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Peculiarities of representative authorities functioning in ukraine under conditions of war

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Abstract

The large-scale invasion of the Russian Federation into the territory of Ukraine has significantly destabilized the processes of functioning of representative authorities in Ukraine and, moreover, has led to destructive changes due to the annexation of the country's territories. The article aims to study the theoretical

and applied foundations of peculiarities of functioning of representative institutions in Ukraine, during the war. The methodological basis of the study consists of general and special scientific methods of cognition and economic and legal analysis, in particular: systems analysis, synthesis, abstraction, comparison, analogy, statistical analysis, functional analysis, clustering, cluster analysis (based on the k-means method), correlation and regression analysis, graphical, tabular, generalization and systematization. The results of the theoretical studies carried out allow us to establish a significant impact on the destabilizing factors of the external and internal environment, the most important of which are the military factors. In conclusion, significant imbalances have been revealed in the process of ensuring the implementation of the principles of democracy in the activities of representative institutions.

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Keywords: public authorities; representative authorities; hybrid democracy; public administration; war conditions.

Peculiaridades de las autoridades representativas que funcionan en Ucrania en condiciones de guerra

Resumen

La invasión a gran escala de la Federación Rusa en el territorio de Ucrania ha desestabilizado significativamente los procesos de funcionamiento de las autoridades representativas en Ucrania v, además, ha provocado cambios destructivos debido a la anexión de los territorios del país. El artículo tiene como objetivo estudiar los fundamentos teóricos y aplicados de las peculiaridades del funcionamiento de las instituciones representativas en Ucrania, durante la guerra. La base metodológica del estudio consiste en métodos científicos generales y especiales de cognición y análisis económico y legal, en particular: análisis de sistemas, síntesis, abstracción, comparación, analogía, análisis estadístico, análisis funcional, agrupación, análisis de conglomerados (basado en el método de k-medias), análisis de correlación y regresión, gráficos, tabulares, generalización y sistematización. Los resultados de los estudios teóricos realizados permiten establecer un impacto significativo en los factores desestabilizadores del entorno externo e interno, los más importantes de los cuales son los factores militares. A modo de conclusion, se han revelado importantes desequilibrios en el proceso de asegurar la implementación de los principios de la democracia en las actividades de las instituciones representativas.

Palabras clave: poderes públicos; autoridades representativas; democracia hibrida; administración pública, condiciones de Guerra.

Introduction

Increasing challenges of globalization, geopoliticization, and integration into the world's socio-political and socioeconomic space necessitate strengthening the role of the state and its ability to effectively counter the dangers and threats of our time. Ensuring the fundamental principles of democracy, the rule of law and justice, protection of human and civil rights are among the priorities of the state policy of any state. Moreover, it is a very difficult task in the conditions of instability, global uncertainty, and military confrontation of armed aggression of one country against another.

The modern period of Ukraine's functioning is characterized by the presence of significant and weighty destabilizing factors that cause significant imbalances between European standards and norms and the existing state of their compliance. In such circumstances, the need to ensure the effective functioning of representative authorities and their unimpeded performance of legislative, judicial, constituent, foreign economic, budgetary, and control functions, which is quite problematic in the conditions of war, is becoming more urgent. The outlined trends require detailed research of the peculiarities of the functioning of representative institutions in Ukraine, identification of the main problematic aspects, and search for effective methods of counteracting destabilizing factors.

1. Literature review

The historical conditionality of the development of the state and society and the rapid growth of the population have led to complications in interstate relations. It became impossible to involve the entire population in solving problems of national importance. As a result, there is an urgent need to authorize specific individuals and electoral bodies to represent the interests of the public and implement the principle of democracy in the state, because active public participation in the political life of society is one of the priorities of democracy development, and the formation of representative institutions is an integral component of its establishment.

Meanwhile, the institutions of representative authorities are of great importance, because they perform the function of decision-making, however, they are controlled by the public and are responsible to the people for their actions. The system of interrelations between the public and the institutions of representative authorities and their political responsibilities provides for the formation of a certain political regime, namely: (1) full democracy; (2) imperfect democracy; (3) hybrid democracy, and (4) authoritarian regime.

