

# The Role of Law in Political Party Change

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Prepared for "Change in Political Parties," a Policy Roundtable Sponsored by

*U.S. Agency for International Development*  
and  
*Association Liaison Office for University Cooperation in Development*

Washington, D.C, October 1, 2004

## Introduction

The Office of Democracy and Governance of the United States Agency for International Development (USAID/DG/EPP) organized this conference around a definite focus and purpose, seeking academic research on variables that impact the structure and performance of political parties and party systems. Specifically USAID/DG/EPP asked participants to consider these questions:

1. What variables are associated with change in political parties and party systems?
2. Which factors, among other, make parties more or less *representative*, more or less *competitive*, more or less *corrupt*, more or less internally *democratic* and *stronger* or weaker? [emphasis added]
3. Given the existence of several different analytical perspectives in the literature, what are the main gaps and disagreements?
4. Which of the change variables can be influenced by assistance initiatives?
5. What are the main issues related to change in political parties and political party systems of importance for democratic development practitioners?

Before considering my response to these questions, readers should know about a change in the paper's title and about my research background. I was originally assigned the title, "The Role of Legislative and Local Government Law in Political Party Change," while Professor Richard Katz was to write on "The Impact of Party Laws and Statutes." Professor Katz and I discussed the overlap and agreed that he would concentrate on normative implications of party law while I would review empirical evidence of party law on party change.

Although I have written several papers and articles on the causes of party change, I never focused on the role of law in party change--nor on the normative issues that are understandably important to democratic development practitioners. I hope that my relative inexperience with these facets of party change yields fresh thinking about the topic.

### **1. What variables are associated with change in political parties and party systems?**

Scholars have relied on many different variables to explain why parties and party systems change. There is no dominant scheme for classifying the variables used in their explanations, but one can usefully distinguish between (1) environmental and (2) party-level factors.

Environmental variables tend to affect all the parties in a system, thus explaining both party change and party system change. Party-level variables work better at explaining organizational and issue change in individual parties.

Environmental factors can be separated into (1) the legal framework within which parties operate, and (2) the political-socioeconomic milieu. Although the legal framework may be difficult to change, it is usually more manipulable than the political-socioeconomic milieu.

#### **Environmental Factors: *The Legal Framework***

In his 1993 article, "The Relevance of the State for Party System Change," Wolfgang Müller cites three broad ways by which the state can influence change in parties and party systems:

- (1) by those regulations which affect political parties in a direct fashion, that is by *party law*, *electoral law* and state *party finance*, (2) by regulation and control of those parts of civil society which are of particular relevance for political parties, namely *mass media*, *interest groups* and the *economy*, and (3) by the nature of the *institutions of the state* and the power-relations between them.<sup>1</sup>

Müller argues that the state can shape parties *directly* by enacting laws to regulate the existence, organization, and activities of political parties; the conduct of elections; and the way parties are funded. This arena of direct regulation lies squarely within the scope of this paper. Although the state also shapes parties *indirectly* by regulating the social context in which they operate (i.e., mass media, interest groups, and the economy), such regulations lie somewhat beyond my confines. His third category (defining key state institutions) raises constitutional issues that lie far beyond my scope.

I adopt Müller's three targets (electoral law, party law, and party finance) as major aspects of the legal framework for direct regulation, but I add to the legal framework two other major targets: *campaigns* and *candidates*.

#### **Electoral Systems:**

As Maurice Duverger theorized more than fifty years ago, electoral laws have profound effects

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<sup>1</sup>Wolfgang C. Müller, "The Relevance of the State for Party System Change," *Journal of Theoretical Politics*, 5 (October 1993), 419-454, at p. 419.

on the number of parties in the system and even on the type of parties that form.<sup>2</sup> Contemporary scholars describe many varieties of electoral systems, virtually all of which are legislated in national statutes (occasionally in constitutions). Plasser and Plasser identify eleven distinct types but concentrate on only five main categories:<sup>3</sup>

1. *Plurality*: (e.g., first-past-the-post systems in Canada, the U.K., and U.S)
2. *Majority-plurality* (e.g., two ballot used in France)
3. *Mixed or segmented* (e.g., combining plurality and PR as in Italy, Russia, and Japan)
4. *Proportional representation* systems
5. *Alternative vote or single-transferable vote* systems (e.g., Australia, Ireland)

For a number of countries, Plasser and Plasser describe how electoral features affect parties, party systems, and even voters. Although some party scholars are cautious about asserting that electoral systems directly affect parties, Giovanni Sartori is not, saying, "As hypothesized, the causal chain is that electoral systems cause the party system, which in turn causes parties per se to be as they are."<sup>4</sup> The connection between electoral systems and the number and types of political parties is so well-established that I will not pursue it further in this paper.

