and stability⁴¹. Of course, changes and dynamics in the work and delineation of informal political institutions are present, but their pace is slow, and instead is characterized by gradualness.

Therefore, according to the researchers, due to the fact that informal rules do not have a center that would coordinate their work, changes in the activities and perceptions of informal political institutions is an “extremely long” process⁴². However, this is not decisive for all types of informal political or political-legal rules, as some of them may change sufficiently or relatively rapidly⁴³. If to talk about the impulses to change informal political institutions, they also have several sources. First of all, direct changes in formal political institutions are an important source of modifications. However, given the above-mentioned resistance of informal political institutions, the role of changes in formal rules should not be overestimated, as many informal institutions, including political corruption, have not disappeared even after a large number of administrative changes and reforms. The role of change in the formal component is rather better seen as a catalyst for change for informal political institutions. Therefore, changes in formal institutions should be considered primarily in two dimensions both as changes in the structure and changes in the effectiveness of formal institutions.

As a result of changes in the structure of formal political institutions, the configuration of the influence of certain political actors of informal political institutions, who manipulate and use the imperfection of formal norms, is also changing. Thus, all this forces political institutions to adapt to new conditions. For example, in the case of complementary informal political institutions, a change in formal rules may eliminate the functional necessity of informal political or political-legal norms that complemented these formal rules, what inevitably leads either to the abandonment of these informal political institutions or to their transformation. According to D. North, an example is the “Bill on the Rights of Subcommittees” in the US House of Representatives, which was adopted in 1974 and led to drastic changes in the structure of formal rules, as a result of which the informal structures of parliamentary committees were destroyed⁴⁴. If to talk about a change 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 or replace the old

⁴⁰ Porta D., Vannucci A., *Corrupt exchanges: Actors, resources, and mechanisms of political corruption*, Wyd. Aldine de Gruyter 1999, s. 92.

⁴¹ North D., *Institutions, institutional change, and economic performance*, Wyd. Cambridge University Press 1990.

⁴² H.-J., *Informal institutions and democracy*, “Democratization” 2000, vol. 7, nr. 1, s. 21–50.

⁴³ Mackie G., *Ending footbinding and infibulation: A convention account*, “American Sociological Review” 1996, vol. 61, s. 999–1017.

⁴⁴ North D., *Institutions, institutional change, and economic performance*, Wyd. Cambridge University Press 1990, s. 80.

formal political norms. For example, as D. Porta points out, the strengthening of the judiciary as a result of the “Clean Hands” campaign once weakened corruption networks in Italy, while the introduction of civil rights legislation by the US federal government shook the position of the so-called “Jim Crow laws” in the southern states of this country⁴⁵.

This is complemented by the fact that changes in the effectiveness of formal political institutions also affect the change in the authority of formal political and political and legal rules and norms. After all, under the conditions of effective formal norms, political actors are increasingly abandoning similar informal political norms, which again lead either to the adaptation or to the disappearance of such informal political institutions. For example, according to T. Eisenstadt, the increase in the authority of elected courts in Mexico during the 1990s significantly weakened the desire of opposition leaders to work through so-called informal “concentraciones”⁴⁶.

However, it is not only formal rules and norms that affect informal political institutions. After all, according to those researchers who consider formal political institutions primarily a product of culture, informal political institutional changes depend on the evolution of social values⁴⁷. But as the system of social or socio-political values changes very slowly and gradually, the corresponding informal institutional changes in policy are also slow. This approach helps to explain the “erosion” of family mechanisms and inter-institutional relations based on family ties, particularly in Europe⁴⁸. Informal political institutions can also change depending on the change in the status quo, which ensures their existence against the background of inter-institutional relations and within the political system. The evolution of the external environment and its elements can change both the configuration of the distribution of power and the available resources within a particular society and political system, including strengthening those political actors who want to change the status quo and weakening those who do not have time or does not want to adapt to political or socio-political changes. For example, in some Western European countries, after a long period of declining class and religious identity, including nationally oriented ones, the power of new political parties has significantly increased, criticizing the “old” consociation rules of the game and forcing “old” political parties to abandon or at least to start giving them up. In addition, the growing share of the middle class, which has the right to vote, at one time began to destroy the foundation of clientelism, reducing the dependence of the electorate on the distribution of material goods by the state.