The existence of various political systems indicates the ambiguity of the principles of the functioning of representative institutions in different countries of the world. As for Ukraine, as noted by Averchuk (2018), there are significant imbalances of constitutional authorities in the political system, which are especially acute in the interaction between the legislative and judicial institutions. Analyzing the works of leading national and international scholars, the scientist found that judicial reform is necessary for Ukraine because its judicial system does not meet international standards and public expectations.

In this context, Béteille (2012) notes that the legislature and the judiciary should be considered the fundamental institutions of representation in a

country, as the level of democratic development depends on the state of their functioning. Equally important is the study of parliamentary activity in the context of the functioning of representative institutions, as it is one of the key forms of popular representation, the democratization of society, and the sovereign development of the state.

Parliamentarism in Ukraine, as an institution of normative and legal consolidation of democracy, combines the functions of representative and legislative power. The Parliament is the only collegial body of legislative authorities. It performs its activities under the rights granted to it, and not based on certain orders.

Zelenko *et al.*, (2014) propose to attach great importance to the institutional sustainability of Ukrainian parliamentarism. The interaction of its formal and informal functions is affected by destructive factors of socio-political instability and military confrontation with the unprovoked armed aggression of the Russian Federation against Ukraine. As a result, we can state the crisis of parliamentarism in the country.

Moreover, Russia's full-scale war against Ukraine and its annexation of significant Ukrainian territories have reformatted the existing state of the political system. Moreover, these circumstances necessitated the adoption of decisions to ban the activities of certain political parties that promoted a pro-Russian position and posed a significant threat to the state sovereignty of Ukraine. This situation is significantly aggravated by the impossibility of conducting the electoral process. In turn, this complicates the mechanism of decision-making on legislative initiatives in the conditions of martial law.

Given the significant problems of the functioning of representative institutions in Ukraine during the war, Sachko (2022) proposes to pay the most significant attention to the activities of the Verkhovna Rada of Ukraine.

As established, it is the highest representative and legislative body in the country. In-depth research allowed the scientist to identify the main problems and shortcomings of the functioning of this representative body, the most important of which the author proposes to include (1) the principle of parliamentary independence is implemented concerning other branches of power; (2) significant dependence of political parties on external sources of funding, which are often representatives of clan-oligarchic structures; (3) growing risks of violation of the rule of law through lobbying of individual interests; (4) weak institutionalization of the opposition.

Evaluating the main trends in the functioning of representative institutions, Claassen and Magalhães (2022) found that ensuring its effectiveness is a very difficult task, on the solution of which the development of the state based on democracy depends. Scientists argue that sociopolitical and economic turmoil, the intensification of transnational crime,

which extends to the political system, significantly destabilizes the activities of representative institutions and the level of public confidence in them.

The growing indicators of democracy correlate with the indicators of the effectiveness of the functioning of representative institutions. The hypothesis is supported by Fisher (2022), who also believes that the functioning of representative institutions significantly depends on the level of development of the country and compliance with the standards and principles of democracy.

A similar position is held by Kundnani (2020), who established the complexity of the functioning of representative institutions in the European Union and its dependence on the type of political system. At the same time, Seifter (2022), while studying the activities of public institutions, revealed negative trends in the implementation of democratic principles of their activities in different countries of the world in recent years, which leads to an increase in active threats to representative institutions from anti-democratic forces.

In this context, Pavlenko (2022) argues that the full-scale invasion of the Russian Federation into the territory of Ukraine is an unprecedented challenge of our time, which led to the introduction of martial law, resulting in significant destabilizing changes in the political processes in Ukraine.

They manifested themselves in the suspension of elections to all levels of government, the formation of military administrations, and the prohibition of public rallies, demonstrations, and referendums. The scientist proves that the war in Ukraine has reformatted the conditions of functioning of the institutions of representative power, however, the main branches of power continue to work in the country and exercise their powers based on democracy. Moreover, there is a partial decline in public confidence in the national institution of parliamentarism and the role of the Parliament against the background of the growth of such confidence of citizens in the security forces.

Obviously, under such conditions, the effectiveness of the Verkhovna Rada of Ukraine, the quality of lawmaking, and the image of this representative institution are significantly reduced. At the same time, it is worth noting in the context of the war in Ukraine the deepening crisis of the party system, which was exacerbated by the ban on the activities of pro-Russian parties and those that pose a threat to state sovereignty.