### Party Law:

In 2002, Müller updated his discussion of governments shape parties directly through party law, saying:

In principle, party laws can require political parties to fulfil specific conditions that relate to "content" (e.g. intra-party democracy, acceptance of the democratic order) and/or to "form" (e.g. party statute, minimal level of activity). Parties that do not meet these requirements may be punished or even forbidden. The lack of a specific party law does not necessarily indicate considerable freedom for parties, since other (potentially restrictive) laws may be applied to political parties.<sup>5</sup>

Müller spoke of both "party laws" and a "specific party law." Few countries have enacted a

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<sup>2</sup> Maurice Duverger, *Political Parties: Their Organization and Activity in the Modern State*. New York: Wiley, 1954. [Originally published in 1951 in France as *Les Partis Politiques*.]

<sup>3</sup>Fritz Plasser with Gunda Plasser, *Global Political Campaigning: A Worldwide Analysis of Campaign Professionals and Their Practices* (Westport, CT: Praeger, 2002). Chapter 5 is titled, "Electoral Law and Party System Features." This typology appears on page 108.

<sup>4</sup>Giovanni Sartori. "The Party Effects of Electoral Systems," in Larry Diamond and Richard Gunther (eds.), *Political Parties and Democracy* (Baltimore and London: The Johns Hopkins University Press, 2001), Chapter 5, pp. 90-105; at p. 90.

<sup>5</sup>Wolfgang C.Müller, "Parties and the Institutional Framework," in Kurt Richard Luther and Ferdinand Müller-Rommel (eds), *Political Parties in the New Europe: Political and Analytical Challenges*. (New York: Oxford University Press, 2002), pp. 249-292; at p. 262.

specific, comprehensive law regulating parties, but Germany is an exception. Article 21 of the German "Basic Law" (1949 constitution) has three provisions. The first acknowledges that "parties help form the political will of the people" and decrees that they should be democratically organized and financially accountable. The second enables the Constitutional Courts to declare undemocratic parties unconstitutional. The third simply states that "Details shall be the subject of federal laws."<sup>6</sup>

This constitutional mandate was not fulfilled until enactment of the comprehensive Party Law of 1967, amended in 1994. In seven sections, the German Party Law specifies parties' legal status and functions, internal structure, nomination of candidates, campaign spending, fund raising, unconstitutional actions, and other financial obligations. As Müller says, "Germany is arguably *the* Western European country in which party law has the greatest relevance."<sup>7</sup>

Few other countries have enacted such a comprehensive party law. Most countries, however, have built a myriad of rules through constitutional provisions, legislative statutes, parliamentary rules, court law, administrative rules, and executive orders that constitutes--to varying degrees--a body of party law. These rules, which established parties tend to resist changing, variously affect

- the definition of a political party
- the legal status of parties
- what membership means and entails
- how parties are organized
- how they must select candidates
- which party activities are permissible and which proscribed

Using the above categories, I am currently engaged in building a data base of rules affecting political parties across countries. I have already recorded 246 distinct rules for only about 30 countries, but I have barely scratched the surface.

### **Party Finance:**

Müller established "party finance" as a separate category for direct regulation of parties by the state, so I retained the category for this paper. Although party finance might justifiably be treated as a subcategory of party law, the relevant literature is extensive and often quite distinct from that on other aspects of political parties. For example, Herbert E. Alexander, who is internationally known for his research on money in politics, has cultivated that field almost to the

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<sup>6</sup>*The Law on Political Parties.* (Bonn: INTER NATIONES, 1994), p. 5.

<sup>7</sup>Müller, "Parties and the Institutional Framework," p. 262.

exclusion of other aspects of party politics.<sup>8</sup>

Karl-Heinz Nassmacher, one of the leading scholars in the field (writing in his edited *festschrift* to Professor Alexander), uses the term "political finance" to encompass both "party finance" and "campaign finance."<sup>9</sup> Accordingly, I classify under "party finance" rules that determine

- whether parties get public subsidies
- how parties can raise funds
- how parties can spend funds

Although I have no firm evidence, I suspect that the regulatory framework concerning party finance is somewhat easier to modify than other rules in party law that specify how parties are organized and operate.

