



# Policy Brief

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## Overview

There is a growing trend for developing democracies to attempt to shape their party systems by regulating the way parties can form, organize and behave. This policy brief surveys attempts at party regulation and considers how to promote stable, non-sectarian political parties—an essential component of democracy—whilst also allowing free political expression and minority representation.

## *Political Parties in Conflict-Prone Societies: Encouraging Inclusive Politics and Democratic Development*

**P**OLITICAL PARTIES ARE AN ESSENTIAL COMPONENT OF representative democracy. They organize voters, aggregate and articulate interests, craft policy alternatives, recruit and socialize new candidates for office, set policy-making agendas, integrate disparate groups and individuals into the democratic process, and provide the basis for coordinated electoral and legislative activity. Well-functioning political parties are therefore central to the process of democratic development.

Since the start of the third wave of democratization in 1974, various multiparty systems have been introduced in new, restored and emerging democracies around the world. Today more countries decide on their leaders through multiparty elections than ever before. The number of competitive democracies has increased threefold, and the number of political parties now contesting elections worldwide has increased many times more over the last 30 years.

Multiparty politics, however, is no guarantee of development. It may empower vulnerable groups, increase transparency, mediate conflict and achieve redistribution of income to the poor—but multiparty politics may also subvert the broader process of democratization by empowering already dominant elites, marginalizing minorities and, perhaps most seriously, mobilizing ethnic, regional and religious groups against each other.

As a result, there is a growing trend for developing democracies to attempt to shape their party systems by regulating the way parties can form, organize and behave. Importantly, most of the initiatives and innovations emanate from new democracies rather than established ones, and the impetus for crafting parties is often nationally or regionally driven—rather than dictated or inspired from Western examples. This policy paper examines this growing trend towards overt intervention in political party development.

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## Background

Party development in new democracies faces daunting challenges. Collectively, parties are the primary channels linking ordinary citizens with their political representatives, and thus for building accountable and responsive government. Yet in many countries, particularly in new and emerging democracies, parties struggle to play these roles. Instead, parties exhibit deficiencies that undermine their ability to deliver the foundations upon which representative politics depends. They are frequently poorly institutionalized, with limited membership, weak policy capacity and shifting bases of support; they often rely on narrow personal, regional or ethnic ties, rather than reflecting society as a whole; they are typically organizationally thin and insufficiently funded, coming to life only at election time; they seldom have coherent ideologies or policy agendas; and they are frequently unable to ensure disciplined collective action in parliament. As a result, parties often struggle to manage social conflicts and fail to deliver public goods or to promote development.

In volatile, conflict-prone or post-conflict societies, deficient political party structures can present even more hazardous consequences. Political competition in such societies often gravitates around sectarian, exclusive—often national or ethnic—identities or geographic bases. Parties and elections can exacerbate differences and perceived identities, either as a result of a sense of communal insecurity or manipulation by elites who gain from the mobilization of sectarianism and polarization. In these circumstances, political elites will often try to ‘out-bid’ each other on exclusivist sectarian grounds, thus dragging political agendas to the extremes. As experience

in Bosnia illustrates, political parties can all too easily exacerbate existing tensions, channel support for extremists or encourage patterns of voting that reflect wartime allegiances and obstruct peacebuilding.

These deficiencies in party development are so widespread that they have become a central concern in many emerging democracies, to the extent that they are increasingly seen as a threat to democracy itself. The recognition of such impediments to democratic development has resulted in growing attention to the question of how, more coherent and representative parties and party systems can be sustained in fragile environments. Many new democracies have therefore introduced ambitious institutional reforms aimed at changing the way parties form, organize and behave. These party regulations attempt to shape the development of democratic competition but sometimes struggle to allow reasonably free party formation and competition, including parties which reflect legitimate minority aspirations. Some of these reforms have had a significant impact on democratic prospects, for example in promoting nationally-focused parties at the expense of ethnically-exclusive ones.

