

CHAPTER 4.

RĂMAS BUN DE LA REGIMUL HIBRID: TESTAREA DEMOCRATIZĂRII ÎN UCRAINA PE DRUMURILE RĂZBOIULUI

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- **Rezumat:** *Articolul examinează principalele tendințe ale dezvoltării democrației în Ucraina, ca factor formator de simboluri al consolidării societății în condițiile războiului ruso-ucrainean aflat în desfășurare. Este analizat parcursul statului de la formarea și restabilirea statalității ucrainene până în prezent, cu accent deosebit pe factorii care au favorizat dezvoltarea țării pe o cale democratică. Sunt identificate cauzele deviațiilor autorităților în perioadele de guvernare ale președinților L. Kucima și V. Ianukovici. Este subliniat rolul decisiv al societății civile și al activiștilor în apărarea valorilor democratice în Ucraina, atât în timpul Revoluției Portocalii, cât și al Revoluției Demnității. O atenție specială este acordată importanței democrației în condițiile agresiunii ruse, care durează din 2014. Este evidențiat impactul negativ asupra procesului democratic cauzat de invazia pe scară largă a Rusiei în Ucraina, începută la 24 februarie 2022, precum și de instituirea regimului legal al legii marțiale. Se subliniază importanța eliberării Ucrainei din capcanele regimului politic hibrid, apărarea independenței și atingerea statutului de membru cu drepturi depline al Uniunii Europene și al NATO.*
- **Cuvinte cheie:** *Ucraina, războiul ruso-ucrainean, democrație, regim politic hibrid.*

FAREWELL TO THE HYBRID REGIME: TESTING DEMOCRATIZATION IN UKRAINE ON THE ROADS OF WAR

Abstract: *The article examines the main trends in the development of democracy in Ukraine, as a symbol-forming factor of the consolidation of society in the conditions of the ongoing Russian-Ukrainian war. The path taken by the state from its inception and the restoration of*

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the Ukrainian state to the present day is analyzed, with special emphasis on the factors that promoted the country's development on a democratic path. The reasons for the deviations of the authorities during the reigns of Presidents L. Kuchma and V. Yanukovych are identified. The decisive role of civil society and activists in upholding democratic values in Ukraine, both during the Orange Revolution and the Revolution of Dignity, is noted. Particular attention is paid to the importance of democracy in the conditions of Russian aggression, which has been ongoing since 2014. The negative impact on the democratic process caused by Russia's full-scale invasion of Ukraine on February 24, 2022, and the introduction of a legal martial law regime is noted. The importance of Ukraine's escape from the traps of the hybrid political regime, its defense of independence, and its achievement of full membership in the EU and NATO is emphasized.

Keywords: Ukraine, Russian-Ukrainian war, democracy, hybrid political regime.

Introduction

First of all, it is important to note the special significance of democracy, its preservation and development, particularly in the context and conditions of the Russian-Ukrainian war. After all, this ongoing war is defined not only as aggression by one state against another, namely, Russia against Ukraine. It is characterised by the fact that the Russian authorities and a significant part of society have fallen into the trap of the delusion of Putin's retro-imperial project, which seeks to restore Russia's role as a global imperial power that has the right to impose its will on other peoples and states, and which considers itself the natural (in quotation marks) hegemon of Eurasia, primarily in Central and Eastern Europe.

At the same time, this is a war of values, because it is a war waged by a country that has confidently gone through all the stages of restoring an authoritarian regime and is now evolving, on that basis, into at least neo-totalitarianism. Thus, it is also a war of values: the values of independence, democracy and freedom on the part of Ukraine and the countries that support it, and the values of aggression, domination, genocide, the right of force, the desire to assert power at any cost,

disregarding not only the norms of civilised morality but also international law.

Therefore, this is also an existential war, and an important dimension of it is Ukraine's democratic choice, its desire to be a democratic state, on the one hand, and Russia's rejection of democratisation, the democratic path of development, and a liberal-democratic regime, on the other. This process in Russia began with imitation facade democracy, a hybrid regime, and has now evolved into the formation of a political regime that is in fact at least neo-totalitarian. In a geopolitical sense, this struggle of the Russian authoritarian state, aggressive and retro-imperial, against democratic Ukraine and the democratic West also fits into the context of the confrontation between the democratic West and the authoritarian East as a whole — not the entire East, but primarily a number of countries such as Russia, the People's Republic of China, North Korea, Iran, and so on [5, p. 48–49]. Finally, it concerns the choice of orientation of many countries of the global South, which generally take a wait-and-see position or, unfortunately, in recent decades and years have been drifting steadily towards authoritarian and even openly dictatorial regimes [15, p. 123]. Thus, the question and role of democracy in the context of this war is enormous, especially since democracy is not just a political regime and the processes of its functioning, but also a socio-political value shared by the majority of Ukrainians.

For many Ukrainians, the meaning of this war lies in defending their independence and statehood, as well as preserving and strengthening its democratic nature. Otherwise, many Ukrainians do not understand why they should sacrifice their health and lives in this brutal war that has been going on since 2014. Next, we will look at how democratic trends and transformations have taken place in Ukraine over the previous historical period.