### Campaigns:

An additional reason to separate "campaign finance" from "party finance" is that campaigns are a distinct target for government rules, separate from political parties per se, and have been studied separately. For example, government regulations (usually through legislative statutes) determine

- the duration of campaigns (when they start and stop)
- how candidates can raise funds for their campaigns
- how much candidates are allowed to spend
- whether candidates can draw on public subsidies (including free television time)
- which campaign activities are permissible and which proscribed
- candidates' access to the media
- restrictions on reporting polling results

In their 2002 study of "global political campaigning," Plasser and Plasser review the "regulatory framework of campaigns" in 52 countries. To draw order from the maze of specific rules, they classify countries according to whether campaign practices are "strictly regulated," "moderately regulated," or "minimally regulated." They cite Japan as having "strictly regulated" campaigns; Russia as a country with "moderately regulated" campaigns;<sup>10</sup> and say:

The most popular example of minimal restrictions of campaign practices are in the United States, but campaigns in Australia, New Zealand and Canada also face only minor restrictions by prevailing electoral

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<sup>8</sup>One of his recent books is Herbert E. Alexander and Rei Shiratori (eds.), *Comparative Political Finance Among the Democracies* (Boulder, CO: Westview Press, 1994). His earlier pioneering studies tended to focus on American political finance.

<sup>9</sup>Karl-Heinz Nassmacher, "Comparative Political Finance in Established Democracies (Introduction)," in Karl-Heinz Nassmacher (ed.), *Foundations for Democracy: Approaches to Comparative Political Finance* (Baden-Baden: Nomos Verlagsgesellschaft, 2001), pp. 9-33; at p. 10.

laws.<sup>10</sup>

Even within the context of campaign regulations, campaign finance demands separate treatment by Plasser and Plasser. They review campaign funding in 72 countries but do not correlate funding with other campaign regulations.

Although I have no firm evidence, I suspect that the regulatory framework concerning campaigns is easier to modify than the regulatory framework concerning party finance.

### Candidates:

Just as the regulatory framework concerning campaigns deserves to be unlinked from regulations of parties, separate treatment is needed for the regulatory framework concerning *candidates*. Many government rules are directed at candidates apart from parties, specifying

- the definition of a candidate (sometimes apart from a party)
- how candidates are nominated outside the context of a party
- the amount and fate of a candidate's election deposit
- which candidate activities are permissible and which proscribed
- how candidates can raise funds
- how candidates can spend funds

Although I have no firm evidence, I suspect that the regulatory framework concerning candidates is easier to modify than the regulatory framework concerning campaigns.

As Müller notes, altering the regulatory framework usually has a direct effect on political parties and party systems. Nevertheless, scholars who write on party change--while acknowledging the critical importance of the legal framework--pay relatively little attention to the legal framework as a factor in explaining party change. Instead, party scholars tend to take the regulatory framework as a given factor that imparts constant effects across all parties in a system.

Consider, for example, the classification of regulatory frameworks of campaigns by Plasser and Plasser as *strictly regulated*, *moderately regulated*, or *minimally regulated*. Party scholars are apt to regard the severity of regulation as a control variable, assessing how parties change within regulated environments of varying severity.

While manipulating the legal environment may be the stuff that excites practitioners, scholars (for the most part) are not given to political engineering and prefer to explain the world they have--rather than create the world they might want. Viewed another way, most party scholars are interested in explaining observed party change than in advocating how to produce party change.

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<sup>10</sup>Plasser and Plasser, *Global Political Campaigning*; Chapter 6, is on "Regulatory Frameworks of Campaigns," pp. 137-179; at p. 151.

### **Environmental Factors: *The Political-Socioeconomic Milieu***

Scholars certainly recognize that the political-socioeconomic milieu has strong effects on political parties. For example, they theorize that religiously heterogeneous societies are more likely to give rise to intense partisan conflict than socially homogeneous societies. Because the political-socioeconomic milieu is constant for given societies over most research periods, however, scholars again *usually* do not include changes in the political-socioeconomic milieu in explaining party change.

Robert Harmel, however, notes that certain approaches to explaining party change do involve political-socioeconomic factors. Harmel describes three broad theoretical approaches: the "life-cycle" approach, the "system-level trends" approach, and the "discrete change" approach.<sup>11</sup> The first two clearly rely on the political-socioeconomic milieu.

Harmel illustrates the "life-cycle" approach with Michels' 1911 "iron law of oligarchy," which holds that parties if not oligarchical at birth would become oligarchical over time. Harmel writes:

The transformation would be particularly impressive in mass parties of movement origins, with their initial emphasis on democratic control by the masses. The inability of those masses to direct their own movement would inevitably lead to the development of, and control by, a professionalized, unrepresentative, and relatively permanent clique of leaders more interested in the organization's survival and their place in it, than in the party's original public goals. So universal would this 'iron law' be that no democratically initiated party could mature and grow without succumbing to this oligarchical tendency.<sup>12</sup>

Harmel notes that scholars have employed the life-cycle approach "when trying to explain fundamental changes in roles and relationships of various components of party organization."<sup>13</sup> Clearly, scholars' concern with such long term phenomena does not mesh well with the more focused concerns of democratic development practitioners.