The presence of significant challenges and dangers of the present plays a significant role in the system of ensuring the democratic development of the state, the peculiarity of which is the effective functioning of representative institutions. Therefore, it is reasonable to implement such a direction of state policy as the reform of the regional governance system and the development of local self-government. In this context, the remarks

of Nikitenko and Hrabar (2021), who insist on preserving the democratic principles of the functioning of representative institutions at the regional level, are appropriate.

It is necessary to pay attention to the fact that Ukraine is actively implementing the reform of decentralization of power, which is due to the urgent need to transfer the powers of central-level public authorities to regional ones, which also form the institution of representative authorities, the functioning of which in the conditions of the current situation is subject to significant destabilizing factors of the external and internal environment (Pavlovich-Seneta and Lepish, 2022). Hedulianov (2022) considers this concept to be an integral component of the system of development of representative democracy in Ukraine and a direction of modernization of the activities of representative government institutions.

However, Kuleshov (2020a) emphasizes the importance of exercising public control over the activities of representative institutions and argues that in Ukraine it is quite limited and ineffective due to the lack of a significant number of methods for exercising such control. At the same time, the scientist is convinced that the role of public control is extremely important, as it is one of the indicators of the level of democracy development in the country. Therefore, Ukraine should consolidate at the legislative level the organizational and legal mechanism for exercising public control over the activities of representative institutions (Kuleshov, 2020b).

Summarizing the studies of the theoretical aspects of the functioning of representative institutions in Ukraine during the war, it can be stated that the existing scientific approaches are distinguished by their originality and versatility. Moreover, they also allow us to assert that the activities of such institutions are carried out in conditions of instability and significant influence of destabilizing factors of the external and internal environment.

The article is aimed at the theoretical and applied foundations of the study of the peculiarities of the functioning of representative authority institutions in Ukraine during the war.

2. Methods and materials

The methodological basis of the study consists of general scientific and special methods of scientific knowledge and economic and legal analysis. To determine the essence of the institutions of representative authorities in Ukraine, the method of system analysis, synthesis and scientific abstraction has been used. To assess the current state and trends in the functioning of representative institutions in Ukraine during the war, methods of comparison, analogy, and statistical analysis have been applied.

The method of functional analysis, grouping, and cluster analysis (based on the k-means method) have been adopted to clarify the peculiarities of the functioning of representative authorities' institutions in the conditions of war and to compare them with the existing practice of foreign countries.

Correlation and regression analysis have been chosen to identify the relationship between the main indicators of assessing the performance of representative institutions and their impact on the quality of life in society. The results of applied research are displayed using graphical and tabular methods. The method of generalization and systematization has been used to formulate scientific hypotheses and draw conclusions based on the results of the study.

To conduct the necessary research, the following countries were selected: Ukraine, Poland, Czech Republic, Slovakia, Hungary, Romania, Moldova, Belarus, and Russia, which are most affected by factors of military nature.

The information base of the study consists of the works of leading domestic and foreign scientists, as well as reporting data of international organizations for 2019-2022: Democracy Index; Fragile States Index Annual Report; Quality of Life Index by Country.

3. Results

The state and main trends in the functioning of representative authorities' institutions in Ukraine cannot be called stable, since, throughout the entire period of the country's existence as an independent and sovereign state, its political system is characterized by the influence of significant destabilizing factors of the external and internal environment.

It disrupts the balance of functioning and interaction of representative authorities and institutions. The problem of the functioning of the institutions of representative authorities became especially acute in 2022 after the deployment of active hostilities by Russia on a large part of Ukraine and as a result of the annexation of large Ukrainian territories by the aggressor country. In the conditions of war, it is very difficult, and sometimes even impossible, to ensure the effectiveness of public authorities.

Similar trends can be traced in terms of empirical assessments of the peculiarities of the functioning of representative institutions in Ukraine during the war. However, despite significant difficulties, the international community has made significant efforts to identify the main indicators based on which we can talk about the state and main trends in the functioning of representative institutions.