The path to democracy through the pitfalls of authoritarian relapses

First of all, in the first section, we will note how the democratisation process took place from the early years of Gorbachev's perestroika to the formation of the foundations of democracy in independent Ukraine. It is obvious that perestroika opened up new opportunities for the then inhabitants of the USSR and the Ukrainian SSR that had

never been seen before in Soviet reality. This was primarily the policy of glasnost, the possibility of holding increasingly free, initially limited competitive (elections at the grassroots level, in labour collectives of enterprises and organisations), and then increasingly competitive elections, which were based not only on the competition of the personal qualities of the candidates, but also on ideological positions and political platforms. I would like to remind you that this process developed quite rapidly from 1989 to 1990.

Of particular importance was the revolution in values that took place in the minds of Ukrainians, who reclaimed their own history and discovered the historical path that the Ukrainian people had followed in previous eras. The self-awareness of Ukrainians had been grossly distorted by Soviet cultural and educational policies and repressions against Ukrainians and other peoples of the Soviet Union, the destruction of their prominent representatives, and the even longer-standing Russian imperial policy of Russification and destruction of Ukrainian identity, uniqueness and culture. Therefore, perestroika truly opened up new horizons [7]. However, within the framework of the Soviet Union, the further development of the peoples and nationalities of the Soviet Union proved impossible, and therefore, after the failure of the attempt to restore the omnipotence of the nomenclature during the August 1991 coup, Ukraine quite quickly, on 24 August, adopted an important political and legal act on its state independence.

In this way, together with other Soviet republics, some of which, such as the Baltic countries, had already embarked on the path to asserting their state independence, it actively participated in the process of dismantling the Soviet Union and thus the omnipotence of the party nomenclature and the mode of rule that was characteristic of the Soviet era. As Ukrainian independence began to assert itself, Ukraine increasingly acquired the qualities of a sovereign state, both formally and substantively, and the processes of democratisation continued quite actively, perhaps thanks to the crises that neither the Soviet authorities nor the post-Soviet leadership could cope with. Therefore, the initial enthusiasm for independence and the euphoria of leaving the USSR evaporated quite quickly. As early as 1992, Ukrainian citizens began to realise more and more that independence does not automat-

ically bring security, prosperity or democracy, but requires considerable effort and self-sacrifice [12].

In the difficult circumstances of the early years after independence, the activities of opposition forces such as the People's Movement of Ukraine, the Republican Party and the Democratic Party were particularly important. The suspension and subsequent weakening of the Communist Party of Ukraine, although for some time its role was taken over by the Socialist Party of Ukraine and the Peasant Party of Ukraine, which had a significant influence on political processes in our country due to their significant representation in the Ukrainian parliament, the Verkhovna Rada, also affected the processes of democratic transformation. Nevertheless, the Ukrainian authorities gradually pursued a policy of distancing themselves from the Soviet legacy, the Soviet model and related Soviet forms of government and state administration.

However, the democratisation processes were ambiguous and largely determined by the deepening systemic socio-political and socio-economic crisis in Ukraine. Mass impoverishment of the population, non-payment of wages, unemployment, miners' protests, the beginning of active emigration and labour migration from the country – all these processes raised questions about the responsibility of President Leonid Kravchuk as early as 1994, and continued with the government, at that time headed by Leonid Kuchma, and the Verkhovna Rada of Ukraine.

Ultimately, all these political players, who tried for quite a long period of this fierce struggle to shift responsibility from their shoulders to others, seeking to whitewash themselves and blacken their opponents, led to early extraordinary, early elections at all levels of power in Ukraine. The phenomenon of the 1994 elections in Ukraine deserves special attention and mention [4]. It was during this period that Ukrainians were given the opportunity to elect virtually all of the country's authorities, from the President of Ukraine and the Verkhovna Rada of Ukraine to all local authorities: regional, district and local councils – rural, settlement and city councils.

In these circumstances, it is very important that these elections were sufficiently competitive and open, and that the influence of so-called political technologies on voters was minimal. It was then that

Ukrainians had the chance to elect a new government. To a large extent, they failed to distance themselves from the previous nomenclature. This happened because, in the process of dismantling Soviet statehood in Ukraine and forming national statehood, the main factor in the formation of personnel, personnel policy and, accordingly, the institutional design of the Ukrainian state was the nomenclature formed by the Soviet regime. It was transformed from colonial-type managerial personnel, in fact representatives of the Soviet Union (as the successor in many respects to the Russian Empire), into new representatives of the national elite. It is clear that this elite was formed on a nomenclature basis from personnel, who were selected and educated by the education system and personnel policy of the Soviet Union. They were by no means prepared for the establishment and affirmation of a national state, but rather for the implementation of the interests and tasks of the union centre – Moscow. This greatly slowed and hampered down not only the processes of nation-building and state-building, but also the processes of forming a democratic political elite accountable to its citizens.

After 1994, Ukraine entered a long period of strategic uncertainty regarding the priorities for its further development, wavering between democratic and authoritarian tendencies. It is important to mention such key events as the 1995 Constitutional Agreement, which became the legal prologue to the adoption of the Constitution on 28 June 1996. This Constitution, in turn, established Ukraine as a presidential-parliamentary republic, in which significant powers were concentrated in the hands of the president. Leonid Kuchma became president of Ukraine in 1994. His motto was: “Give me more power, I don’t have enough authority”. He is also remembered for his famous phrase: “Tell me what to build, and I will build it for you”. In it, one can see an amazing combination of the psychology of a representative of the Soviet system of governance or, according to the old Russian tradition, a “prikazchik” (foreman), who played the role of a successful servant of his master, in this case nominally the Ukrainian people, and at the same time a person who constantly demanded as much authority and power as possible for himself, and for the most part received it.