Similarly, the "system-level trends" approach is concerned with long term environmental change. Harmel says:

Duverger with his argument that the cadre party form would eventually be replaced by that of the mass party, Kirchheimer with his addition of the catch-all party, and Katz and Mair with their description of the more recent cartel party, have all suggested that not only might new parties take different forms as the result of dramatic changes in relevant environments of parties, but that some older parties would also feel

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<sup>11</sup>Robert Harmel, "Party Organizational Change: Competing Explanations?" in Luther and Müller-Rommel (eds.), pp. 119-142; at p. 120.

<sup>12</sup>Roberto Michels, *Political Parties* (New York: Free Press, 1962), originally published in 1911.

<sup>13</sup>*Ibid.*

compelled to conform.<sup>14</sup>

Once again, academic concern with explaining long term change seems distant from practitioners' desire to effect more immediate change. Because Harmel's last general theoretical category, the "discrete change" approach does offer something to practitioners, I will discuss it under the heading of "party-level" factors.

### Party-level Factors

This may not be the best title for this section, but it illustrates the difference in approaches. Whereas regulatory frameworks and environmental factors tend to affect all the parties in a system, a different body of theories on party change focus primarily on factors that operate at the party level. Essentially, these theories help explain why some parties in a system change while others do not. Harmel calls this the "discrete change" approach and describes it so:

Recognizing that not all party change consists of wholesale transformations, either over the life-cycle of a single party or for whole systems at particular periods of history, some scholars have chosen to focus on less sweeping changes in party organization. In general, those who have participated in this latter school have argued that discrete changes in a party's environment and/or internal circumstances may result in rather abrupt, discrete changes in the party's organization. Rather than adding up to the patterned clusters of change encountered in the earlier approaches, the changes of interest related to the discrete change school are often disconnected from other changes and might, in fact, at first appear to be quite 'random'.<sup>15</sup>

Especially in the last two decades, numerous studies of party change fall under this approach. The literature is too large to summarize here, but some studies that emphasize particular party-level factors can be cited. Albinsson proposed that leadership changes produced internal organizational change.<sup>16</sup> Janda argued that parties were more likely to change their organization or issue positions after poor electoral performance, calling major electoral defeat "the mother of party change."<sup>17</sup> Harmel and Janda contended that the differing nature of party goals was important in determining how parties changed.<sup>18</sup> Harmel et al. combined several of these factors

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<sup>14</sup>*Ibid.*, p. 132.

<sup>15</sup>*Ibid.*, p. 125.

<sup>16</sup>P. Albinsson, "Changes within the National Organization of the Moderate Party of Sweden, 1960-1985," English translation of an abstract for *Skinningar i blatt: Forandringar insm Moderata Samlingspartiets riksorganisation 1960-1985* (Lund, Sweden: Lummunfaktör Forlag, 1986).

<sup>17</sup>Kenneth Janda, "Toward a Performance Theory of Change in Political Parties," paper delivered at the 12th World Congress of the International Sociological Association, Madrid, Spain, July 9-13, 1990

<sup>18</sup>Robert Harmel and Kenneth Janda, "An Integrated Theory of Party Goals and Party Change," in *Journal of Theoretical Politics*, 6 (July, 1994), 259-287;

in explaining party change.<sup>19</sup>

In general, the "discrete change" approach, which relies on variables at the level of individual parties, appears to be both a more dynamic and discriminating theoretical approach to party change. It is more dynamic in the sense of explaining more abrupt changes in parties. It is more discriminating in the sense of explaining why some parties--but not others--change in the same system.

**2. Which factors, among other, make parties more or less representative, more or less competitive, more or less corrupt, more or less internally democratic and stronger or weaker?**

Up to now, the discussion of theoretical factors that explain party change has focused primarily on the major *independent* variables. In the language of theory construction, the causal factors that produce a result (i.e., party change of some unspecified form) are called *independent* variables. The results that they cause are deemed *dependent* variables. In party theory, then, environmental factors and party-level factors are the independent variables that affect party traits--the dependent variables.

This question above, which identifies five party traits of special interest to democratic development practitioners, presumes that scholars often employ these traits as *dependent* variables in theory and research. Alas, that is not generally so. Most party scholars do not focus much on some of these traits.

