Informal Institutions and Comparative Politics: A Research Agenda

Gretchen Helmke and Steven Levitsky

Mainstream comparative research on political institutions focuses primarily on formal rules. Yet in many contexts, informal institutions, ranging from bureaucratic and legislative norms to clientelism and patrimonialism, shape even more strongly political behavior and outcomes. Scholars who fail to consider these informal rules of the game risk missing many of the most important incentives and constraints that underlie political behavior. In this article we develop a framework for studying informal institutions and integrating them into comparative institutional analysis. The framework is based on a typology of four patterns of formal-informal institutional interaction: complementary, accommodating, competing, and substitutive. We then explore two issues largely ignored in the literature on this subject: the reasons and mechanisms behind the emergence of informal institutions, and the nature of their stability and change. Finally, we consider challenges in research on informal institutions, including issues of identification, measurement, and comparison.

Over the last two decades, institutional analysis has become a central focus in comparative politics. Fueled by a wave of institutional change in the developing and postcommunist worlds, scholars from diverse research traditions have studied how constitutional design, electoral systems, and other formal institutional arrangements affect political and economic outcomes.[1] These studies have produced important theoretical advances.

Nevertheless, a growing body of research on Latin America,[2] postcommunist Eurasia,[3] Africa,[4] and Asia[5] suggests that many "rules of the game" that structure political life are *informal*—created, communicated, and enforced outside of officially sanctioned channels.[6] Examples abound. For decades, Mexican presidents were selected not according to rules in the Constitution, the electoral law, or party statutes, but rather via the *dedazo* ("big finger")—an unwritten code that gave the sitting president the right to choose his successor, specified the candidate pool, and prohibited potential candidates from openly seeking the job.[7] In Japan, the "strict but unwritten rules" of *Amakudari* ("descent from heaven"), through which retiring state bureaucrats are awarded top positions in private corporations, have survived decades of administrative reform.[8] In Central Asia, clan-based norms have "become the rules of the game," while the constitutional structures created after the collapse of the Soviet Union are "increasingly . . . inconsequential."[9] And in much of the developing and postcommunist world, patterns of clientelism, corruption, and patrimonialism coexist with (and often subvert) new democratic, market, and state institutions.[10]

Attention to informal institutions is by no means new to political science. Earlier studies of "prismatic societies,"[11] "moral economies,"[12] "economies of affection,"[13] legal pluralism,[14] clientelism,[15] corruption,[16] and consociationalism,[17] as well as on government-business relations in Japan,[18] *blat* in the Soviet Union,[19] and the "folkways" of the U.S. Senate[20] highlighted the importance of unwritten rules. Nevertheless, informal rules have remained at the margins of the institutionalist turn in comparative politics. Indeed, much current literature assumes that actors' incentives and expectations are shaped primarily, if not exclusively, by formal rules. Such a narrow focus can be

Gretchen Helmke is assistant professor of political science at the University of Rochester (hlmk@mail.rochester.edu). Her book Courts Under Constraints: Judges, Generals, and Presidents in Argentina, *will be published by Cambridge University Press. Steven Levitsky is associate professor of government at Harvard University (levitsky@wcfia.harvard.edu). He is the author of* Transforming Labor-Based Parties in Latin America: Argentine Peronism in Comparative Perspective *and is currently writing a book on competitive authoritarian regimes in the post–Cold War era.* *The authors thank the Weatherhead Center for International Affairs at Harvard University and the Kellogg Institute for International Studies at the University of Notre Dame for generously sponsoring conferences on informal institutions. The authors also gratefully acknowledge comments from Jorge Dominguez, Anna Grzymala-Busse, Dennis Galvan, Goran Hyden, Jack Knight, Lisa Martin, Hillel Soifer, Benjamin Smith, Susan Stokes, Maria Victoria Murillo, and Kurt Weyland, as well as three anonymous reviewers and the editors of* Perspectives on Politics.

problematic, for it risks missing much of what drives political behavior and can hinder efforts to explain important political phenomena.[21]

This article broadens the scope of comparative research on political institutions by laying the foundation for a systematic analysis of informal rules. Our motivation is simple: good institutional analysis requires rigorous attention to both formal and informal rules. Careful attention to informal institutions is critical to understanding the incentives that enable and constrain political behavior. Political actors respond to a mix of formal and informal incentives,[22] and in some instances, informal incentives trump the formal ones. In postwar Italy, for example, norms of corruption were "more powerful than the laws of the state: the latter could be violated with impunity, while anyone who challenged the conventions of the illicit market would meet with certain punishment."[23] To take a different example, although Brazilian state law prohibits extra-judicial executions, informal rules and procedures within the public security apparatus enable and even encourage police officers to engage in such killing.[24] Thus officers who kill suspected violent criminals know they will be protected from prosecution and possibly rewarded with a promotion or bonus.[25] In such cases, a strict analysis of the formal rules would be woefully insufficient to understand the incentives driving behavior.

Consideration of informal rules is also often critical to explaining institutional outcomes. Informal structures shape the performance of formal institutions in important and often unexpected ways. For example, executive-legislative relations cannot always be explained strictly in terms of constitutional design. Neopatrimonial norms permitting unregulated presidential control over state institutions in Africa and Latin America often yield a degree of executive dominance that far exceeds a presidents' constitutional authority.[26] Informal institutions may also *limit* presidential power. In constitutional terms, Chile possesses "one of the most powerful presidencies in the world."[27] Yet, due to a set of informal institutions that encouraged executive consultation and power sharing, Chilean presidents systematically underused their constitutional prerogatives during the 1990s;[28] consequently, Chile was cited as an exception in a region characterized by presidential dominance.[29]

Informal institutions also mediate the effects of electoral rules. For example, Costa Rica's proportional representation system and ban on congressional reelection offer no formal incentive for legislators to perform constituency service. Yet Costa Rican legislators routinely engage in such activities in response to informal, party-sponsored "districts" and blacklisting.[30] In the area of candidate selection, studies in the United States suggest that because committed voters are more likely to participate in primaries, primary systems encourage the election of ideologically polarizing candidates.[31] Yet in a context of pervasive clientelism, where primary participation is limited largely to people induced to vote by local brokers, such elections are won not by ideological candidates but by those with the largest political machine.[32]

Informal institutions also shape formal institutional outcomes in a less visible way: by creating or strengthening incentives to comply with formal rules. In other words, they may do the enabling and constraining that is widely attributed to formal institutions.[33] Since the *Federalist Papers*, scholars have recognized that the norms underlying formal institutions matter. The stability of the United States' presidential democracy is not only a product of the rules laid out in the Constitution, but is also rooted in informal rules (such as gracious losing, the underuse of certain formal prerogatives, and bipartisan consensus on critical issues) that prevent formal checks and balances from deteriorating into severe conflict among the branches of government.

These are hardly isolated examples. Informal rules shape formal institutional outcomes in areas such as legislative politics,[34] judicial politics,[35] party organization,[36] campaign finance,[37] regime change,[38] federalism,[39] public administration,[40] and state building.[41]

Bringing together a large but disparate body of scholarship, we develop a research agenda aimed at incorporating informal institutions into the theoretical toolkits used by students of comparative politics.[42] In the first section we clarify the concept of informal institution, distinguishing it not only from that of formal institution, but also from other informal phenomena, including weak institutions, informal behavioral regularities, informal organizations, and culture. In the second section we examine how formal and informal rules interact. Expanding on the work of Hans-Joachim Lauth,[43] we distinguish among four types of informal institution: complementary, accommodating, competing, and substitutive. The third and fourth sections are devoted to issues of informal institutional emergence and change—questions largely ignored in recent comparative research. Finally, we discuss specific challenges related to research on informal institutions, such as issues of identification, measurement, and comparison.

A few caveats are in order. Although the term informal institution encompasses a wide range of social (e.g., the handshake, or the rules of dating) and economic (e.g., black markets) institutions, we are concerned only with *political* rules of the game. We restrict our analysis to the modern period, when codification of law is nearly universal. Before this period, our distinction between formal and informal rules is less meaningful. Finally, although we draw on a broad range of cases, the examples we cite are illustrative only, not comprehensive.

What Informal Institutions Are (and Are Not)

The term informal institution has been applied to a dizzying array of phenomena, including personal networks,[44]

clientelism,[45] corruption,[46] clans and mafias,[47] civil society,[48] traditional culture,[49] and a variety of legislative, judicial, and bureaucratic norms. We propose a more precise—and analytically useful—definition of informal institution. It should capture as much of the universe of informal rules as possible, but it must be narrow enough to distinguish informal rules from other, noninstitutional, informal phenomena.