Therefore, we propose to deepen the research in this section and analyze Ukraine's position during 2019-2022 on the main indicators and compare their values with individual European countries that have signed both positive and negative relations with Ukraine, namely Poland, Czech Republic, Slovakia, Hungary, Romania, Moldova, Belarus, and Russia.

The most important indicator that shows the level of democracy in the country and the functioning of representative institutions is the democracy index. The international community has proposed methodological tools for assessing democracy indicators, which are used in European countries and Ukraine.

According to this methodology, the calculation of the democracy index is based on determining the parameters of the electoral process in the country and ensuring pluralism, assessing the quality and effectiveness of the government, ensuring civil liberties, as well as analyzing the level of political participation and political culture in the country. Meanwhile, the gradation scale of the democracy index ranges from 1 to 10 points, and the value of each country characterizes the type of democracy.

In particular, full democracy is considered to be inherent in a country when it scores between 8.01-10; imperfect democracy - in the case of 6.01-8 points; hybrid democracy is inherent in such countries that can provide 4.01-6 points; authoritarian regime - when scoring less than 4 points. Assessing Ukraine's trends in changes in the democracy index in 2019-2022 and comparing its values with those of individual European countries (Fig. 1), it is possible to find out that Ukraine has a hybrid democracy throughout the analyzed period, as the democracy index value in 2019 was recorded at 5.9 points, in 2020 - at 5.81 points, in 2021 - 5.57 points, and 2022 - 5.81 points. This situation indicates the presence of significant problems in the functioning of representative institutions, a low level of implementation of democratic principles, and growing trends in legal nihilism.

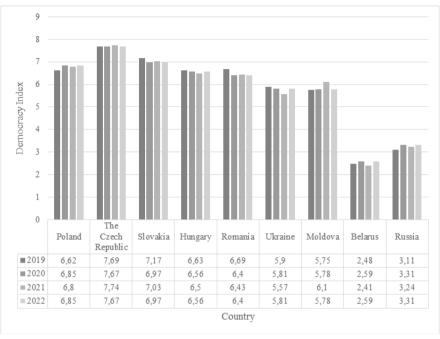


Fig. 1. Dynamics of the democracy index in Ukraine and selected European countries in 2019-2022. Calculated based on: Democracy Index, 2019-2022.

At the same time, studies of the democracy index in individual European countries reveal ambiguity in ensuring democratic principles of functioning of representative institutions. In particular, it was found that the countries that belong to the European Union (Czech Republic, Slovakia, Poland, Hungary, and Romania) have significantly higher democracy index scores and can ensure higher standards and conditions for the functioning of representative institutions.

Instead, developing countries (Moldova, Russia, and Belarus) face significant destabilizing factors of democratic development and are unable to achieve minimum European standards of democracy. It is worth noting that such countries as Belarus and Russia position an authoritarian regime, and democratic principles of functioning of representative institutions are, in fact, completely leveled.

Another, no less important indicator used to study the state and trends in the functioning of representative institutions is the fragile states index, which shows the effectiveness of public authorities, the degree of vulnerability of representative institutions to the risks and threats of our time, to conflicts and risks of a possible collapse of the state.

It should be noted that in the context of Ukraine's military confrontation with the armed aggression of the Russian Federation, this indicator is extremely important, as it allows us to assess the possibility of losing state sovereignty and the role of representative institutions in its preservation. Furthermore, the fragile states index provides grounds for assessing the state of the security environment, the legitimacy of public authorities, the quality of public services provided by public authorities, the rule of law, and the level of protection of human and civil rights.

The results of the study of Ukraine and other European countries according to the fragile states index in 2019-2022 (Fig. 2) indicate critical values of the analyzed indicator in transitional countries, in particular: Ukraine (FSI: 68.6-71.0), Moldova (FSI: 64.5-67.1), Belarus (FSI: 67.8-68.2) and Russia (FSI: 72.5-74.7). As for the countries of the European Union, there are much lower values of the fragile state index: in Poland (FSI: 41.0-43.1), Czech Republic (FSI: 35.7-39.3), Slovakia (FSI: 38.2-40.5), Hungary (FSI: 47.6-51.1), and in Romania (FSI: 46.7-51.0). It shows significant differences in the functioning of representative institutions in the European Union and in countries that seek to integrate into the European space.