To document my claim, I refer to the data base of approximately 300 articles published in *Party Politics*, an international journal that began publishing in 1995 and which I co-edit. One of my responsibilities is to maintain its web site at <http://partypolitics.org>. Instead of abstracts of the published articles, which are available at commercial sources, my web site stores the first and last paragraphs of every article plus the full titles of all tables, figures, and appendices. In virtually all instances, my data base describes the articles better than the published abstracts. I incorporated the well-known "Google" search engine to locate terms in the data base, which makes it easy to search to see what was on the academic agenda of the hundreds of scholars who have published in *Party Politics*.

Although other journals frequently publish articles on political parties and party systems, *Party Politics* is the only journal devoted to the subject. I believe that articles published during the past decade represents contemporary research in the field. Here are the results of the Google search

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<sup>19</sup>Robert Harmel, U. Heo, Alex Tan, and Kenneth Janda "Performance, Leadership, Factions, and Party Change: An Empirical Analysis," *West European Politics*, 18 (January, 1995), 1-33

for some 300 articles published from January 1995 through September 2004 for the terms in question 2:

**Representative:** This term was mentioned in the first paragraph, in the last paragraph, or in a table, figure, or appendix of 21 articles. However, 18 used it in the broader context of "representative" democracy/democracies/institutions/politics/government. Only 3 mentioned "representative" parties.<sup>20</sup> "Representation" was mentioned more frequently, 30 times (excluding book reviews). Although 9 of these dealt with "proportional representation" primarily as an electoral method, the other 23 were concerned with party representation to some extent.<sup>21</sup>

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<sup>20</sup>Deborah L. Norden, "Party Relations and Democracy in Latin America," *Party Politics*, 4 (October 1998), 423-443.

Rosa Mulé, "Explaining the Party-Policy Link: Established Approaches and Theoretical Developments," *Party Politics*, 3 (October 1997), 493-512.

Karina Pedersen, Lars Bille, Roger Buch, Jørgen Elklit, Bernhard Hansen and Hans Jørgen Nielsen, "Sleeping or Active Partners? Danish Party Members at the Turn of the Millennium," *Party Politics*, 10 (July 2004), 367-383.

<sup>21</sup>Grigori V. Golosov, "Political Parties, Electoral Systems and Women's Representation in the Regional Legislative Assemblies of Russia, 1995-1998," *Party Politics*, 7 (January 2001), 45-68.

Miki Caul, "Women's Representation in Parliament: The Role of Political Parties," *Party Politics*, 5 (January 1999), 79-98.

Andrew Geddes, "The 'Logic' of Positive Action?: Ethnic Minority Representation in Britain After the 1992 General Election," *Party Politics*, 1 (April, 1995), 275-285.

Gerardo L. Munck and Jeffrey A. Bosworth, "Patterns of Representation and Competition: Parties and Democracy in Post-Pinochet Chile," *Party Politics*, 4 (October 1998), 471-493.

Harold D. Clarke and Allan Kornberg, "Partisan Dealignment, Electoral Choice and Party-System Change in Canada," *Party Politics*, (October 1996), 455-478.

Wouter van der Brug, "Voters' Perceptions and Party Dynamics," *Party Politics*, 5 (April 1999), 147-169.

Paul G. Lewis and Radzislawa Gortat, "Models of Party Development and Questions of State Dependence in Poland," *Party Politics*, 1 (October, 1995), 599-608.

Walter J. Stone, Ronald B. Rapoport, and Monique B. Schneider, "Party Members in a Three Party Election: Major-Party and Reform Activism in the 1996 American Presidential Election," *Party Politics*, 10 (July 2004), 445-469.

John Huber and Ronald Inglehart, "Expert Interpretations of Party Space and Party Locations in 42 Societies," *Party Politics*, 1 (January, 1995), 73-111.

Michael Coppedge, "The Dynamic Diversity of Latin American Party Systems," *Party Politics*, 4 (October 1998), 547-568.

Rachel K. Gibson, Michael Margolis, David Resnick and Stephen J. Ward, "Election Campaigning on the WWW in the USA and UK: A Comparative Analysis," *Party Politics*, 9 (January 2003), 47-75.

Oda van Cranenburgh, "Tanzania's 1995 Multi-Party Elections: The Emerging Party System," *Party Politics*, 2 (October 1996), 537-549.

Stephen M. Swindle, "The Supply and Demand of the Personal Vote: Theoretical Considerations and Empirical Implications of Collective Electoral Incentives," *Party Politics*, 8 (May 2002), 279-300.

Malcolm Brynjin and David Sanders, "Party Identification, Political Preferences and Material Conditions: Evidence from the British Household Panel Survey, 1991-2," *Party Politics*, 3 (January 1997), 53-77.

Richard S. Katz, "Electoral Reform and the Transformation of Party Politics in Italy," *Party Politics*, 2 (January, 1996), 31-53.