We begin with a standard definition of institutions as rules and procedures (both formal and informal) that structure social interaction by constraining and enabling actors' behavior.[50] How to distinguish between formal and informal institutions is, however, less clear. Some scholars equate informal institutions with cultural traditions.[51] Others employ a state-societal distinction, treating state agencies and state-enforced rules as formal, and the rules and organizations within civil society as informal.[52] Still others distinguish between informal norms, which are self-enforcing, and formal rules, which are enforced by a third party, often the state.[53]

Each conceptualization fails to capture important informal institutions. For example, although some informal institutions are undoubtedly rooted in cultural traditions, many—from legislative norms to illicit patterns of party finance—have little to do with culture. With respect to the state-societal distinction, many institutions within the state (from bureaucratic norms to corruption) are also informal,[54] while the rules governing many nonstate organizations (such as corporations and political parties and corporations) are widely considered to be formal. Finally, although the self-enforcing definition is analytically useful, it fails to account for the fact that informal rules may be externally enforced (for example, by clan and mafia bosses), even by the state itself (i.e., organized state corruption).[55]

We employ a fourth approach. We define informal institutions as *socially shared rules, usually unwritten, that are created, communicated, and enforced outside of officially sanctioned channels.*[56] By contrast, *formal* institutions are rules and procedures that are created, communicated, and enforced through channels widely accepted as official. This includes state institutions (courts, legislatures, bureaucracies) and state-enforced rules (constitutions, laws, regulations), but also what Robert C. Ellickson calls "organization rules," or the official rules that govern organizations such as corporations, political parties, and interest groups.[57]

Distinguishing between formal and informal institutions, however, is only half the conceptual task. "Informal institution" is often treated as a residual category, in the sense that it can be applied to virtually any behavior that departs from, or is not accounted for by, the written-down rules. To avoid this pitfall, we must say more about what an informal institution is *not*.

Four distinctions are worth noting. First, informal institutions should be distinguished from weak institutions. Many formal institutions are ineffective, in that rules that exist on paper are widely circumvented or ignored. Yet formal institutional weakness does not necessarily imply the presence of informal institutions. It may be that no stable or binding rules—formal or informal—exist. For example, in his seminal article on delegative democracy, Guillermo O'Donnell argued that in much of Latin America, the formal rules of representative democracy are weakly institutionalized.[58] In the absence of institutionalized checks on executive power, the scope of permissible presidential behavior widened considerably, which resulted in substantial abuse of executive authority. In subsequent work, O'Donnell highlighted how particularistic informal institutions, such as clientelism, undermined the effectiveness of representative institutions.[59] O'Donnell's work points to two distinct patterns of formal institutional weakness that should not be conflated. Clientelism and abuses of executive authority both depart from formal rules, but whereas the former is an informal institution, the latter is best understood as noninstitutional behavior.

Second, informal institutions must be distinguished from other informal behavioral regularities. Not all patterned behavior is rule-bound or rooted in shared expectations about others' behavior.[60] Behavioral regularities may be a product of a variety of incentives. To cite an example offered by Daniel Brinks,[61] removing one's hat in church is an informal institution, whereas removing one's coat in a restaurant is simply a behavioral regularity. In the latter case, leaving one's coat on may bring physical discomfort, but it is not expected to trigger social disapproval or sanction. To be considered an informal institution, a behavioral regularity must respond to an established rule or guideline, the violation of which generates some kind of external sanction. To take another example, public graft is clearly informal behavior, but only some patterns of graft should be considered institutional. Where graft is enforced from above,[62] or where it is rooted in widely shared expectations among citizens and public officials (and a refusal to go along risks incurring important costs),[63] corruption may indeed be an institution. By contrast, where graft is neither externally sanctioned nor rooted in shared expectations, but is rather a response to low public sector salaries and ineffective enforcement, it may be best characterized as a behavior pattern.

Third, informal institutions should be distinguished from informal organizations. Although scholars often incorporate organizations into their definition of institution,[64] it is useful, following Douglass North, to separate the political actors (or "players") from the rules they follow.[65] Just as formal organizations (such as political parties or unions) may be distinguished from formal rules, informal organizations (clans, mafias) should be distinguished from informal institutions. Nevertheless, informal rules may be embedded within these organizations, and just as formal political organizations are studied under the rubric of "institutionalism," clans, mafias, and other informal

structures may be usefully incorporated into informal institutional analysis.

Finally, we return to the distinction between informal institutions and the broader concept of culture. Culture may help to shape informal institutions, and the frontier between the two is a critical area for research.[66] In our view, however, the best way to pursue this agenda is to cast informal institutions in relatively narrow terms by defining informal institution in terms of shared expectations rather than shared values. Shared expectations may or may not be rooted in broader societal values.[67] Distinguishing between shared values and shared expectations allows future scholars to analyze potential causal relationships between culture and informal institutions, such as whether societal values reinforce or undermine particular informal institutions.

Figure 1
A typology of informal institutions

Outcomes	Effective formal institutions	Ineffective formal institutions
Convergent	Complementary	Substitutive
Divergent	Accommodating	Competing

Four Types of Informal Institution

Formal and informal institutions interact in a variety of ways. In this section, we develop a typology aimed at capturing these relationships.[68] Characterizations of formal-informal institutional relationships tend to fall into one of two sharply contrasting categories. One camp treats informal institutions as functional, or problem solving, in that they provide solutions to problems of social interaction and coordination,[69] which enhance the efficiency or performance of formal institutions.[70] A second camp treats informal institutions as dysfunctional, or problem creating. Clientelism, corruption, and patrimonialism are said to undermine the performance of formal democratic, market, and state institutions.[71] However, recent studies suggest a more complex picture than envisioned by either camp, in which informal institutions at times reinforce or substitute for the formal institutions they appear to undermine.

To capture these differences, our typology is based on two dimensions. The first is the degree to which formal and informal institutional outcomes converge. The distinction here is whether following informal rules produces a substantively similar or different result from that expected from a strict and exclusive adherence to formal rules. Where following the informal rule leads to a substantively different outcome, formal and informal institutions diverge. Where the two outcomes are not substantively different, formal and informal institutions converge.

The second dimension is the effectiveness of the relevant formal institutions, that is, the extent to which rules and procedures that exist on paper are enforced and complied with in practice.[72] Effective formal institutions *actually constrain or enable* political actors' choices. Actors believe that there is a high probability that official authorities will sanction noncompliance. Where formal rules and procedures are ineffective, actors believe the probability of enforcement (and hence the expected cost of violation) will be low.

These two dimensions produce the fourfold typology shown in figure 1. The types located in the upper left (complementary) and lower right (competing) cells correspond to the "functional" and "dysfunctional" types that predominate in much of the literature. The typology also yields two novel types (accommodating and substitutive) that allow us to make sense of other, less familiar institutional patterns.

Complementary informal institutions

The left side of the figure corresponds to informal institutions that coexist with effective formal institutions, such that actors expect that the rules that exist on paper will be enforced. The upper left corner combines effective formal rules and convergent outcomes, producing what Lauth calls *complementary* informal institutions.[73] Such institutions "fill in gaps" either by addressing contingencies not dealt with in the formal rules or by facilitating the pursuit of individual goals within the formal institutional framework. These informal institutions often enhance efficiency. Examples include the myriad norms, routines, and operating procedures that ease decision making and coordination within bureaucracies,[74] and judicial norms (such as the opinion assignment procedures and the "Rule of Four") that facilitate the work of the U.S. Supreme Court.[75]

Complementary informal institutions may also serve as a foundation for formal institutions, creating or strengthening incentives to comply with formal rules that might otherwise exist merely on paper.[76] Thus scholars have linked the effectiveness of the U.S. Constitution to a complementary set of shared beliefs and expectations among citizens.[77] Likewise, the efficiency of Singapore's postcolonial bureaucracy (the formal organization of which resembled those of Indonesia and the Philippines) has been attributed to underlying norms of meritocracy and discipline.[78] Rural Chinese village governments are more likely to provide public goods where there exist informal norms of social obligation generated by membership in local temple associations.[79] In each case, informal institutions do not merely exist alongside effective formal ones, but rather play a key role in making effective the formal rules of the game.

Accommodating informal institutions

The lower left corner of figure 1, which combines effective formal institutions and divergent outcomes, corresponds to *accommodating* informal institutions. These informal institutions create incentives to behave in ways that alter the substantive effects of formal rules, but without directly violating them; they contradict the spirit, but not the letter, of the formal rules. Accommodating informal institutions are often created by actors who dislike outcomes generated by the formal rules but are unable to change or openly violate those rules. As such, they often help to reconcile these actors' interests with the existing formal institutional arrangements. Hence, although accommodating informal institutions may not be efficiency enhancing, they may enhance the stability of formal institutions by dampening demands for change.