The 1996 Constitution had many positive features in terms of the legal definition of Ukraine as a democratic, legal and social state in

which the rule of law and the priority of human rights are proclaimed. It enshrined the principle of separation of powers, the rule of law and the inviolability of fundamental human rights and freedoms. At the same time, in terms of preventing authoritarian tendencies in Ukraine, this constitution did not act as a restraining factor. On the contrary, by granting executive power, it simultaneously freed it from specific political responsibility for the results of the implementation of a very powerful package of powers.

The years following the adoption of the Constitution were marked by constant government crises. On the one hand, Leonid Kuchma continued to seek a format for his new powers, as, for example, during the so-called referendum “on the people’s initiative” in 2000. In reality, there was very little “popular” about this initiative. The initiative itself was born in the minds of political strategists and close advisers to President Kuchma, who saw the expansion of his powers as a guarantee of their own interests and those of the financial and industrial groups they represented. The idea behind this referendum was quite obvious. Not satisfied with the constitutional powers granted to him in 1996, Leonid Kuchma sought to transition to a super-presidential republic, as it was called at the time. In essence, he wanted to build a regime of personalised autocracy modelled on the Russian Federation and Belarus [19].

At the same time, this referendum, which would have given the president significantly more powers, would have given him *carte blanche* to form a bicameral parliament in Ukraine (on unknown and therefore unclear grounds and needs). Moreover, it is highly likely that the upper house would be formed mainly by the president himself. Despite all these initiatives, formally supported by a vote that was largely manipulated, if not falsified, for various reasons, its results were not ratified or approved by parliament. Therefore, this legalistic transition to a super-presidential republic in Ukraine did not take place. L. Kuchma’s entire second term as president was accompanied by an intensification of negative trends in Ukraine’s development, not only authoritarian ones, but also due to the escalation of confrontation with the opposition to the president and the radicalisation of socio-political struggle in Ukraine. These processes took place against the backdrop of relative socio-economic stabilisation in the country.

By the end of his term, Leonid Kuchma had minimal authority and support in society, with his personal approval rating barely exceeding 4%. This prevented him from accepting the proposal to run for another presidential term, which would have been a clear violation of the Constitution. Unfortunately, the Constitutional Court of Ukraine ruled that Leonid Kuchma's first and second terms in office did not add up to two terms, but were only one term as president. After such legal prostitution and a master class in legal casuistry, much to the shame of the Constitutional Court and our justice system, L. Kuchma showed a more sober understanding that his chances of power were either illusory or that this power would be too costly for him, not to mention Ukraine. Therefore, he made a choice and bet on the "heir" operation.

This was consistent with the logic of the 1999 transfer of power in the Russian Federation from Boris Yeltsin to Vladimir Putin. After Leonid Kuchma chose Viktor Yanukovych as his main successor rather than his main rival Viktor Yushchenko, the Orange Revolution unfolded in the country. It was based on the entirely justified outrage of Ukraine's democratically minded voters at the conduct of the elections, especially the second round. This election campaign was conducted with brutal, blatant and undisguised fraud, with so-called carousels, ballot box stuffing, intimidation of voters and bribery. The events of October 2004, when millions of Ukrainians took to the streets of Ukraine and the main Maidan in Kyiv – Maidan Nezalezhnosti – led to the collapse of the scripted, and possibly directly imposed by the Kremlin, scenario of the transition of power [19]. The scale and energy of the Ukrainian people's protests against the results of these elections, against manipulation and falsification, against attempts to minimise the development of electoral democracy in Ukraine, led, with the support of the democratic world, the Organisation for Security and Co-operation in Europe, the Council of Europe and the European Union, to the impossibility of implementing this scenario. Ultimately, the protests, in which Ukrainian civil society played a leading role, resulted in a certain political and legal compromise.

First, there was the constitutional compromise of 8 December 2004. In order to defuse the situation and at the same time reconcile the opponents and the political forces that supported them, a transition was made from a presidential-parliamentary to a parlamenta-

ry-presidential republic. As a result, the constitutional powers of the president were significantly reduced, while the powers of parliament and the government were increased. The latter was to be appointed and controlled mainly by parliament. Accordingly, the president's powers were no longer such a decisive factor in the struggle for power, and this cleared the way for the so-called third or repeat second round of elections, as a result of which the opposition candidate Viktor Yushchenko won.

Ukraine's unfinished democratisation: Viktor Yushchenko's chance and Viktor Yanukovich's authoritarian restoration

The period of Viktor Yushchenko's presidency was initially marked by high hopes and expectations [8]. Ukraine returned to the path of electoral democracy, and significant steps were taken to ensure the fundamental rights and freedoms of citizens. Ukraine took decisive, important steps towards European and Euro-Atlantic integration that would determine its course for years and decades to come. It should be noted that these steps were initiated by Leonid Kuchma, and this is his historic positive legacy. However, these processes began to take on real meaning under President Viktor Yushchenko. This included such important steps as the transition to negotiations on association with the EU and attempts to secure a NATO Membership Action Plan (MAP) for Ukraine. This is to the credit of Viktor Yushchenko and his political team.