Campbell Sharman, "Uncontested Seats and the Evolution of Party Competition: The Australian Case," *Party Politics*, 9 (November 2003), 679-702.

**Competitive:** In contrast to "representative," the terms "competitive" or "competition" receive considerable attention from party scholars. Excluding book reviews, total of 71 articles. Although this topic is at the core of party scholarship, it is usually treated as a property of party *systems* and not individual *parties*.<sup>22</sup>

**Corrupt:** Only 5 articles mention "corrupt" or "corruption."<sup>23</sup> Moreover, some were only passing mentions. Scholarly theory has essentially not tried to explain corruption.

**Internally democratic:** Only 1 article mentioned this specific phrase.<sup>24</sup> On the other hand, searching for "democratic," which returns 103 articles, is too broad. It is better to search for "organization," which is mentioned in 42 articles and is probably also too broad. A search for "internal" and "organization" produces 9 articles that are more or less on target.<sup>25</sup>

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Lynda Erickson, "The October 1993 Election and the Canadian Party System," *Party Politics*, 1 (January, 1995), 133-143.

Manon Tremblay and Régean Pelletier, "More Women Constituency Party Presidents: A Strategy for Increasing the Number of Women Candidates in Canada?," *Party Politics*, 7 (March 2001), 157-190.

Scott Mainwaring, "Electoral Volatility in Brazil," *Party Politics*, 4 (October 1998), 523-545.

Paul G. Lewis, "The 'Third Wave' of Democracy in Eastern Europe: Comparative Perspectives on Party Roles and Political Development," 7 (September 2001), *Party Politics*, 543-565.

Paul Pennings and Reuven Y. Hazan, "Democratizing Candidate Selection: Causes and Consequences," *Party Politics*, 7 (May 2001), 267-275.

Stephen K. Wegren, "The Communist Party of Russia: Rural Support and Implications for the Party System," *Party Politics*, 10 (September, 2004), 565-582.

<sup>22</sup>Too many citations to note.

<sup>23</sup>Michael Gallagher and Michael Marsh, "Party Membership in Ireland: The Members of Fine Gael," *Party Politics*, 10 (July 2004), 407-425.

Percy Allum, "From Two Into One': The Faces of the Italian Christian Democratic Party," *Party Politics*, 3 (January 1997), 23-52.

Jonathan Mendilow, "Public Party Funding and the Schemes of Mice and Men," *Party Politics*, 2 (July, 1996), 329-353.

Jon H. Pammett and Joan DeBardeleben, "Citizen Orientations to Political Parties in Russia," *Party Politics*, 6 (July 2000), 373-384.

Michael Keren, "Political Perfectionism and the 'Anti-System' Party," *Party Politics*, 6 (January 2000), 107-116.

<sup>24</sup>Jo Saglie and Knut Heidar, "Democracy within Norwegian Political Parties: Complacency or Pressure for Change?" *Party Politics*, 10 (July 2004), 385-405.

<sup>25</sup>Ingrid van Biezen, "On the Internal Balance of Party Power: Party Organizations in New Democracies," *Party Politics*, 6 (October 2000), 395-417.

Jan Sundberg, "Compulsory Party Democracy: Finland as a Deviant Case in Scandinavia," *Party Politics*, 3 (January 1997), 97-117.

Ingrid van Biezen, "Party Financing in New Democracies: Spain and Portugal," *Party Politics*, 6 (July 2000), 329-342.

John T. Ishiyama, "Red Phoenix?: The Communist Party in Post-Soviet Russian Politics," *Party Politics*, 2 (April, 1996), 147-175.

**Stronger or weaker:** As applied to party traits, this pair of terms is ambiguous. They might refer to the strength of party organizations, but that's unlikely given interest in "internal democracy" above. They might refer to *institutionization*, an important concept in party research mentioned in 17 articles.<sup>26</sup> Or they might refer to *electoral success*, a term

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Richard S. Katz, "The Problem of Candidate Selection and Models of Party Democracy," *Party Politics*, 7 (May 2001), 277-296.

Gideon Rahat and Reuven Y. Hazan, "Candidate Selection Methods: An Analytical Framework," *Party Politics*, 7 (May 2001), 297-322.

John T. Ishiyama, "Candidate Recruitment and The Development of Russian Political Parties, 1993-99," *Party Politics*, 7 (July 2001), 387-411.

Michelle M. Taylor-Robinson, "Old Parties and New Democracies: Do They Bring out the Best in One Another?" 7 (September 2001), *Party Politics*, 581-604.