Chile's executive-legislative power-sharing mechanisms are a clear example. Leaders of the Democratic Concertation inherited an "exaggeratedly strong presidential system" and a majoritarian electoral system that ran counter to their goal of maintaining a broad multiparty coalition.[80] Lacking the legislative strength to amend the 1980 Constitution, Concertación elites created informal mechanisms of interparty and executive-legislative consultation aimed at counteracting its effects. These power-sharing arrangements "enhanced coalitional trust" in a formal constitutional setting that otherwise "provided very few incentives for cooperation."[81]

Dutch consociational practices may also be characterized as accommodating. The Netherlands' post-1917 democracy was based on a set of "informal, unwritten rules" of elite accommodation and power sharing, including extensive consultation in policy making, mutual veto power, and the proportional allocation of government jobs among political parties.[82] Although these cartel-like arrangements violated the democratic spirit of the Dutch constitution (by limiting the power of the vote), they reduced class and religious conflict, thereby enhancing democratic stability.[83]

Accommodating informal rules also emerged within state socialist institutions in the Soviet Union. Because strict adherence to the formal rules governing Soviet political and economic life did not allow enterprises to fulfill state targets or permit individuals to meet basic needs, a set of informal norms—commonly known as *blat*—emerged in which individuals met these goals through personal networks.[84] Not strictly illegal, *blat* enabled factory managers, workers, and bureaucrats to "find a way around formal procedures."[85] By helping enterprises to fulfill state targets and individuals to obtain essential goods and services, this informal system of exchange was critical to the survival of the Soviet system.[86]

Competing informal institutions

On the right side of figure 1 we find informal institutions that coexist with ineffective formal institutions. In such cases, formal rules and procedures are not systematically enforced, which enables actors to ignore or violate them. The cell in the lower right corner combines ineffective formal rules and divergent outcomes, producing *competing* informal institutions. These informal institutions structure incentives in ways that are incompatible with the formal rules: to follow one rule, actors must violate another. Particularistic informal institutions such as clientelism, patrimonialism, clan politics, and corruption are among the most familiar examples.[87] Thus postwar Italian corruption was embedded in "alternative norms" under which actors could violate certain state laws "with impunity,"[88] whereas those who adhered to the law "met with certain punishment."[89]

Competing informal institutions are often found in postcolonial contexts in which formal institutions were imposed on indigenous rules and authority structures. In postcolonial Ghana, civil servants were officially instructed to follow the rules of the public bureaucracy, but as Robert Price found, most believed they would pay a significant social cost (such as a loss of standing in the community) if they ignored kinship group norms that obliged them to provide jobs and other favors to their families and villages.[90] Similarly, scholars of legal pluralism have argued that the imposition of European legal systems created "multiple systems of legal obligation."[91] Because these systems "embodied very different principles and procedures,"[92] adherence to custom law at times required a violation of state law (and vice versa).

Substitutive informal institutions

Finally, the upper right corner, which combines ineffective formal institutions and compatible outcomes, corresponds to *substitutive* informal institutions.[93] Like complementary institutions, substitutive informal institutions are employed by actors who seek outcomes compatible with formal rules and procedures. Like competing institutions, however, they exist in environments where formal rules are not routinely enforced. Hence, substitutive informal institutions achieve what formal institutions were designed, but failed, to achieve.

Substitutive institutions tend to emerge where state structures are weak or lack authority. During Mexico's protracted democratic transition, formal institutions of electoral dispute resolution (such as the electoral courts) lacked credibility and were frequently bypassed. In this context, officials of the national government and the opposition National Action Party resolved postelection disputes through informal *concertacesiones*, or "gentleman's agreements."[94] *Concertacesiones* thus served as a "way station" for government and opposition elites until formal institutions of electoral dispute resolution became credible.[95] In rural northern Peru, where state weakness resulted in inadequate police protection and ineffective courts during the late 1970s, citizens created informal *rondas campesinas* (self-defense patrols) to defend their communities and *ronda* assemblies (informal courts) to resolve local disputes.[96] In rural China, some local officials compensate for the state's incapacity to raise

revenue and provide public goods by mobilizing resources through temple and lineage associations, thereby "substituting the use of these informal institutions for . . . formal political institutional channels of public goods provisions."[97]

Taken together, these four types suggest that informal institutions cannot be classified in simple dichotomous (functional versus dysfunctional) terms. Although substitutive informal institutions such as *concertacesiones* and *rondas campesinas* subvert formal rules and procedures, they may help achieve results (resolution of postelectoral conflict, public security) that the formal rules failed to achieve. And although accommodating informal institutions such as consociationalism violate the spirit of the formal rules, they may generate outcomes (democratic stability) that are viewed as broadly beneficial. It remains an open question, however, whether accommodating and substitutive institutions can contribute to the development of more effective *formal* structures, or whether they "crowd out" such development (by quelling demands for formal institutional change or creating new actors, skills, and interests linked to the preservation of the informal rules).[98] The following two sections lay a foundation for addressing such questions.

Origins of Informal Institutions

To date, much empirical literature on informal institutions has neglected questions of why and how such institutions emerge.[99] Analyses of entrenched competing informal institutions such as custom law, clientelism, and patrimonialism frequently take them as historical givens, or part of a static cultural landscape, rarely asking why they emerged in the first place. As a result, they often understate the degree to which informal institutions are modified, adapted, or even reinvented over time.[100] Meanwhile, many existing explanations (particularly studies of complementary institutions) confront a major pitfall of early functionalist accounts of formal institutions: they explain the emergence of informal institutions primarily in terms of their purported effects (e.g., the efficiency gains they yield), without identifying the mechanisms by which they are created.[101] For example, many early rational-choice analyses treated informal norms as efficient solutions to problems of cycling, information, or collective action.[102] Although such explanations may partially explain the persistence of informal institutions once established, they are insufficient, if not misleading, for generating theories about institutional emergence. In this section we seek to move beyond static and functionalist accounts, arguing that compelling explanations of informal institutions must not only ask why actors create informal rules, but also examine how actors create and communicate those rules.

Why Informal Institutions?

We focus our discussion here on informal institutions that are endogenous to formal institutional structures.[103] In other words, why, given the existence of a set of formal rules and rule-making mechanisms, do actors choose to create informal rules? Building on the previous section, we see three general motivations.

First, actors create informal rules because formal institutions are incomplete.[104] Formal rules set general parameters for behavior, but they cannot cover all contingencies. Consequently, actors operating within a particular formal institutional context, such as bureaucracies and legislatures, develop norms and procedures that expedite their work or address problems not anticipated by formal rules.[105]

Second, informal institutions may be a "second best" strategy for actors who prefer, but cannot achieve, a formal institutional solution.[106] In some cases, actors simply lack the power to change the formal rules. Thus post-Pinochet elites in Chile created informal power-sharing arrangements because they lacked the political strength to rewrite the 1980 Constitution.[107] Similarly, Soviet workers and managers opted for the informality of *blat* in part because they were unable to reform or do away with state socialist institutions.

A broader statement of this motivation, elaborated by Carol Mershon, is that actors create informal institutions when they deem it less costly than creating formal institutions to their liking.[108] In postwar Italy, Christian Democratic leaders who sought to keep the communist and neofascist parties out of power found it easier to develop an informal "formula" to exclude those parties from governing coalitions than to push through parliament a majoritarian electoral system aimed at strengthening large moderate parties.[109] Similarly, Costa Rican party leaders' use of informal devices to induce legislators to engage in constituency service may have been easier than overturning the ban on legislative reelection.[110]

Inventing informal institutions may also be a second-best strategy where formal institutions exist on paper but are ineffective in practice. In the case of substitutive informal institutions, for example, actors create informal structures not because they dislike the formal rules, but because the existing rules—and rule-making processes—lack credibility. Thus Mexican opposition leaders engaged in *concertacesiones* during the 1990s because they did not view the formal electoral courts as credible, and Peruvian villagers created *rondas campesinas* because the state judicial system failed to enforce the rule of law.

A third motivation for creating informal institutions is the pursuit of goals not considered publicly acceptable. Because they are relatively inconspicuous,[111] informal institutions allow actors to pursue activities—ranging from the unpopular to the illegal—that are unlikely to stand the test of public scrutiny. Even where bribery, patrimonialism, and vote-buying are widely accepted, prevailing norms of universalism prevent their legalization. Norms of lax enforcement—what the Dutch call *gedogen*—provide another example.[112] Prostitution, soft drug use, and euthanasia (or abortion in predominantly Catholic countries)

are legally proscribed but widely tolerated. The informal procedures enabling extrajudicial executions in Brazil may also be explained in these terms.[113]

Informal institutions may also be created in pursuit of goals that are not *internationally* acceptable. For example, the geopolitical changes produced by the end of the Cold War raised the external cost of maintaining openly (e.g., military or Leninist one party) authoritarian regimes during the 1990s, which led many autocratic elites to adopt formal democratic institutions. To maintain power in this new international context, autocrats in countries like Belarus, Kazakhstan, Kenya, Peru, Russia, Ukraine, and Zimbabwe resorted to informal mechanisms of coercion and control, ranging from use of paramilitary thugs to elaborate systems of vote buying, fraud, co-optation, espionage, and blackmail.[114]

Understanding why actors create informal institutions is not, however, sufficient to explain how they are established. Incompleteness does not by itself explain how the need for additional rules translates into their creation (or, for that matter, why informal, rather than formal, rules are adopted). Where informal institutions are a second-best strategy, why are actors who lack the capacity to change the formal rules nevertheless able to establish and enforce informal ones? And where actors share certain illicit goals, how are they able to establish mechanisms that effectively circumvent the formal rules? In short, to avoid the functionalist trap, it is essential to examine the mechanisms by which informal institutions are established.