The growth of the Fragile States Index indicates the deepening of crises in the state and the increase of its vulnerability to conflicts, including military ones, which is currently observed in Ukraine, Moldova, Belarus, and Russia

An important indicator of assessing the effectiveness of the functioning of representative government institutions in the state is public satisfaction with living conditions, a high level of protection of their rights and freedoms, a decrease in social tension, and an increase in the quality of life of the population.

According to the results of the study of the dynamics of the quality-of-life index in Ukraine and individual European countries in 2019-2022 (Fig. 3), a higher level of efficiency in the functioning of representative institutions is recorded in the European Union countries (Czech Republic, Slovakia, Poland, Hungary, and Romania), where the standard of living is much higher than in transitional countries (Ukraine, Moldova, Belarus, and Russia).

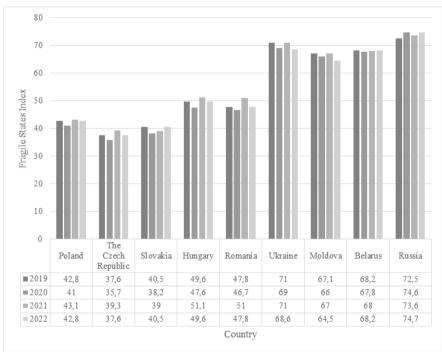


Fig. 2. Dynamics of the Fragile States Index in Ukraine and selected European countries in 2019-2022. Calculated based on: Fragile States Index, 2019-2022.

Nevertheless, it should be noted that during the entire analyzed period, the quality of life index was not calculated in Moldova. In addition, the events of 2021-2022, which were observed in Belarus and related to the deepening of the authoritarian regime and the leveling of the principles of democratic development of the state, and, consequently, the interference of certain law enforcement agencies in the activities of representative institutions, led to a significant decrease in the quality of life of the population by 19.75% in 2021 and 17.91% in 2022 compared to 2020.

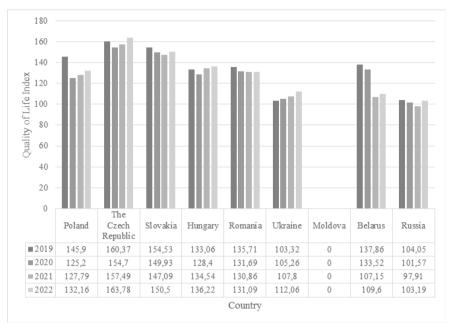


Fig. 3. Dynamics of the Quality-of-Life Index in Ukraine and selected European countries in 2019-2022. Calculated based on: Quality of Life Index by Country, 2019-2022.

The functioning of representative institutions in the countries selected for analysis has certain peculiarities, which make it advisable to distinguish certain common groups. We consider it expedient to group these countries according to the indicators of the Democracy Index and the Fragile States Index in 2019-2022. To do so, we suggest using cluster analysis technology (k-means method). The results are presented in Table 1.

The results of the clustering confirmed our hypothesis about the existence of two groups among the analyzed countries, characterized by common and various parameters: (1) the countries belonging to the European Union (Poland, Czech Republic, Slovakia, Hungary, and Romania), where higher indicators of efficiency of the functioning of representative institutions are recorded, and (2) countries of the transitional type (Ukraine, Moldova, Belarus, and Russia), which have significant problems in implementing the principles of democracy, ensuring the effective functioning of public authorities. Human and civil rights and freedoms there are leveled by the authorities, resulting in the growth of social tension in society and a decline in the quality of life of the population.

Ukraine

Moldova

Belarus

Russia

2

2

Democracy Index and Fragile States Index 2019 2020 2021 2022 Poland Poland Poland Poland The Czech The Czech The Czech The Czech Republic Republic Republic Republic 1 1 1 1 Slovakia Slovakia Slovakia Slovakia Hungary Hungary Hungary Hungary Romania Romania Romania Romania

Table 1. Grouping of selected European countries by Democracy Index and Fragile States Index in 2019-2022.

Calculated based on: Democracy Index, 2019–2022; Fragile States Index, 2019–2022.

2

Ukraine

Moldova

Belarus

Russia

Meanwhile, the identification of the impact of the democracy index and the fragile states index on the quality-of-life index in Ukraine and some countries of the European Union was carried out using correlation and regression analysis (software package Statistica, 7.0) (equation 1), allowed to establish that the impact of the democracy index and the fragile states index on the quality-of-life index is significant.