Of course, democratic practices do not automatically resolve deep-seated problems, particularly in societies traumatized by conflict. In fact, there is a danger that liberal peacebuilding could exacerbate or prolong divisions. As a major part of the international community’s agenda involves the promotion of liberal democratic values and practices, there is an urgent need to consider whether the central premise of international liberal peacebuilding—the promotion of democracy—may need to be adjusted in order for conflict-prone societies to develop inclusive, non-

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sectarian political practices. Whilst attention has recently been given to the role of elections in this regard, the peacebuilding community has mostly neglected the vital role of political parties, which can play either a constructive or a regressive role in democratic development and peacebuilding. So far, international efforts to help political parties in new democracies become stronger, more coherent and inclusive organizations have had limited impact,

Four different policy approaches stand out: constraining the development of ethnic parties by cross-national party formation rules which require parties to demonstrate a broad organizational base; designing electoral rules to reshape the party system; measures to build greater internal party capacity and discipline in parliament; and international interventions to assist parties in post-conflict democracies.

Such party engineering represents

## A key challenge in many new democracies is to encourage cohesive and inclusive parties and party systems

rarely if ever transforming the fundamental organizational and operational characteristics of recipient parties.

A core challenge in conflict-prone democracies is balancing the competing claims—both of which are espoused by the international community—of the need for national, inclusive parties (which often require some intervention to come into being) with the basic rights and freedoms of all groups, including minorities, to organize and campaign for elected office. The international community needs to recognize that in many new democracies, these two objectives in practice often run counter to each other. Particularly in conflict-prone societies, forging parties which are both inclusive and legitimate is thus a difficult policy challenge.

### **Addressing Political Party Structures: Promoting Aggregation and Moderation**

A key challenge in many new democracies is to encourage cohesive and inclusive parties and party systems. One way to do this is through the use of institutional incentives and constraints.

an increasingly widespread and ambitious attempt to shape the nature of emerging party systems. Through such devices, transitional and emerging democracies have sought to influence how parties form, organize and compete. For instance, many emerging democracies have placed restrictions on ethnic or other sectorally-based parties, including banning them from competing in elections. Others have introduced positive incentives for cross-national party formation; for example, requirements for cross-regional organization or membership before parties can compete in elections. Some have introduced regional support thresholds or other kinds of spatial requirements in a bid to encourage nationally-focussed parties. Many emerging democracies use electoral systems to try to shape the development of their party systems, and a small but increasing number have also introduced rules governing voting in parliament as well, in an attempt to ensure greater party discipline. Finally, international organizations have become increasingly active in this field, intervening directly

This policy brief draws upon the results of a research project organized and funded by the Centre for Democratic Institutions (Australia), the International Institute for Democracy and Electoral Assistance (International IDEA), and the United Nations University. The results of the project are presented in full in *Political Parties in Conflict-Prone Societies: Regulation, Engineering and Democratic Development*, edited by Benjamin Reilly and Per Nordlund (Tokyo: UNU Press, forthcoming).

in party systems in post-conflict states such as Mozambique, Kosovo and Afghanistan.

Most of these approaches tend to infringe, to varying degrees, on the free formation of political parties. Moving towards more aggregative party systems and legislating for national parties produces trade-offs between freedoms and regulations. In conflict-prone soci-

not emerge as mass-based movements with strong aggregation and articulation functions. Instead, they are often the result of elite initiatives with a focus not on aggregation and articulation but on the representative function of parties, providing candidates for elected and government positions. Parties are also becoming increasingly dependent on the state, not least

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### Building National Parties

Parties can be obliged to maintain a national profile. In Indonesia, the world's most populous emerging democracy and largest Muslim country, parties must establish local branches in two-thirds of all provinces across the archipelago, and in two-thirds of the municipalities within those provinces, before they can compete in elections. In Turkey, parties must establish regional branches, hold regular conventions and field candidates in at least half of all provinces to be eligible to contest national elections. Nigeria requires parties to display a 'federal character' by including members from two-thirds of all states on their executive council, and by providing that the name, motto and emblem of the party must not have ethnic or regional connotations.

eties, should legislators seek to craft national, aggregative parties that cut across ethnic or other social cleavages and establish a stable two-party system that moderates differences in the electorate? Or should they allow for ethnic or other social cleavages to shape political competition and party systems? The impositions that can be placed on the free formation of parties in the name of more effective party system development and strengthened democracy is at the heart of this discussion. Are ethnicity and multi-party politics inherently conflictual? Should issues of ethnic politics be addressed through strategies of aggregation or regulation? Or do the benefits of ethnic articulation outweigh the risk of potentially increased party fragmentation and inter-party competition?