How Informal Institutions are Created and Communicated

The construction of informal institutions differs markedly from formal rule-making processes. Whereas formal rules are created through official channels (such as executives and legislatures) and communicated and enforced by state agencies (such as the police and courts), informal rules are created, communicated, and enforced outside of public channels, and usually outside of the public eye. The actors who create and enforce them may deny having done so. Hence, their origins are often unclear.[115]

Precisely because of these differences, scholars should take the process of informal rule-making seriously by identifying the actors, coalitions, and interests behind the creation of informal rules. To the extent that these rules are created in a context in which power and resources are unevenly distributed, they can be expected to produce winners and losers.[116] Thus, following Jack Knight,[117] scholars should be sensitive to underlying processes of conflict and coercion, rather than assume pure coordination.

Processes of informal institutional emergence vary. In some cases, the process is "top down"; informal institutions may be a product of elite design and imposition (the Mexican *dedazo*, Dutch consociationalism), or they may emerge out of elite-level strategic interaction (Mexico's *concertacesiones*). In other instances (corruption, clientelism, *blat*) informal rules emerge out of a decentralized process involving a much larger number of actors. In either process, we may understand mechanisms of emergence in terms of focal points,[118] repeated interaction,[119] or bargaining.[120] Alternatively, informal institutional creation may be a historically contingent process in which informal structures are an unintended product of particular conflicts and compromises. For example, *Amakudari* originated as a makeshift strategy by Japanese ministry officials seeking to reconcile prewar norms of lifetime employment with postwar realities of resource scarcity and strict seniority systems.[121] Although such informal institutions may ultimately take on functions that are perceived as efficient or beneficial, these functions often have little to do with their origins.

Analyses of the origins of informal institutions must also account for how they are communicated and learned in the absence of written down rules and public enforcement. In some cases, informal institutionalization appears to be a process of social learning through widely observed instances of trial and error. The Mexican *dedazo* was institutionalized through a "process of learning by example," as PRI leaders who broke the informal rules during the 1940s and 1950s suffered political defeat and marginalization, while those who played by the rules "were rewarded with better posts."[122] Similarly, postwar Italian prime ministers who broke the informal rule that gave parties the right to name government ministers "saw their governments meet rapid ends." Their successors quickly "learned the lesson," and by the mid-1950s, "the rule of negotiated decisions by party and faction leaders had been hammered out."[123]

Social networks and political organizations may also transmit informal rules. Thus the norms of *Amakudari* were diffused through social networks that linked universities, state bureaucracies, and private corporations,[124] and informal networks within the Peruvian and Ukrainian states communicated the rules of corruption and blackmail that sustained autocratic regimes during the 1990s.[125] Political parties also carry informal rules. Parties communicated power-sharing arrangements in Chile, the Netherlands, and postwar Italy;[126] party organizations enforced the system of kickbacks and bribery in Italy;[127] and competing local party leaders spread *rondas campesinas* across northern Peru.[128]

In sum, moving beyond functionalist accounts entails identifying the relevant actors and interests behind informal institutions, specifying the process by which informal rules are created, and showing how those rules are communicated to other actors in such a manner that they evolve into sets of shared expectations.

Informal Institutional Change

Informal institutions are often characterized as highly resistant to change, possessing a "tenacious survival ability."[129]

When change occurs, it is expected to be slow and incremental.[130] Lauth, for example, argues that because informal rules "do not possess a center which directs and co-ordinates their actions," informal institutional change is likely to be an "extremely lengthy" process.[131] Yet informal institutions *do* change—and often quite quickly. The centuries-old Chinese practice of foot-binding disappeared within a generation,[132] and many of the informal rules that structured Mexican elite politics for much of the twentieth century (including the *dedazo*) collapsed quickly during the late 1990s.[133]

Several sources may generate the impetus for informal institutional change. One important source is *formal* institutional change. The impact of formal rule changes should not, of course, be overstated; many informal institutions have proved resilient even in the face of large-scale legal or administrative reform.[134] Nevertheless, to the extent that formal institutional change alters the costs and benefits of adhering to particular informal rules, it can serve as an important catalyst for informal institutional change.

Two types of formal institutional change are relevant here. The first is change in formal institutional design. Particularly for informal institutions that are endogenous to formal structures, a change in the design of the formal rules may affect the costs and benefits of adhering to related informal rules, which can produce rapid informal institutional change. In the case of complementary informal institutions, for example, modifying the relevant formal rules may change the nature of the gaps that the informal institution had been designed to address, which may create incentives for actors to modify or abandon the informal rule. The 1974 Bill of Rights of Subcommittees in the House of Representatives "produced a sharp change in formal rules that overrode previous informal committee structures."[135]

Informal institutional change may also be a product of changes in formal institutional strength or effectiveness. In such cases, changes in the level of enforcement of formal rules alter the costs and benefits adhering to informal institutions that compete with or substitute for those rules. For example, compliance with competing informal institutions becomes more costly with increased enforcement of the formal rules, and at some point, these costs will induce actors to abandon the informal institution. Thus the increased judicial enforcement triggered by the *Mani Pulite* investigations weakened corruption networks in Italy;[136] the tight controls imposed by the postrevolutionary state weakened traditional gift-giving norms in Maoist China;[137] and federal enforcement of civil rights legislation weakened Jim Crow practices in the South.

Increased formal institutional effectiveness may also weaken substitutive informal institutions. When the credibility of previously ineffective formal structures is enhanced, the benefits associated with the use of substitutive institutions may diminish, potentially to the point of their dispensability. For example, the increased credibility of Mexico's electoral courts over the course of the 1990s reduced the incentive of opposition leaders to work through informal *concertacesiones*,[138] and the increased effectiveness of Peru's public security and judicial systems led to the collapse of many *rondas campesinas* and *ronda* assemblies.[139]

Other sources of informal institutional change lie outside the formal institutional context. For scholars who view informal institutions primarily as a product of culture, informal institutional change is rooted primarily in the evolution of societal values.[140] Because such shifts tend to be glacial in pace, this pattern of informal institutional change will be slow and incremental. We might understand the erosion of traditional or kinship-based patterns of authority in Europe in these terms.

Informal institutions may also change as the status quo conditions that sustain them change.[141] Developments in the external environment may change the distribution of power and resources within a community, weakening those actors who benefit from a particular informal institution and strengthening those who seek to change it. Thus Mexico's increasingly competitive electoral environment during the 1990s strengthened local PRI leaders and activists vis-à-vis the national leadership, which allowed them to contest and eventually dismantle the *dedazo* system.[142] In the Netherlands, a long-term decline in class and religious identities strengthened new parties that challenged the consociational rules of the game and induced established parties to abandon them.[143] The growth of middle-class electorates erodes the bases of clientelism by reducing voters' dependence on the distribution of selective material goods.[144] In these cases, informal institutional change tends to be incremental, as actors gradually reorient their expectations to reflect underlying changes in their and others' bargaining power.

Other analytic tools may be needed to explain some rapid informal institutional change or collapse. Tipping models offer one such tool.[145] These models suggest that if a sufficiently large enough number of actors become convinced that a new and better alternative exists, and if a mechanism exists through which to coordinate actors' expectations, a shift from one set of norms to another may occur quite rapidly. Gerry Mackie argues that the move to end foot binding in China hinged on creating an alternative marriage market that allowed sons to marry daughters who had natural feet, thereby escaping conventional inferiority.[146]

Figure 2 summarizes these sources of informal institutional change. As the figure suggests, informal institutions vary considerably with respect to both the source and the pace of change. Whereas some (complementary, accommodating) are highly susceptible to changes in formal institutional design, others (substitutive, competing) are more likely to be affected by changes in formal institutional strength. With respect to the pace of change, cultural evolution is likely to produce incremental change, but formal institutional change or coordination around an alternative

Figure 2
Sources of informal institutional change

Source of change	Mechanism of change	Pace of change	Examples
Formal institutional Change	Change in *design* of formal institution	Often relatively rapid	1974 change in committee rules in U.S. Congress
Formal institutional Change	Change in *effectiveness* of formal institution	Variable	Collapse of Mexican *concertacesiones* as courts gain credibility; *Mani Pulite* and Italian corruption
Cultural evolution	Change in societal values	Very slow	Erosion of traditional kinship-based norms
Change in distribution of power, resources	New rounds of bargaining	Often slow, incremental	Erosion of clientelism through growth of middle class
Updating of beliefs/mechanism for coordination	Tipping	Rapid	End of foot-binding in China

equilibrium may trigger the rapid collapse of informal institutions.