However, not everything went well with Viktor Yushchenko's political team. Already in the first year of his presidency, a split occurred in this team between Yushchenko and his supporters and Yulia Tymoshenko, who was prime minister. This first deep political crisis revealed the extreme heterogeneity of the Orange Revolution victors' camp. It had a significant impact on the effectiveness of the president and his team, as well as on Ukrainians' perception of the results of the Orange Revolution. This gradually led to the erosion of the achievements of 2004–2005 and the levelling of the important gains of the Orange Revolution. The odious Prime Minister Viktor Yanukovich returned to power, initially as Prime Minister.

In 2010, new presidential elections were held, in which V. Yushchenko received a meagre level of support from Ukrainians, which proved to be a fiasco for him as a politician and his policies, mainly

due to voters' disbelief and disappointment in his ability to deliver on his promises. However, the battle between the main candidates for the presidency, Viktor Yanukovych and Yulia Tymoshenko, was quite fierce. Here again, it should be noted that the dichotomy of "Yanukovych as an authoritarian leader and Tymoshenko as a democratic leader" does not fully stand up to criticism. Both well-known politicians were representatives of the oligarchic clans that had become the main actors in the Ukrainian political process and stakeholders in its political regime since the late period of Leonid Kuchma's presidency. They were both authoritarian leaders. But Yanukovych embodied the traditional type of leader, like a conservative post-Soviet politician. Tymoshenko, on the other hand, was a populist leader.

However, neither of them really represented different macro-regions of Ukraine. This should be mentioned, because at that time a simplified and largely misleading "east-west" dichotomy of Ukraine was widespread in Ukraine and beyond. In fact, both were representatives of eastern Ukraine. The difference was that Yulia Tymoshenko was a representative of the Dnipropetrovsk clan, whose key representatives included the notorious Prime Minister of Ukraine Pavlo Lazarenko and L. Kuchma. Yanukovych, on the other hand, was a creation of the Donetsk clan, whose most famous sponsor and representative was Ukrainian billionaire Rinat Akhmetov.

Therefore, Viktor Yanukovych's victory over Yulia Tymoshenko did not mean the victory of authoritarianism over democracy. Rather, it meant that one authoritarian leader was able to defeat another authoritarian leader. As a result, tendencies towards the curtailment of democratic processes, restrictions on the scope of democratic factors, and, in fact, the progressive development of the Ukrainian state intensified and became entrenched in Ukraine. These negative developments were quite noticeable from the first years of Yanukovych's rule. In particular, as the head of the Party of Regions and as the president of Ukraine, he did not even hide his sympathies for the model of power and system of values on which United Russia was based in the Russian Federation. Accordingly, Putin's regime in that country was a model and desirable form of government for him. As it turned out later, it was the customer and controller of his political mission in Ukraine.

Thus, the then ruling Party of Regions acted as the official partner of the United Russia party, and Yanukovich himself publicly declared that he sought to build a strong vertical of power in Ukraine, which was confirmed very quickly in 2011 [10]. Then, at his political behest, once again obedient, loyal, and, in this case, clearly unprincipled, the Constitutional Court of Ukraine “stamped” a deeply questionable, obviously commissioned decision that the Constitution in the version of 8 December 2004 was recognised as illegitimate, adopted with procedural violations. Consequently, the Constitutional Court ruled to return to the version of the Constitution dated 28 June 1996.

This shameful decision brought Ukraine back to the presidential-parliamentary model, to the supremacy of the president’s prerogatives and powers. Other legislative acts adopted by parliament, seemingly in implementation of this decision, in particular the Law on the Cabinet of Ministers, further strengthened the influence of the president and his appointees on political processes in the state. The Ukrainian political regime began to drift confidently towards authoritarianism, following the Russian model. It reached the point where, after local elections that were once again largely manipulated, Viktor Yanukovich and his party initiated the resignation of the heads of more than 40 municipalities and regional centres of Ukraine who had been elected by the local communities. This was an undisguised attempt to extend this “verticalisation of power” even to those institutions of power which, according to the Constitution and the laws of Ukraine, had broad administrative autonomy and should not have been part of the vertical structure of executive power.

The culmination of these efforts to establish an authoritarian regime in Ukraine and attempts to consolidate it were, of course, the geostrategic changes in Viktor Yanukovich’s foreign policy. He demagogically declared that he consistently advocated the continuation of European integration. Unlike Euro-Atlantic integration, which, he said, the country did not need, Ukraine should become a non-aligned state, because no one was threatening it, so Ukraine did not need to join NATO. At the same time, European integration remained a priority in his rhetoric, with the successful signing of the Association Agreement between Ukraine and the EU as a new step towards its implementation.

Yanukovych's domestic policy included the suppression of the opposition and repression of his political opponents. In particular, former Prosecutor General Viktor Lutsenko, former Prime Minister Yulia Tymoshenko, Yanukovych's main rival in the presidential election, and many others ended up in prison. Some of them repented before the new head of state and reached an agreement with the investigation, such as former Minister of Ecology Heorhiy Filipchuk, while others were forced to serve their sentences.