The growth of the democracy index leads to an increase in the quality-of-life indicators (regression coefficient r=0.997). As for the Fragile States Index, its impact is also tangible and inversely proportional, and a decrease in its value leads to an increase in the quality of life of the population (regression coefficient r=-0.091).

$$Y = 65,33 + 0,997 - 0,091 \tag{1}$$

Ukraine

Moldova

Belarus

Russia

R = 0.916; = 0.838; p<0.5000.

Ukraine

Moldova

Belarus

Russia

2

Where: Y – Quality of Life Index; – Democracy Index; – Fragile States Index.

The results of the study confirm the existence of a strong link between the selected indicators, as evidenced by the correlation coefficient R=0.916 and the statistical significance of the model value of the F-test F (2,2) = 5.190.

Thus, the conducted studies of the peculiarities of the functioning of the institutions of representative authorities in Ukraine in the conditions of war have revealed the existence of significant problems that need to be addressed immediately.

4. Discussion

The results of the study of the peculiarities of the functioning of representative institutions in Ukraine allow us to state that there are significant problems in the activities of various branches of state power at the national and regional levels. In particular, in the process of analysis, it was found that the most significant impact on the functioning of the representative authorities institutions is the military factors and armed aggression of the Russian Federation against Ukraine, which threatens the territorial integrity of the country and the preservation of its sovereignty.

At the same time, the negative trends in the functioning of the institution of parliamentarism were revealed, which testify to the deepening of the crisis in the country's legislative activity, the growing influence of oligarchic and clan structures on this institution, and the violation of the norms and principles of democratic development of the state.

In the process of conducting research in this direction, the expediency of reforming the system of regional governance and the formation of a powerful institution of representative authorities on the ground is substantiated.

Empirical calculations allowed us to compare the indicators of efficiency of the functioning of representative institutions with similar indicators of individual countries of the European Union. As a result, it was found that the countries that belong to the European Union (Poland, Czech Republic, Slovakia, Hungary, Romania) are characterized by a higher level of development of representative institutions than the countries of transitional type (Ukraine, Moldova, Belarus, and Russia), and the principles of democracy are implemented more responsibly.

Moreover, throughout the analyzed period, Ukraine has been experiencing a hybrid democracy, which necessitates the need to take appropriate measures to achieve European standards to strengthen its provision.

To increase the effectiveness of the functioning of the institutions of representative authorities in Ukraine in the conditions of war, it is suggested

1. to strengthen public control over the activities of the institutions of representative authorities;

- to form a set of measures to effectively ensure the implementation of the principles of democratic development of representative institutions;
- 3. to enhance the transparency of the electoral process and increase the level of political participation and political culture in the country.
- 4. The proposed measures will allow for the desired effect and increase the efficiency of the functioning of the institutions of representative authorities in Ukraine during the war.

Conclusions

Thus, the conducted research of theoretical and applied principles and peculiarities of the functioning of representative authorities institutions in Ukraine in the conditions of war gives grounds to assert that the activity of representative authorities institutions at the present stage is subject to significant destabilizing influence of threats, risks, and challenges of the external and internal environment, the most dangerous of which are military factors.

The results of the conducted research prove that in Ukraine there is a significant problem in ensuring the implementation of the principles of democracy in the activities of representative institutions, and the public administration system needs to be revised and improved.

It is revealed that during 2019-2022 in Ukraine the development of democracy of a hybrid regime is recorded, and the insufficient level of efficiency of the functioning of representative institutions significantly reduces the quality of life of the population.

The results of correlation and regression analysis show that an increase in the democracy index leads to an increase in the quality of life of the population (regression coefficient r=0.997), and the decrease in the fragile states index leads to an increase in the quality of life of the population (regression coefficient r=-0.091).

To increase the effectiveness of the functioning of representative institutions in Ukraine in the conditions of war, the necessity of forming measures to strengthen public control over the activities of representative institutions, ensuring the implementation of the principles of democratic development of representative institutions, enhancing the transparency of the electoral process, increasing the level of political participation and political culture is substantiated.

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