Research Challenges: Identification, Measurement, and Comparison

Bringing informal institutions into mainstream comparative institutional analysis poses a new set of research challenges. A major issue is identifying and measuring informal institutions. In formal institutional analysis, this task is relatively straightforward. Because formal institutions are usually written down and officially communicated and sanctioned, their identification and measurement often requires little knowledge of particular cases, which facilitates large-n comparison. Identifying informal institutions is more challenging. A country's constitution can tell us whether it has a presidential or parliamentary system of government, but it cannot tell us about the pervasiveness of clientelism or kinship networks.

One way of identifying informal institutions is to look for instances in which similar formal rules produce different outcomes and then attribute the difference to informal institutions.[147] Although the logic of this approach is clear, it reduces informal institutions to a residual category and risks conflating informal institutions and weak institutions. An alternative strategy is to identify stable patterns of behavior that do not correspond to formal rules. However, this approach runs the risk of treating all behavioral regularities as informal institutions.

At a minimum, efforts to identify informal institutions should answer three basic questions.[148] First, what are the actors' shared expectations about the actual constraints they face? Only by examining actors' mutual understanding of the rules can one distinguish between informal behavior patterns and informal institutions. Second, what is the community to which the informal rules apply? Whereas the domain of a formal institution is often delineated by laws or other statutes, the domain of informal rules is often more difficult to discern. The relevant community may be a village, a nation, an ethnic or religious group, or an organization such as a political party, legislature, or state bureaucracy. In some cases, the relevant community is a political elite, the boundaries of which are often blurry. Third, how are informal rules enforced? If informal behavior is rule-bound, then violations must trigger external sanction. Unlike formal enforcement mechanisms (police, courts), informal sanctioning mechanisms are often subtle, hidden, and even illegal. They may range from hostile remarks, gossip, ostracism, and other displays of social disapproval to extrajudicial violence.[149]

Identifying the shared expectations and enforcement mechanisms that sustain informal institutions is a challenging task, requiring in most cases substantial knowledge of the community within which the informal institutions are embedded. Hence there is probably no substitute for intensive fieldwork in informal institutional analysis. Indeed most

studies of informal institutions take the form of either abstract theory (N=0) or inductive case studies (N=1).[150] Case studies provide essential building blocks for comparison and theory building. However, a more general body of theory will require scholars to incorporate other methods as well.

One such method is rigorous small-n comparison. Without losing the sensitivity to context that characterizes case studies, small-n analyses can begin to identify patterns of informal institutional effects, formal-informal institutional interaction, and informal institutional change. For example, Kathleen Collins's comparative study of three Central Asian states enabled her to examine the interaction between clan networks and different formal regime types.[151] Similarly, Scott Desposato's analysis of legislative behavior in five Brazilian states with varying degrees of clientelism allowed him to consider how clientelism affects the functioning of legislatures with similar formal structures.[152]

Large-n surveys may also prove useful in research on informal institutions. Survey research may capture actors' expectations and beliefs about the "actual" rules of the game. Here it is important to distinguish between conventional surveys that capture values or attitudes toward particular institutions (e.g., the World Values Survey) and those designed to capture socially shared beliefs about constraints that individuals face. An example of the latter is Susan Stokes's analysis of informal institutions of accountability in Argentina, which uses survey data to demonstrate the existence in some parts of the country of shared citizen expectations that voters will punish politicians who behave dishonestly.[153] Although expectations-based surveys may initially be limited to identifying of informal institutions, they might eventually be used to generate and test causal claims.

Conclusion

Since James March and Johan P. Olsen declared that "a new institutionalism has appeared in political science,"[154] research on political institutions has advanced considerably. Yet because the comparative politics literature has focused primarily on formal institutions, it risks missing many of the "real" incentives and constraints that underlie political behavior. Indeed, rational-choice analyses of institutions have been criticized for an "excessive attention to formal rules" and "insufficient attention to firmly established informal practices and 'institutions.'"[155]

We have sought to provide a framework for incorporating informal rules into mainstream institutional analysis. Far from rejecting the literature on institutions, we seek to broaden and extend it, with the goal of refining, and ultimately strengthening, its theoretical framework. We see several areas for future research. First, we must posit and test hypotheses about how informal rules shape formal institutional outcomes. For example, how do clientelism and patronage networks mediate the effects of electoral and legislative rules?[156] In comparative politics, the issue of how informal institutions sustain or reinforce—as opposed to undermine or distort—formal ones has not been well researched. When institutions function effectively, we often assume that the formal rules are driving actors' behavior. Yet in some cases, underlying informal norms do much of the enabling and constraining that we attribute to the formal rules.

Second, we need to theorize more rigorously about the emergence of informal institutions and particularly about the mechanisms through which informal rules are created, communicated, and learned. Some seemingly age-old informal institutions are in reality relatively recent reconfigurations (or reinventions); this fact makes the issues of origins all the more compelling.[157]

Third, we need to better understand the sources of informal institutional stability and change. One question not addressed in this article is that of codification of informal rules. In some instances, state actors opt to legalize informal institutions that are perceived to compete with or undermine formal rules. Several Latin American governments "constitutionalized" aspects of indigenous law (granting them constitutional status) during the 1990s in an effort to enhance compliance with state law.[158] Similarly, in Argentina, in an effort to regulate President Carlos Menem's use of extraconstitutional decree authority, legislators included a provision for executive decrees in the 1994 Constitution.[159] We need to know more about what induces state actors to formalize rather than oppose informal institutions.

Comparative politics research on informal institutions is still at an incipient stage. Advances are likely on several fronts, ranging from abstract formal modeling to ethnographic studies to survey research. New insights will come from a variety of disciplines, including anthropology, economics, law, sociology, and political psychology. Hence, it is essential to promote a broad and pluralistic research agenda that encourages fertilization across disciplines, methods, and regions. Given the range of areas in which informal rules and organizations matter politically, it is essential that political scientists take the real rules of the game seriously—whether they are written into parchment or not.

Notes

1 For an excellent survey of this literature, see Carey 2000.

2 Taylor 1992; Hartlyn 1994; O'Donnell 1996; Siavelis 1997; Starn 1999; Van Cott 2000; Levitsky 2001; Levitsky 2003; Helmke 2002; Brinks 2003a; Eisenstadt 2003.

3 Clarke 1995; Ledeneva 1998; Böröcz 2000; Easter 2000; Sil 2001; Collins 2002a, 2003; Grzymala-Busse and Jones Luong 2002; Way 2002; Gel'man 2003.