In these conditions of democratic regression and attacks on the rights and freedoms of Ukrainian citizens, a very important, seemingly foreign policy step is being taken, which is a completely logical consequence and result of the authoritarian deviation of the political regime during Yanukovych's time. The government, led by Mykola Azarov, announced a legally incorrect statement that the Ukrainian government was suspending negotiations on the Ukraine–EU Association Agreement with the European Union. This was absurd even from a formal legal point of view, because negotiations on this agreement had already been completed. It had been initialled, i.e. it was completely ready for signing, and no further negotiations were taking place.

Until October 2013, V. Yanukovych and his Prime Minister M. Azarov had publicly stated that this agreement would be signed at the Eastern Partnership Summit in Vilnius. The summit took place, albeit with Yanukovych formally present, but without any relevant documents being signed by Ukraine. There was a clear and obvious Russian influence behind all of this.

It is worth remembering that the Kremlin had previously twisted Armenia's arm, and its government refused to sign the Association Agreement. At that time, Russia seemed to be successfully dictating its will to the Ukrainian government. It is obvious that it had very effective levers of influence over Yanukovych. According to the well-founded assumptions of many experts, it had very serious compromising information on him, which, if made public, would mean at least his political death.

Using these trump cards, Putin forced his protégé Yanukovych to capitulate and attempt to reorient Ukraine's foreign policy, and thus its domestic policy, from a European and democratic vector to a Eurasian and authoritarian one. However, Ukrainian society stood in the

way of the triumph of Putin's plan. Ukrainian youth gathered at the Euromaidan in Kyiv, initially without political slogans and refusing to support the opposition. They sought to stop this retreat from European to Eurasian integration and from what was, albeit hybrid at the time, perhaps even a facade of democracy, to a Eurasian police state and consolidated autocracy of the Russian–Belarusian model [13].

Ultimately, after the unprovoked, except for the authoritarian instincts of Viktor Yanukovich's team, most likely under the direct dictation of the Kremlin, violent dispersal of peaceful protesters — young men and women — at the end of November, Euromaidan quickly grew into a mass protest. It became the centre not only of peaceful protest, but also of growing violent confrontation between the opposition and Yanukovich's regime. This confrontation culminated in the bloody events of the Revolution of Dignity, when more than 100 Ukrainians fell victim to the security forces on the instructions and with the direct participation of Russian security forces. These events, which were symbolically named the Revolution of Dignity, led to Viktor Yanukovich leaving Kyiv. He attempted to convene a somewhat obscure congress in Kharkiv, but the delegates to this congress never saw their leader. With the help of the Russian special services and the last Minister of Defence of Ukraine, Pavlo Lebedev, he ended up in Rostov-on-Don, Russia, via Ukraine.

Thus, Viktor Yanukovich's attempt to establish an authoritarian regime in Ukraine ended ingloriously, bloodily and shamefully. This was the second systematic attempt after Leonid Kuchma to introduce authoritarian rule in Ukraine. Incidentally, in both cases, the Kremlin played a significant, if not decisive, role. After all, if successful, these changes would inevitably have buried the democratic aspirations of Ukrainians and the European and Euro-Atlantic prospects of the Ukrainian state [9].

Post-revolutionary Ukraine: democratic choice in the context of war with retro-imperial autocracy

February 2014 marks the beginning of a new stage in the modern history of Ukraine, and possibly Europe and the whole world. In the aftermath of the Revolution of Dignity, Ukrainian society hoped and believed that its bloody excesses were behind it and that a period of peaceful development lay ahead, with the country returning to

the path of democracy and, accordingly, moving closer to and successfully integrating into the EU and NATO. The overwhelming majority of Ukrainians demanded that the new authorities, initially headed by the acting president, Verkhovna Rada Chairman Oleksandr Turchynov, implement systemic reforms that would transform Ukraine into an effective democratic state with a socially oriented market economy and guaranteed respect for the law. Accordingly, society demanded that the authorities carry out systemic reforms that would transform Ukraine into an effective democratic state with a socially oriented market economy, guaranteed respect for the law, and adequate protection of the rights and freedoms of citizens. They needed a Ukraine that aspires to and is capable of becoming a full member of the European and Euro-Atlantic community.

These processes of reform and change, which began under pressure from civil society and were implemented, albeit with various obstacles, by the authorities from 2014 to 2016, were quite active and progressive. They showed that Ukrainian civil society is a key actor and the main driver of change in Ukraine. It dictates these changes, tries to implement and control them, and actively participates in their implementation.

These positive changes, starting with the return to a parliamentary-presidential republic, measures to reform the Ukrainian political system, including the party system (remember the mechanism of state financing of political parties, which was also a completely European, democratic norm), and modernisation of the public administration and service system, all took place, unfortunately, against the backdrop of the outbreak and escalation of the Russian-Ukrainian war. From the illegal annexation of Crimea and the outbreak of hostilities in eastern Ukraine, under Russia's false slogans that it had nothing to do with it, and that in both cases it was the initiative of local people, citizens of Ukraine who were dissatisfied with the "Kyiv regime", to its open aggression and full-scale invasion of Ukraine in February 2022, Russia has been steadily escalating its confrontation with Ukraine [20, p. 33–34]. Moreover, the characteristics of this so-called Kyiv regime in Moscow's propaganda and official statements have increasingly evolved from accusations of insufficient respect for human rights, in particular anti-Semitism, undemocratic practices, and so on, to accusations, ul-

timately, of the illegitimacy of the government, attaching such absurd labels to it as junta, Nazis, fascists, and the like.