William Lee Eubank, Arun Gangopadabay and Leonard B. Weinberg, "Italian Communism in Crisis: A Study in Exit, Voice and Loyalty," *Party Politics*, 2 (January, 1996), 55-75.

<sup>26</sup>Steven Levitsky, "Institutionalization and Peronism: The Concept, the Case and the Case for Unpacking the Concept," *Party Politics*, 4 (January 1998), 77-92.

Michelle Kuenzi and Gina Lambright, "Party System Institutionalization in 30 African Countries," *Party Politics*, 7 (July 2001), 437-468.

Ami Pedahzur and Avraham Brichta, "The Institutionalization of Extreme Right-Wing Charismatic Parties: A Paradox?" *Party Politics*, January 2002, vol. 8, no. 1, pp. 31-49.

Vicky Randall and Lars Svåsand, "Party Institutionalization in New Democracies," *Party Politics*, 8 (January 2002), 5-29.

Donna Lee Van Cott, "Party System Development and Indigenous Populations in Latin America: The Bolivian Case," *Party Politics*, 6 (April 2000), 155-174.

Livianna S. Tossutti, "From Communitarian Protest Towards Institutionalization," *Party Politics*, 2 (October 1996), 435-454.

Timothy J. Power, "Parties, Puppets and Paradoxes: Changing Attitudes Toward Party Institutionalization in Post-authoritarian Brazil," *Party Politics*, 3 (April 1997), 189-219.

Goldie Shabad and Kazimierz M. Slomczynski, "Inter-Party Mobility among Parliamentary Candidates in Post-Communist East Central Europe," *Party Politics*, 10 (March 2004), 151-176.

Michael Coppedge, "The Dynamic Diversity of Latin American Party Systems," *Party Politics*, 4 (October 1998), 547-568.

Steven Levitsky, "Crisis, Party Adaptation and Regime Stability in Argentina: The Case of Peronism, 1989-1995," *Party Politics*, 4 (October 1998), 445-470.

Thomas L. Brunell and William Koetzle, "A Divided-Government-Based Explanation for the Decline in Resignations from the US Senate, 1834-1996," *Party Politics*, 5 (October 1999), 497-505.

Attila Ágh, "Defeat and Success as Promoters of Party Change: The Hungarian Socialist Party after Two Abrupt Changes," *Party Politics*, 3 (July 1997), 427-443.

Lise Rakner and Lars Svåsand, "From Dominant to Competitive Party System: The Zambian Experience 1991-2001," *Party Politics*, 10 (January, 2004), 49-68.

Giovanni M. Carbone, "Political Parties in a 'No-Party Democracy': Hegemony and Opposition Under 'Movement Democracy' in Uganda," *Party Politics*, 9 (July 2003), 485-501.

Tapio Raunio, "Losing Independence or Finally Gaining Recognition? Contacts Between MEPs and National Parties," *Party Politics*, 6 (April 2000), 211-223.

Ingrid van Biezen, "On the Internal Balance of Party Power: Party Organizations in New Democracies," *Party Politics*, 6 (October 2000), 395-417.

Kenneth Ka-Lok Chan, "Structuralism Versus Intentionalism in Post-Communist Party System Evolution: The Polish Case," 7 (September 2001), *Party Politics*, 605-619.

mentioned in 8 articles.<sup>27</sup>

To summarize from these results, contemporary party scholarship seldom addresses the trait of *corruption*, so party theory has little to say about factors that make parties more or less corrupt. Party scholarship often studies *competition*, but usually in the context of competition within the party system. It has less to say about what factors make individual parties competitive. Concerning what makes parties *internally democratic*, there is a body of articles precisely on this point. However, one theoretical argument (which comes from Duverger) suggests that party ideology drives the way parties are organized.<sup>28</sup> According to this argument, one needs to change party ideology (from extremist to center) to make them more internally democratic. The *representative* nature of political parties draws considerable attention in the parties literature, but often only demonstrating the extent to which parties represent women or ethnic minorities. Finally, as to what party theory says about making parties *stronger or weaker*, the question becomes stronger or weaker along what dimension? A large and dense body of game theoretic literature (largely absent from *Party Politics*) addresses party strategies for electoral success, but I doubt that this academic literature would be much help to practitioners.

### **3. Given the existence of several different analytical perspectives in the literature, what are the main gaps and disagreements?**

The literature on party change does contain different analytical perspectives. But Harmel's review (above) of the three analytical approaches refers to them as more complementary than as competing, because they tend to explain different phenomena. The "life-cycle" approach accounts for changes in a given party as it ages. The "system-level trends" approach describes

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<sup>27</sup>Simon Hug, "Studying the Electoral Success of New Political Parties: A Methodological Note," *Party Politics*, 6 (April 2000), 187-197.