4 Dia 1996; Sandbrook and Oelbaum 1999; Hyden 2002; Lindberg 2003; Galvan 2004.

5 Yang 1994; Hamilton-Hart 2000; Wang 2000; Göbel 2001; Tsai 2001, 2004; Colignon and Usui 2003.
6 For general analyses of informal institutions, see North 1990; Knight 1992; O'Donnell 1996; Lauth 2000.
7 Langston 2003.
8 Colignon and Usui 2003.
9 Collins 2002b, 23, 30.
10 O'Donnell 1996; Lauth 2000; Böröcz 2000; Göbel 2001; Lindberg 2003.
11 Riggs 1964.
12 Scott 1976.
13 Hyden 1980.
14 Hooker 1975; Griffiths 1986.
15 Scott 1972; Lemarchand 1972;
16 Scott 1969; Waterbury 1973; Rose-Ackerman 1978.
17 Lijphart 1975.
18 Johnson 1974, 1982.
19 Bauer, Inkeles, and Kluckhohn 1956; Berliner 1957.
20 Matthews 1959.
21 O'Donnell 1996; Weyland 2002.
22 North 1990.
23 Della Porta and Vannucci 1999, 15.
24 Brinks 2003a, 2003b.
25 Brinks 2003b.
26 O'Donnell 1994; Hartlyn 1994; Sandbrook and Oelbaum 1999.
27 Siavelis 2002a, 81.
28 Siavelis 2002b.
29 O'Donnell 1994.
30 Taylor 1992.
31 Wright and Berkman 1986.
32 Levitsky 2001; 2003.
33 Stokes 2003.
34 Mershon 1994; Desposato 2003.
35 Helmke 2002; Van Cott 2003; Bill Chavez 2004.
36 Freidenberg and Levitsky 2002; Langston 2003; Levitsky 2003.
37 Della Porta and Vannucci 1999; Samuels 2003.
38 Collins 2002a, 2002b; Ottaway 2003.
39 Way 2002.
40 Della Porta and Vannucci 1999; Hamilton-Hart 2000; Colignon and Usui 2003.
41 Darden 2002; Grzymala-Busse and Jones Luong 2002; Tsai 2004.
42 For other efforts in this direction, see Lauth 2000 and Pasotti and Rothstein 2002.
43 Lauth 2000.
44 Wang 2000.
45 O'Donnell 1996; Lauth 2000.
46 Böröcz 2000; Darden 2002.
47 Lauth 2000; Collins 2002a; Collins 2003.
48 Boussard 2000; Manor 2001.
49 Dia 1996; Pejovich 1999.
50 See North 1990; Knight 1992; Carey 2000.
51 Dia 1996; Pejovich 1999. Pejovich defines informal institutions as "traditions, customs, moral values, religious beliefs, and all other norms of behavior that have passed the test of time. . . . Thus, informal institutions are the part of a community's heritage that we call culture" (p. 166).
52 Boussard 2000; Manor 2001; Tsai 2002.
53 Knight 1992; Calvert 1995.
54 Hamilton-Hart 2000; Grzymala-Busse and Jones-Luong 2002; Colignon and Usui 2003.
55 Waterbury 1973; Darden 2002; Langston 2003.
56 This definition borrows from Brinks 2003a and is consistent with North 1990; O'Donnell 1996; Carey 2000; and Lauth 2000. We treat informal institutions and norms synonymously. However, norms have been defined in a variety of ways, and some conceptualizations do not include external enforcement. See Elster 1989.
57 Ellickson 1991, 31.
58 O'Donnell 1994.
59 O'Donnell 1996.
60 See Hart 1961; Knight 1992.
61 Brinks 2003a.
62 Waterbury 1973; Darden 2002.
63 Manion 1996; Della Porta and Vannucci 1999.
64 See Huntington 1968.
65 North 1990.
66 North 1990; Galvan 2004.
67 For example, some indigenous institutions in Latin America draw on cultural traditions but others do not. See Yrigoyen Fajardo 2000; Van Cott 2003.
68 Lauth 2000 distinguishes among three types of formal-informal institutional relationships: complementary, substitutive, and conflicting. He does not elaborate on these types, however.
69 Ullman-Margalit 1978; Axelrod 1986.
70 Weingast 1979; Weingast and Marshall 1988; March and Olsen 1989.
71 O'Donnell 1996; Böröcz 2000; Lauth 2000; Collins 2002a.
72 By effectiveness, we do not mean efficiency. History is littered with examples of inefficient institutions that nevertheless effectively shaped actors' expectations (North 1990).
73 Lauth 2000.
74 March and Olsen 1989.
75 Maltzman and Wahlbeck 1996; Epstein and Knight 1997.
76 Stokes 2003.
77 North, Summerhill, and Weingast, 2000.
78 Hamilton-Hart 2000.
79 Tsai 2004.
80 Siavelis 2002b, 10–11.
81 Ibid., 21.

82 Lijphart 1975, 122–38.
83 Ibid.
84 Bauer, Inkeles, and Kluckhohn 1956; Berliner 1957; Ledeneva 1998.
85 Ledeneva 1998, 43, 1.
86 Berliner 1957; Ledeneva 1998. *Guanxi*, or personal relationships maintained by gift giving and reciprocal favors, played a similar role in post-Maoist China. See Yang 1994.
87 O'Donnell 1996; Böröcz 2000; Lauth 2000; Collins 2002a, 2003; Lindberg 2003. According to O'Donnell (1996, 40), particularistic norms are "antagonistic to one of the main aspects of the full institutional package of polyarchy. . . . Individuals performing roles in political and state institutions are supposed to be guided not by particularistic motives but by universalistic orientations to some version of the public good. . . . Where particularism is pervasive, this notion is weaker, less widely held, and seldom enforced."
88 Della Porta and Vannucci 1999, 146, 15.
89 Ibid., 15, 122.
90 Price 1975.
91 Hooker 1975, 2; also Griffiths 1986; Merry 1988.
92 Merry 1988, 869.
93 Lauth 2000.
94 Eisenstadt 2002; Eisenstadt 2003.
95 Eisenstadt 2002.
96 Starn 1999.
97 Tsai 2001, 16.
98 Wang 2000; Tsai 2001.
99 The question of informal institutional emergence has been the subject of a large literature within formal political theory. See Schotter 1981; Knight 1992; Calvert 1995.
100 For example, some indigenous institutions widely viewed as "traditional" are in fact recent creations that merely draw on earlier traditions. See Starn 1999; Van Cott 2000, 2003; Galvan 2004.
101 For a critique, see Knight 1992.
102 See, for example, early work on legislative norms by Weingast 1979; Shepsle and Weingast 1981; Weingast and Marshall 1988.
103 Many informal institutions emerge endogenously from formal institutional arrangements. Actors create them in an effort to subvert, mitigate the effects of, substitute for, or enhance the efficiency of formal institutions. However, other informal institutions develop independently of formal institutional structures, in response to conditions that are unrelated to (and frequently pre-date) the formal institutional context. Formal institutions may then be built on the foundation of these informal institutions (actors may formalize pre-existing informal rules or use them as the bases for designing formal ones), or they may be created without taking pre-existing informal structures into account (as occurred with many colonial institutions).
104 Johnson 2002.
105 March and Olsen 1989; Nelson and Winter 1982; Weingast 1979; Weingast and Marshall 1988.
106 We thank Susan Stokes for suggesting this point.
107 Siavelis 2002b.
108 Mershon 1994.
109 Ibid.
110 Taylor 1992.
111 Mershon 1994, 50.
112 Van Oenen 2001.
113 Brinks 2003a.
114 Darden 2002; Levitsky and Way 2002; Schedler 2002; Ottaway 2003.
115 See, for example, Starn's account of the disputed origins of the ronda campesinas in Peru (1999, 36–69) and Ledeneva's (1998) analysis of the origins of blat in the Soviet Union.
116 Knight 1992.
117 Ibid.
118 Schelling 1960.
119 Sugden 1986; Schotter 1981; and Calvert 1995.
120 Knight 1992
121 Johnson 1974; Colignon and Usui 2003. Similarly, norms of restraint and flexibility within Japan's security forces have been traced to the intense sociopolitical conflicts in the aftermath of World War II (Katzenstein 1996).
122 Langston 2003, 14–16.
123 Mershon 1994, 67–68.
124 Colignon and Usui 2003.
125 Darden 2002; Moreno Ocampo 2002.
126 Siavelis 2002b; Lijphart 1975; Mershon 1994.
127 Della Porta and Vannucci 1999, 93–124.
128 Starn 1999.
129 North 1990, 45; See also Dia 1996; O'Donnell 1996; Pejovich 1999; Collins 2002b.
130 North 1990; Lauth 2000.
131 Lauth 2000, 24–25.
132 Mackie 1996.
133 Langston 2003.
134 Dia 1996; O'Donnell 1996; Pejovich 1999. For example, *Amakudari* persisted for decades despite multiple legislative reforms aimed at its eradication (Colignon and Usui 2003, 43–49); clan politics in Central Asia survived the rise and fall of the Soviet Union (Collins 2002a, 2002b); and many Soviet-era norms survived Russia's transition from state socialism to a market economy (Clarke 1995; Sil 2001).
135 North 1990, 88.
136 Della Porta and Vannucci 1999.
137 Yang 1994.
138 Eisenstadt 2002.

139 Starn 1999.
140 North 1990; Dia 1996; Pejovich 1999.
141 Knight 1992.
142 Langston 2003.
143 Lijphart 1975.
144 Kitschelt 2000.
145 Schelling 1960, 1978.
146 Mackie 1996.
147 See, for example, North 1990.
148 For a more elaborate discussion of how to identify and measure informal institutions, see Brinks 2003b.
149 An additional problem, identified by Brinks (2003b), is that some informal rules permit, but do not require, certain behavior. Under rules of this type, actors who refrain from the permitted behavior (e.g., government officials who choose not to collect bribes) do not break the informal rule and thus will not be sanctioned. In such cases, sanctions are likely to be applied only to actors who seek to formally sanction behavior permitted by the informal rules—i.e., whistle blowers.
150 Within the case study tradition, a more microlevel approach is to construct analytic narratives that blend elements of deductive and inductive reasoning. See Bates et al. 1998.
151 Collins 2002a.
152 Desposato 2003.
153 Stokes 2003.
154 March and Olsen 1984, 734.
155 Weyland 2002, 67.
156 On these questions, see Kitschelt 2000; Desposato 2003 and Taylor-Robinson 2003.
157 Van Cott 2000, 2003; Galvan 2004.
158 Yrigoyen Fajardo 2000; Van Cott 2000, 2003.
159 Ferreira Rubio and Goretti 1998, 56–57.

References

Axelrod, Robert. 1986. An evolutionary approach to norms." *American Political Science Review* 80 (4): 1095–1111.

Bates, Robert H., Avner Greif, Margaret Levi, Jean-Laurent Rosenthal, and Barry R. Weingast. 1998. *Analytic narratives.* Princeton: Princeton University Press.