The entire arsenal of Moscow's propaganda – destructive, false, and unfounded – showed that the Russian authorities do not perceive Ukraine as an independent state, do not respect the clearly stated free choice of the Ukrainian people, disregard the results of electoral processes, and, ultimately, do not take into account the fact that Ukraine exists as a sovereign state.

It was under these conditions that the reformist surge of 2014–2016 nevertheless yielded significant results [18]. Among the many reforms, including social, educational and healthcare reforms, the most extensive and important for the future of Ukrainian statehood and public administration was the set of reforms aimed at decentralising power [11]. It was the processes of decentralisation of power, aimed at transferring powers from executive bodies to local self-government bodies, that brought about significant and, for the most part, positive changes. These included the creation of new amalgamated territorial communities with a much larger resource base, powers, including financial capabilities. As a result, communities have become more self-sufficient, stable and resilient in their development.

Territorial and administrative reform was also carried out not only at the level of territorial communities, but also at the level of districts. New districts were created, larger in terms of territory and resources, which made it possible to create a self-sufficient and self-governing sub-regional level of government. Unfortunately, these processes at the level of the newly formed districts were not completed. The new district councils, despite the promises of the first and second post-revolutionary presidents, Petro Poroshenko and Volodymyr Zelensky respectively, to complete the transformation at the district level in favour of local self-government bodies by granting the district councils the relevant powers, have not received those powers. Elected in 2020, they have not acquired the powers promised by all existing concepts of decentralisation of power.

Finally, at the regional and regional level of government, the processes of decentralisation of power have, unfortunately, not led to any changes. Therefore, the system of public management and administration, which was established by the laws of 1997–1998, with the de fac-

to omnipotence of district and regional state administrations, which were subordinate to the Cabinet of Ministers, but whose main leader remained one or another president of Ukraine, was left untouched. This has given rise to many justified criticisms and complaints.

At the same time, Ukraine took important steps towards rapprochement with the European Union and, to a certain extent, NATO. The course towards European and Euro-Atlantic integration was legislatively enshrined in the new version of the Law “On the Principles of Foreign Policy of Ukraine” and finally even enshrined at the constitutional level. Its introduction into the country’s basic law not only demonstrated the importance and value of Europe for the Ukrainian state, but also laid the maximum possible legal grounds for its irreversibility – for example, in the context of possible changes in the party-political situation, both on the part of the president and the Ukrainian parliament and, accordingly, the government.

These strategically important steps, although consolidated by the adoption, signing and ratification of the Association Agreement with the European Union, were nevertheless significantly affected by negative external and internal factors and did not fully deliver the results expected by society. Thus, Ukraine could not really count on such an important step towards EU membership as its recognition as a candidate country. That is, until the full-scale invasion by the Russian Federation on 24 February 2022.

The Kremlin leadership, having concluded that local and regional means of influence on Ukrainian society, including the artificial fueling of separatist movements, aggressive campaigns as part of hybrid warfare, a flood of disinformation and the systematic undermining of the authority of the Ukrainian government, were not producing the desired results, resorted to direct and undisguised military aggression. However, in an attempt to “shyly” disguise it, with the aim of misinforming both its own citizens and the international community, it used the term “special military operation.”

In fact, the goals that were officially and repeatedly voiced by Vladimir Putin and his team about the “denazification” of Ukraine, its “demilitarisation”, its neutral status, preventing it from joining NATO, and so on, actually all boil down to desovereignising Ukraine, depriving it of its statehood, political choice and responsibility for its future.

The aim is to draw it into the orbit of Russian politics, or even annex it completely. Russia has succeeded in this to a greater or lesser extent when we talk about modern Georgia under the rule of the “Georgian Dream.”

Under the new circumstances, the Russian Federation continued its course of escalating the situation in Ukraine, undermining the unity of the Ukrainian people, demoralising them, physically exterminating them and morally bleeding them dry, with a view to developing a full-scale war. At the same time, it also demonstrated its inability to achieve this either through hybrid warfare or through the direct invasion of Ukraine by its armed forces. In other words, Putin’s blitzkrieg failed, and since then the Russian Federation has been forced to switch from its failed tactics of a quick victorious war to a war of attrition, exhausting the mobilisation, demographic, military and political resources of Ukrainian society. Unfortunately and horribly, the war continues to this day.

Ukrainian society is fighting Russian aggression, resisting Russian attacks on a vast front stretching over a thousand kilometres in daily battles and skirmishes. Of course, Ukraine is suffering enormous losses, especially painful in terms of the loss of its most valuable asset – its citizens, its human potential. In such conditions, Ukraine is faced with a choice about how to deal with democracy in the face of mortal danger [3]. This war is obviously not only important for the preservation of the Ukrainian nation and its right to self-determination, not only for the preservation of the Ukrainian state, its sovereignty, and its ability to choose its own path of development. For Ukrainians, success in the Russian-Ukrainian war is linked to the preservation and strengthening of democracy [2].

Wartime challenges to democracy and hybrid political regime risks

It cannot be ignored that, in the context of full-scale Russian aggression, Ukrainian democracy is facing unprecedented challenges and undergoing significant deformative influences [16, p. 113–114]. Firstly, it should be recalled that even before the war, the 2019 elections led to the formation of a so-called mono-majority in Ukraine, for the first time in its history, when President Zelensky and his Servant of the People party gained, in effect, unlimited control over central and,

to a large extent, local government. In such conditions, of course, the temptation to adopt one form or another of authoritarian rule was already very great.