Goldie Shabad and Kazimierz M. Slomczynski, "Inter-Party Mobility among Parliamentary Candidates in Post-Communist East Central Europe," *Party Politics*, 10 (March 2004), 151-176.

Scott Morgenstern, "Organized Factions and Disorganized Parties: Electoral Incentives in Uruguay," *Party Politics*, 7 (March 2001), 235-256.

Robert Harmel and Lars Svåsand, "The Influence of New Parties on Old Parties' Platforms: The Cases of the Progress Parties and Conservative Parties of Denmark and Norway," *Party Politics*, 3 (July 1997), 315-340.

Kenneth Benoit and Michael Marsh, "For a Few Euros More: Campaign Spending Effects in the Irish Local Elections of 1999," *Party Politics*, 9 (September 2003), 561-582.

Ian McAllister and Donley T. Studlar, "New Politics and Partisan Alignment: Values, Ideology and Elites in Australia," *Party Politics*, 1 (April, 1995), 197-220.

Paul Lucardie, "Prophets, Purifiers and Prolocutors: Towards a Theory on the Emergence of New Parties," *Party Politics*, 6 (April 2000), 175-185.

Paul G. Lewis and Radzislawa Gortat, "Models of Party Development and Questions of State Dependence in Poland," *Party Politics*, 1 (October, 1995), 599-608.

<sup>28</sup>Kenneth Janda and Desmond King, "Formalizing and Testing Duverger's Theories on Political Parties," *Comparative Political Studies*, 18 (July, 1985), 139-169.

how major, incremental environmental changes affect virtually all parties in a system. Within the "discrete change" approach, however, theorists do argue for the relative importance of certain variables, and researchers differ on the importance of the variables.

Consider, for example, Harmel's report of research concerning the relative importance of electoral defeats and leadership change done separately by Müller and Bille:<sup>29</sup>

Both Muller (1997) and Bille (1997) have also addressed parts of the integrated theory in case studies of party change, producing quite different conclusions. Muller concluded that while leadership change, change in dominant faction, and electoral defeats all played a role in organizational change within Austria's SPO, electoral performance was relatively less important than the other factors, and 'leadership change must be considered as the single most important factor' (309). However, Bille's study of change in the Danish Social Democratic Party concluded that neither electoral performance nor leadership change had a marked effect on rules changes.<sup>30</sup>

As Harmel points out, theoretical explanations for party change have forged far ahead of empirical research to test those theories.

#### **4. Which of the change variables can be influenced by assistance initiatives?**

Party theorists would overwhelmingly agree that changing the legal framework can change—even in the sort run--party systems and in virtually all the individual parties in a given system. In short, government rules are powerful independent variables for effecting comprehensive party change. As I surmised above, assistance initiatives are more likely to change laws concerning party finance than to change laws regulating other aspects of parties; more likely to change laws concerning campaign finance than laws on party finance; and more likely to change laws concerning candidates than laws regulating campaigns more generally.

To the extent that assistance initiatives can change the legal framework, significant party change should follow. Of course, there is always the specter that change produces unintended consequences. The rise of 527 Committees in the United States in the wake of the 2002 Bipartisan Campaign Reform Act and the continued flow of big money into campaigns should be a lesson to us all.

As for surgical intervention to change individual parties, the "discrete change" body of theory can be consulted. Unfortunately (as noted above) empirical evidence is lacking to support the impact

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<sup>29</sup>Wolfgang C. Müller, "Inside the Black Box: A Confrontation of Party Organizational Change," *Party Politics*, 3 (July 1997), 293-313; and Lars Bille, "Leadership Change and Party Change: The Case of the Danish Social Democratic Party, 1960-95," *Party Politics*, 3 (July 1997), 379-390.

<sup>30</sup>Harmel, "Party Organizational Change," p. 127.

of specific factors on party change. It makes sense to argue that changing leaders will change party organization, but Bille (at least) saw little organizational consequence from leadership change. Then too, there is the question of whether assistance initiatives can extend to party leadership change.

**5. What are the main issues related to change in political parties and political party systems of importance for democratic development practitioners?**

I might identify two major issues:

1. To what extent do democratic development practitioners want to change the party system and all the parties in it, and to what extent do they want only to change individual parties? By changing the legal framework for a country, they have more capacity for comprehensive change than for selective change. However, like a global replace in a word processing program, it is a powerful but risky procedure.
2. Some conceptual sharpening is needed in identifying party traits as targets for change. Indeed, conceptual sharpening, though needed, is not enough. Considerable effort is required to develop empirical indicators to use in measuring party traits before attempting to change them.