Bauer, Raymond A, Alex Inkeles, and Clyde Kluckhohn. 1956. *How the Soviet system works: Cultural, psychological, and social themes.* Cambridge: Harvard University Press.

Berliner, Joseph S. 1957. *Factory and manger in the USSR.* Cambridge: Harvard University Press.

Bill Chavez, Rebecca. 2004. The rule of law in nascent democracies: Judicial politics in Argentina. Stanford, CA: Stanford University Press.

Böröcz, József. 2000. Informality Rules. *East European Politics and Societies* 14 (2): 348–80.

Boussard, Caroline. 2000. Democratic consolidation: The role of informal institutions. Illustrations from Central America. Paper presented at the 22nd International Congress of the Latin American Studies Association, Miami, FL, March 16–18.

Brinks, Daniel. 2003a. Informal institutions and the rule of law: The judicial response to state killings in Buenos Aires and São Paulo in the 1990s. *Comparative Politics* 36 (1): 1–19.

———. 2003b. Courts, norms, and laws: Competing rules and legal rights in Salvador, São Paulo, and Buenos Aires. Paper presented at the conference Informal Institutions and Politics in Latin America, Kellogg Institute for International Studies, University of Notre Dame, April 24–25.

Calvert, Randall. 1995. The rational choice theory of social institutions: Cooperation, coordination, and communication." In *Modern political economy: Old topics, new directions,* ed. Jeffrey S. Banks and Eric A. Hanushek, 216–67. New York: Cambridge University Press.

Carey, John M. 2000. Parchment, equilibria, and institutions. *Comparative Political Studies* 33 (6): 735–61.

Clarke, Simon, ed. 1995. *Management and industry in Russia: Formal and informal relations in the period of transition.* Aldershot, UK: Edward Elgar.

Colignon, Richard A, and Chikako Usui. 2003. *Amakudari: The hidden fabric of Japan's economy.* Ithaca: Cornell University Press.

Collins, Kathleen. 2002a. Clans, pacts and politics in Central Asia." *Journal of Democracy* 13 (3): 137–52.

———. 2002b. Clans, pacts, and regime transitions in Central Asia. Paper presented at the conference Informal Institutions and Politics in the Developing World, Weatherhead Center for International Affairs, Harvard University, April 5–6.

———. 2003. The political role of clans in Central Asia. *Comparative Politics* 35 (2): 171–90.

Darden, Keith. 2002. Graft and governance: Corruption as an informal mechanism of state control. Paper presented at the conference Informal Institutions and Politics in the Developing World, Weatherhead Center for International Affairs, Harvard University, April 5–6.

Della Porta, Donatella, and Alberto Vannucci. 1999. *Corrupt exchanges: Actors, resources, and mechanisms of political corruption.* New York: Aldine de Gruyter.

Desposato, Scott W. 2003. How informal electoral institutions shape the legislative arena. Paper presented at the conference Informal Institutions and Politics in Latin America, Kellogg Institute for International Studies, University of Notre Dame, April 24–25.

Dia, Mamadou. 1996. Africa's management in the 1990s and beyond: Reconciling indigenous and transplanted institutions. Washington: World Bank.

Easter, Gerald M. 2000. *Reconstructing the state: Personal networks and elite identity in Soviet Russia.* New York: Cambridge University Press.

Eisenstadt, Todd. 2002. Trust but verify: How Mexico's opposition forced electoral dispute resolution from bargaining tables to courtrooms and lived to tell about it. Paper presented at the conference Informal Institutions and Politics in the Developing World, Weatherhead Center for International Affairs, Harvard University, April 5–6.

———. 2003. Thinking outside the (ballot) box: Informal electoral institutions and Mexico's political opening, *Latin American Politics and Society* 45 (1): 25–54.

Ellickson, Robert C. 1991. *Order without law: How neighbors settle disputes.* Cambridge: Harvard University Press.

Elster, Jon. 1989. *The cement of society: A survey of social order.* New York: Cambridge University Press.

Epstein, Lee, and Jack Knight. 1997. *The choices justices make.* Washington DC: Congressional Quarterly Press.

Ferreira Rubio, Delia and Matteo Goretti. 1998. When the president governs alone: The Decretazo in Argentina, 1989–93. In *Executive decree authority,* ed. John M. Carey and Mathew Soberg Shugart, 33–61. New York: Cambridge University Press.

Freidenberg, Flavia, and Steven Levitsky. 2002. Organizaciónes Partidistas e Institucionalización Informal en America Latina. Paper presented at the Latin American Congress of Political Science, University of Salamanca, July 9–11.

Galvan, Dennis C. 2004. *The state must be our master of fire: How peasants craft culturally sustainable development in Senegal.* Berkeley: University of California Press.

Gel'man, Vladimir. 2003. Post-Soviet transitions and democratization: Toward theory building. *Democratization* 10 (2): 87–104.

Göbel, Christian. 2001. Towards a consolidated democracy? Informal and formal institutions in Taiwan's political process. Paper presented at the annual meeting of the American Political Science Association, San Francisco, August 30–September 2.

Griffiths, John. 1986. What is legal pluralism? *Journal of Legal Pluralism and Unofficial Law* 24 (1): 1–56.

Grzymala-Busse, Anna, and Pauline Jones Luong. 2002. Reconceptualizing the state: Lessons from post-communism. *Politics and Society* 30 (4): 529–54.

Hamilton-Hart, Natasha. 2000. The Singapore state revisited. *Pacific Review* 13 (2): 195–216.

Hart, H. L. A. 1961. *The concept of law.* New York: Oxford University Press

Hartlyn, Jonathan. 1994. Crisis-ridden elections (again) in the Dominican Republic: Neopatrimonialism, presidentialism, and weak electoral oversight. *Journal of Interamerican Studies and World Affairs* 36 (4): 91–144.

Helmke, Gretchen. 2002. The logic of strategic defection: Court-executive relations in Argentina under dictatorship and democracy. *American Political Science Review* 96 (2): 291–304.

Hooker, M. B. 1975. *Legal pluralism: An introduction to colonial and neo-colonial laws.* Oxford: Clarendon Press.

Huntington, Samuel P. 1968. *Political order in changing societies.* New Haven: Yale University Press.

Hyden, Goran. 1980. *Beyond Ujamaa in Tanzania: Underdevelopment and an uncaptured peasantry.* London: Heinemann.

Hyden, Goran. 2002. Why Africa finds it so hard to develop? Reflections on political representation and accountability. Paper presented at the conference Cultural and Political Foundations of Socio-Economic Development in Africa and Asia, Monte Verità, Switzerland, October 6–11.

Johnson, Chalmers. 1974. The reemployment of retired government bureaucrats in Japanese big business." *Asian Survey* 14 (11): 953–65.

———. 1982. *MITI and the Japanese miracle: The growth of industrial policy, 1925–1975.* Stanford: Stanford University Press.

Johnson, James. 2002. Opening questions. Paper presented at the conference Informal Institutions and Politics in the Developing World, Weatherhead Center for International Affairs, Harvard University, April 5–6, 2002.

Katzenstein, Peter J. 1996. *Cultural norms and national security: Police and military in postwar Japan.* Ithaca: Cornell University Press.

Kitschelt, Herbert. 2000. Linkages between citizens and politicians in democratic politics. *Comparative Political Studies* 33 (6–7): 845–79.

Knight, Jack. 1992. *Institutions and social conflict.* New York: Cambridge University Press.

Langston, Joy. 2003. The formal bases of informal power: Mexico. Paper presented at the conference Informal Institutions and Politics in Latin America, Kellogg Institute for International Studies, University of Notre Dame, April 24–25.

Lauth, Hans-Joachim. 2000. Informal institutions and democracy. *Democratization* 7 (4): 21–50.

Ledeneva, Alena V. 1998. *Russia's economy of favours: Blat, networking and informal exchange.* Cambridge: Cambridge University Press.

Lemarchand, Rene. 1972. Political clientelism and ethnicity in tropical Africa: Competing solidarities in nation-building. *American Political Science Review* 66 (1): 68–90.

Levitsky, Steven. 2001. An "organized disorganization": Informal organization and the persistence of local party structures in Argentine Peronism. *Journal of Latin American Studies* 33 (1): 29–68.