Secondly, the logic of confronting Russian aggression also prompted the maximum concentration of power resources in the hands of the central authorities, especially the president. Thirdly, the legal regime of martial law significantly restricted the constitutional rights and freedoms of Ukrainians. This also meant that the practical use of the instruments of democracy, primarily direct democracy, which had been actively developed and implemented during the reforms in the period after the Revolution of Dignity, was largely marginalised in the political space and deactivated in public policy practices. Of course, some of these instruments were formally preserved, such as electronic petitions, etc., but this did not change the essence of such processes.

The space for democracy, both representative and direct, in Ukraine has narrowed significantly since 24 February 2022. Therefore, Ukrainians are faced with a very difficult choice: security or democracy, sovereignty or civil liberties. And to a large extent, Ukrainians themselves show that there is no dilemma for them in this choice. This is because Ukrainians value sovereignty, statehood and democracy most highly and consider them to be the most important values. According to various sociological surveys, two-thirds or more of Ukrainian society place values such as Ukraine's independence, statehood, sovereignty, European and Euro-Atlantic choice, but also the value and importance of democracy, on an equal footing [17, p. 20].

At the same time, public opinion in Ukraine shows that, while choosing democracy, highly valuing democracy and clearly understanding that the struggle for Ukraine's freedom and independence is directly linked to the preservation and strengthening of the Ukrainian democratic state and its institutions [1], Ukrainians at the same time demonstrate insufficient political and civic activity. They lack understanding and awareness of the means and forms of political participation through which they can influence their own state and its authorities at various levels. They also have many complaints about the current authorities.

These criticisms and complaints have resulted in a crisis of confidence in key institutions of power: with the exception of the presi-

dency, other key authorities, such as the Verkhovna Rada of Ukraine, the Cabinet of Ministers of Ukraine, and local authorities (primarily the executive branch), enjoy very low levels of trust, which could even be described as critically low. This raises the question: de facto presidentialism, contrary to constitutional provisions, changes in the political space, in which the key players are not primarily the parliament and the Cabinet of Ministers accountable to it, as required by the Constitution after the return to the 2004 model, but the president, namely the Office of the President and his inner circle, have a decisive influence on Ukrainian politics [14, p. 116]. This is what is causing considerable concern about the future prospects for democracy in Ukraine and about the fact that this new format of a hybrid political regime, which combines democratic and authoritarian features in varying proportions, is, unfortunately, once again becoming relevant and entrenched in Ukrainian political practice.

And here there is room to search for answers to important questions. In recent years, including during the first years of Volodymyr Zelenskyy's presidency, Ukraine has been recognised by other countries and international experts as a state with serious problems in terms of democratic participation, ensuring the rights and freedoms of citizens, excessive influence of oligarchs on political and social processes, the state's information space, and so on. At the same time, it has been recognised as a country with a successful and fairly effective electoral democracy.

However, the last national elections in Ukraine took place in 2019 – the presidential elections and the early parliamentary elections initiated by him – and local elections took place in 2020. Thus, Ukrainians have not elected their central government for six years and have not elected their local government for more than five years. It is clear that in the context of a full-scale war, the holding of elections under the legal regime of martial law is, if not impossible, then certainly extremely difficult. But, on the other hand, the question arises: what about the democratic mechanism of control and renewal of power at all levels? Electoral mechanisms do not work and are impossible, and the tools for citizens to control the activities of the authorities either do not work or are minimal.

Even high- and mid-level officials are not selected through competitive processes, but are appointed under wartime conditions. It is becoming increasingly clear that all of this is leading to the accumulation of serious problems in Ukraine's democratic process and to growing socio-political tensions in society. In addition, Ukraine's enemies, particularly Russia, are not sleeping and are trying to do everything they can to delegitimise the Ukrainian government and deprive it of public support. All these divisions and contradictions in Ukrainian society are being used to provoke its weakening and disintegration. So, instead of democratic national consolidation, we have a certain fragmentation, which, unfortunately, is sometimes provoked by the current government.

Let us recall the corruption scandals, as well as the sad case when President V. Zelensky initiated, and the Verkhovna Rada of Ukraine adopted, laws that changed the system of subordination of anti-corruption bodies and effectively integrated them into the executive branch headed by the president.

Of course, the positive aspect of the attack on the independence of anti-corruption bodies was not only the negative signals from our foreign partners in the EU and NATO countries, which, incidentally, seemed to be largely ignored by the current government. Civil society and Ukrainian youth played a significant role, taking to the streets with the so-called cardboard protest, despite all the legal restrictions of martial law, and stopping this devolution of anti-corruption state policy. President V. Zelensky was forced to propose a different version of the law, and this version, of course, had to take into account criticism from both civil society and our foreign partners. Perhaps not completely, but these pro-corruption legal and institutional transformations were stopped, primarily on the initiative of young people and civil society.