### New Parties—Old Theories: Implications for Theory and Practice

Theories of political parties based on Western experiences have limited validity for political party development in restored and emerging democracies. In new democracies, most parties do

through public funding of parties, and less dependent on their constituencies. In many new and emerging democracies, the trajectory towards democratization has not been one of gradual development along the dimension of competition and then inclusiveness. Instead, political systems have moved from little or no competition to full competition due to rapid processes of decolonization and democratization. Naturally, this affects political parties in very specific ways and limits their capacity to develop a mass base, ensure internally democratic structures and become institutionalized.

Another difference between “old and new” multiparty systems and democracies is that regulation of parties emerged gradually, and rather late (if at all), in the established democracies in the West, while regulations on political parties in many new democracies have been present from the onset of multiparty politics. Whether party regulations were introduced in order to promote political competition or to protect ruling parties' positions in government, party regulation is today much more of a factor in processes of

democratization than was the case in most Western democracies. Party regulation in new democracies also often comes in the form of constitutional provisions, which—again—is different from the Western experience.

What should be the balance between protecting rights and freedoms, and imposing regulations on parties in developing democracies, particularly conflict-prone societies? The

internal party democracy. It is therefore important to keep in mind that there always is a trade-off between regulations and political rights and freedoms—and that every institutional reform comes at a price.

### Lessons Learned and Policy Implications

- The comparative experience of regulating political party competition

## What should be the balance between protecting rights and freedoms, and imposing regulations on parties in developing democracies?

starting point for any discussion of political party regulation should be the international, regional and nationally-recognized standards, conventions and laws that stipulate that free, fair and equitable competition between political parties are central to democratization. Two dimensions are central to the debate on how much regulation of political parties there should be: Should limitations on the free formation of political parties be introduced? And do such limitations result in forms of political competition that are better for democracy than would otherwise have been the case?

If political parties are constrained by regulations which are poorly constructed or clearly discriminatory, this has a negative impact on their capacity to aggregate preferences, articulate demands, compete for elected office and hold rulers accountable. At the same time, regulation of parties and party systems are often necessary for promoting inclusive practices—for example, by requiring open party membership rules, the presence of party branches across different regions and

demonstrates both positive and negative consequences. Finding the right balance of restrictions on parties and party systems is not easy. It is also highly contextual: regulations that work well in one country may lead to a very different outcome in another. In some cases there may be reason to introduce far-reaching limitations on parties and party systems, not least in war-torn societies such as Iraq, where parties have developed along sectarian lines. The same may be true for deeply divided societies, such as the Ivory Coast, where regulations preventing ethnically-based parties could possibly have reduced the descent into ethnic violence that occurred.

- Ethnic parties are prohibited in the majority of African states. However, South Africa—with its ethnic, race and regional cleavages—still manages democratic politics without restrictions imposed on political parties. Nigeria, which does use party regulations, illustrates the dangers associated with the crea-

### Electoral Systems and Party Systems

Electoral systems can be used to encourage intra-party representation and diversity. Many countries require gender balance on party lists, and a similar approach can be used to guarantee ethnic balance as well. In Lebanon, for instance, elected party lists must reflect the ethnic composition of society. Similarly, local election laws in Nicaragua and Peru oblige parties to open up space on their lists for indigenous candidates.

tion of aggregate, national parties. Many genuine political issues—regionalism, ethnicity and religion—have as a result been moved from the inter-party to the intra-party arena, causing division and conflict within parties. In general, the extensive banning of ethnic parties in Africa has had limited effect on conflict management.

at election time, with weak social bases. As a result, political parties in new democracies seldom grow from below, nor do they necessarily see aggregation or articulation as their primary tasks.

