

Measuring National Performance on Models of Party Regulation

Kenneth Janda
Northwestern University, USA

Prepared for delivery at the Expert Meeting at The Hague, Netherlands, on

Political Party Development in Conflict-prone Societies

*Organized by the Clingendael Institute, in collaboration with International IDEA,
Centre for Democratic Institutions and United Nations University/Tokyo*

25 October 2006

In an earlier work for the National Democratic Institute for International Affairs, I proposed five models that reflect different ways in which nations have regulated parties through policies that *proscribe, prescribe, permit, promote, or protect* parties and party activities.¹ I arrived at these models while building a database of 1, 100 *party laws*, defined as the body of state-based regulations that determines the legal status of political parties and that specifies what constitutes party membership, how parties must be organized, how they should campaign, how they must handle party funds, and so on. NDI maintains a searchable version of this database on its website.²

Individual party laws, the unit of analysis in that database, were cited to illustrate each regulatory model. Although the database tagged each law with its country of origin in, it could not be used to determine to what extent different nations relied on each model, because the unit of analysis was the party law, not the nation. To rate nations for their reliance on the five models required somehow evaluating each law for its fit to each one; computing an average “score” for each nation on its reliance on proscribing, prescribing, permitting, promoting, or protecting political parties; and then creating a new data file that used the nation as the unit of analysis.

That task proved to present a number of difficulties. This paper describes them and reports preliminary data from a first attempt at resolving the difficulties while attempting to measure national performance on the five models of party regulation. The analysis is very much a work in progress. Along the way, I made several methodological decisions that are open to question. I expect that the analysis will be greatly improved from constructive criticism of my decisions.

The paper has three parts: (1) a description of the models and the general approach to scoring nations on each model; (2) a data report on the scoring results; and (3) an evaluation of the methodological difficulties in the study.

¹ Kenneth Janda, “Adopting Party Law,” *Political Parties and Democracy in Theoretical and Practical Perspectives*, a research paper series published by the National Democratic Institute for International Affairs (Washington, DC: NDI, 2005).

² <<http://www.ndi.org/globalp/polparties/programsp/db.asp>>.

The Proscription Model

To *proscribe* means to declare illegal or outlaw.

The Permission Model

To *permit*, of course, means to allow.

The Promotion Model

To *promote* is to advance, further, encourage.

The Protection Model

To *protect* is to shield from injury or loss.

Prescription Model

To *prescribe* means to issue orders, to dictate.

0 Not oriented to open competition in the electoral process: the party's strategy for placing its members in government posts likely involves either restricting competition from opposition parties or subverting the political process; a mixture of the two is unlikely but possible.

1 Generally speaking, the party's strategy is not oriented to open competition in the electoral process, but it does show isolated signs of being electorally competitive with other parties: for example, it may occasionally propose candidates for elections although it may boycott the elections, it may make some effort to nominate candidates that would be expected to draw support from certain publics in competition with opposition groups, although it may not allow the opposition groups to compete.

2 Orientation to open competition in the electoral process plays some role in the party's overall strategy: the party may nominate candidates but it does not rely primarily on the electoral process to place its members in government position.

3 Orientations to open competition in the electoral process plays the major role in the party's overall strategy: the party nominates candidates and campaigns actively to win votes, but it often tries to restrict the activities of other parties or to disrupt society for its own campaign ends.

4 Relies exclusively on open competition in the electoral process.

5-point scale in increments of .5; scores are assigned so that they sum to 5

- 0.0 Rule does not fit this model.
- 0.5
- 1.0 Rule reflects a trace of this model
- 1.5
- 2.0 Rule shows some evidence of this model
- 2.5
- 3.0 Rule shows considerable evidence of this model
- 3.5
- 4.0 Rule shows great evidence of this model
- 4.5
- 5.0 Rule fits this model perfectly to the exclusion of all other models