But it is very unpleasant to recall, and simply necessary to record for history, how joyfully the parliamentary majority, the same Servants of the People, applauded the adoption of this law in the session hall of the Verkhovna Rada of Ukraine. These images spread around the world and, of course, made an extremely negative impression, which is very difficult to shake off, and perhaps should not be shaken off, both by supporters of democracy and the rule of law within Ukraine itself

and beyond its borders. Thus, unfortunately, the war continues and places a huge burden on Ukrainian society, exhausting it and, in particular, exhausting the resources of civil society and the capabilities of its active part.

Yes, if we recall the first months of the full-scale Russian-Ukrainian war, when Ukrainian society truly became a model of democratic consolidation [21], when queues of volunteers stood in front of military registration offices, Ukrainians went to defend their country. Those who, for physical and other reasons, could not fight with weapons in their hands, launched a powerful volunteer movement, which, together with the support of autonomous, self-sufficient local communities, ensured the support of the Ukrainian armed forces and the effectiveness of the rear. All this made it possible not only to resist the aggressor, but also to stabilise the socio-economic situation in the country, provide adequate reception for internally displaced persons and solve other problems.

This potential for resilience and resistance appears to have been significantly reduced in the fourth year of full-scale invasion. This is also because many soldiers and active citizens have either been killed or maimed. Replenishment from the passive part of Ukrainian society, which is quite significant, or from the pro-Russian faction of Ukrainian society, which has simply gone into hiding, the so-called “zhduuns”, is limited and predictably unconstructive.

This once again poses serious challenges and threats to the Ukrainian state. Responding to these challenges and threats is the responsibility of the authorities, on the one hand, in responding to the demands of society, including its demand not only to preserve but also to develop democratic processes and procedures and the instruments of the rule of law. On the other hand, it is the responsibility of the authorities to develop and use instruments of democratic influence of the population and citizens on the authorities at all levels. And we also have problems with this, as well as with the readiness of citizens to be equal and demanding partners of the authorities in solving all these problems.

Conclusions

Therefore, in conclusion, it should be emphasised that Ukrainian society has made its value, political and civilisational choice in favour of democracy. It has demonstrated its readiness and ability to fight for it both through peaceful protests and by defending its country from an enemy that seeks to destroy the Ukrainian state and its important pillar – the democratic order. At the same time, despite significant achievements and sacrifices, Ukraine, unfortunately, has not yet emerged from this trap of hybridity and the pitfalls of authoritarian reversals. The Ukrainian political regime continues to remain hybrid. At times, due to external and internal political circumstances, authoritarian tendencies in Ukraine are even intensifying to a certain extent.

This is happening, among other things, because of the inability to use the mechanisms of electoral democracy and the curtailment of mechanisms and restrictions on the instruments of direct democracy. The processes of decentralisation of power in our country have been halted again due to Russia's full-scale invasion.

At the same time, despite severe trials and losses, civil society in Ukraine has not died. It acts, works, and seeks ways to strengthen its influence and presence in social and political processes. It fuels actions to control and influence the restriction of authoritarian tendencies in Ukraine's political process. It continues to influence the authorities, despite the increasingly obvious excesses of their monopolisation. It has been and remains a key actor in the transformation, including democratic transformation, of the Ukrainian state. And the fact that Ukraine strives for full European and Euro-Atlantic integration, which is not a mere constitutional declaration but a demand of Ukrainian citizens, sets a fairly clear direction for our movement towards democracy, a vector of direction and the possibility of objectively assessing country's achievements and mistakes.

Of course, it is sad to see certain crisis phenomena among our Western partners, the unpredictability and undisguised authoritarian tendencies of the current head of the White House, Donald Trump, and attempts by populist leaders to "come to terms" with Putin's Russia, not only in Central European countries, but above all in neighbouring countries that are most important to Ukraine, such as Hungary and Slovakia, and, following the recent elections, the Czech Republic.

Similar problems also affect developed Western European countries. This synthesis of populism and authoritarianism, which is becoming increasingly relevant for the Western world, places a double burden on the development of democratic trends and on the ability of Ukraine's democratic forces to ensure its democratic stability and consolidation.

Nevertheless, Ukrainian society is fighting for its independence and sovereignty, as well as for its European and Euro-Atlantic future [6]. An important prerequisite and foundation for this is the preservation and development of a democratic political regime and the strengthening of the institutional and value foundations of the Ukrainian rule of law.

Finally, one of the most important dimensions and resources of all these processes has been and remains not only civil society as such, but also the educational and cultural policy of the Ukrainian state. It must finally move towards creating an effective system of civic education and, as part of it, political education. This is so that Ukrainian citizens receive the necessary knowledge, skills and competences to be effective, conscious, interested, motivated and influential participants in the processes of creating a new Ukraine.

It is evident that in the ashes and ruins of war, previous notions of independence, politics, and politicians are becoming a thing of the past. A new quality of Ukrainian society is emerging, in which veterans of this war, the armed struggle against Russian aggression, and volunteers who have made the greatest contribution to Ukraine's resilience will play an increasingly important role. And it is clear that this is creating a demand for new political forces. Let us emphasise that we are not talking about new political faces, which often turn out to be masks for entering the political arena, and there have been far too many such "new political faces" in Ukraine. Rather, we are talking about the demand for new political forces, new political programmes and, most importantly, new forms of accountability of politicians to their own people and their future.

Ukrainians must have enough strength and inspiration to both withstand the enemy and mortal danger and strengthen their statehood by developing its democratic foundations and ensuring its full integration to the European Union and NATO.

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