In such cases, modifications in informal political institutions are slow, and therefore the reorientation of political actors appears relatively gradual.

⁴⁵ Porta D., Vannucci A., *Corrupt exchanges: Actors, resources, and mechanisms of political corruption*, Wyd. Aldine de Gruyter 1999.

⁴⁶ Eisenstadt T., *Trust but verify: How Mexico's opposition force delectoral disputere solution from bargaining tables to courtrooms and lived to tell about it*, [w:] *Informal Institutions and Politics in the Developing World*, Wyd. Weatherhead Center for International Affairs 2002.

⁴⁷ Pejovich S., *The effects of the interaction of formal and informal institutions on social stability and economic development*, “*Journal of Markets and Morality*” 1999, vol. 2, nr. 2, s. 167.

⁴⁸ Pejovich S., *The effects of the interaction of formal and informal institutions on social stability and economic development*, “*Journal of Markets and Morality*” 1999, vol. 2, nr. 2, s. 169.

However, in the political environment, there are still informal political institutions that are changing quite rapidly. Even so rapidly that it is necessary or expedient to use comparative analysis using the “swing” model to explain such changes. The basic principle of this model is that if a large enough number of political actors is convinced that there is a new and better institutional alternative and that there is communication between them, the transition from one institutional norm to another will take place rapidly enough⁴⁹.

In general, summarizing all the possible and listed causes of conditionality, evolution and development, as well as the causes and mechanisms of informal political institutions, we can state that they are quite heterogeneous and therefore can be structured (although this is not the subject of our study). On the one hand, informal political institutions can be characterized by various sources of institutional change, including changes in formal institutions, changes in informal institutions, cultural evolution, changes in the distribution of power and resources, as well as changes and renewal of views and coordination of power and interinstitutional relations. On the other hand, the mechanisms of modifications in the framework of the formation and functioning of informal political institutions, among which it is expedient to single out changes in the structure of formal institutions, changes in the effectiveness of formal institutions, changes in social values, changes in the configuration of forces and influence among actors, as well as the “swing” model. Finally, all this means that the very pace of change of informal political institutions is variable, because the themes of change can be relatively fast, very slow, as well as both fast and slow. All this means that some informal political institutions are more sensitive to changes in the structure of formal rules and norms, while some are less dependent on changes in the effectiveness of formal institutions and so on⁵⁰.

And it is in this context to understand the essence of informal political institutions, in particular, in the framework of their possible changes and taking into account the parameters of formation and development, it is necessary to define the theoretical-methodological and definitive boundary between formal and informal, which will be useful for qualitative analysis of political institutions in general and their variety as informal political institutions. This is important primarily because the idea and category of “informal” and therefore informal political institutions has never been and still is not at the center of political science research, including neo-institutional scientists, and therefore today, as before, there are many attempts and approaches to understanding this phenomenon, although they still remain unconsolidated. The main reason that there are many manifestations of informality in politics is that informal political institutions include such phenomena and facts as clientelism, political corruption, mafia, industrial-oligarchic groups, financial-industrial groups, cultural traditions, various political and political and legal norms – from legislative to bureaucratic, – as well as even the phenomenon of civil society. Accordingly, on the one hand, the understanding of informal political institutions is both negative and positive. On the other hand, the definition of informal political institutions should be meaningful at the same time, including as many informal rules as possible, but specific enough not to

⁴⁹ Mackie G., Ending footbinding and infibulation: A convention account, “*American Sociological Review*” 1996, vol. 61, s. 999–1017.