- Political parties in new and emerging democracies tend to be weakly institutionalized; the promotion

## Minority representation must not be obstructed

- Regardless of arguments for and against aggregative national parties, in combination with the outright banning of parties on ethnic or other grounds, an increase in aggregation and blocking reforms is clear across different regions. In Asia, aggregation via centripetal incentives has been a common reform, while in Africa, bans on ethnic parties is the predominant blocking approach. Strategies of aggregation and blocking often work in favour of incumbents over challengers, and therefore risk upsetting the balance of power in countries to the point of crisis or coups.
- Requirements for political parties to have significant levels of organization and a national presence may leave the field open for wealthy individuals to gain control over the parties—a growing problem in Indonesia, Thailand, Nigeria and other pivotal states.
- Ideally, parties grow organically from below in performing their aggregation and articulation functions. However, this has generally not been the case in new democracies, where parties are often organizationally thin and come into being only

of aggregative, national parties and blocking of parties on ethnic and other grounds could make institutionalization hard to achieve. Such prohibitions can make it difficult for parties to integrate various constituencies, creating problems for achieving identification with common traditions and symbols and weakening links with social constituencies—resulting in parties that are less rooted in their societies.

- On the other hand, it is hard to escape the reality that almost nowhere in the developing world have parties developed organically into the kind of cohesive, policy-focussed entities idealized in many discussions of party systems. Political engineers in new democracies have used aggregative and blocking rules in part to try to create such parties where none exist. There is, it seems, a trade-off between aggregative party regulations and parties firmly rooted in their societies.
- Minority representation must not be obstructed. Democracies as diverse as India, New Zealand and Taiwan have regulations in place to ensure representation of marginalized, indigenous groups. Such regulations

### Parties in Parliament: Top-Down Approaches

Attempts to strengthen parties in parliament focus on increasing party discipline and cohesion in the legislature. One way to do this is to restrict the capacity of members to change parties once elected, using “anti-hopping” provisions in countries such as India, Brazil and Thailand. Papua New Guinea has taken this process the furthest, requiring party members to maintain consistency on key constitutional and legislative votes over the course of a parliamentary term in the hope that more disciplined parliamentary parties will lead to a more structured party system overall.

can provide minorities with direct access to representation through the creation of special parliamentary seats or constituencies, as in the cases of Colombia, Venezuela and Panama.

- In comparison, we see a clear divide between Europe and other regions on how to deal with minority rights and political parties. Parties in Africa, Asia and Latin America often face elaborate spatial requirements that make registration and recognition difficult, or even outright bans on ethnic grounds, while in Europe, minority parties tend to be accommodated. It is possible that ethnic and other minority parties may seek legal recognition through international and regional human rights instruments as one of several strategies to protect their place in the political system.
  - Any approach to engineering must have the capacity to adjust regulations over time if the outcome of regulations is not in line with expectations or needs. Flexibility is therefore required and this is not always promoted if party regulations are enshrined in constitutions. Constitutional entrenchment can limit the space for gradual reforms and adjustments over time. Party reformers should consider alternative ways to provide legal protection for party regulation.
  - It is important to consider strategies of engineering and regulation which go beyond aggregation and bans on party formation. Experiences of applying voluntary and other incentive-creating structures have proven successful for promoting quotas for women in politics, for example, and
- the lessons learned here should be explored in relation to other areas of party regulations.
- Once regulations are in place, they must be enforced. Actual enforcement tends to be selective and infrequent, rather than systematic and commonplace. In Africa, despite legislative bans on ethnic parties, there are few examples of parties that have actually been banned in practice. Enforcement can be the responsibility of different authorities, but Electoral Management Bodies can play a central role in the process. The comparison between the struggle to achieve party reforms in Peru (which lacked enforcement) and their relative success in Papua New Guinea (which set up a new regulatory body to enforce the party reforms) is instructive here.
  - More attention to party engineering and regulation, and the impact this has upon the role and function of political parties, would provide for more informed democracy assistance. In particular, external interventions and assistance to parties and party systems require a thorough understanding of the deep structures of economic, cultural, gender and power relations in individual countries. There are no shortcuts for achieving success in engineering and regulation of parties and party systems.
  - Regardless of electoral and party system design, every citizen must be ensured participation, representation and non-discrimination. This should be a starting point for any attempt to regulate or engineer the development of political parties and party systems.

### External Interventions

Efforts to assist political parties by international organizations have proliferated over the past decade. This often involves channeling technical or financial assistance from international donor agencies, NGOs or multilateral agencies to party organizations in states where the international community has taken a prominent role, such as countries emerging from a period of violent conflict. The role of international actors in fostering Mozambique's armies-to-parties transition is a good example of this assistance in practice.



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## INSIDE: Policy Brief

*Political Parties  
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