———. 2003. *Transforming labor-based parties in Latin*

America: Argentine Peronism in comparative perspective. New York: Cambridge University Press.
Levitsky, Steven, and Lucan A. Way. 2002. The rise of competitive authoritarianism. *Journal of Democracy* 13 (2): 51–65.
Lijphart, Arend. 1975. *The politics of accommodation: Pluralism and democracy in the Netherlands.* 2nd ed. Berkeley: University of California Press.
Lindberg, Steffan I. 2003. It's our time to chop: Do elections in Africa feed net-patrimonialism rather than counteract it? *Democratization* 10 (2): 121–40.
Mackie, Gerry. 1996. Ending footbinding and infibulation: A convention account. *American Sociological Review* 61 (6): 999–1017.
Maltzman, Forrest, and Paul J. Wahlbeck. 1996. May it please the chief? Opinion assignment in the Rehnquist Court. *American Journal of Political Science.* 40 (2): 421–43.
Manion, Melanie. 1996. Corruption by design: Bribery in Chinese enterprise licensing. *Journal of Law, Economics, and Organizations.* 12 (1): 167–95.
Manor, James. 2001. Center-state relations. In *The success of India's democracy,* ed. Atul Kohli, 78–102. Cambridge: Cambridge University Press.
March, James, and Johan Olsen. 1984. The new institutionalism: Organizational factors in political life. *American Political Science Review* 78 (3): 734–49.
March, James G., and Johan P. Olsen. 1989. *Rediscovering institutions: The organizational basis of politics.* New York: Free Press.
Matthews, Donald R. 1959. The folkways of the United States Senate: Conformity to group norms and legislative effectiveness. *American Political Science Review* 53 (4): 1064–89.
Merry, Sally Engle. 1988. Legal pluralism. *Law and Society Review* 22 (5): 869–96.
Mershon, Carol A. 1994. Expectations and informal rules in coalition formation. *Comparative Political Studies* 27 (1): 40–79.
Moreno Ocampo, Luis. 2002. Corruption and democracy: The Peruvian case of Montesinos. *ReVista* (Fall): 26–29.
Nelson, Richard R., and Sidney G. Winter. 1982. *An evolutionary theory of economic change.* Cambridge: Harvard University Press.
North, Douglass C. 1990. *Institutions, institutional change, and economic performance.* New York: Cambridge University Press.
North, Douglas C., William Summerhill, and Barry R. Weingast. 2000. Order, disorder, and economic change: Latin America versus North America. In *Governing for prosperity,* ed. Bruce Bueno de Mesquita and Hilton L. Root, 17–58. New Haven: Yale University Press.
O'Donnell, Guillermo. 1994. Delegative democracy. *Journal of Democracy* 5 (1): 55–69.
———. 1996. Another institutionalization: Latin America and elsewhere. Kellogg Institute Working Paper 222. Notre Dame, IN: Kellogg Institute for International Studies.
Ottaway, Marina. 2003. *Democracy challenged: The rise of semi-authoritarianism.* Washington: Carnegie Endowment for International Peace.
Pasotti, Eleanora, and Bo Rothstein. 2002. In the market for ideas: A quest for a unified conceptual approach in political science. Paper presented at the annual meeting of the American Political Science Association, August 29–September 1, Boston.
Pejovich, Svetozar. 1999. The effects of the interaction of formal and informal institutions on social stability and economic development. *Journal of Markets and Morality* 2 (2): 164–81.
Price, Robert M. 1975. *Society and bureaucracy in contemporary Ghana.* Berkeley: University of California Press.
Riggs, Fred W. 1964. *Administration in developing countries: The theory of prismatic society.* Boston: Houghton Mifflin.
Rose-Ackerman, Susan. 1978. *Corruption: A study in political economy.* New York: Academic Press.
Samuels, David. 2003. Campaign finance as informal contracting institutions: Brazil in comparative perspective." Paper presented at the conference Informal Institutions and Politics in Latin America, Kellogg Institute for International Studies, University of Notre Dame, April 24–25.
Sandbrook, Richard, and Jay Oelbaum. 1999. Reforming the political kingdom: Governance and development in Ghana's Fourth Republic. Center for Democracy and Development, Critical Perspectives Paper No. 2.
Schedler, Andreas. 2002. The menu of manipulation. *Journal of Democracy* 13 (2): 36–50.
Schelling, Thomas C. 1960. *The strategy of conflict.* Cambridge: Harvard University Press.
———. 1978. *Micromotives and macrobehavior.* New York: W. W. Norton.
Schotter, Andrew. 1981. The economic theory of social institutions. Cambridge: Cambridge University Press.
Scott, James C. 1969. Corruption, machine politics, and political change. *American Political Science Review* 63 (4): 1142–58.
———. 1972. Patron-client politics and political change in Southeast Asia. *American Political Science Review* 66 (1): 91–113.
———. 1976. The moral economy of the peasant: Rebellion and subsistence in Southeast Asia. New Haven: Yale University Press.
Shepsle, Kenneth A., and Barry R. Weingast. 1981. Structure induced equilibrium and legislative choice. *Public Choice* 37: 503–19.
Siavelis, Peter. 1997. Executive-legislative relations in post-Pinochet Chile: A preliminary assessment. In *Presidentialism and democracy in Latin America,* ed. Scott

Mainwaring and Mathew Sobert Shugart, 321–62. New York: Cambridge University Press.

———. 2002a. Exaggerated presidentialism and moderate presidents: Executive-legislative relations in Chile. In *Legislative politics in Latin America,* ed. Scott Morgenstern and Benito Nacif, 79–113. New York: Cambridge University Press.

———. 2002b. Informal institutions and democratization: Theoretical lessons from Chile. Paper presented at the conference Informal Institutions and Politics in the Developing World, Weatherhead Center for International Affairs, Harvard University, April 5–6, 2002.

Sil, Rudra. 2001. Privatization, labor politics, and the firm in post-Soviet Russia: Non-market norms, market institutions, and the Soviet legacy. In *The politics of labor in a global age: Continuity and change in late-industrializing and post-socialist economies,* ed. Christopher Candland and Rudra Sil, 205–32. New York: Oxford University Press.

Starn, Orin. 1999. *Nightwatch: The politics of protest in the Andes.* Durham: Duke University Press.

Stokes, Susan C. 2003. Do informal institutions make democracy work? Accounting for accountability in Argentina. Paper presented at the conference Informal Institutions and Politics in Latin America, Kellogg Institute for International Studies, University of Notre Dame, April 24–25.

Sugden, Robert. 1986. *The economics of rights, cooperation, and welfare.* New York: Basil Blackwell.

Taylor, Michelle. 1992. Formal versus Informal Incentive Structures and Informal Behavior/ *Journal of Politics* 54 (4): 1055–73.

Taylor-Robinson, Michelle. 2003. The difficult road from *Caudillismo* to democracy, or Can clientelism complement democratic electoral institutions? Paper presented at the conference Informal Institutions and Politics in Latin America, Kellogg Institute for International Studies, University of Notre Dame, April 24–25.

Tsai, Lily Lee. 2001. Substituting for the state? The logic of private efficiency in Chinese local governance. Paper presented at the annual meeting of the American Political Science Association, San Francisco, August 30–September 2.

Tsai, Lily Lee. 2002. Cadres, temple and lineage institutions, and governance in rural China. *The China Journal* 48 (July): 1–27.

———. 2004. The informal state: Governance and development in rural China. PhD diss., Department of Government, Harvard University.

Ullman-Margalit, Edna. 1978. *The emergence of norms.* Oxford: Clarendon Press.

Van Cott, Donna Lee. 2000. A political analysis of legal pluralism in Bolivia and Colombia. *Journal of Latin American Studies* 32 (1): 207–34.

———. 2003. Legal pluralism and informal community justice administration in Latin America. Paper presented at the conference Informal Institutions and Politics in Latin America, Kellogg Institute for International Studies, University of Notre Dame, April 24–25.

Van Oenen, Gijs. 2001. Citizenship and "informal rule of law." How lax enforcement can sustain the rule of law. Paper presented at the annual meeting of the Latin American Studies Association, Washington, DC, September 6–8.

Wang, Hongying. 2000. Informal institutions and foreign investment in China. *Pacific Review* 13 (4): 525–56.

Waterbury, John. 1973. Endemic and planned corruption in a monarchical regime. *World Politics* 25 (4): 533–55.

Way, Lucan A. 2002. The dilemmas of reform in weak states: The case of post-Soviet fiscal decentralization." *Politics and Society* 30 (December): 579–98.

Weingast, Barry. 1979. A rational choice perspective on congressional norms. *American Journal of Political Science* 23 (2): 245–62.

Weingast, Barry R., and William J. Marshall. 1988. The industrial organization of congress; or, Why legislatures, like firms, are not organized as markets. *Journal of Political Economy* 96 (1): 132–63.

Weyland, Kurt. 2002. Limitations of rational-choice institutionalism for the study of Latin American politics. *Studies in Comparative International Development* 37 (1): 57–85.

Wright, Gerald C., Jr., and Michael B. Berkman. 1986. Candidates and policy in United States Senate elections. *American Political Science Review* 80 (2): 567–88.

Yang, Mayfair Mei-hui. 1994. *Gifts, favors, and banquets: The art of social relationships in China.* Ithaca: Cornell University Press.

Yrigoyen Fajardo, Raquel. 2000. The Constitutional recognition of indigenous law in Andean countries. In *The challenge of diversity: Indigenous peoples and reform of the state in Latin America,* ed. Willam Assies, Gemma van der Haar, and André Hoekema, 197–222. Amsterdam: Thela Thesis.