⁵⁰ Helmke G., Levitsky S., Informal Institutions and Comparative Politics, “*Perspectives on Politics*” 2004, vol. 2, nr. 4, s. 733.

confuse informal norms with non-institutional informal phenomena that do not deserve to be defined by political institutions⁵¹.

The complexity of the situation is complemented by the variability of approaches to the definition of informal political institutions or their separation from formal political institutions. One approach simply emphasizes that institutions are “rules and procedures (formal and informal) that structure social interaction, creating space for actors and defining its boundaries”⁵². In a slightly different approach, researchers identify informal institutions and cultural traditions⁵³. Still other researchers classify all institutions of state power and state-established rules and norms as formal political institutions, while everything within civil society is classified as informal (but not necessarily political) institutions⁵⁴. Finally, one of the approaches states that informal are rules and norms that are set by themselves, and formal are those that are imposed “from outside”⁵⁵. However, against this background, a more consolidated and qualitative definition has recently been proposed, according to which informal institutions are “accepted by society, usually unwritten, rules that are created, become known and implanted through informal channels of communication.” In contrast, formal institutions are “rules and procedures that are created, made known, and enforced through channels that are generally recognized as official”⁵⁶.

By the same logic, formal institutions include, first of all, state institutions and norms and rules established by the state, as well as certain organizational rules, i.e. official rules followed by corporations, industrial and financial groups, political parties, and so on⁵⁷. And everything else, in turn, is a manifestation and example of informal institutions, including political ones. But there is a certain feature here too, because not everything that is not a formal institution automatically appears as an informal institution. Thus, it is not expedient to consider political behavior (even repetitive), very weak formal institutions (including abuse of power, which may be a manifestation of non-institutional behavior⁵⁸), informal practices and patterns of politics and political behavior⁵⁹, informal organizations⁶⁰ etc.

Thus, today the main problem for modern researchers is the search for the optimal algorithm for identifying and distinguishing informal political institutions and understanding their conditionality. This is complicated by the fact that the problem of researching the informal dimension of the political process and political environment has led to a situation

⁵¹ Helmke G., Levitsky S., *Informal Institutions and Comparative Politics*, “*Perspectives on Politics*” 2004, vol. 2, nr. 4, s. 728.

⁵² North D., *Institutions, institutional change, and economic performance*, Wyd. Cambridge University Press 1990.

⁵³ Pejovich S., The effects of the interaction of formal and informal institutions on social stability and economic development, “*Journal of Markets and Morality*” 1999, vol. 2, nr. 2, s. 166.

⁵⁴ Boussard C., *Democratic consolidation: The role of informal institutions. Illustrations from Central America*, Presented at 22nd International Congress of the Latin American Studies Association, 2000.

⁵⁵ Calvert R., The rational choice theory of social institutions: Cooperation, coordination, and communication, [w:] Calvert R. (ed.), *Modern political economy: Old topics, new directions*, Wyd. Cambridge University Press 1995, s. 216–267.

⁵⁶ Helmke G., Levitsky S., *Informal Institutions and Comparative Politics*, “*Perspectives on Politics*” 2004, vol. 2, nr. 4, s. 730.

⁵⁷ Ellickson R., *Order without law: How neighbors settle disputes*, Wyd. Harvard University Press 1991, s. 31.

⁵⁸ O'Donnell G., Delegative democracy, “*Journal of Democracy*” 1994, vol. 5, nr. 1, s. 55–69.

⁵⁹ Brinks D., Informal institutions and the rule of law: The judicial response to state killings in Buenos Aires and São Paulo in the 1990s, “*Comparative Politics*” 2003, vol. 36, nr. 1, s. 1–19.

⁶⁰ North D., *Institutions, institutional change, and economic performance*, Wyd. Cambridge University Press 1990.

where “informal” and informal political institutions are seen as too complex with many hidden details, or when informal is perceived as always destructive and ineffective, and therefore should be optimized and formalized by formal institutions.

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